This handbook is designed to serve as a guide to the rules, policies and services of the University; therefore, it is not intended to establish a contract and the University reserves the right to amend, modify, or change regulations, policies, and financial charges stated in this handbook throughout the year. In such a case, the University will make reasonable efforts to notify community members, in a timely manner, of any changes in policies and regulations (Tusculum University recognizes University issued e-mail accounts as the primary means of notification for Official University Business).
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I. TUSCULUM UNIVERSITY INFORMATION

A. MISSION
Tusculum University provides a comprehensive education in a Judeo-Christian environment, grounded in a civic, liberal, and medical arts curriculum with pathways for career preparation, personal development and civic engagement.

B. VISION
Tusculum University strives to actualize educational excellence and ongoing relevance through our third century by:

• Establishing transformative living and learning communities,
• Reflecting institutional integrity through aspirational leadership and academic innovation,
• Distinguishing Tusculum University alumni as leading citizens-scholars, and
• Maximizing individual, group and community fiscal support and partnerships to promote innovation.

C. CORE VALUES
1. Integrity: Encompassing honesty and trustworthiness, all members of the Tusculum University community value and live with integrity, respect and virtue in communications, relationships and actions.
2. Education: We value a balanced education grounded in the civic and liberal arts and career preparedness. Our goal is for students to develop practical wisdom, global literacy, critical and independent thinking and an appreciation for life-long learning, diversity and inclusion.
3. Civic Responsibility: We value our unique heritage in the civic arts and the Judeo-Christian tradition, and seek to develop citizen-scholars who will serve their communities throughout the world. We develop students as leaders who problem solve with reflective judgment.

D. ACCREDITATION
Tusculum University is accredited by the Southern Association of Colleges and Schools- Commission on Colleges to award baccalaureate and master’s degrees. Contact the Commission on Colleges 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Tusculum University.

E. HISTORY
Founded in 1794, Tusculum University is the oldest university in Tennessee, the twenty-eighth oldest university in the nation, and the oldest coeducational institution affiliated with the Presbyterian Church (USA). The wooded 140-acre Tusculum University campus hosts eight buildings and the Tusculum Arch that are listed on the National Register of Historic Places.
F. PRESBYTERIAN HERITAGE
Affiliated with the Presbyterian Church (USA), the Holston Presbytery and the Presbytery of East Tennessee.

G. UNIVERSITY STRUCTURES OF SIGNIFICANCE
1. Apartment Complex (Mastrapasqua Hall and five additional facilities) (4-2002 and 2-2013) – these six residential living facilities built behind "Old College" provide independent living accommodations for university residents.
2. Arch (1917) – The Arch was built at the University's traditional entrance, directly out from the entrance of McCormick Hall.
3. Byrd Center – The Annie Hogan Byrd Fine Arts Center and Chapel (1965) - The Center was named in honor of the wife of Thomas H Byrd, a longtime trustee and major donor to the project.
5. Garland Library – The Thomas J. Garland Library at Tusculum University (1910/2008) (previously Carnegie Hall-1910/Carnegie Library-1930/Tate Library-1991) - originally built in 1910 with funds from steel-tycoon/philanthropist Andrew Carnegie to house the library and gymnasium (with 2nd floor running track), a major renovation was completed in 2005 and in 2008 the Library was rededicated in honor of Thomas J. Garland, a lifelong Tennessean with a long and illustrious career in state government, higher education and private enterprise (including service as Tusculum’s Chairman of the Board and Interim President). The Garland Library incorporates the Albert Columbus Tate Library section (named for the valedictorian of the 1894 Centennial class) dating to 1910.
6. Haynes Hall (1914) - built with funds from Nettie McCormick. It was named in honor of Landon C. Haynes, Tusculum faculty member for 65 years.
8. Katherine Hall (1962) – built as residence hall and dedicated October 18, 1962, the hall was named for President Rankin’s wife Katherine.
9. Knoxville Regional Center (2001) – built to house the Adult and Online Studies programs in Knoxville, this 30,000 square foot facility has a library, student services, two full-time computer labs, 12 classrooms, and a conference room.
10. McCormick Hall (1887) - built using funds donated by Nettie Fowler McCormick, widow of Cyrus McCormick, inventor of the mechanical reaper.
11. Meen Center - The Ronald H. and Verna June Meen Center for Science and Math (Fall 2016) is a 100,000-square foot, state-of-the-art, math and science building which is designed to educate future leaders, professionals, nurses, chemists, mathematicians, educators and more.
12. Museum – The Pres. Andrew Johnson Museum and Library/Old College (1841) - built due to growth of student enrollment. It is the oldest "academic" building on the University's campus. In 1992/1993, "Old College" was restored to its original appearance and became the Pres. Andrew Johnson Museum and Library with help from Tusculum alumnus and great-granddaughter of Johnson, Margaret Johnson Patterson Bartlett. It also houses the University Archives and original, university library-The Coffin Collection-from Greeneville College. Today, it is also home to the Museum Studies Program.


14. Niswonger Commons (1999)- encompassing and dramatically extending the facilities of the Simerly Union building and the Pioneer Gym, the Niswonger Commons includes the post office, cafeteria, bookstore, student coffee lounge, student radio station, offices, and classrooms.

15. Pioneer Arena (1998) – replacing the former gymnasium as the primary indoor sports complex, the Arena is home to several pioneer athletic teams.

16. President's House (1909) - built across the road from the University, this home has housed the University’s president since President Gray.

17. Rankin Hall (once Gordon Hall) (1923) – built as last building to be built on campus using funds donated by Nettie McCormick, who died later that same year. It is named for another McCormick family member. In 1928, Cyrus McCormick II donated a final family gift of $15,000 to the University and asked that Gordon Hall be renamed. It is rededicated Rankin Hall in honor of senior professor Thomas S. Rankin.


19. Tredway Science Building (1928/1930) - built using the last of the money donated by the McCormick family. This is the only Tusculum building to be used continually for the same purpose since its beginning. In 1989, the Science Building became the Tredway Science Building in honor of William L. Tredway, alumnus and benefactor of the University.

20. Virginia Hall (1901) - designed by renowned architect Louis Sullivan, family associate of the McCormick's, it was the University's first modern building including baths and furnace heat. It was named in honor of the McCormick's daughter, Mary Virginia.

21. Welty-Craig Hall (1891) – built in the name of Rev. William G. Craig, Nettie McCormick's pastor, and friend of the University. In 1998, Craig Hall was renamed Welty-Craig in honor of Stanley R. Welty, a Board of Trustees
Chairman and benefactor of the University. Today Welty-Craig Hall is one of Tusculum’s co-ed residential facilities.

H. CUSTOMS AND TRADITIONS
These are some of the most prominent of Tusculum's traditions and customs. Upper-class students are already familiar with them. First-year students will soon come to know and observe them. Taken together, they bind the University community and give to all students a sense of belonging.

1. School Colors... Orange and Black.
2. Nickname of Athletic Teams... Pioneers.
3. University Seal ... The words “Sit Lux” on the seal mean “let there be light” and the lamp symbolizes education; 1794 represents the year the University was founded.
4. Special Events ... The Arts & Lectures Series brings outstanding educators, performers and lecturers --- musicians, dancers, actors--- to the campus for recitals, concerts, plays, workshops and lectures.
5. Homecoming ... At this time, alumni return to their Alma Mater to see old friends and enjoy the parades, receptions, sporting events, and club reunions.
6. Lantern Festival... Began honoring graduating seniors and soon-to-be seniors in the 1950's. This vesper service was designed to be a service of thanksgiving for blessings received during the years spent on campus.
7. Commencement Weekend ... A Baccalaureate service is incorporated into the beginning of the ceremonies and provides an opportunity to give thanks for the blessings bestowed on the community and especially its graduating seniors, and the Commencement ceremony honors the accomplishment and promise of the graduating students.
8. Convocations ...Taking place once per semester throughout the academic year, Opening Convocation is scheduled each year in the fall semester, while the Honors Convocation is scheduled in late spring. Other convocations, planned by the Office of Student Affairs, may feature thought-provoking speakers or presentations by individuals or groups within the community.
9. Nettie Fowler McCormick Day ... Celebrated by Tusculum University since 1913, Nettie Fowler McCormick Day is named to honor Mrs. McCormick for her philanthropic support of the University. Activities have evolved through the years and most recently, McCormick Day has been a day of service in the community. Putting our Civic Arts mission into practice, students, faculty and staff provide meaningful service to schools, agencies and organizations as a reflection of Mrs. McCormick's generous example.
10. The Arts, Acts, & Academia Series... In addition to visual art exhibits in the Allison Gallery each block, outstanding artists, including the Knoxville Chamber Orchestra and the National Shakespeare Company, along with other musicians, theatrical productions and dance companies are brought to...
campus. The Community Concert Association based in the Greeneville community allows attendance by Tusculum students free of charge.

11. Sit Lux...Brings the Tusculum University community together to celebrate the Christmas holiday through fellowship, music, and the annual holiday tree lighting.

12. Lantern Festival...Where graduating seniors have an opportunity to present “Golden Lantern” pins to the faculty member who has had the most impact on their experience at Tusculum University.

The Alma Mater

‘Neath oaks that so long have stood watching,
   Oh halls of our university, ye stand
   Afar on the distant horizon
   The Smokies rise, lofty and grand
   With beauties of nature surrounded,
   A century’s memories thine
   And so our university, we love thee,
Close ’round thee our heart strings entwine.
   Oh days in the old Alma Mater
   Spent in class room, on campus or track
   Each one full of tasks and of pleasure
   Once gone, they can never come back!
Then sing while the days are still passing
   With voices exultant and free
   Fair Tusculum, our university, forever!
   All hail, Alma Mater, to thee!

Tusculum Fight Song

Stand up and sing a song of cheer for Tusculum,
Stand up and lead a cheer and fight for Tusculum
   For the spirit will never die
   While our colors are flying high
   And our voice will reach the sky
   As our boys go marching by
So stand up and sing a song of cheer for Tusculum
Stand up and lead a cheer and fight for Tusculum
II. UNIVERSITY SERVICES

A. ALERT NOTIFICATION SYSTEMS
Tusculum University contracts emergency notification services allowing the institution to communicate emergency situation developments to all students, parents, staff, and faculty (and community emergency care providers). While available community member contact information is loaded into the system upon their joining the University to receive e-mail, phone call, and text messaging alerts as to developing situations, individuals should verify and update their information regularly (you will receive an e-mail with information on how to access your account – if you have questions, please contact the Chief of Campus Safety at x5070). The information provided indicates immediate response directions and updates to keep the community informed as the situation resolves. If you have any questions, contact the Office of Student Affairs.

B. CAREER DEVELOPMENT
The Office of Career Development assists currently enrolled students and alumni with career choices and employment skills development. Students are encouraged to begin career development programs upon entering Tusculum and continue them throughout their university experience.

The Office provides instruction in constructing resumes, identifying and acquiring worthwhile internships, developing interviewing skills and securing employment. The office maintains current information about full-time and part-time employment opportunities as well as internship opportunities. Employer representatives are invited to campus to interview, share information and network with students. There are multiple career development resources and a library maintained in the office and/or online that include graduate school catalogs, information about standardized examinations, graduate programs, and more.

C. INFORMATION TECHNOLOGY
Information technology services are provided by the Department of Information Systems (IS). IS is responsible for the infrastructure that provides all voice and data services and support to all Tusculum University campuses. The Webmaster is responsible for the posting and maintenance of all Tusculum University website resources.

A central information technology help desk is available to assist students in accessing all information technology resources. Request for assistance can be made on the Tusculum website here or by calling the Tusculum IS Help Desk at
D. **CAMPUS SAFETY**

Tusculum University staffs the Residential Campus with Campus Safety Officers 24 hours a day/365 days a year (423-470-2710). The Department of Campus Safety is located in the Niswonger Commons, but you can engage the Campus Safety Officers throughout the campus as they patrol all areas of the campus both on foot and in vehicles. Officers are always available to provide information or assistance, such as an escort, whenever needed.

Under Tennessee law, Tusculum University makes monthly reports to the Tennessee Bureau of Investigation regarding crimes that have occurred on campus during the past month. The University is also required to make an annual report to the federal government under the Clery Act and publishes an annual security report available through the Campus Safety Office and on-line. Anyone is welcome to check this report in the Office of Campus Safety.

E. **COUNSELING AND ADA SERVICES**

Counseling and ADA Services located in Garland Library, Room 233, offers secular and Christian-Integrated services in a timely manner within a safe, respectful, and nonjudgmental environment. The office makes available programs, services, and resources to aid students on their journeys of personal development.

**Counseling Services**

Students have the opportunity to meet with a professional counselor in a confidential atmosphere at no cost to the student for short-term care or referral. Counseling may help students learn to deal proactively, safely, and successfully with some common issues such as coping with stress and ways to manage anxiety.

**ADA Services**

Students with disabilities may request reasonable accommodations to ensure their full engagement in the campus community. Students must voluntarily disclose their disability and provide documentation signed by an appropriate professional to qualify services. Reasonable accommodations are offered at no cost to the student and are approved on a case-by-case basis. Examples of possible accommodations include extended time on tests and testing in a quiet low-distraction environment. You can learn more on the ADA Services website.
F. LIBRARY SERVICES

The Thomas J. Garland Library and its Knoxville branch play a major role in the academic life of the University. Print book holdings include 45000+ volumes. The periodical and serials collection currently includes just under 150 magazine, journals, and newspapers in paper or micro format. In addition, approximately 100,000 journal holdings and 400,000+ ebooks are available. The original University Library was built in 1910, and has been renovated to provide state of the art facilities for use electronically. Students have direct and immediate access to most materials online since the Library is open to all community members and can be accessed electronically 24/7.

Librarians and library staff members are always available to assist students. We may be contacted via phone, email, or in person at either of our library locations. There is always something going on at the library!

Fall and spring semester library hours:

Sunday 2:00 p.m.-midnight
Monday-Thursday 8:00 a.m.-midnight
Friday 8:00 a.m.-5:00 p.m.
Saturday Closed

Changes to library hours during holidays and breaks will be posted on the library website and the library doors.

G. THE ACADEMIC RESOURCE CENTER

The Academic Resource Center— (ARC) exists to meet the academic needs of both traditional and Adult and Online university students and faculty. The ARC houses the offices of Academic Advising, Learning Support Services, and the University’s two Student Support Services TRIO Programs.

- Academic Advising provides academic counseling regarding course scheduling and selection of majors. Advising personnel also monitor academically at-risk students to ensure they are accessing services to improve academic performance.
- Learning Support Services include assistance with time management, problem solving, and coordination for tutoring services.
- The Student Support Services program is a federally-funded entity sponsored by the TRIO Programs division of the United States Department of Education. Tusculum University hosts two Student Support Services programs—once known simply as SSS that exclusively serves residential university students, and one known as ARCHES that serves baccalaureate-level, Adult and Online Studies students. These programs offer participants assistance with academic development through a variety of enrichment activities. Specific services
include: tutoring, financial literacy counseling, mentoring, academic advisement, facilitation of graduate school enrollment and cultural enrichment activities.

All the members of the Academic Resource Center are available to assist students with any problems or concerns regarding campus life.

H. **THE TUTORING CENTER**
The Tusculum University Tutoring Center is a cooperative venture between the University and the Student Support Services program. The mission of the center is to help students hone academic skills to ensure success in their scholarly pursuits. The Tutoring Center offers a variety of free services including course-specific tutoring in mathematics, writing, laboratory sciences, humanities and social sciences. To deliver high quality services, the Tutoring Center employs degreed and peer tutors who are responsible for administering individualized tutoring sessions. Furthermore, the Tutoring Center staff collaborates with faculty members to ensure that services address specific academic challenges so that students successfully master course content. Additionally, the Tutoring Center offers a variety of academic workshops and schedules DSST testing for Tusculum University. The Tutoring Center is located on the top level of the Thomas J. Garland Library and the hours of operation are Monday-Friday from 8 a.m. - 5 p.m. Evening sessions take place Monday-Thursday from 7 p.m.-9 p.m., on the second floor of the Garland Library, behind the circulation desk.

I. **CENTER FOR CIVIC ADVANCEMENT, GLOBAL AND MISSION STUDIES**
For students interested in service, the Center for Civic Advancement (CCA) provides information about community needs, volunteer opportunities, and study/service abroad. It functions as the “home” of service-learning on campus and also houses the Bonner Leaders, a service-oriented student leadership program. The CCA is located on the fourth floor of Niswonger Commons.

J. **INCLEMENT WEATHER**
The following procedures are used on days when snow, ice or other weather conditions necessitate the closing or delaying of operations for the University:
1. The office of the Provost in conjunction with the President, Chief Financial Officer, and Director of Facilities Management will determine when the University is closing or delaying classes.
2. Announcements will be made through Pioneer Alert, the University’s Alert Notification System. In Greeneville, announcements will also be carried on the University’s web and social media sites and by local radio stations WSMG 1450 AM, WGRV 1340 AM, WQUT 101.5 FM, WXBQ 96.9 FM, and by television stations WJHL Channel 11, and WCYB Channel 5. In Knoxville, announcements will also be carried by radio stations Star 102, B97.5, 103.5
WIMZ, 94.3 The X, 95.7 Jack FM and by television on WVLT. In Morristown, announcements will be carried on radio station WCRK 1150 AM.

3. Attempts will be made to open the computer lab, library, and cafeteria during times when the University is closed.

4. On some occasions, the University might delay the opening of the school day. This will be announced following the same procedures as listed above.

K. CHANGE IN ADDRESS, NAME OR TELEPHONE NUMBER

Notify the Registrar’s Office whenever you have changes in your address, telephone number, e-mail address, or name (documentation required) so that your records will be accurate. Please ensure that the registrar has updated cell phone numbers of all students for emergency alerting requirements.

L. SCHEDULING OF FACILITIES

The Facilities Management Office handles the master calendar for scheduling of all campus facilities in Greeneville. All clubs and organizations must reserve rooms for regular meetings and facilities for their events through that office (ext. 5069) and disclose their faculty/staff representative’s name as a contact. All schedule changes must be routed through the office, since a change in one organization’s schedule may affect the facilities available to others. All club and organization events must receive prior approval through the Office of Student Affairs. To schedule facilities at a branch campus, call the main number for that facility. (Knoxville – 865-693-2277, Morristown – 423-581-5002).

M. NISWONGER COMMONS

In addition to the campus dining facilities, classrooms, faculty offices, and meeting spaces, the Common’s includes the Office of Student Affairs (inclusive of Housing, Behavior Education, Multicultural Affairs, and the Dean of Students), the Student Activities Center (SAC – inclusive of Campus Activities, Residential Life and Intramurals/Recreational Sports), The Academic Resource Center, The Center for Civic Advancement, The Office of Career Services, the Bookstore, Campus Safety, Chick-Fil-A, a general lounge, and the campus mailroom.

UNIVERSITY Bookstore - the TU Bookstore and its branches are institutionally owned and operated by Tusculum University. The prime objective of the store is to provide full service to the entire campus community. The inventory includes textbooks and classroom supplies, as well as computer aids, Tusculum apparel, gift items, snacks & drinks. Textbook buy-backs are conducted at least once a semester and advance notice is provided. The Tusculum Bookstore accepts Visa, MasterCard & Discover in addition to cash, and personal checks with a student ID. Students also have the option of transferring money to their student account for purchases in the Bookstore.
N. CAMPUS RELIGIOUS LIFE
Weekly services and special celebrations bring the campus community together to celebrate, recognize and explore their faith. Students are encouraged to engage in the many community worship opportunities on and off-campus.

O. LOST AND FOUND
Lost and found items (not including those articles abandoned in residence halls) on the Greeneville campus are stored at the Campus Safety office. Articles may be turned in at any time or claimed between 8:00 a.m. and 5:00 p.m., Monday through Friday by appointment. At all other sites, lost and found items are kept at the front desk. All unclaimed articles are disposed of after the statutory holding period.

P. CAMPUS WEIGHT ROOM
1. Another facet of Tusculum University’s health and wellness program is its weight room, located on the lower level of the Pioneer Arena, which is available to all members of the University community. Hours of operation are posted at the weight room. This facility includes both free weights and cardio-vascular equipment. All users of this facility are expected to consult their physician before beginning a work-out program and be trained in the use of the equipment before undertaking exercise in this area. Campus Safety will not unlock the weight room unless a coach or weight room staff are present.

Q. WITHDRAWAL, FINANCIAL AID, AND ATTENDANCE POLICY/PROCEDURE
This commentary supplements the policy information in the University Catalog which maintains control of these policies and procedures. Traditional University students wishing to withdraw from the University must initiate the process with the Director of Academic Advising in the Academic Resource Center (located in Niswonger 412). Adult and Online Studies students wishing to withdraw from the University must initiate the process with their advisor.

Room charges, fees, summer tuition, and textbooks will not be refunded after the first day of classes for the term (or the year in the case of room charges). Upon the official date of withdrawal being finalized (once all completed paperwork receipted), board/meal charges will be refunded on a pro-rata basis from the next vendor cycle (up to four weeks from the official date of withdrawal). A schedule of regular term tuition refunds may be found in the University Catalog. Students must check out of the residence hall within 24 hours of withdrawing unless they have otherwise received approval for alternative arrangements through the Office of Student Affairs.
Per Department of Education Federal Regulations, Title IV funds (Pell, SEOG, TEACH Grants, Direct Subsidized and Unsubsidized student loans, and Plus loans) are awarded to a student with the expectation that the student will attend the classes for which they enrolled. Part of the awarding criteria for Financial Aid is the number of credit hours a student is enrolled for (enrollment status) along with the duration of enrollment (semester).

When a student changes his or her class schedule by dropping a course, or by dropping more credit hours than what is added back (i.e. drop 3 credit hour course but only add a 1 credit hour course) then the aid must be refigured on the REVISED enrollment status. This could mean a change from full-time to part-time and result in a reduction of the amount of aid that a student can receive for the semester.

When a student withdraws or stops attending classes before completing the semester, the Financial Aid office is required to complete a recalculation, for all Title IV funds, as of the date the student ceased attendance.

State regulations also require a recalculation of state aid such as the Tennessee Student Assistance Award and the HOPE Scholarship if a student withdraws or changes his or her schedule.

<table>
<thead>
<tr>
<th>Academic Advising</th>
<th>Residential – Director of Academic Advising</th>
<th>Niswonger 412, Ext. 5153</th>
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<tbody>
<tr>
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<td>AOS – At each location</td>
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<td>Arts &amp; Lectures Requirement</td>
<td>Director of Academic Advising</td>
<td>Niswonger 412, Ext. 5153</td>
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<td>International Student Services</td>
<td>Director of Academic Advising</td>
<td>Niswonger 412, Ext. 5153</td>
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<tr>
<td>Return After Academic Suspension</td>
<td>Director of Academic Advising</td>
<td>Niswonger 412, Ext. 5153</td>
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<tr>
<td>Withdrawal from College</td>
<td>Residential – Director of Academic Advising</td>
<td>Niswonger 412, Ext. 5153</td>
</tr>
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<td></td>
<td>AOS – See your Academic Advisor</td>
<td>Main and Online – Ext. 5602, Morristown – Ext. 5903, Knoxville – Ext. 5010, ARCHES – Ext. 5006</td>
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</tbody>
</table>
III. STUDENT AFFAIRS

A. STUDENT CLUBS & ORGANIZATIONS
The University EXPERIENCE IS about broadening one’s perspective – both in life and in academics. One of the most fulfilling ways to experience University life is to participate in Student Government, intercollegiate athletics, or in one of the many clubs and organizations offered. Membership in a campus organization enriches the educational experience, improves leadership ability, enhances academic achievement, increases career success, and develops social skills. All students are urged to get involved and become engaged so that you are able to make the most of the opportunities already here.

Please see below for a few examples of available clubs and organizations.

1. **Student Government Association** - The Student Government Association meets weekly and meetings are open to all members of the University community. Student Government Association includes members elected from classes, athletics, commuters, and our adult and online student population. The Student Government Association has numerous responsibilities including but not limited to: serving as a representative board, which solicits and conveys student feedback to appropriate parties, providing funding for clubs and organizations, and creating a passing legislation works with the Dean of Students to appoint students to various University committees.

2. **Student Programming – Tusculum Activities Board** (TAB) is linked with the Office of Student Affairs as the primary student programming entity on Tusculum’s campus. TAB is a student run organization and develops a wide variety of activities for the entire University community. The leaders and volunteers of TAB coordinate events including but not limited to: comedians, coffee house entertainment, dances, movie showings, outdoor recreation, and guest speakers. Involvement with TAB includes learning opportunities for students to develop their decision-making, leadership, marketing, and analysis skills.

3. If you do not see a club or organization that interests you here (link), you can follow the steps below to start your own!

B. GUIDELINES FOR CLUBS AND ORGANIZATIONS

1. All student organizations must have a Tusculum University faculty or staff member serving as an advisor.

2. Until an organization is approved by the Student Government Association and Office of Student Affairs, it will be considered an interest group on campus with certain restrictions outlined in the SGA Constitution and Bylaws (hyperlink this).

3. Organizations seeking approval may host interest sessions.
C. NEW CLUB AND ORGANIZATION PROCESS
1. Clubs are to fill out a new student organization packet that includes a constitution, a petition of interest, etc.
   CLUBS MUST FOLLOW THE MISSION OF TUSCULUM UNIVERSITY – “Tusculum University provides a comprehensive education in a Judeo-Christian environment, grounded in a civic, liberal, and medical arts curriculum with pathways for career preparation, personal development and civic engagement.”
2. Clubs must have identified officers and a faculty/staff advisor.
3. Clubs must have at least eight (8) members to become and remain chartered.
4. Once the packet has been turned in to the Student Government Association Advisor, the club is to set up an appointment with the Student Government Association in which they will be vetted for approval.
5. If the club is approved by the Student Government Association, it must then be approved by the Dean of Students and the Vice-President of Academic Affairs.
6. If a club is not approved by the Student Government Association, it will remain an interest group until officially approved by the Student Government Association.
7. (Link to all current Clubs and Orgs.)

D. RESPONSIBILITIES OF CLUBS AND ORGANIZATIONS
1. Clubs must maintain membership of at least eight (8) members, which includes all officers’ positions.
   a. However, it is understood that clubs go through periods of change and growth—if a club drops below eight (8) members, they are allowed one (1) calendar year for growth before their charter is called into question by the Student Government Association. If a club cannot show that they have been actively recruiting, their charter will be revoked, and they will become an interest group.
2. At least one member from every chartered organization on campus will be required to attend Student Government Association meetings once a week and attendance will be taken each week by a sign-in sheet at the beginning of every meeting.
   a. He or she shall be known as a Club Ambassador
   b. An Ambassador can be an elected representative, senator, or appointed member of the Student Government Association but doesn’t have to be in order to be represented in the body
   c. A single person may represent more than one club as long as he or she is active members in those clubs
   d. The same club member does not have to show up each week (unless he or she is an elected member of the Student Government Association) as long as there is at least one ambassador from each club
   e. A club may only have two (2) absences each semester
i. Each absence after the allowed two (2) a 5% deduction will be taken from the requested annual budget up to 15%

ii. After the fifth (5th) absence, the club will lose its charter for at least one full semester
   1. After one (1) semester, the club may petition the Student Government Association for its charter through the proper approval process

3. Each club must host at least one event each semester that is open to the wider campus community

4. Each club will have at least two (2) meetings each semester in order to remain an active organization
   a. After a full year without having meeting or events, a club will become dormant
   b. After a full two years without having meetings or events, a club will be considered not sanctioned " and must go through the approval process to become a chartered organization again

E. STUDENT ORGANIZATIONS
A variety of sports and recreational programs are available to students. (For the most recent list of student organizations, please contact Student Affairs.)

1. President’s Society is an elite student organization dedicated to promote and fortify the mission of the institution. As an ambassador, each member serves as an extension of the undergraduate admission office—to aid in tours and various service projects sponsored by admissions. For more information on how to become a member, contact the residential Office of Admission in person, by phone or e-mail.

2. Academic, Professional, Service and Honor Societies - Tusculum University’s academic clubs and societies promote interest and foster excellence in many disciplines. Departments host organizations for those with an interest in education, music education, physics, and theater; as well as those whose distinctions in academics have been recognized:
   a. Alpha Chi promotes and recognizes scholarship. Membership is open to juniors and seniors ranking in the top tenth of their class.
   b. Athletic Training Student Society promotes professionalism and education within the field of athletic training.
   c. Bonner Leaders is a student-led service learning opportunity. Students who are Work-Study eligible use their placements to serve in the Greeneville community. Students are selected through an application and interview process conducted through the Center for Civic Advancement. The application process opens at the end of the fall and spring semester.
   d. Business Club promotes enjoyment and understanding of business administration; develops leadership abilities through participating in career
education and social activities; assists students in establishing realistic employment objectives; promotes high standards in ethics, workmanship, and scholarship; and develops competent, aggressive leaders in business.
e. **Center for Economic Development and Entrepreneurship (CEDE)** is a group of students devoted to helping small businesses within the community in their business endeavors.
f. **English Students Organization (ESO)** fosters a sense of community and camaraderie among the English Department, other departments and organizations on campus, and members of the surrounding community.
g. **Greene Team** is committed to bringing waste reduction and recycling efforts to campus in an efficient and sustainable manner. To get involved contact the CCA.
h. **History & Museum Studies Student Organization** is an organization of students within the history and museum studies disciplines who are focused on excellence within their field.
i. **Honors Student Organization** is an organization of students who are members of the Honors Program.
j. **Iota Tau Alpha** is a national honor society for Athletic Training Education students. The functions of Iota Tau Alpha are to stimulate interest, scholarly attainment, and investigation in Athletic Training Education and to promote the dissemination of information and new interpretations of the Society’s activities among students of Athletic Training Education.
k. **Military Assistance Group** is established to provide assistance, counsel and direction to student veterans and those students actively serving in the U.S. Armed Forces and their families who are connected to the University and the communities it serves.
l. **National Student Athletic Association** promotes healthy lifestyles for student athletes, provides education in leadership skills, and assists in planning for success during and after university.
m. **Physical Education & Sports Studies Club** serves the interests of Physical Education majors and other interested students by providing peer support for developing professionalism in the field of Physical Education.
n. **Π-oneer U** is an organization of devoted math enthusiasts, including both math related majors and non-majors.
o. **Pioneer Frontier (Student News Magazine)** is the news medium at Tusculum University. Students are responsible for all aspects of production and distribution.
p. **Pioneer Student Athletic Advisory Committee (PSAAC)** acts as the voice of the student-athletes and serves as their voice to the athletics administration as they seek to enhance the total student-athlete experience by developing leadership skills, promoting welfare and fostering a positive image to the community.
q. **Psychology Club** serves the interests of psychology majors by providing peer support for developing professionalism in the field of psychology.
r. **Relay for Life** is affiliated with the American Cancer Society Relay for Life program and they work year-round to support this program which works toward the support of individuals and families affected by cancer and to find a cure.

s. **Science Club** serves the interest of science majors or students interested in science by providing educational opportunities and opportunities for professional development.

t. **Student Alumni Association** is dedicated to building a body of servant leaders who upon graduation will advance the interests and connectivity of alumni and Tusculum University; establish, foster and promote relationships among the University community, and further the quality of the institution.

u. **Student Nursing Organization** serves the interests of Nursing majors and other interested students by providing peer support for developing professionalism in the Nursing Sciences.

v. **Student Tennessee Education Association** is an affiliate of NEA and TEA and offers students information and support in their profession. Membership provides liability insurance during practicum experiences and student teaching and three statewide scholarships per year to members. Tusculum University has had two state scholarship recipients in the past two years.

w. **Study Abroad & Global Awareness Club** supports the provision of unique opportunities for Tusculum University community members to accrue knowledge and interest regarding various settings, locations and cultures with the hope that such knowledge will inspire an internationalized campus with a heightened sense of global awareness.

x. **Theatre at Tusculum** provides many opportunities throughout the year for involvement in theatre, through scheduled productions. Students may audition for roles in productions or volunteer to assist backstage.

y. **Tusculum Arts Outreach** provides a variety of opportunities for theatrical or other artistic involvement in the larger community.

z. **Tusculum Review** is an annual literary journal that publishes fiction, non-fiction and poetry by well-established and emerging writers from around the world. Edited by Tusculum University professors with a volunteer staff made up of students who read and consider submissions as well as help in the design and layout of the review. Students hold positions of responsibility including managing editor, poetry editor, fiction editor and non-fiction editor.

aa. **Voices Against Violence** is comprised of students who advocate on campus against violence against any individuals and groups of people through awareness and education to bring tolerance, concern and celebration of differences.
3. Greek Life
While there are no currently operating Greek Letter social organizations at Tusculum University, the institution looks to the possibility of such programs which can integrate with the culture and support the mission of the University. While recognizing that social interaction is a major component of Greek life, the University holds potential Greek-letter organizations to the ideals upon which they were founded and declines to endorse any fraternity or sorority that wishes to function merely as a “social club.” Founded upon Christian ideals, and inspired to support scholarship, community service, and the notions of wholesome brotherhood and sisterhood, Tusculum University looks to Greek-letter organizations for their potential to promote leadership development as well as social and moral growth. Sororities and fraternities would share responsibility with the University for facilitating the learning process for students and for cultivating an environment that enriches the campus and the educational experience. In support of its mission, Tusculum University is dedicated to principles that provide direction for the Greek Community:

- Promoting the intellectual, social, recreational, and moral development of students;
- Providing training in leadership skills and other personal and social skills;
- Promoting student involvement in co-curricular activities and community service projects;
- Promoting Greek Life as a productive and viable lifestyle on campus; and,
- Promoting an appreciation for diversity.

Greek Life groups operating at Tusculum University would be required to operate under a delayed rush program where students interested in joining social Greek letter organizations at Tusculum University would be required to have earned a cumulative GPA established by the University annually (currently 2.5) and 12.0 credit hours while enrolled at Tusculum. Therefore, incoming students would not be eligible to rush until the spring semester.

4. Religious Programs & Organizations
Tusculum University seeks to assist students in their spiritual growth. Every student is given opportunities not only for academic study of the Christian faith and of other world religions, but also, for participation in extracurricular programs and groups provided to stimulate intelligent reflection upon, and develop mature understanding of, the Christian faith. Many groups meet on a weekly basis for discussion, study, and fellowship and fun and the Center for Civic Advancement can provide information on worship services in Greeneville and neighboring communities.
a. **Baptist Student Union (BSU)** provides a time of Christian fellowship and worship for all students. BSU is open to all denominations.

b. **Fellowship of Christian Athletes (F.C.A.)** is a student led non-denominational organization that promotes Christian principles among student athletes and the general student body. FCA is open to all students and not just athletes.

c. **The Gathering** is a collective effort of Tusculum University faculty, students, and surrounding community members focused on bringing people together to participate in contemporary Christian worship.

### 6. General Interest

a. **Black United Students (Black United Students)** promotes awareness and understanding of the various ethnic groups represented on campus.

b. **University Democrats** is an organization for students supporting the Democratic Party and sponsoring events to raise awareness about civic engagement and social responsibility.

c. **University Republicans** is an organization for students supporting the Republican Party and sponsoring events to raise awareness about civic engagement and social responsibility.

d. **Community Chorus** is open to all community members. No auditions are required. Academic credit may be earned.

e. **Fishing Club at TU** is open to all Tusculum University students interested in learning more about fishing and participating in fishing trips.

f. **Hall Councils** are boards of elected students to represent each residence hall. They function primarily to govern the halls and provide educational and social programming.

g. **Herstory** is a group of women focusing on minority women’s issues in the professions, which encourages the exploration of career opportunities, the development of support networks and the attainment of leadership skills.

h. **International and Multicultural Society** provides an opportunity for international students to fellowship and develop programs to educate the greater university community about their culture and history.

i. **Latin Link** is a group of students devoted to appreciating the Hispanic culture. The organization is open to all interested students.

j. **Magic the Gathering Club** has been established to imbue its membership with a sense of companionship, entertainment and social enrichment based around a common interest in the card game Magic the Gathering.

k. **Open Door Society** is a group of individuals focused on providing a safe, welcoming environment of support to homosexual, bisexual and transgendered individuals while providing education about issues to the university community and providing a commitment to service.
l. **Pioneer Anime Club** exists for the purpose of giving fans of Japanese animation a place to view new productions and share interests with like-minded individuals.

m. **Pioneer Band** is established to provide a variety of musical cultural expressions to the community and provide an outlet for the musically inclined to express themselves and achieve the highest levels of musicianship.

n. **Pioneer Gaming Club** is a group of students from all across campus who enjoy all types of video gaming—PC, Xbox, PlayStation, etc. They host bi-annual marathon gaming programs and weekly gaming meetings.

o. **Tennessee Intercollegiate State Legislature (TISL)** is a group of students interested in the inner working of state government. These students come from all majors. They compete at a state level annually in a mock legislature that takes place in the state capitol.

p. **Track & Field Club** exists to promote and provide an opportunity for individuals to participate in intercollegiate and open track and field meets and events as well as road races.

q. **Venturing Crew** is a program of exciting and meaningful outdoor activities such as ropes, climbing, hiking and camping. The purpose is to help students pursue their special interests, to grow, to develop leadership skills and to become good citizens. Membership is open to all students.

B. **STUDENT SPORTS PROGRAMS**

1. **INTERCOLLEGIATE ATHLETICS**

   Tusculum University is a Division II member of the National Collegiate Athletic Association (NCAA). In addition, the University offers intramural activities to all students. Our goal is to increase the overall participation and wellness of our students on campus. We want students to have fun, take pride in, and develop good sportsmanship on their intramural and NCAA teams. Students interested in participating in the Intercollegiate Athletics program should contact the Athletic Director, or the head coach of the sport they are interested in. Student can visit here to learn more.

   **Varsity Sports:**

   a. Baseball  
      (men)  
   b. Basketball  
      (men, women)  
   c. Beach Volleyball  
      (women)  
   d. Bowling  
      (men, women)  
   e. Cheerleading  
      (men, women)  
   f. Cross Country  
      (men, women)  
   g. Football  
      (men)  
   h. Golf  
      (men, women)
i. Lacrosse  
   (men, women)  
j. Soccer  
   (men, women)  
k. Softball (women)  
l. Tennis  
   (men, women)  
m. Volleyball  
   (men, women)

2. INTRAMURALS & RECREATIONAL SPORTS

Intramurals
The purpose of the Intramural program is to provide the University community with enjoyable and invigorating experiences in sport while in a non-threatening environment.

Unsportsmanlike conduct of any type will not be tolerated. Such conduct will result in removal from the event and suspension from participation in further intramural events. All institutional policies apply during intramural sponsored activities and violations will be pursued.

Intramural Sports—Opportunities identified each semester but often include:
a. Flag Football  
b. Beach Volleyball  
c. Basketball  
d. Dodgeball  
e. Kickball  
f. Corn Hole  
g. Soccer  
h. Ultimate Frisbee  
i. Ping Pong

Recreational Sports
The purpose of the recreational sports program is to provide the University community with a variety of opportunities to promote a healthier lifestyle. Whether through individual or group activities, the recreation sports program provides on and off-campus experiences for community members that can be pursued indoors and outdoors throughout the year to achieve and maintain health and wellness.

Students, faculty and staff are invited to explore indoor activities from table tennis to swimming and pick-up basketball, as well as outside adventure such as hiking, skiing, white water rafting, canoeing, camping, and mountain biking. Also incorporated into this program are trips to various areas of attraction, such as: Ruby Falls, Rock City, Grandfather Mountain, and the Smoky Mountains. These trips are offered to students, faculty and staff for free or at a nominal fee. Please see Student Affairs for details.
IV. CODE OF STUDENT CONDUCT - BEHAVIOR EDUCATION

A. AUTHORITY, SCOPE, & JURISDICTION

A student who applies to Tusculum University accepts the authority of the University to establish policies and regulations regarding community members’ behavior. This section contains the rules and expectations of conduct to be followed, whether a traditional or non-traditional student. Failure to comply with the established rules and expectations set forth in this Student Handbook will result in discipline, up to and including expulsion.

Ultimate authority for student discipline is vested in the Board of Trustees of the University. Operational authority is delegated through the President of the University and the Provost and Vice President for Academic Affairs to the Dean of Students for matters falling under the Code of Student Conduct. The Dean of Students charges the professional Student Affairs staff and other designated faculty and staff to exercise some of these duties. The Provost and Vice President for Academic Affairs has been delegated authority for academic related matters. The University hopes and expects that students and organizations will manage their individual and group behaviors pursuant to Tusculum University policies, rules and expectations. If students and/or student groups fail to do so, the University will enforce such policies, rules and expectations and determine appropriate penalties in accordance with the Student Handbook.

Jurisdiction and discipline of the University will apply to student (individual) and corporate (group or organization) conduct on University premises (whether owned, leased or managed) and at University events. It also applies to behavior occurring off-campus that indicates that the student may present a risk to the health or safety of her/himself or others, or otherwise adversely affect the University and/or the educational mission of the institution whether during periods of academic coursework or not. Examples of the University’s jurisdiction include, but are not limited to, University athletic teams traveling to and participating in events off campus, recognized student organizations engaging in an event or activity off campus, off-campus internships, and off-campus work-study assignments, off-campus learning team meetings, community service and study abroad. Any exceptions to the Code must be approved by the Dean of Students and explicitly communicated by the faculty or staff in charge.

In addition to the procedures and penalties discussed in the Student Handbook for violation of Tusculum University policies, a student’s misconduct may subject him/her to civil or criminal penalties if such conduct constitutes a violation of local, state or federal law. In such cases, the University may conduct its own disciplinary procedure and impose appropriate sanctions before, during, or after any criminal or civil proceedings as deemed appropriate by the Dean of Students or his/her designee.
B. **STANDARDS FOR PERSONAL & COMMUNITY CONDUCT**

Tusculum University places emphasis on education, and it seeks increased development and integration of the "whole person" in the intellectual, spiritual, social, and physical aspects of life. As an educational community, it respects and encourages the development of individual virtues such as integrity, rationality, compassion, self-discipline, and personal responsibility. The University also places special emphasis upon certain community ideals such as tolerance, civility, and respect for the person and conscience of others. Additionally, students are expected to participate in the building of a mutually supportive, responsible, and accountable community in which persons are expected to refrain from actions which are directly or indirectly injurious to other persons or to the community as a whole. Students are expected to actively participate in the process of deterring injurious conduct, through counseling others, and where other means fail or are inappropriate, reporting cases to the proper authorities.

As a university related to the Presbyterian Church, it holds additional values such as honesty, the value and worth of each individual, the seriousness and inevitability of human shortcomings, and the hope for redemptive behavior. Such a community must depend upon the respect for certain principles and patterns of behavior by its members in order to function effectively.

Most policies concerning academics can be found in the University Catalog and provide the definitions, and operational structure for activities associated directly with academic coursework. The policies in this Code of Student Conduct provide the definitions and operational structure for life together on campus. Adherence to these Codes will be considered an understood prerequisite for acceptance to and ongoing membership in the University community.

C. **ILLUSTRATIVE REGULATIONS**

The following sections set out specific standards and expectations as examples, though they are not intended to be exhaustive in scope nor detail:

1. **General Behavior**
   a. Any conduct which has or presents a reasonable threat of a negative impact on the health, safety, rights, and property of the University, community members, or visitors;
   b. Any conduct which is or could reasonably be concluded to be an attempt to commit acts prohibited by this Code may be punished to the same extent as if the act had been completed;
   c. Aiding or encouraging others in the commission of an act prohibited under this Code including knowing presence during or subsequent to a violation of a standard of this Code (e.g. a student may be held responsible for any and all violations occurring when present in a room or area where a violation of University standards is taking place);
d. Violation of established policies, rules or regulations promulgated through the official communications of Tusculum University (including but not limited to those policies covered in the Code of Student Conduct and applicable Student Handbook or University Catalog).

e. Any conduct which has or could reasonably be concluded to have a negative impact on the good name or operation of the University; and

f. Violations of expectations established under local, state, or federal law (as interpreted by the University and not dependent upon the outcome of external hearing bodies or subject to challenge on the ground that criminal charges involving the same incident have been reduced or dismissed);

2. Abuse of Self or Others

a. Inflicting mental or bodily harm upon any person (including one's self);

b. Engaging in any intentional or reckless action from which mental or bodily harm could result (including to one's self);

c. Causing a person to reasonably believe that the offender may cause mental or bodily harm;

d. Harassing behavior, including, but not limited to, violation of the standards set forth in the Tusculum University Peer Harassment and Sexual Harassment Policies; and

e. Discrimination against a person on the basis of race, religion, age, sex, national origin, sexual orientation, military or veteran status, disability, or genetic information except where such differentiation is sanctioned for cause in advance (e.g. organizations established to promote the interests of a specific segment of the community and are therefore restrictive in their membership).

3. Alcohol and Controlled Substances

Note - Being under the influence of alcohol or other drugs does not diminish individual or corporate responsibility for a violation of the Code of Student Conduct; and offenses under this section should reflect the sanction guidelines established in the Alcohol and Controlled Substance Policy Enforcement Procedures.

a. Unauthorized possession (including constructive possession), distribution or consumption of alcoholic beverages or paraphernalia as established through the Tusculum University Alcohol Policy;

b. Public intoxication, presenting a threat to oneself or others, or engaging in disruptive behavior due to being under the influence of alcoholic beverages;

c. Possession (including constructive possession), use, or trafficking in controlled substances or other violations of the Tusculum University Controlled Substance Policy;
d. Use of cigars, incense, flavored or scented cigarettes, candles, smudge sticks of other substances which cause a scent perceivable as marijuana or masking the use of same will provide sufficient indicia to justify a search of any items on University property and can result in the student being found responsible for a violation of the Controlled Substances Policy as olfactory (smell) evidence is sufficient evidence to support a finding of responsibility;

e. Smoking of any substance outside of a designated smoking area (see Smoking Policy herein - there is no smoking permitted in any building on a Tusculum campus or in vehicles of the University); and

f. In addition to the foregoing regulations in this section, inhaling or ingesting any substance(s) that can or does have the effect of altering one's mental state (unless in compliance with a legal prescription).

4. Computer Usage

a. Improper access or other usage of the Tusculum University network as outlined in the Information Technology Appropriate Use Policy.

5. Disorderly or Disruptive Behavior

a. Intentional or reckless obstruction or disruption of teaching, research, administration, disciplinary proceedings, University events or activities, including violation of the Freedom of Expression Policy;

b. Obstruction or disruption which reasonably or unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus;

c. Failure to comply with the directions of University officials acting in their official capacity, including administrators, staff, faculty, and paraprofessional staff (including, but not limited to, refusing to furnish identification or failing to stop engaging in behavior when requested to do so or restricting access to any person, item, or venue to Student Affairs or Campus Safety personnel). Verbal and/or physical abuse directed toward any University official will not be tolerated and will constitute a serious violation. Any person who refuses to provide photo identification, at the request of a campus safety officer, may be asked to leave University property. Failure to comply with a request to leave the property may result in the person being escorted off campus by police;

d. Conduct which is disorderly, indecent, breach of peace, or aiding, abetting, or procuring another person to engage in the foregoing on University premises or at functions sponsored by, or participated in by the University;

e. Capturing unauthorized images of an individual where there is a reasonable expectation of privacy (especially images captured digitally or on film of a person undressed or dressing/undressing, or of a person's intimate body parts or engaged in intimate personal activity, such as, but
not limited to, a locker room, changing room, restroom or residential living space).

f. Without limitation, unauthorized recording of personal conversations, meetings, or activities (e.g. class sessions).

g. Failure to observe the expectations established through the Noise Policy. The City of Tusculum has a noise ordinance which goes into effect at 11pm each night of the week;

h. Card playing is permitted, but unsanctioned gambling for material gain is prohibited; and

i. For residential students, failure to observe dining facility protocols, including, but not limited to: wearing shoes and shirts in dining facilities at all times; clearing own trays or packaging waste; not lending meal/board card to another; unauthorized removal of food, utensils, china, silverware and other service items; waste or blatant misconduct with food.

6. Facilities and Property

a. Unauthorized entry to or upon, or use of University property, equipment or resources, including but not limited to the telephone system, mail system, computer system, vehicle keys, buildings and furnishings, ledges, roofs or fire escapes of University-owned or operated buildings and service tunnels, or the duplication or use of keys ($250 minimum fine);

b. Theft, attempted theft, conversion of any property or services of the University, community members or guests (e.g. possession of stolen property, unauthorized sale of another’s books, etc.); and

c. Destruction, damage or defacement (including littering), misuse or tampering with any property or services of the University, community members or guests (e.g. possession of stolen property, unauthorized sale of another’s books, vandalism, etc.).

7. Health and Safety

a. Unauthorized storage, use or possession (or constructive possession) on any campus property (including items in vehicles) of weapons (as defined by local, state and federal law, and including any object or substance designed to inflict a wound or cause injury); explosives; projectiles; flammable materials (including solvents); biohazardous, volatile, or poisonous materials of any kind; or other items which may be hazardous to the health or safety of others. Items prohibited under this section include, but are not limited to, handheld guns (which includes pistols, stun, paint, pellet, dart, cap, BB, starter or water or toy guns which may be perceived to be actual weapons), long arms (such as rifles, shotguns, air rifles), bows, arrows, axes, knives or blades of any type, nun chucks, throwing stars, sling shots, firecrackers and fireworks.
Additionally, items which may not generally considered to be weapons, but which are wielded in a manner such that harm or the threat of harm is indicated, will be considered as a weapon under this policy (e.g. waving a baseball bat or knitting needle at another in a threatening manner). In addition to other sanctions, an automatic minimum fine of $500 will be assessed under this policy, and suspension or expulsion from the University will be examined.

(Note Tennessee State Law [T.C.A. 39-17-1309] prescribes a maximum penalty of six [6] years imprisonment and a fine not to exceed three thousand dollars [$3,000] for carrying weapons on school property);

b. Setting or causing to be set, any unauthorized fire in or on University premises (including grills or barbeques on a campus facility balcony or porch or under the eaves or overhangs) or storage of combustible engines or flammable materials in the aforementioned areas or inside a residential area. Ground fires in any form are not permitted on campus without permission obtained through the Office of Student Affairs on the residential campus or through the appropriate AOS student service staff;

c. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, crime, or other emergency on University premises or at University sponsored events or tampering with fire alarms (e.g. battery removal, wire disconnection or shielded air passageways, etc.), extinguishers, or other fire equipment (in addition to other sanctions, an automatic minimum fine of $250 will be assessed);

d. Failure to comply with the directions of emergency (e.g. Fire or Police Department) personnel or University officials acting in their official capacity, including administrators, staff, faculty, and para-professional staff; or failure to comply with mechanical or electronic evacuation alarms or systems or otherwise evacuate or properly report hazardous or threatening incidents (in addition to other sanctions, an automatic minimum fine of $100 will be assessed);

e. Tampering with fire or safety signage (include exit floor plans or doorway signage) or breaching University security (e.g. propping open residence hall doors or loaning keys) (in addition to other sanctions, an automatic minimum fine of $100 and related replacement/repair/cleaning costs will be assessed);

f. Failure to observe fire regulations requiring that halls, stairways, entrances, porches, evacuation routes, and balconies be kept clear of obstacles at all times;

g. Rough play on University premises, or use of outdoor recreation equipment in any facility other than facilities where such activity is explicitly permitted (e.g. gymnasium); and

8. Honesty/Identification
All forms of dishonesty and misconduct including, but not limited to the following:

a. cheating, plagiarism, or other forms of academic dishonesty (these cases are adjudicated through processes administered by the Provost and Vice-President for Academic Affairs);

b. tampering with the election of any recognized or charted student organization;

c. Forgery, alteration, tampering or unauthorized use of any University document, record, or instrument of identification (e.g. use of another’s ID or PIN number);

d. Transferring, lending, or borrowing University identification; and

e. Failing to provide identification or furnishing false information to authorized University officials, offices, or judicial boards (including, but not limited to, being party to falsification; giving or providing false statements, written or oral; and/or providing false information during any University proceeding or to any University official). Any person who refuses to provide photo identification, at the request of a campus safety officer, may be asked to leave University property. Failure to comply with a request to leave the property may result in the person being escorted off campus by police.

9. Process & Responsibility

a. Failure to escort or manage guest’s behaviors at all times while on, in, or at any campus property, facility or event (minor children must be accompanied [and may not stay in residence halls overnight] due to liability issues and unescorted non-students generally have no rights to be present on, in, or at any campus property or facility, beyond that specifically extended by an authorized agent of the institution [e.g. intercollegiate athletic events open to the general community]). Students are expected to inform their guests of all applicable University regulations and see that their guests act accordingly (e.g. payment for meals at Dining Halls, possession of alcoholic beverages, etc.);

b. Abuse or misuse of University disciplinary process, including falsifying, distorting, or misrepresenting information in a University investigation or proceeding; disruption of or interference with an investigation or proceeding; attempting to intimidate, harass, or exert undue influence over a member of a hearing panel, witness, or party prior to or during a judicial proceeding; attempting to discourage an individual’s proper participation in or use of, the judicial process; and

c. Failure to comply with disciplinary sanctions imposed, including violation of the Code of Student Conduct while on probation or deferred suspension (Note - failure to complete sanctions is considered a serious offense which will result in a minimum $100 fine and consideration of suspension).
D. ALCOHOL & CONTROLLED SUBSTANCE POLICY

Alcohol & Drug Risk Information

The general health risks related to alcohol and other drug abuse may be immediate or build for some time. Some of the physical effects of alcohol/other drug abuse can include: damage to the liver, heart and pancreas; digestive irritations; malnutrition; sexual problems; high blood pressure; brain damage and mental impairments (including negative effects on perception, information processing, learning, judgment, reaction time, sound processing and peripheral vision); increased risk of cancer, heart attack and stroke; and infections in general. Alcohol is the drug of choice for many of those students who abuse drugs. Alcohol is a central nervous system depressant which slows down respiration. Alcohol abuse/dependence can ultimately rob a person of self-control which eventually can lead to broken relationships, loss of jobs, self-esteem, self-respect and even suicide. Alcohol problems can also lead to legal problems such as domestic violence and even criminal offenses and incarceration. Pregnant women who drink may produce a fetus with fetal alcohol syndrome who is small, mentally retarded or has defects of the heart or other organs.

University students who engage in alcohol/other drug abuse also report experiencing a continuum of other unpleasant consequences and behaviors including hangovers, vomiting, accidents and injuries, blackouts, fights, missing classes, lower grades, damaging property, pulling fire alarms and other disciplinary problems which can result in suspension from school. Thus, alcohol/other drug abuse can contribute to academic failure and misconduct.

A major consequence of alcohol or other drug abuse may cause the development of an addiction. While almost anyone may develop an addiction, some students are more vulnerable than others due to inherited biological factors. In particular, students whose parents or grandparents had an alcohol or other drug problem, may develop an addiction more quickly and easily than other students. Alcohol or drug addicted students may cease growing intellectually and emotionally and may never learn to cope with problems constructively, but attempt instead to avoid and compound problems by getting “high”. Combinations of various drugs cause make the effects of each stronger (potentiation) and can be fatal.

Tusculum University is committed to increasing awareness about alcohol/drug issues, to prevention strategies that discourage irresponsible and illegal use, and to providing ongoing support for those individuals who have decided not to use alcohol and illegal drugs.

1. Alcohol
Tusculum University recognizes that the use of alcohol tends to have a deleterious effect on educational attainment and that students may deal with issues involving chemical dependency. Therefore, the University strives to provide education and assistance to students. Chemical dependency is a serious illness which can be treated successfully if identified early, if appropriate referral to community agencies is made, and if adequate support is afforded to those in the recovery process.

Possession or manufacture, sale, use, consumption, or delivery of alcoholic beverages or paraphernalia associated with the use of alcohol on University property or at University sponsored events is prohibited unless specifically provided for by the President of the University. Paraphernalia includes, but is not limited to: the public display of signs, posters or other objects with references to alcohol, accumulations of containers (i.e., bottles, cans, kegs, and boxes), bongs for drinking: “bar-like” structures, taps, kegs, or waste containers in excess of 5 gallons.

The entire campus community is expected to promote and enforce a sense of personal responsibility and exhibit responsible behavior toward the consumption of alcohol. In addition to seeking to support student treatment and education, the University reserves the right to initiate disciplinary procedures to maintain a healthy educational environment.

2. **Controlled Substances**

As an institution within the State of Tennessee, Tusculum University is committed to encouraging compliance with all state and local laws. Tusculum University is unalterably opposed to the illegal possession and/or improper use of hallucinogens, drugs, and narcotics by all members of the University community. In keeping with Tennessee and federal laws which prohibit the use, possession, sale or offering for sale of narcotics and hallucinogens, including marijuana, and Tennessee laws prohibiting improper possession, use and sale of drugs (e.g. amphetamines and barbiturates), Tusculum University will encourage and cooperate in the enforcement of these laws which may include actively engaging in prosecution of any community member by local law enforcement agencies.

Any chemical substance that is not for human consumption, but which is consumed by a person for purposes of producing a stimulant, depressive, hallucinogenic, or narcotic effect in that person is considered an illegal drug in those circumstances. In addition, any chemical "substantially similar" to a controlled substance listed in Schedule I or II (of the US Controlled Substances Act) is to be treated as if it were also listed in those schedules, for the purposes of this policy. Any substance that the Attorney General temporarily places on a Schedule to avoid an imminent hazard to the public safety, shall be treated as if it were also listed in that schedule, for the
purposes of this policy. Finally, any recommendation by the World Health Organization for the placing of substances on a schedule of the Single Convention on Narcotic Drugs or the Convention on Psychotropic Substances, shall be treated as binding until such time as this decision is ratified by the Commission on Narcotic Drugs.

The University reserves the right to inspect any and all parcels brought onto campus, to confiscate alcoholic beverages or other controlled substances and to initiate disciplinary procedures. Tusculum respects each student’s right to privacy, but reserves the right to inspect students’ rooms and packages as outlined in the housing agreement.

The following constitute violation of University policy:

a. Use of non-prescribed hallucinogens, drugs, or narcotics - including those prescribed to others (note- olfactory evidence is permissible evidence in a drug hearing and is sufficient to establish a violation);

b. Possession of any materials as outlined above as well as possession of drug-related paraphernalia - including constructive possession of the aforementioned (constructive possession provides that being in close proximity to prohibited items is enough to justify accountability as a hearing could conclude that the prohibited items could have belonged to them. Accountability based on constructive possession often results when prohibited items are found in a residence or in a room within a residence, and more than one person is present who could arguably be the owner of the prohibited items. This approach prevents students in violation from merely removing prohibited items from their personal possession upon imminent confrontation by University officials. Practically speaking, as it relates to University students, constructive possession means that students should be aware of their surroundings and avoid situations where prohibited items may be present, even if the student does not actually intend to use or handle the prohibited items personally. Assuming or trusting that a friend or acquaintance will take the responsibility for any prohibited items found has proven to be a critical mistake for many students);

c. Improper use of prescription medications.

d. Trafficking in these items, described in paragraphs 1, 2, and 3 above, whether procuring, giving, selling, or causing to be procured, shared, given or sold.

3. Enforcement

It is the responsibility of each member of the Tusculum University community to uphold the standards and regulations of the University. Each individual is responsible for creating and keeping an academic and social environment which provides a comfortable atmosphere and which
encourages good will and trust among all members of the campus community. To prevent the abuse of the standing alcohol and drug policy, the following enforcement procedures are maintained. Violations of the University alcohol policy may result in the following sanctions:

a. Individual Non-Disruptive Alcohol Violations
   * The Office of Student Affairs has the right to allow students to benefit from educational/restorative opportunities to reduce or remove monetary fines and/or community service if judged appropriate. Failure to complete the agreed educational/restorative opportunities by the assigned deadline will result in reassignment of the standard listed monetary fine and/or community service hours. Failure to complete all agreed upon sanctions by assigned due date may result in suspension from the University.

   i. First Offense
      For students under the age of 21, a parental contact letter detailing the violation which will be delivered to student’s parents;
      A monetary fine of $100; and
      --- alcohol education module completion and 8 hours community service project to be determined and monitored by the Office of Student Affairs; or
      --- 2 page typed reflection paper and 8 hours community service project to be determined and monitored by the Office of Student Affairs. If the violation took place at social event, see organization and event violations policy later in this subsection.

   ii. Second Offense
      --- Monetary fine of $200, six month probation, 2nd parental contact letter for students under the age of 21 detailing the violation and informing parent(s) of student conduct status, 10 hours of community service, and Alcohol Abuse Counseling Assessment, arranged through the Office of Student Affairs. Any Alcohol offense that occurs during a probationary period is an automatic suspension from the university for one academic year.

   iii. Third Offense
      Any Alcohol offense that occurs during a probationary period is an automatic suspension from the university for one academic year.

b. Controlled Substance Policy Violation
   All violations of the Controlled Substance Policy will result in referral to the appropriate judicial board for adjudication and recommendation of sanction, but standard benchmark should include monetary fine of $500, participation in substance abuse counseling assessment (includes a $50 administrative fee), follow-up substance abuse treatment plan inclusive of individual and group therapy (NA) methodologies as determined appropriate; random drug testing, 50 community service hours, parental
contact letter sent for student under the age of 21, and minimum of one academic year probation.

A second offense at any point in the time of study at Tusculum will result in an automatic suspension from the university for 5 academic years.

See Students’ Rights, page 128 for the procedure for disciplinary hearings, process, appeals, and polices.

Medical Amnesty
Tusculum University is dedicated to creating a community of educated individuals focused on personal responsibility and sound decision-making. As a part of this process, the University community is committed to providing guidance so that students can learn to develop a responsible approach to social challenges. The University recognizes that there may be times when students face medical emergencies involving excessive drinking and/or drug use. In such cases, if an individual seeks assistance due to a medical emergency, Tusculum University will not pursue disciplinary sanctions against the student for consumption or possession of alcohol or drugs.

Medical Amnesty applies only to the possession or consumption of alcohol and drugs. It does not preclude disciplinary sanctions due to any other violation of the Code of Student Conduct. Other such violations include, but are not limited to, assault, property damage or distribution of illicit substances (including possession of an amount appropriate for distribution). Additionally, the Policy does not prevent action by police, other law enforcement personnel, or other third parties.

Tusculum University Medical Amnesty Policy is applicable to:
• A student requesting medical assistance for oneself; or
• A student(s) seeking medical assistance for another person

If a student/group calls on behalf of another student, that student/group is required to remain with the student experiencing the emergency until medical attention arrives.

Please note that Medical Amnesty will not be granted to students who do not seek medical assistance, and that students who are confronted by University staff or another third party will be referred to the Office of Student Affairs for disciplinary action. The student needing medical assistance will be required to meet with student conduct personnel and in lieu of disciplinary sanctions, may be expected to complete the following:

• A mandatory meeting with the University Counselor and Dean of Students or other educational referrals
• Responsibility for costs associated with hospital transportation, treatment, assessment, or damage
• Parental notification
Please note that the referring student may also be required to meet with the Office of Student Affairs. As long as the student seeking Medical Amnesty complies with all directives from the Dean of Students or his/her designee, there will be no disciplinary action taken related to a violation of possession or consumption of alcohol or drugs. Medical Amnesty is not intended to shield students or organizations in cases of extreme, flagrant, and repeated incidents. In cases where extreme, flagrant or repeated violations of the Code of Student Conduct occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported. In each case, the Dean of Students or his/her designee will make the final determination as to the applicability of this provision. In the case of any emergency involving alcohol or other drugs, call Campus Safety at 423.470.2710 immediately for emergency medical assistance.

E. AIDS POLICY STATEMENT
This policy is based on current knowledge of the Human Immunodeficiency Virus (HIV), the virus that causes Acquired Immune Deficiency Syndrome (AIDS). This policy may be revised as new medical information develops.

Persons with any form of HIV infection, including AIDS, do not pose a health risk to others through ordinary, casual contact. HIV is transmitted perinatally, by sexual intercourse, and by exposure to contaminated blood. Although HIV may be found in the body fluids and secretions of infected persons, current medical knowledge indicates that the virus is transmitted only by means of contact with the blood, semen, or female genital secretions of infected persons. There has been no confirmed case of HIV transmission within any household or school as a result of casual contact. Therefore, there is no basis for routinely excluding or dismissing students or employees because they have AIDS or an asymptomatic HIV infection.

The University has adopted the following procedures with respect to HIV infection:
1. No consideration will be given to the existence of any form of HIV infection when the University decides whether to admit a student.
2. Students who are infected with HIV will be allowed to attend class without any restrictions, as long as they are physically and mentally capable.
3. Tusculum University does not require mandatory testing for HIV. Under Tennessee law, the University is obligated to report to state or local health departments any known cases of HIV. Otherwise, these reports are treated as confidential medical information, and cannot, without the written consent of the individual, be released to any other person, group, agency or insurer.
4. The National Collegiate Athletic Association (NCAA) with which Tusculum University is affiliated has additional policies and information regarding the relationship of athletic participation and HIV. Contact the office of the Head Athletic Trainer on the residential university for details.
F. **AMOROUS RELATIONS POLICY**

The University’s Amorous Relations policy generally prohibits employee-student or supervisor-supervisee romantic and/or sexual relationships, even mutually consenting ones, as they present a real or perceived impropriety where the supervisor has, or is perceived to have, any professional responsibility for the academic performance or professional future of the student or other employee. There are extremely limited exceptions to this general prohibition (e.g. spouses, previously existing relationships) in which a relationship may be permitted. Under this policy, students have a duty to disclose any romantic and/or sexual employee-student or supervisor-supervisee relationships, even mutually consenting ones, to the Dean of Students (ext. 5315) or the Director of Personnel Services (ext. 5345) to avoid any violations of code, appearance of impropriety, or disruption of the University environment.

G. **CONFISCATION POLICY**

Certain items are prohibited on University property, in University facilities, or at University events, because of health, fire or safety reasons; local, state or federal law; or University policy (e.g. drugs, weapons, and appliances and pets in the residence halls).

When these items are encountered or discovered by University officials, they are subject to confiscation, and the University, its employees, agents, and officers will not be responsible for any incidental loss or harm. Residential students may request permission to retrieve pets which have not been turned over to animal control and which are still in the custody of Campus Safety upon their agreement to immediately remove the animal from University property and not return it to campus. Similarly, appliances may be retrieved by the residential student owner with the same caveat that it be immediately removed and not returned to the premises.

Unless there is a perceived need by the University authority to retain beverage alcohol for evidence in an incident, it will be disposed of upon confiscation (preferably by the student owning or exercising control over the container(s)). Weapons, controlled substances, and drug paraphernalia will be secured by Campus Safety or appropriate law enforcement personnel and will not be returned. Any releasable items which are not claimed by their rightful owner within six months become the property of Tusculum University and will be disposed of without recourse by the previous owner.

H. **FREEDOM OF EXPRESSION POLICY**

Tusculum University is committed to an environment in which a variety of ideas can be reasonably proposed and critically examined. It is often tolerant of the expression of ideas that are brought forth in a manner that would be considered
less than reasonable and with little focus on the application of reflective examination. However, the University community recognizes that the freedom of inquiry and expression which is important to intellectual development and character maturation sometimes produces conflicts of belief and include ideas with which many, including the University in its official capacity, would take extreme exception.

However, when possible, the University seeks to apply the remedy of meeting speech which may be judged offensive or hurtful (that which may be deemed “poor” in that it is found deeply wanting when subjected to the mission and values of the institution) with more speech that seeks to illuminate and educate as a natural extension of its educational mission. Though this approach may be found to be burdensome to many who would prefer to limit the expression of perspectives which are deemed distasteful or even reprehensible by the majority on the grounds that they are harmful to diversity, civility, etc., the development of those very constructs in their common understanding relied upon a society which tolerated the open and permissive exchange of ideas which were often offensive to the majority perspective and hurtful to the sensibilities of many who were in the majority in various communities.

In these situations, it is the University’s role to encourage meaningful dialogue about ideas which evoke and even inflame passions as these are often the areas which are central to identity formation and vision development. Though the University may seek to provide what it considers to be an enlightened perspective, it will also seek to provide a forum for all to be able to consider and articulate their perspective such that it may be fairly considered and weighed on its merits.

While supporting the internal consideration of viewpoints, the University will not, however, seek to provide equal time or support for other communications in clarifying the official position of the institution on a given issue or topic. The University will not permit speech or conduct which amounts to harassment or which exposes minors, University guests, etc. to an environment which diminishes the good name and standing of the institution.

Also implicit in the discussion of freedom of expression generally is the more specific right to dissent and demonstrate in a peaceful and non-disruptive manner without unreasonable obstruction or hindrance. The University expects those who enjoy these freedoms must also accept responsibility for order and discipline. The use of University premises to dissent, demonstrate or otherwise express oneself shall be limited to students which must register the activity with the University through the Dean of Students (such registration shall provide a viewpoint neutral evaluation of the proposal and work to establish a time, place and manner which satisfies the interests of those in dissent to express
themselves without interference due to: 1. the potential of being found a
disruption to the operations of the University, and 2. external threats to the
expression evoked by passions aroused by the activity).

Permissible speech does not include unlawful activity which may threaten or
endanger the safety of any community member, destruction of property, or
obstruction of the normal operations of the University. Expression that is
obscene, and that which amounts to harassment on matters of race, ethnicity,
religion, gender or sexual orientation will not be tolerated.

The following definitions are provided:
- **Speech** - leafleting, picketing, speeches, demonstrating, petition circulation,
fund raising, lawn signs, sandwich boards, tables, gatherings, posters,
pamphlets, and similar speech related activities.
- **Dissent** - individual or group activity which expresses grievances held against,
or changes desired of, society or campus or both. Dissent may be more
general than a simple grievance or remedy and may have an ideological base.
It often includes proposed solutions as well as complaints.
- **Disruption** - activity which disrupts or interferes with the operations of the
University, reacts to the expression of peaceful dissent of others by attempting
to deny their rights, or threatens the safety of any person on the campus
and/or results in the destruction or defacing of property. Persons planning a
demonstration should meet with the Dean of Students or designee to discuss
arrangements for the event. Participants in demonstrations are not permitted
to act, aid, abet, or procure another person to engage in the following on
University premises or at functions sponsored by, or participated in by the
University:
  - Gather in such a fashion as to physically hinder entrances to, exits from
or passageways within any University facility, or to hinder the normal
flow of pedestrian or vehicular traffic on or through the campus (site
managers may restrict speech activity to a reasonable distance from any
exit, entrance, staircase, parking lot or roadway to allow appropriate
access/flow),
  - Assemble so as to intentionally or recklessly obstruct or disrupt teaching,
research, administration, disciplinary proceedings, University events or
activities, including participation in a campus demonstration which
disrupts the normal operations of the University,
  - Create a volume of noise that prevents members of the University from
carrying out their normal duties (especially disruption of teaching
activities),
  - Employ force or violence, or constitute an immediate threat of force or
violence against persons or property,
  - Otherwise violate the University Posting & Distribution Policy, or
  - Fail to observe established closing hours of buildings.
Any person may request from the Dean of Students an interpretation of any provision of these regulations which he or she finds unclear or believes to have been misapplied. The Dean of Students may authorize speech activities which are determined not to cause disruption of campus activities despite a literal violation of these regulations. Persons in violation of these rules are subject to: institutional disciplinary proceedings, if a student or employee; an order to leave the immediate premises or property owned or controlled by the University issued by the Dean of Students or his/her designee; and persons failing to comply with such an order to leave or to remain off the immediate premises or property owned or controlled by the University are subject to arrest for criminal trespass.

I. HAZING POLICY

Tusculum University is opposed to any and all forms of hazing under whatever name or form it may occur. Decisive action will be taken to prevent it in keeping with the following declared policy:

Any organization chartered or sanctioned by Tusculum University may have its right to function revoked if it is found responsible for hazing. Similarly, an individual found responsible of hazing may be separated from the University.

a. Definition - An act of hazing will include all conditions described by Tennessee statutes or any knowing, intentional or reckless act or behavior for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership in any group or organization, whether such behavior is on campus or off campus, or by one person or in concert with others, which, regardless of intent or consent of the participants: 1) produces or is reasonably likely to produce, bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, stress, humiliation, ridicule, fear of ostracism, or otherwise compromises the dignity of an individual; 2) compels an individual to participate in any activity which is unlawful and/or contrary to the rules, policies and regulations of the University; or 3) will, unreasonably or unusually, impair an individual's academic efforts.

b. Behavioral Concerns (As an aid to the organizations and groups on our campus, the following illustrative, but not exhaustive list of "traditional" pledging activities are deemed to be inappropriate by Tusculum University [and may well be illegal]. If you are uncertain, you should not engage in the activity without consulting in advance with the Office of Student Affairs):
i. Paddling in any form, shoving or otherwise striking individuals, or corporal punishment of any kind, or creating a fear of similar behavior;

ii. Compelling physically demanding activity of any kind including, but not limited to, calisthenics, running, or other types of required strenuous activity;

iii. Compelling an individual to be shaved, branded, tattooed, pierced, etc.;

iv. Compelling physical acts, such as walking backwards or confinement in a small space, which create the potential for physical or mental injury;

v. Compelling individuals to engage in sexual behaviors, sexual or racial harassment or slurs, or exhibitionism;

vi. "Line-ups" in which pledges are verbally harassed, intimidated, or abused;

vii. Compelling an individual to engage in acts of personal servitude;

viii. Compelling an individual to forego opportunity for sufficient sleep, consumption of decent edible meals or access to or use of personal hygiene;

ix. Excluding an individual from social contact for prolonged periods of time;

x. Compelling individuals to consume alcohol or drugs or any other substances (e.g. undue amounts or odd preparations of food or drink);

xi. Having substances thrown at, poured on or otherwise applied to the bodies of individuals;

xii. Compelling individuals to wear or carry unusual, uncomfortable, degrading/ provocative or physically burdensome articles or apparel; or causing an individual to be indecently exposed or exposed to the elements
    (Note - The wearing of small pledge pins or small ribbons is allowed, however, any non-apparel items worn with the intent or effect of degradation, humiliation, or bringing undue attention to a pledge is not permitted);

xiii. Compelling individuals to participate in pranks or scavenger hunts
    (Note - Scavenger Hunts may only be permitted upon prior written approval of the Dean of Students or his/her designee. Scavenger hunt items must be approved at least two weeks in advance and any lewd or inappropriate items will not be permitted. Furthermore, scavenger hunts will not be permissible at any time in the Residence Halls or Academic buildings or during academic hours [outside of University orientation programs]);

xiv. Engaging in activities which impair an individual's academic efforts by causing exhaustion, loss of sleep or reasonable study time, or by
preventing an individual from attending class (e.g., late night or early morning house duties);

xv. Transporting individuals against their will, abandoning individuals at distant locations, or conducting any "kidnap," "ditch" or "road trip" that may in any way endanger or compromise the health, safety or comfort of any individual;

c. **Consent Is No Defense** - Any of the activities described or reasonably related to above, upon which the initiation or admission into, or affiliation with, or continued membership in an organization, is directly conditioned, will be presumed to be "compelled activities," the willingness of an individual to participate notwithstanding.

d. **Applicability of Community Standards** - The terms and concepts cited in this policy will be interpreted by University boards or officials in relation to acceptable and applicable community standards.

e. **Accountability Expectation** - All membership-related activities must be approved by the president, chair or leader of the group and the adviser to the group prior to the activity. The activity must not interfere with the rights and activities of others and will reflect the best interests of the members of the organization it represents as well as the University community as a whole.

f. **Enforcement** - The president, chair or leader of each group or student organization is responsible for informing the members (pledges, associate members, initiated members, affiliates, etc.) of the organization of the policy regarding hazing. It is suggested that the policy be read and distribute to each member of the organization during the first meeting of each semester.

The president, chair or leader of each group or student organization is responsible for informing guests and alumni members of this policy and is additionally responsible for controlling the actions of guests and alumni members relative to this policy. Officers of organizations violating hazing policies may be held individually, jointly, and severally responsible for the group's actions, in addition to whatever organization accountability may be established.

It is the responsibility of any and all individuals who have firsthand knowledge of the planning or actual occurrence of a hazing activity to promptly report said knowledge to the Dean of Students or his/her designee.

### J. Health Information Policy

Although not a covered entity under the Health Insurance Portability and Accountability Act (HIPAA), the University is committed to implementing the best practices associated with privacy and security of health information for the protection of its students, faculty, and staff. Therefore, to safeguard the privacy of individuals, the University requires its faculty, staff, and students to apply the
“minimum necessary” standard as described in HIPAA. The minimum necessary standard stipulates that the amount of individually identifiable health information used, obtained, or disclosed to others is restricted to the minimum amount necessary to achieve the specific purpose of that use, request, or disclosure.

K. INFORMATION SYSTEMS APPROPRIATE USE POLICY

Information technology ("IT"), encompasses a vast and growing array of computing and electronic communications facilities and services. These facilities and services provide the means for Tusculum University students, faculty and staff to meet their daily requirements in meeting the overall mission of the University.

Users of these IT resources have a responsibility not to abuse those resources and to respect the rights of the members of the community as well as the University itself.

This IT Appropriate Use Policy (the “Policy” or “AUP”) provides guidelines for the appropriate use of Tusculum University IT resources as well as for the University’s access to information about and oversight of these resources.

Most IT use parallels familiar activity in other media and formats, making existing University policies important in determining what use is appropriate. Using electronic mail ("email") instead of standard written correspondence, for example, does not fundamentally alter the nature of the communication, nor does it alter the guiding policies.

University policies that already govern freedom of expression and related matters in the context of standard written expression govern electronic expression as well. This Policy addresses circumstances that are particular to the IT arena and is intended to augment but not to supersede other relevant University policies.

1. Definitions- The following definitions apply to the Tusculum University Appropriate Use Policy:

a. IT Systems – These are the computers, terminals, phones, switches/hubs, printers, networks, modem banks, online and offline storage media and related equipment, software, and data files that are owned, managed, or maintained by students, faculty and staff of Tusculum University. For example, IT Systems include institutional and departmental information systems, faculty research systems, desktop computers, the University’s campus network, and University general access computer clusters.
b. **Users** – A “User” is any person, whether authorized or not, who makes any use of any Tusculum University IT System from any location.

c. **Systems Authority** – While Tusculum University is the legal owner or operator of all IT Systems, it sometimes delegates oversight of particular systems to other departments or to a specific individual. That department or individual would then be responsible and would have “Systems Authority” for that particular system.

d. **Systems Administrator** – Systems Authorities may designate another person as “Systems Administrator” to manage the particular system assigned to him or her. Systems Administrators oversee the day-to-day operation of the system and are authorized to determine who is permitted access to particular IT resources.

e. **Certifying Authority** – This is the Systems Administrator or other University authority who certifies the appropriateness of an official University document for electronic publication in the course of University business.

f. **Specific Authorization** – This means documented permission provided by the applicable Systems Administrator.

2. **Purpose** - The purpose of this Policy is to ensure an information technology infrastructure that promotes the basic missions of the University in teaching, learning, research, and administration. In particular, this Policy aims to promote the following goals:

a. To ensure the integrity, reliability, availability, and superior performance of IT Systems;

b. To ensure that use of IT Systems is consistent with the principles and values that govern use of other University facilities and services;

c. To ensure that IT Systems are used for their intended purposes; and

d. To establish processes for addressing policy violations and sanctions for violators.

3. **Scope** – This Policy applies to all Users of IT Systems, including but not limited to University students, faculty, and staff. It applies to the use of all IT Systems. These include systems, networks, and facilities administered by the Tusculum University Department of Information Systems (TCDIS), as well as those administered by individual schools, departments, University laboratories, and other University-based entities.

Use of IT Systems, even when carried out on a privately owned computer that is not managed or maintained by Tusculum University, is governed by this policy.

4. **Use of IT Systems** - Although this Policy sets forth the general parameters of appropriate use of IT Systems, faculty, students, and staff should consult their respective governing policy manuals for more detailed statements on permitted use and the extent of use that the University considers appropriate in light of their varying roles within the community. In the event of conflict between IT policies, this Appropriate Use Policy will prevail.
a. Appropriate Use – IT Systems may be used only for their authorized purposes — that is, to support the research, education, clinical, administrative, and other functions of Tusculum University. The particular purposes of any IT System as well as the nature and scope of authorized, incidental personal use may vary according to the duties and responsibilities of the User.

b. Proper Authorization – Users are entitled to access only those elements of IT Systems that are consistent with their authorization.

c. Specific Proscriptions on Use – The following categories of use are inappropriate and prohibited:

1) Use that impedes, interferes with, impairs, or otherwise causes harm to the activities of others. Users must not deny or interfere with or attempt to deny or interfere with service to other users in any way, including by “resource hogging,” misusing mailing lists, propagating “chain letters” or virus hoaxes, “spamming” (spreading email or postings widely and without good purpose), or “bombing” (flooding an individual, group, or system with numerous or large email messages). Knowing or reckless distribution of unwanted mail or other unwanted messages is prohibited. Other behavior that may cause excessive network traffic or computing load is also prohibited.

2) Use that is inconsistent with Tusculum University’s non-profit status. The University is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property, and similar matters. As a result, commercial use of IT Systems for non-University purposes is generally prohibited, except if specifically authorized and permitted under University conflict-of-interest, outside employment, and other related policies. Prohibited commercial use does not include communications and exchange of data that furthers the University’s educational, administrative, research, clinical, and other roles, regardless of whether it has an incidental financial or other benefit to an external organization. Use of IT Systems in a way that suggests University endorsement of any political candidate or ballot initiative is also prohibited. Users must refrain from using IT Systems for the purpose of lobbying that connotes University involvement, except for authorized lobbying through or in consultation with the University’s Administrative Offices.

3) Harassing or threatening use. This category includes, for example, display of offensive, sexual material in the workplace and repeated unwelcome contacts with another.

4) Use damaging the integrity of University or other IT Systems. This category includes, but is not limited to, the following six activities:
i. Attempts to defeat system security. Users must not defeat or attempt to defeat any IT System’s security — for example, by “cracking” or guessing and applying the identification or password of another User, or compromising room locks or alarm systems. (This provision does not prohibit, however, ITS or Systems Administrators from using security scan programs within the scope of their Systems Authority.)

ii. Unauthorized access or use. The University recognizes the importance of preserving the privacy of Users and data stored in IT systems. Users must honor this principle by neither seeking to obtain unauthorized access to IT Systems, nor permitting or assisting any others in doing the same. For example, a non-University organization or individual may not use non-public IT Systems without specific authorization. Privately owned computers may be used to provide public information resources, but such computers may not host sites or services for non-University organizations or individuals across the University network without specific authorization. Similarly, Users are prohibited from accessing or attempting to access data on IT Systems that they are not authorized to access. Furthermore, Users must not make or attempt to make any deliberate, unauthorized changes to data on an IT System. Users must not intercept or attempt to intercept or access data communications not intended for that user.

iii. Disguised use. Users must not conceal their identity when using IT Systems, except when the option of anonymous access is explicitly authorized. Users are also prohibited from masquerading as or impersonating others or otherwise using a false identity.

iv. Distributing computer viruses. Users must not knowingly distribute or launch computer viruses, worms, or other rogue programs.

v. Modification or removal of data or equipment. Without specific authorization, Users may not remove or modify any University-owned or administered equipment or data from IT Systems. This includes the loading of “pirated” software.

vi. Use of unauthorized devices. Without specific authorization, Users must not physically or electrically attach any additional device (such as an external disk, printer, or video system) to IT Systems.

5) Use in violation of law. Illegal use of IT Systems — that is, use in violation of civil or criminal law at the federal, state, or local levels — is prohibited. Examples of such uses are: promoting a pyramid scheme; distributing illegal obscenity; receiving, transmitting, or
possessing child pornography; infringing copyrights; and making bomb threats. With respect to copyright infringement, Users should be aware that copyright law governs (among other activities) the copying, display, and use of software and other works in digital form (text, sound, images, and other multimedia). The law permits use of copyrighted material without authorization from the copyright holder for some educational purposes (protecting certain classroom practices and “fair use,” for example), but an educational purpose does not automatically mean that the use is permitted without authorization.

6) Use in violation of University contracts. All use of IT Systems must be consistent with the University’s contractual obligations, including limitations defined in software and other licensing agreements.

7) Use in violation of University policy. Use in violation of other University policies also violates this AUP. Relevant University policies include, but are not limited to, those regarding sexual harassment and racial and ethnic harassment, as well as University, departmental, and work-unit policies and guidelines regarding incidental personal use of IT Systems.

8) Use in violation of external data network policies. Users must observe all applicable policies of external data networks when using such networks.

d. Free Inquiry and Expression – Users of IT Systems may exercise rights of free inquiry and expression consistent with the limits of the law.

e. Personal Account Responsibility – Users are responsible for maintaining the security of their own IT Systems accounts and passwords. Any User changes of password must follow published guidelines for passwords. Accounts and passwords are normally assigned to single Users and are not to be shared with any other person without authorization by the applicable Systems Administrator. Users are presumed to be responsible for any activity carried out under their IT Systems accounts or posted on their personal web pages.

f. Encryption of Data – Users are encouraged to encrypt files, documents, and messages for protection against inadvertent or unauthorized disclosure while in storage or in transit over data networks. Users encrypting information are encouraged to use only endorsed software and protocols. Users who elect not to use endorsed encryption software and protocols on IT Systems are expected to decrypt information upon official, authorized request. (See Section V, “Conditions of University Access,” below.) A staff member may only encrypt with the permission of his or her supervisor.

g. Responsibility for Content – Official University information may be published in a variety of electronic forms. The Certifying Authority under
whose auspices the information is published is responsible for the
content of the published document. Users also are able to publish
information on IT Systems or over Tusculum University’s networks.
Neither the University nor individual Systems Administrators can screen
such privately published material nor can they ensure its accuracy or
assume any responsibility for its content. The University will treat any
electronic publication provided on or over IT Systems that lacks a
Certifying Authority as the private speech of an individual user.

h. Personal Identification – Upon request by a Systems Administrator or
other University authority, Users must produce valid University
identification.

5. Computer Resources Code of Ethics
   a. Ethical and Responsible Use – All Users of any institutionally maintained
electronic data, data files, software, and networks are expected to handle
the resource in a responsible and ethical manner. A User’s access to IT
resources ceases when it invades the right of personal and/or
institutional privacy; results in the destruction of personal and/or
institutional property; demonstrates a potential for loss, embarrassment,
litigation to the individual and/or institution; or causes a limited resource
to be used in a wasteful or careless manner.

   b. Confidentiality – All information processed through Computer Systems is
considered sensitive and/or confidential. The responsibility for the
release or discussion of data is assigned to the official custodian of the
data file(s). Access to information is based on a legitimate “need to
know” and directly related to assigned duties.

   c. Examples of Irresponsible Use – The following examples attempt to
convey the intent of irresponsible and/or unethical use: violation of the
Family Educational Rights and Privacy Act of 1974; use of the resource for
obscene material; deliberate wasteful use of the resource; unauthorized
altering of hardware, software, or data; piracy of data or software
belonging to another person; or careless use of the resource which may
result in the release of restricted information.

6. Code for Computer Resource Use
   a. Ethical and Responsible Use – Computer resources at Tusculum
University are available to authorized students, faculty, staff and off-
campus constituents. Access to these resources is obtained from the
Systems Administrator and is granted with the understanding that they
will be used as stated in the request and in keeping with the idea that
one’s interest ceases when it invades the right of personal and/or
institutional privacy, results in the destruction of personal and/or
institutional property, demonstrates a potential for loss, embarrassment,
litigation to the individual and/or institution, or because of an otherwise
irresponsible use of a limited resource. It is the policy of the office to avail these resources to as many users as possible and, to the extent possible, keep the number of restraints and restrictions on the individuals to a minimum with the ability to provide service to all who request use.

b. Ethical and Responsible Use – For such a policy to work, it is essential that users observe responsible and ethical behavior in the use of the resources. In an effort to assist the user community in effective use of the limited computer resources, it seems reasonable to highlight some specific responsibilities and type of behavior that represent abuse of a User’s privileges. The examples do not constitute a complete list but are intended to convey the intent of the code.

1) Users should not damage or attempt to damage equipment or to modify or attempt to modify equipment so that it does not function as originally intended. It is equally wrong to damage or modify or attempt to damage or modify the software components: operating system, compilers, utility routines, etc.

2) Users should not use or attempt to use an account without authorization from the owner of the account. Users have the responsibility of protecting their accounts through the proper use of passwords, but the fact that an account is unprotected does not imply permission for an unauthorized person to use it. Further, accounts are to be used only for the purposes for which they have been established. Additionally, it is wrong to use a university-sponsored account for funded research, personal business, or consulting activities. There are special accounts for such purposes.

3) Users should not use private files without authorization. Owners of such files should take precautions and use security mechanisms available. However, the fact that a file is not protected does not make it right for anyone to access it, unless it is specifically designated as a public access file. It is equally wrong for anyone to change or delete a file that belongs to anyone else without authorization. Violation or property rights and copyrights covering data, computer programs, and documentation is also wrong. In the event of accidental access of private files, confidentiality of those files must be maintained.

4) Any deliberate wasteful use of resources is irresponsible; it encroaches on others’ use of facilities and deprives them of resources. Printing of large unnecessary listing and the playing of games solely for entertainment are examples of such abuse. Users are expected to be aware of the resources they are using and to make reasonable efforts to use these resources efficiently.

5) Administrators, faculty, staff of the Office of Computer Systems, and others in positions of trust within the Tusculum University community have a professional responsibility to insure that the equipment, software, and services provide the most efficient levels of support.
6) All state and federal copyright laws will be abided by at all times. Users must not copy any part of a copyrighted program or its documentation that would be in violation of the law or the licensing agreement without the written and specific permission of the copyright holder.

7. **Conditions of University Access** - The University places a high value on privacy and recognizes its critical importance in an academic setting. There are nonetheless circumstances in which, following carefully prescribed processes, the University may determine that certain broad concerns outweigh the value of a User’s expectation of privacy and warrant University access to relevant IT Systems without the consent of the User. Those circumstances are discussed below, together with the procedural safeguards established to ensure access is gained only when appropriate.

   a. **Conditions** – In accordance with state and federal law, the University may access all aspects of IT Systems, without the consent of the User, in the following circumstances:
      1) When necessary to identify or diagnose systems or security vulnerabilities and problems, or otherwise preserve the integrity of the IT Systems; or
      2) When required by federal, state, or local law or administrative rules; or
      3) When there are reasonable grounds to believe that a violation of law or a significant breach of University policy may have taken place and access and inspection or monitoring may produce evidence related to the misconduct; or
      4) When such access to IT Systems is required to carry out essential business functions of the University; or
      5) When required to preserve public health and safety

   b. **Process** – Consistent with the privacy interests of Users, University access without the consent of the User will occur only with the approval of the Provost (for faculty users), the Provost/Vice Presidents (for staff users), the Dean of Students (for student users), except when an emergency entry is necessary to preserve the integrity of facilities or to preserve public health and safety. The University through the Systems Administrators, will log all instances of access without consent. Systems Administrators will also log any emergency entry within their control for subsequent review by appropriate University authority. A User will be notified of University access to relevant IT Systems without consent, pursuant to Section V. A. (1-5); depending on the circumstances, such
notification will occur before, during, or after the access, at the University's discretion.

1) NOTICE TO USERS: It is the policy of Tusculum University to protect all institutional computing resources including, but not limited to, hardware and software, consisting of the actual equipment being supplied by the university as well as the programs and related materials used in conjunction therewith. In accordance with local, state, and federal law, indiscriminate examination of individual’s files is not permitted, nonetheless as a means of maintaining the integrity and security of those aforementioned resources.

2) Tusculum University retains the right to inspect accounts and files stored on any system owned, maintained and/or leased by said University. While no prior authorization by individual users is required to inspect those files and accounts, you are, by virtue of accepting the account offered by Tusculum University and “logging” on to its computing equipment, granting to the university prior unrestricted permission, subject to university policy, to review, examine and/or otherwise view, by any method at the sole discretion of the University and without any additional advance notice to said user, any account and/or file stored on university computer resources.

3) Should such a review take place, you will be given notice, as a courtesy only, of the results of said review within a reasonable time after the review is completed. While use of university computing resources for personal use is strictly forbidden, should you have materials for which you have reasonable expectation of privacy or which you consider to be confidential for any reason, you should retain those materials on a disk which can be secured as you would any other personal items or materials which you consider private in nature.

c. User access deactivations – In addition to accessing the IT Systems, the University, through the appropriate Systems Administrator, may deactivate a User’s IT privileges, whether or not the User is suspected of any violation of this policy, when necessary to preserve the integrity of facilities, user services, or data. The Systems Administrator will attempt to notify the User of any such action.

Use of security scanning systems – By attaching privately owned personal computers or other IT resources to the University’s network, Users consent to University use of scanning programs for security purposes on those resources while attached to the network.

d. Logs – Most IT systems routinely log user actions in order to facilitate recovery from system malfunctions and for other management purposes. All Systems Administrators are required to establish and post policies and
procedures concerning logging of User actions, including the extent of individually-identifiable data collection, data security, and data retention.

e. Encrypted material – Encrypted files, documents, and messages may be accessed by the University under the above guidelines.

8. **Enforcement Procedures**

a. **Complaints of Alleged Violations** – An individual who believes that he or she has been harmed by an alleged violation of this Policy may file a complaint in accordance with established University Grievance Procedures (including, where relevant, those procedures for filing complaints of sexual harassment or of racial or ethnic harassment) for students, faculty, and staff. The individual is also encouraged to report the alleged violation to the Systems Authority overseeing the facility most directly involved, or to the TCDIS, which must investigate the allegation and (if appropriate) refer the matter to University disciplinary and/or law enforcement authorities.

b. **Reporting Observed Violations** – If an individual has observed or otherwise is aware of a violation of this Policy, but has not been harmed by the alleged violation, he or she may report any evidence to the Systems Authority overseeing the facility most directly involved, or to the TCDIS, which must investigate the allegation and (if appropriate) refer the matter to University disciplinary and/or law enforcement authorities.

c. **Disciplinary Procedures** – Alleged violations of this policy will be pursued in accordance with the appropriate disciplinary procedures for faculty, staff, and students, as outlined in the Faculty Handbook, Staff Personnel Policies, various student regulations, and other applicable materials. Staff members who are members of University recognized bargaining units will be disciplined for violations of this policy in accordance with the relevant disciplinary provisions set forth in the agreements covering their bargaining units.

d. **Penalties** – Individuals found to have violated this policy may be subject to penalties provided for in other University’s policies dealing with the underlying conduct. Violators may also face IT-specific penalties, including temporary or permanent reduction or elimination of some or all IT privileges. The appropriate penalties shall be determined by the applicable disciplinary authority in consultation with the Systems Administrator.

e. **Legal Liability for Unlawful Use** – In addition to University discipline, Users may be subject to criminal prosecution, civil liability, or both for unlawful use of any IT System.

f. **Appeals** – Users found in violation of this policy may appeal or request reconsideration of any imposed disciplinary action in accordance with the appeals provisions of the relevant disciplinary procedures.
9. **Policy Development** – This Policy may be periodically reviewed and modified by the TCDIS and IT staffs, who may consult with relevant University committees, faculty, students, and staff.

L. **PET POLICY**

**PETS**
Tusculum University only permits fish as pets on its campus.

**Emotional Support Animals (ESAs) & Service Animals (SAs)**
The Pet Policy excludes ESAs and SAs because by law these animals are not considered pets. ESAs and SAs ensure that persons with disabilities who require the assistance of a service or comfort animals are afforded access or reasonable accommodation to receive the benefit associated with such animals. The Policy and requirements below is the policy and requirement as well as the protocols and expectations concerning of such animals.

**Violations of Pet Policy**
When a student is found with a pet on campus the following sanctions may occur:
- First offense- $500 fine, immediate removal of animal;
- Second offense- $650 fine, immediate removal of animal;
- Third offense- $1000 fine, loss of housing privileges.

Any student who claims their pet is “in the process” of becoming an ESA is also subject to these sanctions as their pet is NOT an ESA and the 30 day review period was not followed.

When a student has an animal in their care (registered or unregistered) and is found neglectful of the animals maintenance or behavior the following sanctions may occur in addition to the standard pet policy violation. These behaviors include, but are not limited to: running off leash, failure to clean up waste, damaging property, aggressive behavior, and disruptive pet behavior. Then the following sanctions may occur along with costs of any repairs incurred:
- First offense-referral to Peer Judicial Board for owners of registered ESAs.
- $150 fine, immediate removal of unregistered animal;
- Second offense-referral to Community Judicial Board for owners of registered ESAs.
- $300 fine, immediate removal of unregistered animal;
- Third offense-referral to $600 fine, immediate removal of unregistered animal;
Should you choose to bring your pet on campus, the following rules will apply:

- Pets must have up-to-date vaccinations and flea/tick protection.
- Pets must be leashed at all times. Animals must not be permitted to initiate contact with anyone other than the owner, or engage in disruptive or aggressive behavior (e.g. sniffing, jumping up, rubbing, barking, growling, etc.).
- As an owner, it is your responsibility to clean up the animal’s waste. All waste must be picked up and disposed of in a plastic bag in the trash can located in the designated area. Plastic bags will not be provided by Tusculum University – the owner is responsible for carrying bags for waste disposal.

By bringing your pet on campus, you agree that any damage caused by the animal to other individuals or the University’s property is the sole responsibility of you as the pet owner. Campus Safety has the authority to enforce these rules. Failure to abide by these rules will result in fines and/or removal of the animal from campus.
Having a pet-friendly campus and keeping the grounds in good shape is a community effort. If you notice other pet owners who are not following these rules, please report the violation(s) to Campus Safety at 423-636-7318.

M. SUPPORT SERVICES FOR INDIVIDUALS WITH DISABILITIES

**ADA Services** may include appropriate and reasonable accommodations, advocacy and disability counseling, assistive technology training, academic coaching, workshops, and referrals. The selection and approval of accommodations are contingent upon students' disabilities, documentation of functional limitations, and barriers to the academic environment.

Tusculum students with disabilities who experience or anticipate barriers to their full participation in the campus community are encouraged to submit a request to receive accommodations, e.g., ADA Services. The Request for Services should be sent as soon as possible so that there is no delay in the student's participation. Students who are uncertain of their specific accommodation needs are invited to contact the Counselor/ADA Coordinator. The types of accommodations that a qualified and eligible student with a disability might receive are the extension of time on tests, note taking assistance, use of a four function calculator, a quiet-low distraction test area, exams and course material in an alternative format, and modifications to housing policies. The procedure to request such accommodations is described below.

a. Students who submit incomplete requests will have one semester to provide all missing documents. If missing documents are not submitted within this time frame, the student must complete a new request for services because Counseling and ADA Services will destroy incomplete files.

b. Counseling and ADA Services will inform students who are determined ineligible to receive accommodations of the following: the reason for denial and the process to appeal the decision. If applicable, Counseling and ADA Services will provide students with a list of relevant services available on campus.

c. Students who are determined eligible to receive accommodations must attend an Orientation Appointment to engage in the collaborative process to finalize approved accommodations. During the Orientation Appointment, students should also expect a) review of the Informed Consent Form 2) an official Notification of Academic Accommodations 3) to receive supplemental information and forms to use the approved list of accommodations.

d. Students who are granted permanent academic accommodations may utilize the approved accommodations throughout their academic career at Tusculum. Any changes to the initial list of academic accommodations may require students to submit additional documentation. Counseling and ADA Services reserves the right to receive appropriate information to make accommodations decisions.
e. Students who request housing accommodations must adhere to all Tusculum Housing policies, procedures, and deadlines for on-campus housing. The denial or approval of housing accommodation by Counseling and ADA does not override the policies of any particular agency, office, or department.

f. Requests for Emotional Support Animals (ESA) must be submitted no less than 30 days in advance of the start of the semester the animal is due to arrive on campus. Students who do not submit requests as listed above should not bring the animal on campus, doing so will result in a violation of the Animals on Campus Policy. Students approved to have an ESA must update the health and safety records for emotional support animals annually to continue to receive the accommodation. Counseling and ADA Services reserves the right to require a student to provide documentation of the continued therapeutic need for an ESA at any time.

g. Students with disabilities who use service animals (dog or in rare cases, a miniature horse):
   a. Should notify the Counselor/ADA Coordinator on the Greeneville campus of your use of a service animal to access Tusculum.
   b. Must submit a request for services, informed consent, and confidential release of information form to live on campus.
   c. Are not required to submit documentation to bring their service animal to campus or live on-campus housing. However, if the student’s disability is not apparent, Counseling and ADA Services reserves the right to inquire about the service animal under federal guidance which may include a request of documentation of a student's disability.

h. Students authorized to have an animal, service or emotional support, on campus are expected to:
   a. Produce original documentation that the animal meets state and county health and safety requirements which may include license, vaccinations, and rabies before move-in or upon request.
   b. Sign an Acknowledgement of Responsibilities notice. Violation of any of these obligations equates to a violation of the Student Code of Conduct and may result in removal of the animal from campus and disciplinary action such as fines or suspension.
   c. Obtain a Tusculum identification card with a photo of the approved animal. Students should present the identification card at the request of a representative of Tusculum.

i. All documentation of disability must meet these basic requirements:
   a. Must be on letterhead, be dated & signed by a qualified professional
   b. A diagnosis that is consistent with the most recent DSM/ICD, if appropriate.
   c. The evaluation took place within the last three years or more recent to ensure documentation of current functioning.
   d. Documentation of current functional impact or limitation of the disability on major life activities and how it impacts the individual in the learning environment.
j. Since appropriate and detailed documentation critical to a student’s request for ADA Services, Tusculum University has provided guidelines for students to share with the qualified professional preparing a letter or a report to document a disability for accommodations.

Documentation Criteria by Disability Category

### Autism Spectrum Disorders

- Developmental history that includes evidence of Autism Spectrum Disorder symptoms in early childhood.
- Documentation of current qualitative impairment in social interaction and social communication and their level of severity. A standardized assessment approach is encouraged (e.g., Autism Diagnostic Observation System; Autism Diagnostic Interview-Revised; Social Communications Questionnaire).
- Documentation of current restricted, repetitive patterns of behavior, interests, and activities and their level of severity.
- Assessment of broad cognitive ability using standardized assessment measures with age-appropriate norms (e.g., WAIS-IV, DAS, RIAS, C-TONI).

### Attention Deficit Hyperactivity Disorders

- Some evidence, beyond simple self-report, of clinically significant inattention and hyperactivity-impulsivity symptoms before the age of 12 (per the DSM). Possible data sources for evidence of early symptoms include the following: parent/guardian report, medical reports, school records, and past evaluations.
- Evidence of current clinically significant symptoms of either inattention or hyperactivity-impulsivity must be documented using appropriate standardized rating scales or norm-referenced measures of cognitive/executive functioning that provide comparisons to similarly aged individuals. However, in some cases, a detailed written statement from a qualified evaluator who has sufficient experience with the student and the student's symptom history may be adequate.
- Symptom presence must be assessed using student self-report and corroborated by an independent informant who has been able to observe the student’s recent functioning.
- Current clinically significant symptoms must be present in at least two settings and interfere with social, academic, or occupational functioning.

### Acquired Brain Injury

- Documentation of the nature of the neurological illness or traumatic event that resulted in brain injury.
- Objective (quantitative and qualitative) evidence that symptoms are associated with significant functional impairment in the academic setting. The functional impact of the brain injury must be documented by appropriate, objective measures (e.g.,
cognitive and academic skills, psychosocial-emotional functioning, and motor/sensory abilities) relevant to the educational environment.

- Notably, in most cases, a concussion is a temporary condition that will require temporary accommodations for approximately one semester, as deemed appropriate by a qualified professional. Additionally, impairments following an acquired brain injury may change rapidly in the weeks and months after the injury, and a more stable picture of residual weaknesses may not be apparent for 1-2 years after an injury. Therefore, timeframes for recency of documentation may vary substantially, and additional documentation may be necessary to assess the student's current accommodation needs adequately.

**Communication Disorders**

- Documentation should reflect data collected within three years of the request for services unless the condition is of a permanent and non-varying nature. However, if additional accommodations are requested due to changes in functional limitations, updated documentation may be requested.
  - Developmental history of the communication difficulties in early childhood, unless acquired later in life, in which the resulting event and disorder history should be documented.
  - A summary of present symptoms which meet the criteria for the diagnosis of a communication disorder.
  - Treatments, medications, accommodations/auxiliary aids, services currently prescribed or in use.
  - Objective (quantitative and qualitative) evidence that symptoms are associated with significant functional impairment in the academic setting.

**Learning Disabilities**

- Documentation should be recent/current (e.g., the evaluation took place within the last three years or after the age of 18 so long as the documentation continues to represent current functioning.
  - Clear and specific identification of a learning disability must be stated. For example, the terms “Learning styles” or “Learning differences” are not synonymous with a learning disability.
  - Documentation of a developmental and educational history consistent with a learning disability.
  - Documentation of learning disabilities should include standardized measures of academic achievement, cognitive/linguistic processing, and intellectual functioning that have normative data representing the general population. All standardized measures must be represented by standard scores and percentile ranks based on published age-based norms.
  - Documentation of one or more cognitive/linguistic processing deficits that are associated in a meaningful way with the identified area(s) of academic limitation.
Cognitive/linguistic processes commonly associated with academic achievement (selection dependent upon case) include the following:

- Fluency/Automaticity
- Executive functioning
- Memory/Learning
- Oral Language
- Phonological Processing
- Orthographic Processing
- Visual-Motor
- Visual-Perceptual/Visual-Spatial

- Documentation suggesting that the academic limitations are unexpected is necessary. As a result, evidence that substantially limited areas of achievement fall significantly below higher-level cognitive and linguistic abilities (e.g., broad intellectual functioning, reasoning, vocabulary, crystallized knowledge) must be included.

- Objective (quantitative and qualitative) evidence that symptoms are associated with significant functional impairment in the academic setting. In the case of Learning Disabilities, documentation must include evidence of substantial limitation(s) in one or more of the following areas of academic achievement:
  - Reading (decoding, fluency, and comprehension)
  - Mathematics (calculations, math fluency, and applied reasoning)
  - Written Language (spelling, fluency, and written expression)

- Academic impairments, processing deficits, and evidence of intact functioning in other domains (e.g., higher-level cognitive functioning), should be evident on multiple measures.

- Documentation that alternative explanations for the academic and cognitive/linguistic limitation(s) have been considered and ruled out (e.g., low cognitive ability, other mental or neurological disorders, lack of adequate education, visual or auditory dysfunction, emotional factors such as anxiety or depression, cultural/language differences, poor motivation, symptom exaggeration).

**Mobility Disorders**

- Documentation should reflect data collected within three years of the request for services unless the condition is of a permanent and non-varying nature. However, if additional accommodations are requested due to changes in functional limitations, updated documentation may be requested.

- A description of the history, current symptoms, and severity of the disorder.

- Description of the expected progression or stability of the disorder.
Sensory Disorders (defined as Deaf and Hard of Hearing or Blind and Loss of Vision)

- Documentation should reflect data collected within three years of the request for services unless the condition is of a permanent and non-varying nature. However, if additional accommodations are requested due to changes in functional limitations, updated documentation may be requested.
- Description of the history, current symptoms, and severity of the disorder, (e.g., audiogram and audiological summary or ocular report).
- Description of the expected progression or stability of the disorder.
- Description of the current functional limitations impacting the student in the academic setting.

Systemic Disorders/Medical Conditions

- Documentation should reflect data collected within three years of the request for services unless the condition is of a permanent and non-varying nature. However, if additional accommodations are requested due to changes in functional limitations, updated documentation may be requested.
- A diagnosis this is consistent with the most recent DSM/ICD, if appropriate.
- Description of the history, current symptoms, and severity of the disorder.
- Description of the expected progression or stability of the disorder.
- Description of the current functional limitations impacting the student in the academic setting.

Psychological Disorders

- Description of history, current symptoms, and severity of the disorder.
- Additional descriptions of (1) the expected progression, duration, and stability of the condition and (2) relevant side effects of medications are strongly encouraged.
- Description of current functional limitations impacting academic performance resulting from the disorder.
- The symptoms and associated impairment may be either chronic or episodic. Complete descriptions and diagnostic criteria for psychological disorders are available in the current version of the DSM or ICD. **Test anxiety by itself is not considered a psychological disorder.**

Additional Guidelines for the Request for and Use of Service or Comfort Animals

If the request is approved, Tusculum will make reasonable effort to notify other residents that an approved animal will be residing in the room. Any residents with medical conditions that may be affected by animals can contact Counseling and ADA Services.

**DEFINITIONS:**

SERVICE ANIMALS- The Americans with Disabilities Act (ADA) defines a Service Animal (SA) as a dog trained to provide assistance to an individual with a disability,
including a physical, sensory, psychiatric, intellectual, or other mental disability. (In rare cases, a miniature horse has also met the definition of a service animal.) Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, alerting and protecting a person who has a seizure disorder, calming a person with Post Traumatic Stress Disorder (PTSD), etc. Service dogs are working animals, not pets. The work or task the animal has been trained to provide must be directly related to the person’s disability. Service dogs are generally allowed to assist their owners in residence halls, public buildings, and at events on campus provided certain conditions are met. Documentation Guidelines for Service Animal Accommodation: When the need for a service animal is not readily apparent, students requesting the accommodation of a service animal have the responsibility of submitting documentation that meets the following guidelines:

- Documentation must be current, within the previous six months and should contain information that (a) the service animal is required due to the functional limitations of the requesting student’s disability and (b) specify what work or task the animal is trained to perform.
- Documentation must be current, dated within the previous six months and should contain verification of the individual’s disability from a qualified professional health provider such as a physician, psychiatrist, or licensed mental health professional.
- Documentation must be typed on official letterhead and must include the names, titles, and professional credentials of the evaluators.

In addition to failure to provide the above-referenced documentation where applicable, a request for Service Animal may be denied (or the animal removed if already approved) if:
- The animal is out of control and its handler does not take effective action to control it;
- The animal is not housebroken (i.e. trained so that, absent illness or accident, the animal controls its waste elimination);
- The requested animal (based on objective evidence) poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable modification to policies or procedures (e.g. medical facilities, food preparation areas, mechanical rooms, etc.).

Upon approval, the Service Animal may accompany the student at all times, in any outdoor or indoor area of the Tusculum University campus, except where expressly prohibited. Due to sanitation concerns, Service Animals are prohibited from the Niswonger Commons kitchen facility and the food preparation area in the Meen Center.
**Emotional Support Animals (ESA):**

Emotional Support Animal (ESA) – An ESA (also referred to as Assistance, Therapy or Companion Animal) is an animal, trained or untrained, that has been recommended by a licensed healthcare or mental health professional to provide emotional support (i.e. well-being, comfort, companionship, or a crime deterrent effect) for an individual with a disability. These services do not constitute “work” or “tasks” and so these animals are **not** considered Service Animals.

Tusculum University may require information and documentation to determine whether the animal qualifies as an ESA.

- Documentation must be current (within the last six months) and from a licensed physician, psychiatrist, social worker, or other mental health professional.
- In addition to failure to provide the above-referenced documentation where applicable, a request for an ESA may be denied (or the animal removed if already approved) if:
  - Allowing the animal in the student’s residence would impose an undue financial and administrative burden or would fundamentally alter the nature of the housing provider’s services;
  - The requested animal (based on objective evidence) poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation (e.g. medical facilities, food preparation areas, mechanical rooms, etc. which are clearly marked); or
  - The requested animal would cause (based on objective evidence) substantial physical damage to the property of others than cannot be reduced or eliminated by another reasonable accommodation.

Upon approval, the ESA may accompany the student in his or her dormitory room. An ESA is not permitted in any other area of the student’s residence hall, or in any other building on the Tusculum University campus.

**RECORDS**

Upon approval of the request to use a Service or Comfort Animal, the student must provide the ARC and Student Affairs with the following:
- a photo of, and information about the animal for our file including
  - name,
  - type of animal (i.e. dog), and
  - description (e.g. color, weight, breed, etc.).

The student will be issued an identification card for the animal by Student Affairs.

Tusculum University reserves the right to request updated health records on demand. Health records will be maintained in the Office of Student Affairs with a copy in Disability Services.
GENERAL GUIDELINES
Safety and consideration for all residents in the living community will be considered in the approval of a SA/ESA.

- Dogs and cats must be at least 6 months in age and preferably at least a year old in order to minimize issues (i.e. noise, waste management, chewing, etc.) that impact other residents.
- No animal that is known to be potentially dangerous, venomous, or illegal will be allowed in residence halls.

CARE FOR WHEN HANDLER MUST BE AWAY FROM RESIDENCE:

- SAs and ESAs (other than cats) must be crated or caged inside the residence if the handler is away for a brief time.
- If the handler must be away for more than a reasonable amount of time, an alternate caregiver must be employed to take care of the animal, or the animal must be removed from campus.

ANIMAL BEHAVIOR
Handlers are expected to ensure that the animal does not:

- Sniff people, dining tables, or the personal belongings of others.
- Display any behaviors or noises that are disruptive to others, unless the behavior is part of the service provided to the handler.
- Block an aisle or passageway for emergency response egress.

Cleanliness:

- The student is responsible for the cleanliness, grooming, and health of the animal and must take responsibility for the proper disposal of all waste. Waste should be contained in sealed plastic bags and placed in designated trash receptacles.
- An SA/ESA must be clean and well groomed.
- Measures should be taken at all times for flea and odor control. If fleas, ticks, or other pests related to the animal are detected, the housing will be treated using approved fumigation methods. The owner may be billed for the expense of any pest treatment above and beyond normal required pest management.
- The behavior, noise, odor and waste of a service/assistance animal must not exceed reasonable standards and these factors must not create an unreasonable disruption to other residents or staff. Cleaning up after the animal and disposal of any waste is the responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to employ someone capable of cleaning up after the animal.

The person cleaning up after the animal should abide by the following guidelines:

- Always have equipment/supplies sufficient to clean up the animal’s feces (bags, litter, litter containers, etc.).
- Properly dispose of waste and/or litter in designated containers.
• Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the responsibility of the handler.

Failure of the student to control or properly care for the animal could result in removal of the animal.

Inappropriate behavior on the part of the animal, i.e., excessive barking, destruction of property, not being house broken, and/or aggressive behavior, could result in the removal of the animal from campus. Handlers are held responsible for any property damage or personal injury. The animal may not interfere with the health and safety of other individuals, and cannot require a fundamental alteration to the nature of a program or service.

Concerns and Complaints
Any complaints against the student or animal will be reviewed by the Dean of Students Office. Conflicting Disabilities: Some individuals may have allergic reactions to animals that are substantial enough to qualify as disabilities. Tusculum will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and will work toward a mutual resolution. Students requesting allergy accommodations should contact the Office of Disability Services.

ESA Walking Areas
Tusculum University maintains two (2) designated areas where animals can eliminate waste. Area A is located at a portion of the Wetlands site near the existing gravel parking lot that is adjacent to the apartment buildings and the Facilities Management building, and on the West side by Gilland Road. Area B is located at the southern edge of campus and is bounded on the Northeast side by the Indoor Practice Facility access road, bounded on the on the South and Southwest sides by the Tusculum University/Walker property lines and bounded on the North side by a 40 foot buffer measured from the edge of Shiloh Road. Please refer to the attached map. All waste must be picked up and disposed of in a plastic bag in the trash can located in the designated area. Plastic bags will not be provided by Tusculum University and so the student is responsible for carrying bags for waste disposal.

• Any damage to persons or Tusculum University property (e.g. furniture, carpet, wall coverings, pest treatment, etc.) caused by the animal.
• Compliance with all state and local laws related to licensing, vaccination and control.

If the student’s disability prevents the ability to perform any of these obligations, the student must notify the ARC at the time of requesting the Service or Comfort Animal.

Campus Safety has the authority to enforce these obligations. Campus Safety may require documentation that the animal has been approved by ARC. Students who cannot provide such documentation upon request will have 72 hours within which to
provide verification to Campus Safety that his/her animal is a Service or ESA. A student permitted to utilize a Service or ESA must sign an Acknowledgement of Responsibilities, acknowledging the above-reference responsibilities. Violation of any of these obligations will be considered a violation of Tusculum University’s Student Code of Conduct, and may result in removal of the animal from Tusculum University premises and disciplinary action (i.e. from fines to suspension depending on the circumstances).

As a general rule, pets are not permitted inside any campus building. Recognizing the importance of Service and Comfort Animals to individuals with disabilities, an exception is made for those animals to facilitate equal access to Tusculum University’s educational program, activities, services, facilities, etc.

A student requesting use of a Service or Comfort Animal must follow the procedure set forth above. A request for a Service or Comfort Animal should be made prior to the beginning of classes and/or moving into the residence hall to allow Tusculum University to properly accommodate the student. Below is information regarding the necessary documentation to support requests for a Service or Comfort Animal, as well as Tusculum University’s expectations regarding the student’s responsibilities in the utilization of such animal.

**Service Animal** – A Service Animal is a dog (or under certain circumstances a miniature pony) that is individually trained to perform work or tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Examples include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, providing physical support and assistance with balance to individuals with mobility impairments, alerting and protecting a person who is having a seizure, reminding a person to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. The work or task a service animal has been trained to provide must be directly related to the person’s disability.

A Service Animal does not have to be licensed or certified. However, the student must disclose (1) whether the service animal is required because of a disability, and (2) what work or task the animal is trained to perform. Where it is not readily apparent that the animal is a Service Animal, Tusculum University may require sufficient information and documentation to determine whether the animal qualifies as a Service Animal. Such documentation must be current (within the last three years) and from a licensed physician or mental health provider. It must allow Tusculum University to determine that the individual has a disability for which the animal is needed, and how the assistance provided by the animal relates to the individual’s disability.

In addition to failure to provide the above-referenced documentation where applicable, a request for Service Animal may be denied (or the animal removed if already approved) if:
• The animal is out of control and its handler does not take effective action to control it;
• The animal is not housebroken (i.e. trained so that, absent illness or accident, the animal controls its waste elimination);
• The requested animal (based on objective evidence) poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable modification to policies or procedures (e.g. medical facilities, food preparation areas, mechanical rooms, etc.).

Upon approval, the Service Animal may accompany the student at all times, in any outdoor or indoor area of the Tusculum University campus, except where expressly prohibited. Due to sanitation concerns, Service Animals are prohibited from the Niswonger Commons kitchen facility and the food preparation area in the Meen Center.

**Comfort Animal** – A Comfort Animal (also referred to as Assistance, Therapy or Companion Animal) is an animal, trained or untrained, that has been recommended by a healthcare or mental health professional to provide emotional support (i.e. well-being, comfort, companionship, or a crime deterrent effect) for an individual with a disability. These services do not constitute “work” or “tasks” and so these animals are not considered Service Animals.

Where it is not readily apparent that the animal is a Comfort Animal, Tusculum University may require sufficient information and documentation to determine whether the animal qualifies as a Comfort Animal. Such documentation must be current (within the last three years) and from a licensed physician or mental health provider. It must allow Tusculum University to determine that the individual has a disability for which the animal is needed and what assistance the animal provides to alleviate at least one symptom of the disability.

In addition to failure to provide the above-referenced documentation where applicable, a request for Comfort Animal may be denied (or the animal removed if already approved) if:
• Allowing the animal in the student’s residence would impose an undue financial and administrative burden or would fundamentally alter the nature of the housing provider’s services;
• The requested animal (based on objective evidence) poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation (e.g. medical facilities, food preparation areas, mechanical rooms, etc. which are clearly marked); or
• The requested animal would cause (based on objective evidence) substantial physical damage to the property of others than cannot be reduced or eliminated by another reasonable accommodation.
Upon approval, the Comfort Animal may accompany the student in his or her dormitory room. A Comfort Animal is not permitted in any other area of the student’s residence hall, or in any other building on the Tusculum University campus.

**Records** – Upon approval of the request to use a Service or Comfort Animal, the student must provide the ARC and Student Affairs with a photo of, and information about, the animal for our file. Such information must include name, type of animal (i.e. dog), and description (e.g. color, weight, breed, etc.). The student will be issued an identification card for the animal by Student Affairs.

The student must also provide current (within the past year) documentation from a licensed veterinarian stating that the animal is in good health and has been immunized against diseases common to that type of animal. This documentation should be submitted prior to the move-in date each year. Tusculum University reserves the right to request updated health records on demand. Health records will be maintained in the Student Affairs office, with a copy in ARC.

**Owner Responsibilities** – A student utilizing a Service or Comfort Animal, is solely responsible for the animal, including the following:

- The care and well-being of the animal (i.e. feeding, grooming, flea and tick protection, health, vaccinations). Tusculum University may require the animal to be removed from the premises for excessive odor, until the student takes steps to eliminate the odor.
- Confinement of the animal (i.e. in an appropriate sized crate) when the student is not present. This is primarily so that housing personnel may safely enter the room when necessary.
- Maintaining full control of the animal at all times. The animal must be leashed at all times unless the student’s disability prevents this (which must be reported to ARC at the time of requesting use of the animal). The animal must not be permitted to initiate contact with anyone other than the student, or engage in disruptive or aggressive behavior (e.g. sniffing, jumping up, rubbing, blocking passageway, barking, growling, etc.). If the animal engages in this behavior, the student must use proper training techniques to immediately correct the behavior. Tusculum University may require the animal to be removed from the premises if the behavior is not effectively controlled, and bar the animal until significant steps (e.g. additional training) are taken to mitigate the behavior.
- Cleaning up the animal’s waste. Tusculum University maintains two (2) designated areas where animals can eliminate waste. **Area A** is located at a portion of the Wetlands site that is bounded on the North by the existing gravel parking lot that is adjacent to the apartment buildings and the Facilities Management building, bounded on the West side by Gilland Road, and bounded on the East and South sides by the walking path of the Wetlands area. **Area B** is located at the southern edge of campus and is bounded on the Northeast side by the Indoor Practice Facility access road, bounded on the on the South and
Southwest sides by the Tusculum University/Walker property lines and bounded on the North side by a 40 foot buffer measured from the edge of Shiloh Road. Please refer to the attached map. All waste must be picked up and disposed of in a plastic bag in the trash can located in the designated area. Plastic bags will not be provided by Tusculum University and so the student is responsible for carrying bags for waste disposal.

- Any damage to persons or Tusculum University property (e.g. furniture, carpet, wall coverings, pest treatment, etc.) caused by the animal.
- Compliance with all state and local laws related to licensing, vaccination and control. The student is responsible for being familiar with such laws.

If the student’s disability prevents the ability to perform any of these obligations, the student must notify the ARC at the time of requesting the Service or Comfort Animal.

Campus Safety has the authority to enforce these obligations. Campus Safety may require documentation that the animal has been approved by ARC. Students who cannot provide such documentation upon request will have 72 hours within which to provide verification to Campus Safety that his/her animal is a Service or Comfort Animal.

A student permitted to utilize a Service or Comfort Animal must sign an Acknowledgement of Responsibilities, acknowledging the above-reference responsibilities. Violation of any of these obligations will be considered a violation of Tusculum University’s Student Code of Conduct, and may result in removal of the animal from Tusculum University premises and disciplinary action (i.e. from fines to suspension depending on the circumstances). Please see the Tusculum University Pet Policy for more information regarding fines and noncompliance.

**Conduct of Other Members of the Tusculum University Community** - Members of the general Tusculum University Community should respect the privacy of an individual and not ask about his or her disability. In addition, please remember that Service or Comfort Animals are not pets. They should not be petted, fed, startled, teased, or separated from the owner / handler. Violation of this policy may result in disciplinary action. For questions about Service or Comfort Animals, contact ARC located in the Annie Hogan Byrd Fine Arts Building.

Should you become aware of violations of this policy, please report the violations to Campus Safety.

**Appeal of a Denial of a Request for Accommodation**

A student must appeal a denial of a request for accommodation in writing to the Associate Vice President of Academic Affairs, within ten (10) business days of notification of the denial. The appeal must contain a detailed description of the basis for the student’s appeal. The appeal will be reviewed by a committee consisting of the
Associate Vice President of Academic Affairs, the Dean of Students and the Director of
Personnel Services. The decision of the committee is final.

**Grievance Procedure for Student with Disabilities**

All grievances concerning any aspect of the services or accommodations provided to a
student with a disability, except an appeal of denial of an accommodation, should be
brought to Academic Resource Counselor, Bobbie Greenway, within ten (10) business
days of the incident resulting in the grievance. After consultation with the Academic
Resource Counselor, if the student feels the matter is not resolved, the student must
submit a written complaint to the Assistant Vice President of Academic Affairs. The
grievance must contain a detailed description of the basis for the student’s complaint.
The grievance will be reviewed by a committee consisting of: the Academic Resource
Counselor, the Associate Vice President of Academic Affairs and the Dean of Students.
The decision of the committee is final.

N. **INTELLECTUAL PROPERTY POLICY**

Tusculum University, like other universities, has endeavored to create an
academic and community environment conducive to the provision of public
service and the creation of new information through the development by faculty
and learners of many types of Intellectual Property (IP). In support of this
environment a policy addressing “ownership of materials, compensation,
copyright issues, and the use of revenue derived from the creation and
production of all intellectual property” applies to all members of the Tusculum
University community and can be found [here](#).

O. **MILITARY DEPLOYMENT POLICY**

1. Members of the United States military, including reserve forces, may be eligible
for a military leave of absence. This policy follows the guidelines established in
the HEROES Act of 2003 in determining appropriate accommodations for military
service members who are responding to a war, national emergency, or other
military operation.

2. In accordance with the HEROES Act, a student who, experiences a disruption in
their program due to active military service:
   a. Students who are granted a military leave of absence will be given the
      option of withdrawing from all their courses, resulting in a grade of
      Withdrawal (“W”) for each course, or requesting an Incomplete (“I”) grade
      for any courses in which they were registered when granted the
      leave. Students who withdraw from their courses as a result of active
      military service will be given the option of a tuition credit or appropriate
      refund for the courses they were unable to complete. Students who
      request an “I” grade must get approval from all their course instructors
      and be able to complete the required assignments independently,
outside of the classroom. Students who request an “I” grade are not issued a tuition credit.

1) Students who are granted a military leave of absence are not required to meet financial obligations to Tusculum while on leave.
2) Time spent on a military leave of absence does not count toward the student’s maximum time to degree completion.
3) Tusculum will provide flexibility and accommodations for administrative deadlines for students on a military leave of absence.
4) “W” grades do not impact a student’s GPA or course completion ratio.

b. Students must coordinate the military leave of absence process through their Professional Academic Advisor and/or the Registrar.

3. Requesting a Military Leave of Absence
   a. To request a formal military leave of absence, students must complete and submit the Military Leave of Absence Request Form (obtained from their Professional Academic Advisor and/or Registrar) and the required documentation prior to the start of their military leave. Students must indicate the beginning date of the leave of absence and the anticipated date of return. Students can also request a military leave of absence by calling and/or emailing their Professional Academic Advisor and/or Registrar.

   Students must also submit one of the following pieces of documentation to their Professional Academic Advisor and/or Registrar at their earliest convenience:
     1) Deployment or mobilization orders, including dates the student will be affected.
     2) An official letter from a commanding officer, including dates the student will be affected.

   b. Upon receipt of the request, the Registrar will review the request, issue a decision, and notify the student via email.
   c. If the student is granted a military leave of absence, Tusculum will report their leave status to the National Student Clearinghouse.

4. Returning from a Military Leave of Absence
   a. Their Professional Academic Advisor and/or Registrar will track students’ anticipated dates of return and contact them before they resume their program.
   b. Upon returning from a military leave of absence, students are responsible for requesting their return from a military leave of absence by calling and/or emailing their Professional Academic Advisor and/or Registrar.
   c. The Professional Academic Advisor and/or Registrar will work with students to determine the next steps for resuming their program.
   d. Students returning from a military leave of absence may resume courses only at the beginning of a block.
P. **MILITARY SPOUSE LEAVE OF ABSENCE**

1. **Criteria**

   a. Spouses of members of the United States military, including reserve forces, may be eligible for a military spouse leave of absence. To qualify for a military spouse leave of absence a student must be legally married to the military service member.

   b. Tusculum University provides the following accommodations to students who experience a disruption in their program due to active military service of a spouse:

      1) Students who are granted a military spouse leave of absence will be given the option of withdrawing from all their courses, resulting in a grade of Withdrawn (“W”) for each course, or requesting an Incomplete (“I”) grade for all courses in which they were registered when granted the leave. Students who withdraw from their courses as a result of a military spouse leave of absence will be given the option of a tuition credit or appropriate refund for the courses they were unable to complete. Students who request an “I” grade must get approval from their course instructor and be able to complete the required assignments independently, outside of the classroom. Students who request an “I” grade are not issued a tuition credit.

      2) Students who are granted a military spouse leave of absence are not required to meet financial obligations to Tusculum while on leave.

      3) Time spent during a military spouse leave of absence does not count toward the student’s maximum time to degree completion.

   c. Students must coordinate the military spouse leave of absence process through their Professional Academic Advisor and/or Registrar.

2. **Requesting a Military Spouse Leave of Absence**

   a. To request a military spouse leave of absence, students must complete and submit the Military Spouse Leave of Absence Request Form from their Professional Academic Advisor and/or Registrar. Students must indicate the reason for their request, the beginning date of the leave of absence, and the anticipated date of return. Students may also submit the request by calling and/or emailing their Professional Academic Advisor and/or Registrar.

   b. Students must also submit one of the following pieces of documentation to their Professional Academic Advisor and/or Registrar at their earliest convenience:

      1) Deployment or mobilization orders for the service member, including dates the student will be affected.

      2) An official letter from the service member’s commanding officer, including dates the student will be affected.

      3) Additional documentation upon request.
c. Upon receipt of the request, the Registrar will review the request, issue a decision, and notify the student via email.

d. If the student is granted a military spouse leave of absence, Tusculum will report their leave status to the National Student Clearinghouse.
e. Students normally request a military spouse leave of absence for no more than two consecutive semesters, or 180 total days in any 12-month period. Financial aid recipients should check with the Financial Aid Office as federal guidelines do not allow for more than 180 day leave of absence without impacting financial aid.

3. Returning from a Military Spouse Leave of Absence
   a. The Professional Academic Advisor and/or Registrar will track students’ anticipated dates of return and contact them before they resume their program.
   b. Upon returning from a military spouse leave of absence, students are responsible for completing and submitting the Returning from a Military Spouse Leave of Absence Form (obtained from the Registrar). Students can also request their return by calling and/or emailing their Professional Academic Advisor and/or Registrar.
   c. Their Professional Academic Advisor and/or Registrar will work with students to determine the next steps for resuming their program.
   d. Students returning from a military spouse leave of absence may resume courses only at the beginning of a block.

Q. Motor Vehicle Operation and Parking Policy
   The regulations and procedures authorized by the University and enforced by the Campus Safety personnel regarding the use of motor vehicles on Tusculum University residential property are distributed with vehicle registration stickers, and may also be obtained from the Campus Safety Office.

R. Non-Discrimination Statement
   In compliance with Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 and the Age Discrimination Act of 1975 as amended, and with its own policies and philosophy, Tusculum University does not discriminate on the basis of race, religion, age, sex, national origin, sexual orientation, military or veteran status, disability, genetic information, or any other protected discriminatory factor, in its employment practices or in the provision of, or access to, educational programs and services, except where sex, age, or ability represent bona fide educational or employment qualifications.
Students should contact the Title IX Coordinator with questions or concerns regarding this policy, or with any complaints of discrimination in violation of this policy.

Title IX Co-Coordinators for Tusculum University:
Ms. Mikaela Cooney          Mr. Jonathon C. Gresham
Title IX Co-Coordinator      Title IX Co-Coordinator
Department of Civic Studies  Office of Campus Safety
P.O. Box 5001                P.O. Box 5096
Greeneville, TN 37743        Greeneville, TN 37743
Garland Library, Room 123    Niswonger Commons, Room 222
                              (423) 636-7318
mcooney@tusculum.edu         jgresham@tusculum.edu

For complaints/grievances relating to Students with Disabilities, Sexual and Other Discriminatory Harassment, and disciplinary action or academic-related decisions not involving alleged discrimination, see the applicable policies covering those topics for the applicable procedure.

S. ORGANIZATIONS POLICY

1. General Statement of Purpose
The University recognizes (1) the importance of organized student activities as an integral part of the total educational program of the University; (2) that university learning experiences are enriched by student organizational activity; and (3) that organizations provide a framework for students within which they may develop their own special talents and interests.

Inherent in the relationship between the University and organized student groups is the understanding that the purposes and activities of such groups should be consistent with the main objectives of the University. All student groups are to comply with the procedures and policies regarding registration and operation.

2. Procedure for Registration of New Organizations
   a. Permanent Organizations
      The group will file an application including its name, statement of purpose, constitution or statement regarding its method of operation, faculty/staff advisor, and the names of its officers or contact persons to the Student Government Association. In cases where a potential faculty/staff advisor is unknown to the group, Student Affairs staff will assist in identifying a University faculty or staff member who may wish to serve as an advisor (organizations are required to have a faculty/staff advisor).
Students may form new organizations by completing an application and submitting it along with an organizational constitution to the Student Government Association. The Student Government Association will meet, review the application and make a determination on the recommendation of the status of the prospective organization to be ratified by the Dean of Students. Organizations not recommended for recognition by the Student Government Association may request a written statement as to the grounds for such lack of endorsement and after responding to questions raised through a second review, the group may appeal to the Dean of Students.

Organizations chartered by the Student Government Association are eligible to petition the Student Government Association for funding and to participate in the annual Student Organization Fair. Assistance in developing new organizations is available in the Office of Student Affairs. New organizations will be given information on how to make purchases, plan and sponsor activities and petition Student Government Association for funding. Should the group not have elected its officers or completed other work connected with its formation at the time they initially see the Student Affairs staff, the Student Affairs staff will make arrangements for them to use University facilities for organizational purposes on a meeting-to-meeting basis until the organizational process is completed and the required information can be filed.

At the time of filing, three officers or contact persons for the organization will sign a statement indicating that they are familiar with and will abide by the aforementioned responsibilities of student organizations. They will also sign the “Annual Statement of Commitment to University Principles” required of all student organizations.

Having ascertained that the group's purpose appears lawful, capable of operating within University regulations, has submitted the required forms and disclaimers, and the group appears to promote/support the mission and goals of the institution, the Student Affairs Advisor to the Student Government Association will endorse the application for a charter to the Dean of Students. Upon approval by the Dean of Students, appropriate University personnel will be notified that the group is then eligible for all of the rights of student organizations and the Student Government Association will be informed that the group may be eligible for student fee funding as per the procedures of the Student Government Association.
Should the Student Affairs Advisor to the Student Government Association feel that the organization does not meet the requirements for registration, a written copy of the decision and reasons will be furnished to the applying organization. The group may seek to satisfy the concerns or appeal the decision to the Dean of Students whose decision on the matter will be final.

b. Registration for a Limited Purpose: Temporary Status

In some cases, groups will organize with some short-term (one which can be accomplished in less than one academic year) goal in mind such as the passage of some particular piece of legislation or the holding of some particular event. The organization's structure will expire on the date indicated on the registration form.

c. Membership Regulations

Registered student organizations have freedom of choice in the selection of members, provided that there is no discrimination on the basis of race, religion, age, sex, national origin, sexual orientation, military or veteran status, disability, or genetic information (except that a waiver of this section may be granted by the Dean of Students if membership restriction is necessary to achieve the stated lawful purpose of the organization – though the group may still be ineligible for funding by the Student Government Association due to their exclusive/restrictive status).

Membership in registered student organizations is restricted to currently enrolled University students, faculty, and staff.

d. Officers Regulations

Student organizations are free to set qualifications and procedures for election and holding office, with the following provisions:

- All officers must be regular members of the organization;
- There is no discrimination on the basis of race, religion, age, sex, national origin, sexual orientation, military or veteran status, disability, or genetic information (except where the organizations lawful and University recognized purpose supports such restriction); and
- Persons not currently enrolled at the University may not hold office or direct organizational activities.

e. Records

All registered student organizations must maintain the following records in the Office of Student Affairs:

- An organizational information form listing the current officers and faculty/staff advisor (if applicable) is due at the beginning of each school year. Any changes during the year, other than membership, are to be recorded within 10 days with the Office of Student Affairs.
• Membership rosters are to be provided at the beginning of each semester; and
• A copy of the organization’s current constitution, or statement of purpose and statement regarding its method of operation, is to be filed with the Office of Student Affairs

3. Rights and Responsibilities of Registered Student Organizations
Registered student organizations exist on the University campus on the assumption that their activities and programs contribute to the educational, civic and social development of the students involved. Registration of a campus organization does not imply University sanction of the organization or its activities. Registration is simply a charter to exist on the University campus and may be withdrawn by the University if the organization is found in violation of any federal, state or local laws, or University regulation or policy.

a. Use of the University's Name
Organizations may not use the name of the University or an abbreviation of the name of the University as part of its name, except to designate location or chapter, nor advertise or promote events in a manner which suggests that the function is sponsored or sanctioned by the University unless the event is formally cosponsored with an administrative or academic unit of the University.

b. Rights
Registered Student Organizations may:
• Use general University facilities subject to compliance with pertinent regulations (e.g. receiving approval for off-campus speakers, performers or presenters from Student Affairs), proper scheduling procedures, and the prior needs of the University itself.
• Distribute literature approved by Student Affairs relating to the organization's purpose and activities in those areas authorized by the current posting and handbill policies;
• Sponsor profit-making activities and solicit funds for organizational activities upon approval from Dean of Students in accordance with University regulations; and
• Request funding for an organizational event or program (Subject to the rules and regulations of the appropriate funding entities [e.g. Student Government Association or Student Activities Board].

c. Responsibilities
It is the responsibility of every registered student organization and/or its representatives to:
• Manage itself and carry out its activities within its own constitution, all applicable local, state and federal laws, and all University regulations and policies;
• Anticipate, provide for and promptly meet its legitimate financial obligations;
• Act accordingly in the best interests of its members and the University;
• Take reasonable precautions for the safety and comfort of participants at organization events; and
• Notify the appropriate advisor in the Office of Student Affairs of any and all changes in the organization's officers/contact persons, addresses, telephone numbers or constitution.

4. Conduct of Student Organizations

Student groups and organizations may be charged with alleged violations University policies or the broader issues of interfering with the operation of the University or operating in direct conflict with the mission of the University, or for ceasing to operate as an active organization or in concert with the purpose for which they were chartered by the University. A student group or organization and its officers may be held collectively and/or individually responsible when alleged violations occur either during an event sponsored by the organization or by an individual representing or associated with that organization or group.

Sanctions for group or organization misconduct may include probation, revocation or denial of registration or recognition in addition to any other appropriate sanctions provided herein or in the Code of Student Conduct. Organizations on probation may continue to hold meetings, but may not sponsor activities. Organizations on suspension may not hold meetings, sponsor or participate in activities.

T. PEER HARASSMENT AND RELATIONSHIP POLICIES & REPORTING PROCEDURE

Tusculum University does not condone harassment based on an individual's race, religion, ethnic origin, gender, sexual orientation or physical handicap. The campus community constitutes an environment where any form of harassment is unacceptable. This policy is in keeping with the spirit and intent of federal, state and University guidelines concerning discrimination and harassment. For issues dealing with sexual harassment, the “Sexual Harassment (Including Assault) Policy Statement and Reporting Procedure” should be consulted.

1. Definition - Harassment is physical, verbal or any other behavior, including written or pictorial expression, that either recklessly disregards the harmful effect of the behavior on, or that intends to hurt, a specific individual, group of individuals, or campus organization by referring in a derogatory or threatening fashion to that individual's or organization members' race, religion, ethnic origin, gender, sexual orientation or physical handicap.
2. **Reporting Procedures** - The reporting procedures outlined below are designed to provide sufficient flexibility in responding to allegations of harassment. They are intended to be as formal or informal as the allegations dictate.

Any individual who believes he/she has been harassed (as defined above) should contact the Office of Student Affairs, which will help the individual explore the alternatives available to him/her (including designation of an appropriate case manager for students not engaged in study at the residential campus). Initial contact with the Office of Student Affairs will be kept confidential; no formal records will be kept, and all individuals are assured of anonymity (except as required by law [e.g. anonymous statistical reporting which may be required under the federal Campus Right to Know or Clery Act, or judicial subpoena]). The student may wish to consult someone with special sensitivity or expertise and the Office of Student Affairs will facilitate a referral to such a person if desired. If an individual desires to seek assistance outside the Office of Student Affairs, they are encouraged to approach someone in the counseling, wellness, ministry, human resources, or campus safety areas.

a. **Informal Reporting Procedure** - An Informal Reporting Procedure may be the first step proposed to resolve an allegation of harassment. Any individual with an honestly perceived complaint will be provided the option to discuss the issue directly with the alleged harasser in the presence of the Dean of Students or his/her designee. This option is often viewed as beneficial as, should the behavior not be so egregious as to warrant removal from campus, the high likelihood of future interaction (even if only in passing) due to the size of Tusculum University communities, can make an amicable resolution desirable for the complainant. However, if the individual does not desire a face-to-face meeting with the alleged harasser, he/she may write a letter or choose a contact person to mediate on his/her behalf, if they wish to pursue an informal resolution.

b. **Formal Reporting Procedure** - Formal Reporting Procedure should be used if the individual making the complaint believes the severity of the complaint warrants it. The individual who desires to file a formal complaint of harassment will submit a detailed report of the incident directly to the Dean of Students or his/her designee. Note that any individual bringing forth a complaint of harassment may petition to terminate the proceedings at any stage, however, once a formal investigation is initiated, the Dean of Students will determine whether the University may continue as the complainant due to the dual nature of harassment offenses being both an offense against the individual and an offense against the community.
Evidence of retaliation in response to formal or informal grievance procedures will be itself be regarded as harassment and will result in the filing of allegations to address said retaliatory behavior.

This report will include information about the date, time, place, participants' names and the harassing behavior. The report will be handled in accordance with the resolution procedures of the Code of Student Conduct with possible additional stipulations because of the nature of the allegations as herein indicated or as deemed appropriate by the Dean of Students or his/her designee. In harassment/assault cases, modification of the standard hearing procedures may be implemented by the Dean of Students or his/her designee to comply with legal expectations and to promote a fair and equitable process for the resolution of allegations.

Modifications may include measures such as the presence of an additional faculty or professional staff member, segregation of the alleged victim and alleged policy violator with desired inquiries/examination of the opposite party directed to the Community Standards Board Chair who will determine whether the question is proper and, if so, in what phrasing or manner it is to be posed.

Additionally, in compliance with FERPA and the Clery Act, the complainant and the accused in cases alleging violations analogous to a legal crime of violence will be informed of the final results, including the original findings and any appeals, in an equal, unconditional, and affirmative way.

3. **Principles**
   In investigating complaints of harassment, the following principles will be adhered to:

   Each complaint will be handled on an individual, case-by-case basis, considering the complete record and all relevant circumstances.

   Investigation will be conducted as promptly as possible, but shall be completed within 60 days unless good cause is presented to the Dean of Students and conveyed by the University to all parties.

   In investigating complaints of harassment, confidentiality should be maintained in consideration to both the aggrieved and the alleged harasser (except as mandated by law or subpoena).
The complaint will be resolved in a manner which is consistent with this policy and equitable to all parties concerned.

The purpose of this policy is to end harassment and therefore it may not be used by a complainant to achieve personal goals not in conformity with the purpose of this policy.

U. **Posting & Distribution Policy**

Student clubs and organizations are encouraged to take advantage of all available opportunities to advertise their meetings. The [University Style Guide](#) provides details regarding the process for promotions of events and activities.

1. **Scope and Purpose**
   These regulations are designed to permit the orderly use of University property and resources by Tusculum University students, faculty, staff, and alumni, as individuals and corporate bodies with regard to posting and distribution on, in, or about University property or events.

2. **General Policies**
   To conserve natural and fiscal resources, placement of posters, banners and/or flyers across campus is discouraged. All requests for placement of banners and flyers to be posted on campus must be submitted to the Office of Marketing (201 Virginia Hall or [TUmarketing@tusculum.edu](mailto:TUmarketing@tusculum.edu)) for approval prior to posting.

   Generally, all materials being considered for posting or distribution must be sponsored or co-sponsored by a registered student organization or a University department. All materials must include the full name of the sponsoring department or student organization, and all content must be printed or translated in English.

   The Office of Marketing will approve all postings submitted at least three days in advance of posting as follows:
   - An example or proof (hardcopy or digital) of all items for posting and handbills must be approved and dated by the Office of Marketing;
   - once approved and dated by Office of Marketing, the student can then submit a copy of the approved example to the Office of Student Affairs as proof of approval;
   - If approved, banners and flyers are only permitted for posting in general areas – Niswonger Commons, common areas in residence halls, etc. and may only be displayed up to a maximum of two weeks prior to an event and organizations are responsible for removing them by noon on the day following the event;
The University does not assume responsibility for loss or destruction of banners or flyers; and the University may remove and discard any unapproved or past due banners or flyers.

Materials may not be posted on any undesignated areas, including wood or painted surfaces, doors, glass, walls (tile or cement walls may be permissive, but must be checked with facility manager), car windshields, or over previously posted materials.

Failure to comply with regulations in this policy or any relevant campus policy is grounds for suspension of posting privileges for one semester (15 school weeks). Continuing to post while privileges are revoked is grounds for suspension of the student organization and charter/recognition review.

3. Content Regulations

The University will give careful consideration to the circumstances surrounding the expression in determining whether any restriction is appropriate in accord with the values of the University. However, no materials adjudged obscene or discriminatory, promoting the possession or consumption of alcoholic beverages, promoting gambling, or designed for the purpose of personal or commercial gain (save used book sales or the like) will be approved.

Materials that are misspelled or grammatically incorrect will not be approved for posting and is grounds for removal and disposal due to the poor image this presents of the University as an institution of higher education. Costs of reproduction of corrected materials will be borne solely by the entity responsible for its production. For these reasons, advanced review is strongly recommended for this reason.

4. Mass Mailing-Mailbox Stuffing

In an effort to conserve natural and fiscal resources and in light of the potential for the campus mail services to be overwhelmed and for students to become inured to important information due to a bulk of unsolicited advertising, registered student organizations is restricted.

5. Campus Global E-Mail

Global/mass e-mail is prohibited. For additional email policy information and to learn how to promote your student or organization event, refer to the University Style Guide.

V. REVIEW OF APPLICANT CONDUCT IN ADMISSION PROCESS

1. Introduction

In our evolving society, Tusculum University’s concern for the safety of members of the internal and extended university community, as well as the public reputation of the institution compel careful examination and appraisal
of the character, personality, and qualifications of its applicants. Therefore, applicants shall be required to furnish related information in order for the institution to make a thorough and proper case-by-case examination of a student’s application for admission, interview, and other processes. Tusculum University may consider any criminal conviction, other than honorable discharge from military service, or disciplinary history from a higher education system, among other criteria, as possible justification for the refusal or revocation of admission when it directly relates to the applicant’s possible performance in or negative impact upon the academic living-learning environment at the institution. The University will conduct its review as soon as possible after the disclosure or discovery of the information using the principles and standards of the University and the Code of Student Conduct to inform its decision making processes.

2. **Definitions**
   Conviction - Conviction shall include a plea of guilty/no contest/nolo contendre/nolo contendere/Alford plea, a finding or verdict of guilt or responsibility, or acceptance of responsibility for the commission of a crime, regardless of whether sentence was imposed by a court, the record has been expunged or the sentence deferred.

3. **Statement of Policy**
   The admissions processes of the institution shall be designed to solicit and review information as to whether applicants present a risk to persons, property or the academic learning and residential living environments conducive to the mission of the University, as well as impacting its reputation within the broader community.

   This information shall include, but not be limited to any criminal conviction, other than honorable discharge from military service, or disciplinary history from a higher education system in applicant’s backgrounds, and shall establish a foundation for decisions for admissions based on the potential for the applicant’s possible performance in or negative impact upon the academic living-learning environment at the institution. Approval, denial or restriction of admission decisions are managed through this policy.

   Confidentiality of all institutional agents in this process shall be required and accountability strictly enforced to limit the potential for discrimination and defamation.

4. **Procedures**
   a. Solicitation of Initial Criminal, Discharge & Disciplinary History Indication

   Application processes for any program of study at the University shall include the following questions designed to solicit information to fulfill the intent of this policy:

   - Do you have any criminal charges pending against you or have you ever been convicted of a crime other than a parking violation (inclusive of pleas of guilty/no contest/nolo contendre/nolo
contendere, an Alford plea, a finding or verdict of guilt or responsibility, or acceptance of responsibility for the commission of a crime, regardless of whether sentence was imposed by a court)?

- Do you have any disciplinary charges pending against you or have you ever been expelled, dismissed, suspended, placed on probation, or otherwise subject to any disciplinary sanction by any school, university, or university?
- If you have ever served in the military, did you receive any type of discharge other than an honorable discharge?
- If you answered yes to any of the following, please provide a written statement as to what happened including details about the nature of the conduct, when it occurred, what the consequences were and the status of any sanctions, as well as your status in relation to the incident. Please note, if you have a conviction, discharge or educational conduct sanction after submitting your application, you must notify the University.

b. Referral of Indicated Issues for Review Process
If the applicant appears otherwise eligible for admission, information indicating an affirmative response to the foregoing questions has been or should have been disclosed by an applicant for admission to the University shall result in the application being placed on HOLD and the information advanced to the Dean of Students who will direct the file through the process until submission of report/recommendation to the Admission & Standards Committee.

c. Information and Approach to Evaluating Community Membership Propriety
Information/files received for review by the Dean of Students shall initiate a letter to the applicant asking them to provide a full and complete written statement about the nature of the conduct, when it occurred, what the consequences were and the status of any sanctions, as well as their status in relation to the incident (suspension, expulsion, incarceration, probation, parole, treatment programs, etc.). Additionally, the applicant shall be asked to provide contact information for two character references from an individual with whom the applicant has had frequent contact within the past six months and describing their relationship (referees cannot be relatives or family members). An interview (personal or telephonic) to either clarify or verify information may be pursued if perceived beneficial or requested by the student.

The primary criteria to be employed in the review shall be whether substantial evidence exists supporting a finding that the applicant has followed a course of conduct such that if, at the time of the conduct in question, the applicant had been a student at the institution, the course of conduct would have resulted in expulsion, suspension or probation.
If a felony conviction is involved, a letter from the applicant’s probation/parole officer must be provided including the following information: the nature of the crime and where committed, the action of the court, the type of rehabilitation received and currently receiving, and the officer’s assessment of the individual’s adjustment and capacity to adjust to the University environment.

Note on evaluation of records/reports - Most convictions (85-90%) do not reflect the underlying behavior due to the utilization of plea bargaining in our criminal justice system resulting in the removal of reference to violence in exchange for pleas of guilt. Therefore, examination of police reports and/or pre-sentence investigative reports (PSI/PSIR) shall be pursued in rendering recommendations. While not as common, equivalents to plea bargaining are beginning to appear in the military and in higher education, so review of full reports underlying separation decisions in these areas are also strongly recommended. Applicants will be required to provide whatever releases and documentation to enable this review at their expense.

Mitigating factors shall be considered such as: the nature/severity of the conviction, discharge or disciplinary finding; the length of time since the conviction, discharge or disciplinary finding was rendered; the nature of the student relationship (undergraduate/graduate or residential/commuter); employment and/or community service history before and after the conviction, discharge or disciplinary finding; and age at the time of conviction, discharge or disciplinary finding.

After review of all available information, which shall include consultation with the Director of Campus Safety, Campus Counselor, or any other personnel deemed beneficial in evaluation of the application, the Dean of Students will provide a report to the Admission and Standards Committee through the Vice President for Enrollment Management as to whether the disclosed information should effect the admission decision. The recommendation will take the form of a formal, written recommendation including background information of the criminal, less than honorable discharge or disciplinary conduct, the process undertaken in review, factors influencing the recommendation, and the recommendation itself. The recommendation may take any of the following forms:

- allow the student to continue their application for the program of study without restriction;
- reject the applicant’s admission to the program of study, prohibiting the matriculation of the individual as a student; or
- allow the student to continue their application for the program of study with restriction (this is contemplated to be an unlikely situation,
but the policy takes this into consideration given the case-by-case evaluation being conducted and the nuances of human behavior and the University’s balance of beliefs between redemption and preservation of a safe and secure living-learning environment).

Upon rendering a determination as to the admission of the applicant, the Director of Campus Safety will notify the Office of Admissions and the Dean of Students. Notification will not be provided to the student that they were denied admission based upon review of their criminal, other than honorable discharge, or disciplinary record. If the student inquires into the reason their admission was denied, the Dean of Students will be notified and prepare a letter for review by the Vice President for Enrollment Management within five days of the request to address the inquiry and the possibility of appeal of the decision.

Outcomes of recommendations from the Dean of Students and final determinations shall be tracked by the Dean of Students such that benchmarks can be established and reported with future recommendations. While decisions will be rendered on a case-by-case basis by the Dean of Students, benchmarks may take the form of standards such as:

- Anyone under any form of incarceration or orders of incarceration (house arrest, halfway house, etc.) shall be prohibited from attending the institution; and
- Anyone under any form of probation restricting their access to children shall be prohibited from attending the institution due to the regular hosting of elementary schools, children’s theatre, and attendance by students still not of majority age in the regular programs of study, etc.

d. Addressing Instances of Failure to Properly Disclose

A student who is believed to have failed to have provided full and accurate disclosure in compliance with this policy shall be charged with providing false information to a university official and the matter will be reviewed through the appropriate senior student conduct hearing body in accordance with the student conduct allegation resolution hearing process for major violations of university policy. If responsibility is established, the matter will be referred to the Dean of Students for determination as to whether a recommendation to revoke admission from the point of application (in which case all academic progress will be nullified with no financial or other recourse to the student beyond the student conduct appeals process) shall enhance any conduct process sanction outcomes.
W. **SEXUAL HARASSMENT (INCLUDING ASSAULT) POLICY STATEMENT AND REPORTING PROCEDURES**

As used in this document, the term “reporting party” refers to the person impacted by alleged discrimination. The term “responding party” refers to the person who has allegedly engaged in discrimination.

1. **Applicable Scope**
   Tusculum University affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. All policies below are subject to resolution using the Tusculum University’s Equity Resolution Process (ERP), as detailed below. When the responding party is a member of the University community, the ERP is applicable regardless of the status of the reporting party who may be a member or non-member of the campus community, including students, student organizations, faculty, administrators, staff, guests, visitors, campers, etc.

2. **Title IX Co-Coordinators**
   The Title IX Co-Coordinators oversee implementation of the Equal Opportunity plan and the University’s policy on equal opportunity, harassment and nondiscrimination. The Title IX Co-Coordinators head the Title IX Team and acts with independence and authority free of conflicts of interest. To raise any concern involving a conflict of interest by the Title IX Co-Coordinators, contact the University President. To raise concerns regarding a potential conflict of interest with any other administrator involved in the ERP, please contact a Title IX Co-Coordinator.

3. **Reporting Discrimination**
   Reports of discrimination, harassment and/or retaliation may be made using any of the following options. There is no time limitation on the filing of allegations. However, if the responding party is no longer subject to the University’s jurisdiction, the ability to investigate, respond and provide remedies may be more limited:
   
   1) Report directly to the Title IX Co-Coordinator Mr. Jonathon C. Gresham, jgresham@tusculum.edu, (423) 636-7318; Ms. Mikaela Cooney, mcooney@tusculum.edu; or, deputies;
   
   2) Report online, using this reporting form

   All reports are acted upon promptly while every effort is made by the University to preserve the privacy of reports. Such reports may also be anonymous. Anonymous reports will be investigated to determine if remedies can be provided. Additionally, all employees of the University are designated as mandated reporters and will share a report with the Title IX Co-Coordinators promptly. Confidentiality and mandated reporting is addressed more specifically below. Reports of misconduct or discrimination committed by the Title IX Co-Coordinators should be reported to the University President. (423) 636-7300 ext. 5301.

4. **Jurisdiction**
This policy applies to behaviors that take place on the campus, at Tusculum University sponsored events and may also apply off-campus and to actions online when the Title IX Co-Coordinators determines that the off-campus conduct affects a substantial University interest (e.g. events that spill over or impact the educational opportunities of another person associated with Tusculum University). A substantial University interest is defined to include:

a) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;

b) Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;

c) Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or

d) Any situation that is detrimental to the educational interests of the University.

5. Tusculum University Policy on Nondiscrimination

Tusculum University adheres to all federal and state civil rights laws prohibiting discrimination in private institutions of higher education. Tusculum University will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, religion, hearing status, color, sex, pregnancy, religion, creed, ethnicity, national origin (including ancestry), citizenship status, physical or mental disability, age (over 40), marital status, gender, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, physical appearance, or any other protected category under applicable local, state or federal law, including protections for those opposing discrimination or participating in any resolution process on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community who acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits and/or opportunities of any member of the campus community, guest or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of the Tusculum University policy on nondiscrimination. When brought to the attention of the University, any such discrimination will be appropriately addressed and remedied by the University according to the Equity Resolution Process described below. Non-members of the campus community who engage in discriminatory actions within University programs or on University property are not under the jurisdiction of this policy, but can be subject to actions that limit their access and/or involvement with University programs as the result of their misconduct. All vendors serving the
University through third-party contracts are subject by those contracts to the policies and procedures or their employers [or to these policies and procedures, to which their employer has agreed to be bound].

6. Tusculum University Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. Tusculum University’s harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom. The sections below describe the specific forms of prohibited harassment that are also prohibited under Tusculum University policy.

a. Discriminatory and Bias-Related Harassment

Harassment constitutes a form of discrimination that is prohibited by Tusculum University policy as well as the law. Tusculum University condemns and will not tolerate discriminatory harassment against any employee, student, visitor or guest on the basis of any status protected by policy or law. Tusculum University will remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, Tusculum University may also impose sanctions on the harasser through application of the Equity Resolution Process. Tusculum University’s harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

A hostile environment may be created by harassing verbal, written, graphic, or physical conduct that is severe or persistent/pervasive, and objectively offensive such that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits or opportunities.¹

The University reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature not on the basis of a protected status. Addressing such behaviors may not result in the imposition of discipline under University policy, but will be addressed through respectful confrontation, remedial actions, education and/or effective conflict resolution mechanisms. For assistance with conflict resolution techniques, employees should contact Human Resources and students should contact the Dean of Students or designee.

b. Sexual Harassment

¹ This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: Department of Education Office For Civil Rights, Racial Incidents And Harassment Against Students At Educational Institutions Investigative Guidance. The document is available at: http://www.ed.gov/about/offices/list/ocr/docs/race394.html
The Department of Education’s Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC) and the State of Tennessee regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Tusculum University has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.²

Sexual harassment is:
- unwelcome,
- sexual, sex-based and/or gender-based,
- verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the Title IX Co-Coordinators or a Deputy Title IX Coordinator. Remedies, education and/or training will be provided in response.

Sexual harassment may be disciplined when it takes the form of *quid pro quo* (this-for-that) harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:
- Severe, or
- persistent or pervasive, and
- objectively offensive, such that it:
  - unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the University’s educational, employment.

*Quid Pro Quo* Sexual Harassment:
Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual’s educational development or performance.

Some examples of possible Sexual Harassment include:
- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is

² Also of relevance is the Office of Civil Rights 2001 statement on sexual harassment, “Revised Sexual Harassment Guidance: Harassment Of Students By School Employees, Other Students, Or Third Parties, Title IX,” the April, 2011 Dear Colleague Letter on Campus Sexual Violence, and OCR’s Questions and Answers on Title IX and Sexual Violence
promised or a bad grade is threatened.

- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in a professor’s office or on the exterior of a residence hall door.
- Two supervisors frequently ‘rate’ several employees’ bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Male students take to calling a particular brunette student “Monica” because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her, and she is the target of relentless remarks about cigars, the president, “sexual relations” and Weight Watchers.
- A student grabbed another student by the hair, then grabbed her breast and put his mouth on it. While this is sexual harassment, it is also a form of sexual violence.

c. Tusculum University Amorous Relations Policy (Employee Handbook – 9.02)

The College’s educational mission is promoted by professionalism in employee-student and supervisor-supervisee relationships, as well as the ability of an employee to conduct an unbiased evaluation of a student or other employee. Professionalism is fostered by an atmosphere of mutual trust and respect. Employee-student or supervisor-supervisee romantic and/or sexual relationships, even mutually consenting ones, are a basic violation of professional ethics when the faculty member or supervisor has, or is perceived to have, any professional responsibility for the academic performance or professional future of the student or other employee. Such amorous relationships create the potential for favoritism and cultivate a lack of trust in other students or employees, thereby undermining the actual or perceived fairness of the evaluative process. They also leave employees vulnerable to charges of sexual harassment, conflict of interest and/or abuse of power. Even when the employee has no current direct professional responsibility for a student or other employee, amorous relationships may result in the appearance of impropriety and be disruptive to the College environment.

Therefore, while the College encourages a friendly and supportive relationship between employees and students, and among its employees, it generally prohibits romantic and/or sexual relationships (excluding individuals who are married)
between employees and undergraduate students, as well as with graduate students and other employees over whom the employee has direct professional responsibility.

Amorous relationships between employees and graduate students, and between two employees, outside the instructional and supervisory context are also strongly discouraged. Any such relationship must be disclosed to the Chief Human Resources Officer to ensure that no direct professional responsibility is assigned to the employee over the graduate student or other employee.

For the purpose of this policy, “direct professional responsibility” of a student refers to activities such as supervising, teaching, academic advising, coaching, service on evaluation committees, supervision of all college-sponsored academic, co-curricular, and extra-curricular activities, etc. In the employee context, “direct professional responsibility” includes any type of supervision, evaluation or decision-making that affects the employee’s work status.

The College recognizes that consensual amorous relationships may exist prior to the time a student enrolls, an employee is hired, or an employee is assigned direct professional responsibility of a student or other employee. In such cases, the employee must report the relationship in writing to the Chief Human Resources Officer. A student also has the duty to disclose such a relationship as outlined in the Student Handbook. Such relationships will only be permitted to continue if all direct professional responsibility for the student or other employee is removed. The Chief Human Resources Officer will meet with the employee and student or other employee in order to determine whether such resolution is possible through transfer, reassignment, etc. If it is not, the relationship must immediately cease.

Violation of this policy will result in disciplinary action up to and including termination. Nothing in this policy shall be deemed as supplanting or otherwise affecting the College’s Sexual and Other Discriminatory Harassment policy.

d. Sexual Misconduct
State law defines various violent and/or non-consensual sexual acts as crimes. While some of these acts may have parallels in criminal law, Tusculum University has defined categories of sex/gender discrimination as sexual misconduct, as stated below, for which action under this policy may be imposed. Generally speaking, Tusculum University considers Non-Consensual Sexual Intercourse violations to be the most serious of these offenses, and therefore typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. However, the University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other sex/gender-based offenses, including intimate partner (dating and/or domestic) violence, non-
consensual sexual contact and/or stalking based on the facts and circumstances of the particular allegation. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual orientation and/or gender identity of those involved. Violations include:

i. Sexual Harassment (as defined in section b above)

ii. Non-Consensual Sexual Intercourse
   Defined as:
   - any sexual intercourse
   - however slight
   - with any object
   - by a person upon another person
   - that is without consent and/or by force

   Sexual intercourse includes:
   - Vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation (mouth to genital contact) no matter how slight the penetration or contact.

iii. Non-Consensual Sexual Contact
   Defined as:
   - any intentional sexual touching
   - however slight
   - with any object
   - by a person upon another person
   - that is without consent and/or by force

   Sexual touching includes:

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3 The use of force in non-consensual sexual intercourse and contact-based incidents is not “worse” than the subjective experience of violation of someone who is a victim of sexual intercourse or sexual contact without consent. However, the use of physical force constitutes a stand-alone non-sexual offense as well, as it is our expectation that those who use physical force (restrict, battery, etc.) would face not just the sexual misconduct allegation, but allegations under the code for the additional assultive behavior.

4 The state of Tennessee definition of sexual assault is: “TCA § 39-13-505 Sexual battery – (a) sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances: (1) Force or coercion is used to accomplish the act; (2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent; (3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) The sexual contact is accomplished by fraud. (b) As used in this section, “coercion” means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future. (c) Sexual battery is a Class E felony.” Sexual Battery is applicable to criminal prosecutions for sexual assault in Tennessee, but may differ from the definition used on campus to address policy violations.
iv. Sexual Exploitation
Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and that behavior does not otherwise fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed)
- Invasion of sexual privacy
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent)
- Prostitution
- Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV), a sexually transmitted disease (STD) or infection (STI) without informing the other person of the infection
- Administering alcohol or drugs (such as “date rape” drugs) to another person without his or her knowledge or consent (assuming the act is not completed)
- Exposing one’s genitals in non-consensual circumstances.
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

v. Force and Consent

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent (“Have sex with me or I’ll hit you.” “Okay, don’t hit me, I’ll do what you want.”).

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain
point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: Silence or the absence of resistance alone is not consent. There is no requirement on a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of consent is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

**Consent:** Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can be withdrawn once given, as long as the withdrawal is clearly communicated.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

It is not an excuse that the responding party was intoxicated and, therefore, did not realize the incapacity of the reporting party.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.

In the State of Tennessee, a minor (meaning a person under the age of 18 years) cannot consent to sexual activity. This means that sexual contact by an adult
with a person younger than 18 years old may be a crime, and a potential violation of this policy, even if the minor wanted to engage in the act.

Examples of lack of consent:
1. Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00pm until 3:00am, Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. He keeps at her, and begins to question her religious convictions, and accuses her of being “a prude.” Finally, it seems to Bill that her resolve is weakening, and he convinces her to give him a "hand job" (hand to genital contact). Amanda would never had done it but for Bill's incessant advances. He feels that he successfully seduced her, and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left. Bill is responsible for violating the university Non-Consensual Sexual Contact policy. It is likely that campus decision-makers would find that the degree and duration of the pressure Bill applied to Amanda are unreasonable. Bill coerced Amanda into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not valid when forced. Sex without consent is sexual misconduct.

2. Jiang is a junior at the university. Beth is a sophomore. Jiang comes to Beth’s residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, and are soon becoming more intimate. They start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter when she was five, and has not had any sexual relations since, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop, but cannot. Beth is stiff and unresponsive during the intercourse. Is this a policy violation? Jiang would be held responsible in this scenario for Non Consensual Sexual Intercourse. It is the duty of the sexual initiator, Jiang, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Jiang had no verbal or non-verbal mutually understandable indication from Beth that she consented to sexual intercourse. Of course, wherever possible, it is important to be as clear as possible as to whether or not sexual contact is desired, and to be aware that for psychological reasons, or because of alcohol or drug use, one’s partner may not be in a position to provide as clear an indication as the policy requires. As the policy makes clear, consent must be actively, not passively, given.
3. Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it’s a lot. After the party, he walks John to his room, and John comes on to Kevin, initiating sexual activity. Kevin asks him if he is really up to this, and John says yes. Clothes go flying, and they end up in John’s bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can’t help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he does not let that stop him. When Kevin runs into John the next day, he thanks him for the wild night. John remembers nothing, and decides to make a report to the Dean. **This is a violation of the Non-Consensual Sexual Intercourse Policy.** Kevin should have known that John was incapable of making a rational, reasonable decision about sex. Even if John seemed to consent, Kevin was well aware that John had consumed a large amount of alcohol, and Kevin thought John was physically ill, and that he passed out during sex. Kevin should be held accountable for taking advantage of John in his condition. This is not the level of respectful conduct the university expects.

e. **Other Civil Rights Offenses**

In addition to the forms of sexual misconduct described above, the following behaviors are also prohibited as forms of discrimination when the act is based upon the reporting party’s actual or perceived membership in a protected class.

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, defined as actions that deprive, limit or deny other members of the community of educational or employment access, benefits or opportunities;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- Bullying, defined as
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
  - That is not speech or conduct otherwise protected by the 1st Amendment.
• Intimate Partner Violence, defined as violence or abuse between those in an intimate relationship to each other;
  o Examples:
    ▪ A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend. This physical assault based in jealousy is a violation of the Intimate Partner Violence policy.
    ▪ An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn’t give the ex another chance. Psychological abuse is a form of Intimate Partner Violence.
    ▪ A graduate student refuses to wear a condom and forces his girlfriend to take hormonal birth control though it makes her ill, in order to prevent pregnancy.
    ▪ Married employees are witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.

• Stalking
  o Stalking 1:
    ▪ A course of conduct
    ▪ Directed at a specific person
    ▪ On the basis of actual or perceived membership in a protected class
    ▪ That is unwelcome, AND
    ▪ Would cause a reasonable person to feel fear
  o Stalking 2:
    ▪ Repetitive and Menacing
    ▪ Pursuit, following, harassing and/or interfering with the peace and/or safety of another

• Examples of Stalking
  o A student repeatedly shows up at another student’s on-campus residence, always notifying the front desk attendant that they are there to see the resident. Upon a call to the resident, the student informs residence hall staff that this visitor is uninvited and continuously attempts to see them, even so far as waiting for them outside of classes and showing up to their on-campus place of employment requesting that they go out on a date together (Stalking 1).
  o A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate if the gift deliveries stop. The student then started leaving notes of love and gratitude on
the graduate assistant’s car, both on-campus and at home. Asked again to stop, the student stated by email: “You can ask me to stop, but I’m not giving up. We are meant to be together, and I’ll do anything necessary to make you have the feelings for me that I have for you.” When the tutor did not respond, the student emailed again, “You cannot escape me. I will track you to the ends of the earth. We are meant to be together” (Stalking 2).

• Any other University policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party’s sex or gender.

Sanctions for the above-listed “Other Civil Rights Behaviors” behaviors range from reprimand through expulsion (students) or termination of employment.

5. Retaliation
Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, supporting a party bringing an allegation or for assisting in providing information relevant to a claim of harassment is a serious violation of University policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Co-Coordinators and will be promptly investigated. Tusculum University is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

Examples of Retaliation:
• Student-athlete A files an allegation against a coach for sexual harassment; the coach subsequently cuts the student-athlete’s playing time in half without a legitimate justification
• A faculty member complains of gender inequity in pay within her department; the Department Chair then revokes his prior approval allowing her to attend a national conference, citing the faculty member’s tendency to “ruffle feathers.”
• A student from Organization A participates in a sexual misconduct hearing against the responding individual – also a member of Organization A; the student is subsequently removed as a member of Organization A because he participated in the hearing.

6. Remedial Action
Upon notice of alleged discrimination, Tusculum University will implement initial remedial, responsive and/or protective actions upon notice of alleged harassment, retaliation and/or discrimination. Such actions could include but are not limited to: no contact orders, providing counseling and/or medial services, academic support, living arrangement adjustments, transportation accommodations, visa and immigration assistance, student financial aid counseling, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, referral to campus and community support resources. Tusculum University will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest or visitor upon a finding that they have engaged in harassing or discriminatory behavior or retaliation.
The University will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the University's ability to provide the accommodations or protective measures. Procedures for handling reported incidents are fully described below.

7. Confidentiality and Reporting of Offenses under This Policy
All Tusculum University employees (faculty, staff, and administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate university officials – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. Other resources exist for reporting parties to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the reporting options at Tusculum University:

a. Confidential Reporting
If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- On-campus licensed professional counselors and staff who are employed by the University to provide licensed professional counseling to students/employees.
- On-campus health service providers and staff IF employed by the University to provide health services to students/employees.
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination AND employed/appointed by the University in that scope.
- Off-campus (non-employees):
  - Licensed professional counselors
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains

All of the above-listed individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor. The campus counselor and/or the Employee Assistance Program are available to help free of charge and can be seen on an emergency basis during normal business hours. University employees listed above will submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient or parishioner.

b. Formal Reporting Options
All Tusculum University employees have a duty to report, unless they fall under the “Confidential Reporting” section above. Employees must promptly share all details of the reports they receive. Generally, climate surveys, classroom writing assignments or discussions, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Title IX Co-Coordinators by employees, unless the
reporting party clearly indicates that they wish a report to be made. Remedial actions may result from such disclosures without formal University action.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such a request to the Title IX Co-Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. Note that the University’s ability to remedy and respond to a reported incident may be limited if the reporting party does not want the institution to proceed with an investigation and/or the Equity Resolution Process.

In cases indicating pattern, predation, threat, weapons and/or violence (PPTWV), the University will likely be unable to honor a request for confidentiality. In cases where the reporting party requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the reporting party and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have allegations taken seriously by Tusculum University when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Investigators who are assigned to conduct the investigation and Deputy Title IX coordinator. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party’s rights and privacy.

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex/gender harassment or discrimination of which they become aware is a violation of University policy and can be subject to disciplinary action for failure to comply and may cause disciplinary action up to and including termination of employment.

8. Federal Timely Warning Obligations

Parties reporting sexual misconduct should be aware that under the Clery Act, University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

9. False Allegations

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.
10. Amnesty for Reporting Party and Witnesses

The University community encourages the reporting of misconduct and crimes by reporting parties and witnesses. Sometimes, reporting parties or witnesses are hesitant to report to University officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that reporting parties choose to report to university officials, and that witnesses come forward to share what they know. To encourage reporting, Tusculum University pursues a policy of offering reporting parties and witnesses amnesty from minor policy violations related to the incident.

**Students:** Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to Campus Safety). The University pursues a policy of amnesty for students who offer help to others in need. While policy violations cannot be completely overlooked, the university will provide educational options, rather than punishment, to those who offer their assistance to others in need.

**Employees:** Sometimes, employees are also hesitant report harassment or discrimination they have experienced for fear that they may get themselves in trouble. For example, an employee who has violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to University/College officials. The institution may, at its discretion, offer employee reporting parties amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to witnesses on a case-by-case basis.

11. Parental Notification (allegations involving students)

The University reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The university may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the University will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The University also reserves the right to designate which university officials have a need to know about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act.

12. Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities - have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to [campus law enforcement] regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given).
for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student affairs/student conduct, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

X. SMOKING POLICY
   Tusculum University is a smoke free campus.

X. SOCIAL POLICY
Social life is an important component of any university experience. Because the University takes seriously the positive value of developing social relationships in a sensitive and mature manner, it has established guidelines and expectations to further that purpose for all Tusculum students. Tusculum University provides these guidelines in hopes of helping and encouraging students to develop this aspect of their life in an acceptable and responsible way.

A Social Function is an event attended by any individuals who are not members of the Tusculum University community, has been advertised, or, in the residential environment, where more than twice the number of students as assigned occupants within the residential room or half again as many people as the residents within a living area (wing/floor/house/etc.). Hosting such an event at Tusculum University requires that students receive approval for the event from the Dean of Students or his/her designee.

Y. SOLICITATION, SALES AND FUNDRAISING EVENTS POLICY
Any solicitation/fund-raising event that involves seeking support (which includes both monetary and in-kind gifts) must be approved in advance through the Office of the Vice President for Institutional Advancement. A staff or faculty member, overseeing a fund-raiser should obtain authorization in writing from his or her supervisor and then the written authorization (including the date, time, place and manner of solicitation) should be submitted to the Vice President for Institutional Advancement, for final approval before beginning a fund-raising project. This policy is in place to avoid multiple constituents at Tusculum University calling on the same donor at the same time, requesting either in-kind donations or monetary support.

Fundraising events occurring on campus must also be approved by the Dean of Students and will be considered based upon their merit with the following expectations:
1. Most residential campus sales will only be approved to be held in the first floor level of the Niswonger Commons or other areas where students, staff and faculty are not a "captive audience;"
2. No harassment will be permitted and there will be no door-to-door sales in the residence halls nor sales by individuals for profit (e.g. magazines, perfume, etc.);
3. University students, staff or faculty shall conduct all activity (unless specifically contracted vendors have been approved through the institution);
4. Fundraising events sponsored by registered campus organizations must provide sufficient support to the University sponsor to justify the relationship and use of premises (e.g. twenty percent or more of the profits);
5. If sales result, gross receipts must be deposited in a University account;
6. Nothing in this rule is intended to authorize sales of products or food on campus in conflict with existing exclusive contracts for similar merchandise or services or that conflict with the University’s catering policy guidelines;
7. Applicable policies on gambling under the Code of Student Conduct must be observed; and
8. It is the responsibility of the sponsor to acquire any necessary state, county, or municipal licenses.

Students’ Rights and Responsibilities

Each student possesses individual rights and responsibilities in the context of the University community. Tusculum encourages an atmosphere that promotes mutual respect and consideration for the rights of other. Tusculum University is a distinctive educational community whose members are committed to the cultivation of the Civic Arts and institutional core values.

Z. STUDENT COMPLAINT POLICY

1. Policy Intent

Embracing the core values of integrity, education, and civic responsibility, the Tusculum University community seeks to promote civil discourse among all of our constituencies (students, parents, alumni, members of the Board of Trustees, guests, faculty members, staff members, and other employees of the University). In support of this discourse, the University seeks to address concerns and complaints with integrity, respect and virtue in communications, relationships and actions. For many student concerns or complaints that do not involve harassment, the University seeks to support informal communication channels involving the student and those most directly involved. The purpose of this document is to outline the student complaint policy and procedures.

2. General Procedures
Students are encouraged to discuss with the appropriate faculty or staff member as soon as possible particular concerns or complaints. For concerns that are not resolved through the informal process, the student should be directed to the appropriate Dean or Vice President. The Dean or Vice President may meet with the complainant first, but a formal complaint will require the student to put the complaint into writing. The Dean or Vice President will then proceed to investigate the complaint thoroughly. The Dean or Vice President will begin by requesting written documentation from the faculty or staff member involved. The Dean or Vice President will gather and document all relevant information before making a determination. The Dean or Vice President will inform the complainant and the relevant faculty or staff member of the determination in writing. In the case of academic complaints, if the issue is still not resolved, they may take their concern to the Vice President for Academic Affairs. In all cases, the final appeal is to the President of the University.

A log of written student complaints and their resolution will be maintained by each of the Vice Presidents and Deans of the University. The Office of the Provost VPAA will collect logs from the Deans on an annual basis.

3. Routing of Student Complaints
When a student approaches a faculty member, staff member, or administrator with a verbal concern or complaint or proceeds with a formal complaint as defined below, the nature of the complaint/concern determines the direction of the process:

a. Any complaints of harassment or sexual assault/rape, domestic violence, dating violence, or stalking should move directly to the sexual harassment policy and reporting procedures in the Tusculum University Student Handbook.

b. Any grade issue should move directly to the grade appeal process found in the Tusculum University Catalog.

c. Any complaint involving other students or student related issues should move directly to the Dean of Students as described in the Tusculum University Student Handbook.

d. Any other complaint/concern other than complaints of harassment or sexual assault/rape, domestic violence, dating violence, or stalking should move forward to the appropriate Vice President or Dean responsible for the applicable area with the procedures below.

4. Formal Student Complaint
To be considered a formal student complaint, the complaint must meet the following criteria:

a. Be written; (this includes complaints received by emails)

b. Be received by a Dean, Vice President or President, and

c. Include a complainant’s name, date and signature.

5. Off Campus Authorities
Before pursuing complaints through an off-campus authority, it is expected that the complainant will follow the procedures as described above, except in cases of harassment or sexual assault/rape. If after following those procedures, the issue is still not resolved, they can direct complaints to the following agencies.

- Complaints relating to quality of education or noncompliance with accreditation standards, policies, and procedures may be made to the Colleges and Schools- Commission on Colleges (SACSCOC) 1866 Southern Lane, Decatur, GA 30033-4097. Click here for the Commission’s complaint policy, procedure and Complaint form;

- Complaints related to the application of state laws or rules related to approval to operate or licensure of a particular professional program within a postsecondary institution shall be referred to the appropriate State Board (i.e., State Boards of Health, State Board of Education, and so on) within the Tennessee State Government and shall be reviewed and handled by that licensing board. Learn more by clicking here, and then search for the appropriate division);

- For students attending programs in Tennessee, complaints related to state consumer protection laws (e.g., laws related to fraud or false advertising) shall be referred to the Tennessee Division of Consumer Affairs and shall be reviewed and handled by that Unit. For out-of-state students using distance learning programs, complaints related to consumer protection laws shall be filed using the Tennessee NC-SARA Portal form.

- Complaints about the university can also be directed to the President of the University, 60 Shiloh Road, P.O. Box 5048, Greeneville TN 37743.

- Complaints that originate with SACSCOC or other accrediting bodies are to be forwarded to the appropriate liaison who will follow the general procedures addressed in the Student Complaint Policy.

**AA. STUDENT PRIVACY - FERPA**

The University complies with the Federal Family Education Rights and Privacy Act of 1974 (“FERPA” or Buckley Amendment). Information about this policy is provided in the University Catalog which is available on-line through the Tusculum University website and can be obtained through the Office of the Registrar.

**WHAT IS FERPA?**

The Family Educational Rights and Privacy Act (FERPA), which is also called the Buckley Amendment, is a federal law requiring that colleges and universities maintain the privacy of students' education records. Students who are 18 years of age or older, or who are enrolled in post-secondary institutions, are assigned certain privacy rights with regard to their educational records. The law states that no academic or personal records or personally identifiable information about students will be released without their permission to persons other than
those University employees who have legitimate educational interests in those records. In essence, this means that students must give their permission for the University to release information about their education records, even to release that information to their parents. In addition, Tusculum students have the right to inspect their records to challenge the accuracy of those records. The Privacy Act defines requirements that are designed to protect the privacy of students concerning their records maintained by the University. The law requires that:

1. The student must be provided access to official records directly related to the student. This does not include private records maintained by instructional, supervisory, or administrative personnel. A student who wishes to see his/her records must make an appointment through the Registrar's Office. A student may not remove any materials but is entitled, at his/her own expense, to one (1) copy of any material contained in this file.

2. The student must be given the opportunity for a hearing to challenge such records on the grounds that they are inaccurate, misleading, or otherwise inappropriate. The right to a hearing under the law does not include any right to challenge the appropriateness of a grade as determined by the instructor.

3. The student's written consent must be received prior to releasing identifiable data from the records to anyone other than those specified in numbers 4 - 7 below.

4. The University is authorized under FERPA to release public directory information concerning students. Data considered to be public directory information by the University which may be released on general request includes the student's name, address, telephone listing, e-mail, enrollment status (full or part-time), date and place of birth, major field of study and anticipated graduation date, dates of attendance, site, degrees and awards received, most recent previous educational agency or institution attended by the student, participation in school activities and sports, and any other information authorized in writing by the student. Directory information is subject to release at any time by the University unless the Registrar's Office has received a prior written request from the student specifying that the information not be released.

5. Tusculum University is authorized to provide access to students' records to Tusculum University officials and employees who have legitimate interests in such access; these are persons who have responsibilities in the University's academic, administrative, or service functions.

6. FERPA also provides for the release of relevant records to officials of other institutions in which students seek to enroll, to persons or organizations providing student financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a
judicial order, and to persons in an emergency in order to protect the health or safety of students or others.

7. FERPA provides that educational records of a student who is a dependent of his/her parent(s) for Internal Revenue purposes may be disclosed to the parent(s) without first receiving the student’s consent provided documentation showing the student to be a dependent under the provisions of the Internal Revenue Code is presented by the parent(s).

8. Any information collected for evaluation, assessment, and/or curriculum evaluation, including distance education offerings, will be reviewed by the course instructors and Deans to ensure this data does not contain information revealing the identity of students.

An amendment to FERPA was made as part of the USA Patriot Act of 2001 that allows Tusculum University officials to provide, without consent or knowledge of a student or parent, personally identifiable information from a student’s education record in response to the U.S. Attorney General or his designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes.

AUTHORIZATION
Students can authorize access for their parent(s) to their education records and allow oral and written communication with university personnel by completing the Federal Family Education Rights and Privacy Act and Tennessee Student Information in Higher Education Act Release of Information Request/Authorization form. Students have the opportunity to complete this form as they register for their course work during Advance Registration Days or can complete the form in the Registrar's Office. If the form is not completed in the presence of a school official, then the form must be notarized.

FACULTY AND STAFF INFORMATION
All faculty and staff members as well as student workers who have access to student records must complete documentation that they have read the Tusculum University FERPA Policy or have completed the Tusculum University FERPA tutorial.

Tusculum University employees are directed to forward all calls and inquiries about student directory information to the Registrar's Office at 423-636-7300 ext. 5311.

MORE INFORMATION
Click here to learn more information about FERPA.

BB. DEFINITIONS

Unless definitions have been previously established herein, terms with special meaning in the Tusculum University Code of Student Conduct include:

1. The terms "University" and “institution” will mean Tusculum University and all of its undergraduate, Adult and Online schools, divisions, and programs;
2. The term "student" includes all persons admitted to the institution through such time as they receive their diploma or officially withdraw from the University, including both full-time and part-time students taking undergraduate or graduate classes, and whether pursuing a degree or auditing courses, and in break periods or on-going academic terms;

3. The terms "faculty" and "faculty member" means any person hired by the University to conduct classroom activities;

4. The terms "official" and "University official" includes any person employed or retained by the University for the performance of administrative, professional, or staff responsibilities;

5. The term "aggravated violation" means a violation which resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal University sponsored or affiliated activities;

6. The term "reckless" means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in interference with normal University or University sponsored activities;

7. The term "community member" includes any person who is a student, faculty member, University official or any other person employed by the University. A person’s status in a particular situation will be determined by the surrounding facts;

8. The terms "premises" and "University premises" include all grounds, land, buildings, facilities and other property in the possession of or owned, used, controlled by the University (leased, etc.), or supervised by the University including private buildings located on University land;

9. The term "organization" means any number of persons who have complied with the formal requirements of the University for recognition;

10. The term "group" means any number of persons who have not yet complied with the formal chartering requirement of the University for becoming an organization but have functioned in an organized manner that associates them with the University, on or off University premises;

11. The terms "judicial body" and "board" means any person or persons authorized by the Dean of Students or their designee to determine whether a student has violated the Student Code and to recommend imposition of sanctions;

12. The terms "judicial officer" or "hearing officer” means a University official authorized by the Dean of Students or her/his designee to hear input regarding allegations of violations and render a sanction recommendation; or who serves to mediate between community members or on behalf of the community with a student who accepts responsibility for a violation of the Code of Student Conduct in pursuit of an Administrative Agreement;

13. The "Dean of Students,” is that person designated by the University President to be responsible for the administration of the Student Code of
Conduct, or his/her designee charged with acting on behalf of the above identified individual; and

14. The term "policy" is defined as the written regulations of the University as found in, but not limited to, the Student Handbook (located on the Tusculum University Web site), Motor Vehicle Operations Guide, the Academic Catalog.

CC. PROCEDURAL INFORMATION

1. Behavioral Education Enforcement Philosophy

   Every society and community must have standards governing individual behavior, and a university is no exception. Such standards should always be applied equitably and impartially. In keeping with this necessity, it is the function of the judicial boards to apply institutional rules in specific cases in such a way that carefully protects a student's rights, both procedural and substantive, while also emphasizing the student's obligation to abide by the community norms which the standards reflect. The judicial boards are not and do not function as legal "courts of law," rather, they function as an appointed group of representatives from the campus charged with upholding specific "standards and expectations" for behavior in the Tusculum community.

   Any member of the University community may file charges against any student, group or organization for misconduct. Charges will be prepared in writing and directed to the Office of Student Affairs or AOS Student Affairs Designee. Alleged violations of students while abroad will be resolved in an abbreviated hearing process which will provide administrative agreement and administrative hearing options. The timing guidelines for submission of charges is thirty days from the date the complainant reasonably should have become aware of the identity of the alleged party responsible for the incident (except sexual harassment charges which may be submitted within six months), though the Dean of Students has discretion in accepting matters for review beyond this timeframe.

2. Definition of Terms

   a. Administrative Agreement: Students or organizations may choose to acknowledge their responsibility and plead “in violation” to pending allegations of violations of University policy and complete an Administrative Agreement. An Administrative Agreement is a “contract” process between a student or organization and a designated Hearing Officer which seeks to establish mutually agreed upon outcomes for behavior in violation of University policy. The purpose of the sanction is to educate the individual or organization as to why the documented behavior was inappropriate in the University environment, mitigate any negative impact of the behavior, and protect the community. At any point during the discussion, either the University official or the
student/organization may choose to not complete the administrative agreement and pass the case on to the appropriate hearing body. Once approved, finalized agreements are not appealable as they are by definition voluntary and a means of final resolution of pending issues.

b. **Administrative Hearing:** Students or organizations may choose to have allegations they face heard by a Hearing Officer who will investigate the matter by hearing from the student and their witnesses and the examining any other information they deem relevant to determine whether responsibility exists. If responsibility is determined to exist, the Hearing Officer shall make a sanction recommendation.

c. **Confidentiality:** All cases involving violations of University policy are considered generally confidential with a few exceptions:
   i. notification of parents in emergencies or cases of alcohol and drug violations;
   ii. notification of those university authorities with an educational need to know (e.g. coaches and advisors as determined by the Dean of Students, hearing board members, etc.);

Information from disciplinary files is not available to persons on campus without an educational need to know nor to any person off campus without the express consent of the student involved, except under legal compulsion, in cases where the safety of persons or property is involved, or under the exception providing for informing alleged victims of violent crimes (assault, etc.).

d. **Violation Types:** Assignment of violation type is the responsibility of the Dean of Students based on the following benchmarks:
   i. **Major Violations:** Violations of the Code of Student Conduct considered to be major include:
      a) three or more violations or misbehavior;
      b) damage or vandalism greater than $200.00;
      c) theft, attempted theft, or conversion;
      d) failure to comply with a disciplinary sanction;
      e) failure to comply with University agents;
      f) aggravated intolerance, harassment, threat and/or assault of another;
      g) risk to the health and safety of other community members (damage to access system, etc.); and
      h) fire safety policy violations.
   ii. **Minor Violations:** Violations of the policy considered minor are those not listed under the definition of major violations, and include, but are not limited to:
      a) first non-disruptive Alcohol Policy violations;
      b) unauthorized entry to, or use of University property, equipment or resources, including but not limited to the telephone system,
mail system, computer system, vehicle keys, buildings and furnishings, roofs of University-owned or operated buildings and service tunnels, or the duplication of keys;

c) damage or destruction or misuse of any University property, or property of others on University premises (e.g. intentional or reckless misuse of fire safety equipment);

d) rough play in University buildings or on University premises,

e) Visitation and Escort violations; and

f) Quiet Hours policy violations.

e. **Sanction:** A sanction is any action affecting the status of a student which is taken by the University in response to misconduct. The purpose of such action will be to maintain behavioral expectations which uphold the educational mission of the community as well as to help students recognize acceptable boundaries to their actions/activities and the consequences of future behavior choices. In recommending and determining a sanction, the hearing board, administrative hearing officer or the Dean of Students or his/her designee may consider the student’s present demeanor and past disciplinary record, the nature of the offense, the severity of any damage, injury or resulting harm, and other relevant factors. If the allegations against the student are sustained, the adjudication body, may recommend and the Dean of Students may impose one or more of the following sanctions:

i. **Expulsion** -- The most severe sanction, behavior is such that the student’s presence on campus is not supportive of the mission of the University. The student is permanently separated from the institution. Notification will appear on the student’s transcript. The student will also be barred from the University premises and related activities.

ii. **Suspension** -- Separation of the student from the University system for a specified period of time, but not less than the duration of three courses/blocks. Notification may appear on the student’s transcript. The student will not participate in any University-sponsored activity and may be barred from University premises. Suspension may be deferred when significant mitigating factors are present. However, if a student receives another disciplinary finding of responsibility during this period for a further violation of the Code of Student Conduct, the suspension will take effect as of the date of the later finding. Students returning to Tusculum following a period of suspension will normally return on probation for a designated period of time.

iii. **Interim or Summary Suspension** -- The Dean of Students or his/her designee has the authority to invoke a summary suspension or limit access to the University and its programs and properties until completion of the hearing if there appears to be a danger of the
student causing harm to him/herself or others, or if the person poses a threat to the well-being of the University community. In such cases, access to a hearing will be expedited (including, as necessary, through use of an ad hoc board constituted by the Dean of Students or his/her designee for this purpose);

iv. **University Housing Removal** -- Removal of the residential student from University housing for a specific period of time. Removal from University housing may be deferred when significant mitigating factors are present, provided, however, that if a student receives a disciplinary sanction of at least probation during this period for a further violation of the Code of Student Conduct, the removal from housing will take effect as of the date of the later sanction.

v. **Loss of Privileges** -- Students may be denied specific campus privileges for a designated period of time, including participation in student organizations and other University sponsored events.

vi. **Community Compensation** -- Students are assigned to perform a specified number of hours of work at a local agency. The student is responsible for identifying the agency, coordinating the hours, and having the agency report completion of the assigned community compensation hours. When appropriate, this work may be related to the policy violation which led to the imposition of the sanction.

vii. **Fines** -- Fines may be assessed for violations of living plans or University policies.

viii. **Restitution** -- The student is required to make payment to the University or another for loss or damage to property.

ix. **Disciplinary Probation** -- A specified period of time during which any further violation of the Code of Student Conduct will receive careful scrutiny and may subject the student to suspension or expulsion. Those on probation may not hold an office or hold committee responsibility in student organizations, but they may continue as members of organizations and may attend social functions.

x. **Written Disciplinary Reprimand** -- The student is warned that further misconduct may result in more severe disciplinary action.

xi. **Revocation or Appending of Degrees** -- The University reserves the right to revoke an awarded degree or append notation to the transcript for fraud in receipt of the degree or for serious disciplinary violations committed by a student prior to the student’s graduation.

xii. **Other Sanctions** -- Other sanctions may be imposed instead of or in addition to those specified above, such as work requirements, denial of participation in University activities, denial or restriction of privileges, and solutions worked out through arbitration and/or mediation, etc.

xiii. **Group/Organization Sanctions** - In addition to the sanctions listed above, the following sanctions may be imposed upon groups or
organizations: Deactivation -- Loss of all privileges, including University recognition, for a specified period of time; and/or the loss of University housing for a group or organization

f. **Sanction Endorsement or Modification** - In each case in which a judicial body determines that a student has violated the Student Code, the findings and sanction(s) will be recommended by the same judicial board to the Dean of Students or her/his designee. Following the hearing, the Dean of Students or her/his designee will advise the accused in writing of the judicial board’s finding and, if appropriate, the sanctions imposed, as endorsed.

g. **Student Sanction Records** - Other than University suspension or expulsion, disciplinary sanctions will not be part of the student’s permanent academic record, but will be part of the student’s confidential (educational/personal) record. Due to federal regulations, incident resolution documentation must be kept in the student’s file for seven (7) years from the date of the incident. After this time, a student’s record may be expunged of disciplinary actions other than residence hall expulsion, University suspension, or University expulsion.

h. **Peer Judicial Board**: (hereafter referred to as the PJB) This board functions as the lower level adjudicating body of the residential University for resolving allegations of minor violations of the Code of Student Conduct:

i. PJB consists of fifteen students who are selected in the spring through the Student Government Association and approved by the Dean of Students or her/his designee.

ii. Vacancies due to a failure of the student body to select or due to the representatives failure to perform his/her duties (determined by a three-quarter vote of board) or resignation will be filled through recommendations tendered by the Student Government Association upon soliciting recommendations from the appropriate living area representative bodies and approval of the Dean of Students or his/her designee.

iii. Members of the PJB who are charged with a violation of this Code or with a criminal offense may be suspended from their positions by the Dean of Students or his/her designee during the pendency of the charges against them. Members found responsible of any such violation or offense may be disqualified from any further participation in the administration of the University judicial system at the discretion of the Dean of Students or his/her designee.

iv. The PJB Chief Justice and an Associate Justice will be selected by the Assistant Justices of the Board and will preside over cases before the Board.
v. The PJB is trained and advised by the Dean of Students or his/her designee.

vi. A hearing panel will be selected by the Chief Justice. The Chief Justice will select a minimum of five members of the Board to serve as the designated hearing body (providing for a rotation of those selected to serve from one hearing to the next). The Associate Justice will serve as a substitute should bias be established for any Board member.

vii. Four members, inclusive of the chair, will constitute a quorum. A quorum is necessary for the PJB to review allegations brought before it, unless the accused waives this right upon direct inquiry after being informed of said right.

viii. An ad hoc hearing board may be established by the Dean of Students or his/her designee whenever the regular hearing board is not constituted, is unable to obtain a quorum, or is otherwise unable to hear a case (e.g. opening, finals, or vacation periods).

i. **Community Standards Board** (CSB) Functions as the upper level disciplinary body of the residential University for resolving allegations of major violations of the CSC.

   i. The Board is composed of four students, two faculty, and two staff members. Their responsibilities will include determining whether the accused is in violation or not in violation of the Code of Student Conduct and recommending sanctions to the Dean of Students. A separate non-voting (except in ties) chair, appointed by the Dean of Students or his/her designee will coordinate the council and chair the meetings.

   ii. The students are upperclassmen who are in good standing at the University and are approved by the Dean of Students or his/her designee upon consideration of recommendations submitted by the Student Government Association in consultation with the Chair of the CSB.

   iii. Two faculty are selected from recommendations of the faculty Professional Relations Committee who are familiar with the behavioral expectations and the curricular and co-curricular aspects of Student Affairs.

   iv. Two staff members are selected from recommendations of the Staff Council who are familiar with the behavioral expectations and the curricular and co-curricular aspects of Student Affairs.

   v. Vacancies resulting from a failure to perform duties (determined by three-quarter vote of the CSB) or resignation will be filled through the approval of recommendations made by Student Government Association to the Dean of Students or his/her designee for student and staff positions and through the Professional Relations Committee for the faculty positions.
vi. Members of the CSB who are charged with a violation of this Code, a criminal offense, or other improprieties may be suspended from their positions by the Dean of Students or his/her designee during the review of allegations of improper behavior. Members found responsible of any such violation or offense may be disqualified from any further participation in the administration of the University judicial system at the discretion of the Dean of Students or his/her designee.

vii. Five members, with at least three students and two faculty/staff, will constitute a quorum. A quorum is necessary for the CSB to review allegations brought before it, unless the accused waives this right upon direct inquiry after being informed of said right.

viii. An ad hoc hearing board may be established by the Dean of Students or his/her designee whenever the regular hearing board is not constituted, is unable to obtain a quorum, or is otherwise unable to hear a case (e.g. opening, finals, or vacation periods).

j. Adult and Online Studies Community Standards Board: (AOSCSB). Functions as the disciplinary body of Adult and Online Studies for resolving allegations of violations of the CSC.

i. The Board is composed of nine students, two faculty and two staff members. Their responsibilities will include determining whether the accused is in violation or not in violation of the Code of Student Conduct and recommending sanctions to the Dean of Students. A separate non-voting (except in ties) chair, appointed by Dean of Students or his/her designee will coordinate the council and chair the meetings. The students are in good standing at the University and should provide representation from across the Adult and Online Studies program components. Students will be provided the opportunity to self-nominate in the fall of each academic year for a one year term and are approved by the Dean of Students or his/her designee upon consultation with the Student Government Association and the Chair of the AOSCSB.

ii. Two faculty members who are familiar with the behavioral expectations and the curricular and co-curricular aspects of Student Affairs will serve on the AOSCSB. Faculty members should be selected from across the Adult and Online Studies component programs and recommendations will be solicited from the Student Government Association to the faculty’s Professional Relations Committee.

iii. Two staff members who are familiar with the behavioral expectations and the curricular and co-curricular aspects of Student Affairs will be appointed by the Dean of Students.

iv. Vacancies resulting from a failure to perform duties (determined by three-quarter vote of the AOSCSB) or resignation will be filled
through temporary appointments made by the Dean of Students
designee for student and staff positions and through the faculty’s
Professional Relations Committee for the faculty positions.

v. Members of the AOSCSB who are charged with a violation of this
Code, a criminal offense, or other improprieties may be suspended
from their positions by the Dean of Students or his/her designee
during the review of allegations of improper behavior. Members
found responsible of any such violation or offense may be
disqualified from any further participation in the administration of
the University judicial system at the discretion of the Dean of
Students or his/her designee.

vi. Five members, with at least three students and two faculty/staff, will
constitute a quorum. A quorum is necessary for the AOSCSB to
review allegations brought before it, unless the accused waives this
right upon direct inquiry after being informed of said right.

vii. An ad hoc hearing board may be established by the Dean of Students
or his/her designee whenever the regular hearing board is not
constituted, is unable to obtain a quorum, or is otherwise unable to
hear a case.

3. **Student Rights** - Tusculum University students have the right(s):
   a. To organize a personal life and behavior, to pursue individual activities,
      including freedom of movement, except when these interfere with the
      rights of others or violate established University, local, state, and federal
      laws regulations and policies.
   b. To have freedom from personal force, violence, threats or personal abuse
      and sexual harassment, either as individuals or groups within the
      University community.
   c. To dissent -- to carry on individual or group activity which expresses
      grievances held against or changes desired in society, the University, or
      both (however, the activity needs to comply with campus activity policies
      and procedures).
   d. To have access to a statement of regulations promulgated by the
      University and receive a copy of same upon request. The University will
      make reasonable effort to make its policies known to students.
   e. To a process of fundamental fairness as outlined by University policies
      and procedures, including reasonable notice of a hearing and a written
      statement of the policies and procedures at issue (with information
      about the alleged misconduct upon which the violation allegation are
      based available upon request and such hearing notice will be provided
      through the campus e-mail and mail systems and, thereafter, behavior
      education processes may be conducted with or without the presence of
      the student); a presumption of not being responsible for a violation
      unless or until an admission of responsibility is entered or responsibility is
determined by “a preponderance of the evidence” or “more likely than not” finding and any sanction will be proportionate to the severity of the violation.

f. To request that an informal disciplinary conference (an Administrative Agreement or Administrative Hearing depending) be conducted to pursue the resolution of the matter;

g. To have an opportunity to present a challenge to the objectivity of a hearing board member (which will be evaluated by the remaining members of the board);

h. To testify on one’s own behalf including written and oral statements and physical exhibits, to have material witnesses testify at the responsibility hearing or have the absence of a witness whose statement is considered weigh against their credibility as they are not available for challenge, and, while all students admitted to the University are presumed to be of good character until it is shown otherwise, to have a character witnesses testify at the hearing;

i. To decline to testify at a hearing. Students are reminded, however, that the hearing is not a formal judicial or criminal proceeding, and a hearing board may reasonably draw negative inferences from a refusal to answer questions or otherwise participate or cooperate in the hearing process;

j. To be present at all phases of the hearing except the board deliberations, and the right to examine and refute evidence introduced at the hearing (although direct examination of witnesses may not be permitted in hearings of alleged assault or harassment, but questions of both parties in such cases will be reviewed by the CSB Chair and posed if determined to be appropriate);

k. To be accompanied and assisted by an advisor at all phases of the hearing, provided that the advisor is a student, faculty, or staff member of Tusculum University and that the advisor understands that their role is solely to observe and advise the student and not to participate in any way in the hearing, including questioning witnesses or addressing the hearing body (in cases of sexual misconduct allegations, parties may utilize legal counsel, but counsel will still be bound to the advising role and maybe excused for failure to observe this expectation);

l. To receive a timely written decision;

m. To an appeal or review of the original hearing as outlined in the appeals process (this right exists for all parties and if one party brings forth an appeal, all parties shall be notified of the need to submit appeals for final review);

n. To be assured of confidentiality, in accordance with the terms of the federal Family Education Rights and Privacy Act and understanding the few exceptions thereto; and

o. After a final decision has been rendered and all appeals finalized (note – all hearing outcomes are subject to appeal by all parties who have a right
to be notified of the outcome, but only one appeal shall be heard from all parties simultaneously within the indicated timeline) to be free from subsequent hearing or sanctions for the same specific incident of alleged misconduct (except in cases where charges of obfuscation or dishonesty as related to the initial hearing are being reviewed).

4. **Student Responsibilities** - *Tusculum University students bear the responsibility:*
   a. To act as mature, honest and respectful members of the University community;
   b. To present University identification and comply with the directions of authorized University officials upon request;
   c. To refrain from actions which deny other members of the community their rights;
   d. To refrain from the use of force against another person or group, or personal abuse of another person;
   e. To preserve the right to privacy of property of individuals, groups, the community, and the University itself;
   f. To respect confidentiality of academic information about members of the Tusculum University community;
   g. To observe all established University, local, state and federal rules, regulations, and laws. Nothing in this document can affect in anyway the jurisdiction of courts and other civil authorities over any Tusculum University student. Membership in the University community does not mean a privileged or immune status from the laws and regulations that other residents of Tennessee must obey;
   h. To cooperate fully with any hearing officer or board/panel, to answer all questions truthfully and specifically, and to facilitate the body’s discovery of truth however possible; and
   i. To give all testimony truthfully and honestly. All testimony given before officers and boards/panels is assumed to be under oath or affirmation.

5. **Options for Resolution**
   a. Mediation is encouraged as a means to resolve many interpersonal disputes. The Dean of Students or his/her designee will inform complainants about the availability of mediation resources. Additionally, the Dean of Students may choose to place a hold on the resolution process until the parties make a reasonable attempt to achieve a mediated settlement (except in cases of harassment or assault). For a mediation outcome to be binding such that parties to the agreement who violate same may be held accountable for such through the discipline system, the agreement must be facilitated by a Student Affairs hearing officer, endorsed by both parties, and approved by the Dean of Students or his/her designee.
b. The student may choose to seek an Administrative Agreement or Administrative Hearing with an assigned hearing officer, rather than the standard hearing board process;

c. Alternatively, allegations of Code of Student Conduct violations will be forwarded to chairs of the appropriate hearing body (residential minor violations to PJB, residential major violations to CSB, and AOS violations to AOCSB) to convene a hearing;

d. Situations that are assessed to bring a maximum sanction of a warning may be addressed by the following procedure:
   i. A letter of warning may be sent to the student along with a copy of the violation;
   ii. In such a case, if the student wants either to address the situation further or pursue pleading not responsible, he/she will have three (3) days to contact the staff member who sent the letter to declare his/her desire for a hearing by the PJB or AOCSB as appropriate. If the student does not respond, then the warning for the violation will stand as recognized.


   a. Filing of Charges - At the request of any student, faculty or staff member, or independently, the University may file appropriate charges through the Office of Student Affairs alleging a violation by an accused student(s). Such charges should be filed no later than 30 days after the complainant reasonably should have become aware of the alleged violation and the identity of the student(s) involved, except in cases of sexual harassment/assault. In cases of sexual harassment/assault, charges may be filed up to six months after the complainant reasonably should have become aware of the alleged violation and the identity of the student(s) involved. However, the foregoing timeliness guidelines may be extended at the discretion of the Dean of Students. If a student has withdrawn or withdraws after the filing of such charges, at the University’s discretion, either (1) a “registration hold” will be placed on the student’s academic record (including a notation on the student’s transcript indicating that judicial action is pending [applicable upon withdrawal after the hearing as well]) and the student will be notified that disciplinary action may be initiated upon the student’s application for readmission, or (2) the University may proceed to resolve the disciplinary action.

   b. Delays - Any student charged with violating the Code of Student Conduct may request permission from the chair of the hearing board for a delay in hearing. In a case where criminal charges are pending against a charged student, upon this student’s request, at least a 7-day summary delay will be granted to secure the advice of legal counsel (however this will not affect the implementation of suspension upon review of a deferred
suspension status nor will it impact the application of an interim suspension status). All other delays will be granted at the discretion of the Dean of Students or his/her designee.

c. **Notification** - In the event of a hearing, the charged student will be notified through campus e-mail or mail at least five calendar days prior to the date of the hearing (or one day for a hearing held to review an alleged violation of a summary/deferred suspension). Such notice will include the following:

   i. The specific charge(s) citing the appropriate University policies or regulation(s) allegedly violated;
   ii. A brief indication of the time and place the underlying behavior is alleged to have occurred;
   iii. The time and place of the proposed hearing.
   iv. The source of general guidelines established for the hearing (reference to handbook web address and ability to access/obtain printed copy).

d. **Advisor** - The student may request the assistance of an advisor (who is not licensed to serve as legal counsel in the U.S.) from the University community in the hearing, but must represent him/herself. When appropriate, the student may speak through an interpreter. When there is a pending criminal case against the student arising out of the same facts as the charge(s), the student may be accompanied by legal counsel, who will be present for the purpose of advising the student and will not participate in the hearing.

e. **General Hearing Guidelines**

   i. The hearing will be closed to all except the hearing board, complainant or situational representative, accused, and their advisors (who must be members of the Tusculum University community and may not be certified or licensed to serve as legal counsel).

   ii. All hearing board members will be given the opportunity to review the hearing documents before the hearing convenes. The chair will direct all present at the hearing to state their names and relationship to the case, excuse unapproved parties, explain the format and procedures of the hearing, and answer any questions concerning the complaint and/or the procedures to be followed during the hearing.

   iii. When the complainant, accused, a member of the hearing board or the chair charges that another member may not be impartial or able to judge the facts of the case objectively, the charged member may make a statement in his/her behalf and must then leave the room with all other parties except the remaining members of the hearing board who will discuss and vote on the member’s impartiality. If a majority of the members judges the charged member not to be impartial, that person will not be removed from the hearing panel for the case in question.
iv. The chair will have the complainant state the nature of the complaint (in a minor violation review, a formal complainant may not be assigned when the case is brought by the University with witnesses called by the chair as present to review their input for consideration).
v. The chair will ask for a plea from the accused. If the accused fails to attend the hearing of which he/she has been formally notified, the hearing board will hear the case in his/her absence using any available information.
   (a) If the plea is “in violation”
      --The accused and the complainant will be given an opportunity to make a statement.
      --Hearing board members will be given an opportunity to ask questions of either party or available witnesses to clarify their understanding of the circumstances of the violation.
   (b) If the plea is “not in violation”
      --After the plea, the witness(es) will be asked to leave the room. The complainant and accused will remain. 
      --The complainant and accused may give opening statements. The chair may specify a time limit on statements.
      --The hearing board will question the complainant and his/her witness(es) individually. The hearing board hearing is not a court of law and need not, nor should it, observe the rules of evidence utilized by the courts, and should exclude unduly repetitious or irrelevant evidence. Witnesses will appear as called by the hearing board, testify, and leave. The chair may specify a time limit on the witnesses’ testimony.
      --The hearing board will question the accused and his/her witness(es) individually. Witnesses will appear as called by the hearing board, testify and leave. The chair may specify a time limit on the witnesses’ testimony.
      --The accused and complainant may question witnesses when recognized by the chair.
      --The accused and complainant will be given the opportunity to question one another (except in cases of assault or harassment where questions may be reviewed for appropriateness and then posed or not posed by the Chair at his/her discretion).
      --The complainant and accused will be given the opportunity to make summary statements (inclusive of statements from the complainant as to perceived impact of alleged behaviors) with the accused having the final opportunity to address the Board.
vi. The chair will then outline the procedures for receiving a letter regarding the finding and sanctions (if appropriate), appeals process, and answer any questions of the parties. The accused, complainant,
and any witnesses will then be asked to leave the room. After deliberation, the hearing board will render a finding of “in violation” or “not in violation” by a simple majority vote (although a consensus opinion will be reasonably pursued). The Chair will participate in discussions of the allegations, but only vote in case of a tie.

vii. If the accused is found “in violation” the chair will inform the hearing board of any relevant disciplinary history in the disciplinary file of the accused. Such information will be considered as the hearing board determines an appropriate sanction recommendation for the case.

viii. Any person, including the complainant and the accused, who disrupts a hearing or who fails to adhere to the rulings of the presiding officer may be excluded from the proceedings.

ix. Any recommendation of a hearing board will be based on a reasonable interpretation of the evidence and testimony at the hearing. Supporting evidence and records must be presented at the hearing.

x. The hearing board will determine findings of fact, recommend sanction(s) to be considered, and provide support. The entire record will be forwarded to the Dean of Students or his/her designee. Within the five working days after receiving the hearing board’s determination, the Dean of Students or his/her designee will render the written decision. In the case of Title IX related matters (e.g. sexual harassment), the outcomes will be presented to the accused and the accuser).

The Dean of Students or his/her designee may request the hearing board to clarify its determination. Upon receipt of said request the hearing board will convene to address the questions raised.

f. Appeal Procedures

i. There are three bases for appeal: a) the sanction awarded is not proportionate to the violation for which responsibility was found, b) there were failures in the system procedures [the process indicated herein was not followed], and c) there is new evidence available which was not available at the time of the hearing.

ii. Appeals must be in writing and received within five calendar days of notice being sent to the student of the official sanctions. Appeals are forwarded to the Dean of Students or his/her designee. Appeal decisions will be based on a review of the appeal letter, the summary of the hearing and other supporting documents presented in the hearing, and a discussion with the hearing officer or board chair. If the Dean of Students or his/her designee finds abnormalities, he or she may refer the matter to the same or another hearing board as appropriate, or adjust the finding or sanctions to reflect the information determined through the appeal.
iii. Subsequent and final appeal based solely on procedural grounds can be made to the Dean of Students.

iv. After appeals to the appropriate University officials, and after all decisions are rendered, the case will be considered closed.

g. Immediate Removal
   Any student suspended or expelled may be required to leave campus immediately upon official notification of the sanction or outcome of the hearing, even if the student plans to file an appeal. Should the student seek to appeal the action, he/she will need to arrange for any further access through the Dean of Students or his/her designee.

h. Parental Notification
   Tusculum University recognizes that students, parents, and the University are in a partnership in which each has the responsibility to promote a healthy and productive educational experience. The University behavior education process exists to provide corrective action which is educational and developmental, to protect the campus community, and to maintain an environment conducive to learning. Violations of the University alcohol and/or drug policies can detract from the learning environment. The University believes parents can assist students in fulfilling their educational goals through the use of open dialogue.

   Due to recent amendments to the Family Educational Rights and Privacy Act (FERPA), it is now permissible for Tusculum University to notify the parent or guardian of students under the age of 21 when those students have been found responsible for alcohol and drug related offenses.

   If a student under the age of 21 is found to be responsible for the use and/or possession of drugs or drug paraphernalia, the resultant sanction will include notification of the parent/guardian by the Dean of Students or his/her designee. In the event of a first non-disruptive violation of the alcohol policy by a student, the sanction benchmark includes, but is not limited to probation, developmental counseling, and community service. In addition to the aforementioned sanctions, a first disruptive or second non-disruptive violation of the alcohol policy by a student under the age of 21 has as a result the notification of the parent/guardian by the Dean of Students or his/her designee.

   In addition, the parent/guardian may be contacted in any instance in which the health or safety of the student has been threatened either through the student's own acts or the acts of others.

Transcript Encumbrances
   In pending cases that could result in suspension or expulsion (or cases of deferred suspension), a student records block and a transcript
notation indicating that a judicial matter is pending may be placed on a student's records by the Dean of Students or his/her designee.
RL.  RESIDENTIAL LIFE & HOUSING

RL1  UNDERGRADUATE CAMPUS HOUSING

As a Civic Arts University, Tusculum seeks to foster a spirit of community, benefiting from the full participation of each campus citizen. The student and the community are best served when the student is available to be involved in campus activities. National studies support, and campus experience confirms, that students who reside on campus are more likely to fully benefit from their educational experience. Of all the implications, however, three areas deserve special attention because they are directly attributed to on-campus living:

• Academic Performance and Persistence
  Residential students are more likely to maintain excellent academic performance and earn a bachelor’s degree than off-campus students. A recent review of grade point averages indicates this is also true on our campus. The average GPA of residence hall students is higher than the campus average, and each residence hall class average GPA is higher than the corresponding campus class average GPA.

• Satisfaction with the Faculty
  Residential students tend to have more contact with faculty and are more satisfied with their interaction with faculty than off-campus students.

• Student Development & Learning
  Residential students are more likely to establish strong interpersonal relationships, more likely to learn from group and interpersonal interaction.

To achieve these benefits, and maximize the University experience, all undergraduate students are required to live in the residential facilities unless they are granted an exemption based upon one of the criteria later defined in this policy statement. During fall and spring semesters, housing is limited to full-time students or to part-time students with approved accommodations/special needs. During the summer and break periods, housing is limited to students enrolled at Tusculum University during the term, or to students required to be in residence to participate in activities approved by the Dean of Students as related to the University mission.

Tusculum University’s current student residences are designed to complement the pursuit of full-time undergraduate studies, with respect to their design as multiple resident units, their supervision by undergraduate resident assistants reporting to Adult and Online staff members, and their emphasis on educational programming and leadership development to complement students' curricular pursuits. For those reasons, students who are under the age of 17 or over the age of 30 are not normally eligible for University housing. Petitions for exceptions to this policy will be considered on an individual basis by the Housing
Committee, whose decisions with respect to such petitions will be final (petitions may be submitted through Dean of Students).

To request an exception to the campus housing requirement, the student must complete an Undergraduate Campus Housing Exemption Request Form and provide a local address and telephone number and verification of one of the following:

- Notarized letter of local residency with a parent or legal guardian within a county contiguous to the Greeneville campus (may be completed in presence of University official through admission/registration process without needing to be notarized) by June 1, of the upcoming fall semester.
- Above 21 years of age as of June 1, of the upcoming fall semester,
- License of marriage,
- Junior with a minimum of 60-credit hours and in good academic and student conduct standing (this excludes dual enrollment and AP credits) (unofficial transcripts must be provided upon requests),
- Single student with legal dependent(s), or
- Military veteran – has served at least one year active duty in the military forces.

Other documents may be required to verify need for the exception. If a local student is accommodated on campus, the student will be required to reside on-campus for the full academic year. Under full occupancy, exemptions may be considered on an individual basis based upon accumulated hours and grade point average. Students who have documented health problems that prohibit communal living should contact the Director of Disability Services or the Dean of Students for assistance in addressing any concerns.

Occasionally, financial need is cited as a reason for requesting a campus housing exemption. The University’s Undergraduate Campus Housing Policy makes no provision for financial need as a reason that qualifies for an exception. Thus, requests made on this premise are not approved. Students needing financial assistance are advised to discuss their situation with the Office of Financial Aid and Student Campus Employment. Moving off campus may impact financial aid eligibility. Students are encouraged to consult the financial aid office prior to completing the Undergraduate Campus Housing Exemption Request Form and/or making arrangements for off-campus lodging. It should be noted that some program directors (i.e. coaches, theater, music, etc.) may have a more restrictive campus housing requirement for members of their team or program that differs from the stated policy.

If an Undergraduate Campus Housing Exemption Request is denied, the applicant may appeal in writing to the Campus Housing Committee. The Campus Housing Committee includes key Cabinet representatives who review appeals.
and make final determinations. Normally, applicants will be notified of the decision within two weeks of the date of the appeal.

RL2 HOUSING PATTERNS
All housing arrangements are coordinated through the Office of Student Affairs, and include residence halls, program houses, and apartments. All regulations for residential living apply equally to all University traditional and non-traditional residential facilities.

1. Standard Housing - There are six standard style residence halls on the campus: Charles Oliver Gray East, South, and West are a solely female residence hall. Haynes and Katherine Halls are male facilities. Finally, Welty-Craig Hall is a co-ed facility.

2. Village Housing – There are six apartment buildings on Tusculum’s campus. Village housing is suite style housing that accommodates five residents. Village housing runs a higher annual room cost.

3. Non-Traditional Housing - Designated University owned houses are available for individual accommodations and program houses or group living units. Student groups may apply each spring to live in these houses during the room sign-up process. Some University owned houses are not connected to the University’s phone or internet system, but commercial services for both programs are provided.

RL3 HOUSING/ROOM ASSIGNMENT PROCESS
1. Room Assignments will be managed solely by the Office of Student Affairs. Student requests will be honored whenever possible. Priority for rooms is determined during the registration process in the spring semester. Priority for rooms is determined according to the order in which students complete the registration process, including payment of the housing deposit.

2. Room Changes - Room Changes will be facilitated in accordance with the policy, which recognizes that residency is both an expectation and a privilege, as well as a learning/growing experience. For this reason, all possible solutions to resolve roommate conflict situations will be pursued before a change will be endorsed.

Any roommate difficulty should be discussed with the Resident Assistant to try and resolve the issues presented. However, roommate changes are only permitted under extreme circumstances during the first two weeks of a semester as developing skills in working through challenging situations, etc. are part of the residential experience. Students requesting a roommate change must follow the format established by the Office of Student Affairs. The Coordinator of Housing is responsible for the individual facilities, will make and approve all final changes and residents who do not follow the
appropriate room change process may be subject to judicial action and improper check-in/check-out fines ($50.00 minimum).

3. **Single Rooms** - A student who requests, and is assigned to live in a single-occupancy room, is assessed an additional housing fee. A student who requests, and is assigned to live alone in a two-person room, is assessed an additional housing fee, adjusted on a yearly basis. For information on current fees, contact the Office of Student Affairs.

   a. Students who find themselves without a roommate will have these options:
      i. If space is available, accept the room as a single and begin paying the additional housing fee.
      ii. Refuse to accept the room as a single, recognizing that they may be asked at any time to move or accept an assigned roommate, and continue to pay the double occupancy rate (this status may continue until the conclusion of the semester).

   b. At the start of the next semester, students who chose option (2) above will be required to select one of the following options:
      1. If space is available, accept the room as a single and begin paying the additional housing fee.
      2. Accept a roommate, or agree to move in with another student (which student moves is determined by credit hours and GPA if necessary).
      3. If a roommate is not available, then the student can refuse to accept the room as a single, recognizing that he or she may be asked at any time to move or accept an assigned roommate, and continue to pay the double occupancy rate.

This policy applies to a student who is assigned to a double occupancy room and is not assigned a roommate. A student assigned to a “built as single” room, without requesting a single room, will not be charged an additional fee, but may be asked to move at the conclusion of the semester.

If a student requests and receives a single room during the semester, the additional housing fee is prorated based upon the date of check-in into the new room.

4. **Use of Facilities During Break Periods**
   There may be rare occasions when the University will find it necessary to house people in a student’s room during extended breaks. This might occur when needed maintenance is being performed during a break, and some residents in that hall need to be temporarily relocated. Another possibility is that of housing conference participants in University housing during an academic break. If the room you have been occupying is to be used, you will be given at least one week’s notice that the University is invoking its
contractual rights. Assistance will be given to students whose rooms are to be used in order to make any needed preparations.

**RL4 RESIDENTIAL LIFE PROGRAM**

Tusculum is a residential university. As such, the residential campus is more than just a place to live. The residence halls on campus serve as classrooms for learning human relations skills and serve as social centers for residents. Students living on campus become residents of a small neighborhood within each facility and a member of the larger community of all those who live on campus. As in every such community, policies and procedures are necessary to protect the rights of individuals and the welfare of the community at large. In keeping with the mission of the University to instill qualities of Judeo-Christian character, they also reflect the values and standards of conduct expected of residents. At all times, residents are expected to use good judgment and show respect for the rights and needs of others in the care and use of student housing and facilities.

The ideals of the Civic Arts encourage all of us to be active participants in our communities. The residence halls provide an immediate opportunity for community involvement. All residents are responsible for being active, positive participants in their residential community.

From the central administrative office, to the front-line live-in residential staff, the Residence Hall Staff is composed of highly trained professionals and para-professionals who offer service and guidance to the resident students on how to realize maximum benefit and enjoyment of their residence hall living experience.

RAs are para-professional staff members who are concentrated in the first-year housing clusters and serve the resident population by initiating programs to encourage interaction and integration, providing friendly support, acting as a resource person, and serving as a peer counselor/referral agent, as well as representing the University with respect to enforcement of the campus policies and procedures. These Resident Assistants are the first line of contact, resource or counsel for residential students, who welcome your contact and look forward to getting to know you.

**RL5 RESIDENTIAL LIFE & HOUSING SERVICES AND POLICIES**

This section addresses a number of Residential Life and Housing policies, which supplement the Code of Student Conduct.

1. **Cable Television** - Every Tusculum University residence hall room is wired for standard cable service. Tusculum also maintains a student run television channel which can be found on Channel 34 WTCV. For questions, or to report problems with cable service, please contact the Department of
Information Systems located on the 4th floor of Niswonger Commons or call 636-7346 (from the halls, ext. 4-5346).

2. **Telecommunications** – Tusculum University manages its own internet services and telephone systems. Each student’s room in residential housing is provided Ethernet access to the Tusculum University network/internet, which is covered by tuition. Even though local/emergency phone service is provided in residential housing, other telephone service is the responsibility of the student. Students are encouraged to provide their own cellular phone service long-distance service. Those students wishing to make long distance calls are otherwise required to make arrangements with a long-distance carrier of their choice.

3. **Laundry Facilities** are located in each living unit on campus. A special program has been implemented, which allows students to use the machines without needing to provide money or tokens. Those who do not live in facilities where this fee is applied may not use the machines in the aforementioned areas.

4. **Dining Services** - Dining service at Tusculum University is in the Niswonger Commons, and is operated by contract on behalf of the University by Chartwell’s. All students living in University residence halls are required to participate in the board plan.

   **COMMUTER STUDENTS AND DINING HALL GUESTS:** Commuting students, faculty, and staff, are encouraged to purchase a discount meal plan. The Business Office maintains a list of the available meal plans and rates.

**POLICIES AND RULES:** The following policies and rules are applicable to the dining facilities:
- Meal plan students must present student ID at each meal. Students will not be permitted to enter the dining hall without their student ID.
- Shoes and shirts must be worn at all times.
- No food, drink, utensils or other items may be taken from the dining hall.
- After eating, return your tray to the dish area, discarding your trash, and separating your silverware.

Please note that there are no refunds for any unused meals or when a student withdraws from the University during a semester. If a student request to be exempted from the meal plan during the semester is granted, board/meal charges will be refunded for the portion of the academic term remaining from four full weeks from the date withdrawal from the plan is approved.

**COMMENTS AND SUGGESTIONS:** You may offer comments by filling out comment cards available in the dining room, contacting the Director of Dining Services, or contacting the Office of Student Affairs. Let our Dining
Services personnel know when we do things well or can otherwise help you enjoy your dining experience.

SPECIAL NEEDS: Students with special medical or dietary needs should consult with the Director of Dining Services to determine how their needs can be met. Thereafter, if the student believes that their dining needs cannot be met, they will need to receive a meal plan waiver from the Office of Student Affairs after submitting a request in compliance with the “Guidelines for Documentation of Food Related Disability in Support of Meal Plan Waiver Request” (available through the Office of Student Affairs) to document a disability in compliance with the American with Disabilities Act. All requests for special needs accommodations or exemptions extend for one academic year, and must be renewed annually.

BAG LUNCHES: Students on the meal plan who are planning to miss a normal meal-serving time due to a class field trip, athletic participation, or other school-sponsored activity may request a sack lunch for that meal in advance. Normally, when groups are involved, the faculty or staff member will make the request on behalf of the entire group, but students should follow up with the group’s coordinators. Requests for bag lunches must be made in writing to the food service manager at least 72 hours in advance of the pick-up time.

CATERING: The University’s contract with Chartwell’s Services provides Chartwell’s with the right of first refusal on all catering on campus, whether for University-related events or for events sponsored by external agencies. If you are planning an activity which involves catering, please contact the food service manager at least two weeks in advance to make the necessary arrangements or order online at Tusculumuniversity.catertrax.com. The Director of Dining Services can be reached in person or by telephone at 423-787-8341.

5. **Maintenance Services** - All maintenance problems should be sent to tuwork@tusculum.edu or reported to Facilities Management or the Office of Student Affairs. Facilities Management personnel will complete the repairs as quickly as possible. In case of emergency, notify Campus Safety immediately. Should a work request not be completed in a timely fashion, students should contact Facilities Management directly and then the Office of Student Affairs.

6. **Custodial Services** are available for cleaning of residence hall hallways, lounges and lobby areas Monday through Friday. Cleaning that is needed as a result of improper behavior is to be done by the person(s) involved, or the cleaning will be assessed as a community damage charge. Residents are responsible for cleaning their own rooms.

7. **Damages/Vandalism** - Vandalism is any malicious and/or intentional destruction of property, buildings, or equipment. Students found to be responsible for vandalism will be assessed for the repair of their actions and
are subject to disciplinary action. This charge will include all administrative costs, labor and materials associated with necessary repairs.

Damage is any action that requires replacement of property or equipment as a result of an accident or improper use of an item. In the event of damage, students who self-identify their responsibility will be billed for associated costs, but are not subject to disciplinary action; otherwise, the situation will be managed as vandalism.

To avoid damage, use Plasti-tak or a similar non-permanent mounting to display decorations. Nails, tacks, push pins, masking tape, and adhesive decals all cause wall damage. If the University is unable to determine who is responsible for particular damages, or there are damages to common areas (i.e. hallways, bathrooms, corridor doors), the costs will be prorated to the occupants of the hall or suite where the damage occurred. Although charges will be billed immediately, the work associated with repairs may be delayed at the discretion of the Office of Student Affairs and Facilities Management. The Office of Student Affairs may prorate charges to a particular group, if evidence warrants such action.

8. **Access and Occupancy** - Access to University residential facilities is available only when the University is in session. Occupancy of student residential spaces is contingent upon the resident maintaining registration as a full-time student. Unauthorized entrance into a locked residence hall room, other than the student's own room, or other locked University facility, will subject a student to suspension from the University and/or criminal trespass.

9. **Check-In/Check-Out** - When you move in, inspect the room carefully and return the room assessment form to your Resident Assistant (RA). Any damages not noted on the form will be charged to you when you depart the room. The form is your protection against unnecessary charges. If you plan to move out of your room, let the RA know 24 hours in advance so he or she may be present to inspect the room and sign off as to the condition of the room. Students are expected to return the room to its original condition. Rooms requiring special cleaning will be assessed a cleaning fee that ranges from $50-$150 depending on the degree of cleaning required. The Office of Student Affairs shall make the final damage assessment, but if the student does not arrange to be present during the inspection, the inspection is final.

When the residence halls close, you must be completely moved out by the date and time identified by the University. Graduates and/or students participating in graduation must be completely moved out by 5:00 p.m. on the day of graduation. Any student that does not formally check out with a RA will be charged $50.00 for improper check out. Additionally, $28.00 per day will be assessed to students that are present or have constructive possession of a room without authorization.
10. **Identification Cards** - All students will be issued a photo-bearing Tusculum University student identification card at check-in. Student ID cards are required for admittance to the residence halls, cafeteria, library, University sporting events and other campus activities. When asked by any authorized University personnel (including RAs and Campus Safety Officers), students must present their ID cards.

Failure to present identification may jeopardize the privilege of remaining on campus as a method of determining the identity of students versus non-students is necessary for campus safety. Students who fail to properly identify themselves upon request by a University official will be subject to disciplinary action. Report lost ID cards to the Campus Safety Office immediately. Replacement cards will be issued for a $20.00 fee.

11. **Locks and Keys** - It is the responsibility of residents to keep the room locked and keep the key on his/her person. Lost keys will be replaced at the rate of $60.00 per core (lock) and $5.00 per key. Residential room doors found unsecured with no residents present will be secured. Room access may be provided by Campus Safety once each semester at no cost. Thereafter, a $10.00 fee will be assessed. However, students may obtain a loaner key from the Student Affairs Office for a twenty-four hour period if they believe their key is misplaced, but still in their possession (lost in room, left at home, etc.). Supplemental locks, chains or guards are not permitted in any campus owned residential space, and any impedance to proper access by campus officials, which results in damage to the facility due to the presence of such improper items, will be the financial responsibility of the residents of the space.

It is the responsibility of all individuals to maintain hall security by not propping outside residence doors. Only residents, staff and escorted guests are to be permitted access to residence halls. If a student breaks their key, he or she will need to turn in the “head” of the key before a duplicate key will be issued. Failure to turn in the “head” will result in the student being charged for a lock change.

12. **Expectation of Privacy** by residents in their rooms is recognized and supported by the University to the extent that it does not conflict with the University’s responsibility to assure a safe and secure living and learning environment. This expectation of privacy carries with it the responsibility for students to conduct themselves within the policies of the University. In support of the foregoing standard, a student’s room will be protected from search unless **authorized for cause** by the Dean of Students or his/her designee.

13. **Right of Inspection** by authorized University representatives within student quarters will be retained by the University to address standards of maintenance, preservation of existing physical structure, safety and security
of University property, or when a violation of University policy is suspected. Throughout the year, including vacation periods, the University reserves the right to check and repair student rooms. Regular inspections will also be conducted to ensure the property is being maintained in a reasonably clean and healthy manner. The University will exercise reasonable care with the personal belongings of the student at all times.

14. **Residential Visitation** hours are intended for friends and family, never for unrestricted public access to residence halls. Each resident student is responsible not only for his/her own conduct, but for the conduct of his/her visitors. The Visitation Policy has been accepted by the Board of Trustees as a limited principle. The following requirements and expectations must be met and maintained for a living unit to acquire and retain the privilege:

   a. Visitation does not imply open residential areas. Guests are to be escorted to the room of visitation or through any private area of the residence hall by their host or hostess. Members of the opposite sex do not have access to residence areas of any living units unless escorted. Members of the opposite sex do not have bathroom or shower privileges.

   b. Visitation Sunday through Thursday will be within the hours of 12:00 p.m. (noon) to 1:00 a.m.

   c. Visitation on Friday and Saturday will be within the hours of 12:00 p.m. (noon) to 3:00 a.m.

   d. There is no visitation when the University or the residence halls are officially closed. Lobby visitation hours are identical to regular visitation in each residence hall. Visitors under age eighteen are not permitted, except when the visitor is related to the student.

15. **Residential Overnight Guests** on campus are permitted if they are of the same gender as the resident host, the stay is limited to no more than two (2) nights in a given thirty (30) days, and permission of all roommates/housemates is received. The resident must inform an RA or other residential staff from the floor about overnight guests in advance of the stay and all guests and vehicles are recommended to be registered with Campus Safety should an emergency be reported and contact with them is necessary (family crisis, vehicle incident, etc.).

16. **Quiet Hours** are established at the beginning of the fall semester by each residence hall or living facility. The minimum quiet times are 10:00 p.m. to 10:00 a.m. Sunday through Thursday evenings; and 1:00 a.m. to 10:00 a.m. on Friday and Saturday evenings. From the last day of classes for the semester through the beginning of the next semester, Quiet Hours are observed 24 hours a day. During quiet hours, residents are expected to
contain their noise level to that which cannot be heard from another room when
the doors are closed (the same applies to houses, etc.). The maintenance of quiet hours is not a
duty to be left up to the residential life staff but is to be a cooperative effort on the part of all residents which is
supported by the staff.

17. **Consideration Hours** are the times other than quiet hours in which cooperation among residents is expected. During this period, the standard for establishing a violation is whether the noise level is disruptive as determined by an objective staff member. Staff will encourage students to negotiate reasonable standards and noise levels, but if the students cannot reach consensus, the staff member will evaluate the noise level against the ability for a "reasonable person" to engage in behaviors standard to a living environment while supporting the expectation that the residence halls should be conducive to the learning process. **Stereo and other audio equipment** are to be played at volumes which will not interfere with the activities of residential facility or community residents.

18. **Lofts & Bunk Beds** and other structures are not permitted in residence hall rooms. Due to restrictions established by the Fire Marshall, bunk beds are not permitted in Haynes or Welty-Craig Halls. Lofting beds is not permitted except with special permission from the Dean of Students.

19. **Insurance** for personal possessions should be provided by the student as the University is not responsible for loss or destruction of personal property, including loss by theft, fire, etc. Therefore, students should assure that their family insurance plan provides sufficient coverage for their possessions while away from home or examine whether a “renter’s” insurance policy will best meet their needs.

20. **Publicly Abandoned Items** - The University reserves the right to dispose of any items left in the public areas for any period of time, and the University will take no responsibility for those items (e.g. dishes, cooking supplies, athletic equipment, and room furniture). Items left in public areas are a safety, community health, and cleaning issue. Therefore, any personal belongings that remain in a public area are subject to disposal.

Tusculum University does not assume any responsibility for any personal property left in the residence halls after closing. Any students who leave behind items in their rooms will be charged a minimum removal fee of $50.00, in addition to any applicable cleaning charges. Storage facilities are not available on campus for student belongings.

   a. Possession of any open heating element or open flames or ignition points (e.g. heaters, burners, hot plates, sandwich presses, Foreman grills, toaster ovens, halogen lamps, candles, incense, potpourri pots, “hoverboard-type” devices, etc.) or any unapproved appliances, televisions or reception systems requiring wiring outside the room, etc.
are not permitted, however, residents can use the following small food appliances: small coffee pot, nu-wave ovens (apartments and houses only), George Foreman grills (apartments and houses only), popcorn air popper, and under-counter refrigerator;

b. Possession of extension cords or multi outlet adapters are not permitted, surge protector strip plugs are permitted to help protect equipment and reduce malfunctions;

c. Possession of waterbeds, weight sets over 150 lbs. (smaller sets may be permitted with permission of all roommates and affected neighbors [beside, above and below the room] submitted to the Dean of Students for approval), etc. which have the potential to result in dramatic damage to the facility; or large furniture which blocks reasonable access to doors, windows, or heating and ventilation equipment or access to the room;

d. Placement of any items in or on window, sill/ledge, balcony, railing, etc., or any antennas, cords, flags, signs, etc. out of the windows/doors, on the exterior of the facility, or visible from the exterior (except for University sanctioned decoration events); and

e. Alterations or modifications made to either the interior or exterior surfaces of the room, balconies, porches, apartments or building without written approval of the Dean of Students or a managing member of the Office of Student Affairs.

RL6 RESIDENCE LIFE EMERGENCY PROCEDURES

1. Fire Procedures - Any fire of whatever origin or size, must be reported to Campus Safety (5318) in order to ensure the safety of residents. In the case of an alarm sounding, secure your room (windows and doors) and immediately leave the area. Leave everything behind except your key. Exit in an orderly fashion (evacuation plans are posted on each floor). Do not use elevators. Walk, do not run. Keep calm. Move away from entrances and buildings once you are outside to allow emergency personnel unimpeded access to the building. Do not re-enter the building until told to do so by University staff. Additionally, fire drills will be held each semester in compliance with state fire laws to promote the awareness of all residents and assure the functionality of systems and processes dedicated to resident safety. Resident and guest participation and cooperation is mandatory.

2. Severe Storm/Tornado Procedure - In the event of a severe thunderstorm or tornado watch, students are advised to listen to local radio/television stations for current weather information. A weather alert will go out if a tornado has been spotted in the local area. In the event of a warning, students are to seek shelter in University buildings, preferably near the center of the building away from windows. Students may also want to seek protection under heavy furniture. Do not leave buildings during a storm/tornado warning. The official storm shelter area on campus is the lower level
of the Pioneer Arena, outside of the Athletic Training and Health Services areas.

Weather Watch - conditions are conducive for producing severe weather, thunderstorms, or tornadoes.

Weather Warning - severe weather, thunderstorms or tornadoes have been observed in the local area.

3. Injury/Illness - In the event of injury or illness, students should contact the Wellness Center (5499) or Campus Safety (5318).

4. Physical Damage - Students are requested to report physical damage to Campus Safety (5318).

Students with additional questions should reference the Emergency Response Procedures Manual of the University.
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THE GUIDE: Who to See About What on Campus and Registering Student Concerns

This index can provide a start in the right direction in getting the assistance or service students may need. When in doubt, a good place to start is with your academic adviser or the Office of Student Affairs. This index includes office names and room numbers. For personnel names, titles and telephone numbers please refer to the online campus directory.

Tusculum University welcomes opinions and feedback about our policies, programs, facilities and services in order to assure we are providing the optimal living and learning experience for students. Students may occasionally experience a challenge or concern which they do not know how to resolve. In such cases, the student is expected to first approach the individual or office most involved with the issue and discuss the matter in a direct and honest fashion. Most issues can be resolved when a student connects with the appropriate faculty or staff member and calmly and directly communicates their concern.

In addition, there are multiple options for students seeing assistance in articulating and addressing their concerns using informal approaches as well as more formal procedures, if needed. The Student Concern Resources Chart in the Student Handbook can help students identify specific policies and/or grievance procedures (such as grade appeals, academic integrity allegations, discrimination or harassment, code of conduct violations and student to student complaints) as well as program areas designated to assist students in addressing specific concerns. If it is unclear what office or person can be of assistance, the Dean of Students office is located in Niswonger Commons Room 225 and serves as the campus ombudsman-office to assist students in resolving their issues.

If a student desires to file a complaint with the University's accrediting agency, the Southern Association of Colleges and Schools Commission on Colleges, the process to follow can be found here.

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