

# **STUDENT GUIDE TO GENERAL UNIVERSITY POLICIES AND RULES**

**2011-2012**

**RIGHTS AND RESPONSIBILITIES OF COMMUNITY LIVING**



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This publication is available in alternative media on request.

Penn State is committed to affirmative action, equal opportunity, and the diversity of its workforce.  
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## WELCOME TO THE PENN STATE COMMUNITY

This document serves as an important reference for student members of the University community because it includes information about rights and responsibilities as well as other regulations. Examples of what can be found in this document include:

### General University Policies and Rules:

- rights
- code of conduct
- statement on intolerance
- computer and software misuse
- confidentiality of student records
- sexual harassment

• For a complete copy of the Academic Policies and Rules for Undergraduate Students, please reference <http://www.psu.edu/ufs/policies>.

• For a complete copy of the “Procedural Guidelines for the University Discipline Process”, please reference: <http://studentaffairs.psu.edu/conduct/pdf/procedures.pdf>

• For the Office of Student Conduct, please reference <http://studentaffairs.psu.edu/conduct/>

In addition to the *Student Guide to General University Policies and Rules*, there are other student life related documents or pamphlets available directly from specific offices which contain information about special topics such as: "Student Parking," "Medical Excuses," "Student Aid," "University Libraries Lending Code," "Student Organizations," "Student Health Insurance," and "Terms, Conditions, and Regulations" for residence halls. Other important reference publications\* include the following:

- Associate Degree Programs Bulletin
- Baccalaureate Degree Programs Bulletin
- Graduate Degree Programs Bulletin
- University Policy Manual
- Individual campus materials (for locations other than University Park)

Note: The materials published in the 2011-2012 Edition of the *Student Guide to General University Policies and Rules* are current within the 2011-2012 academic year and are subject to change.

## **PREAMBLE**

The Pennsylvania State University, as an institution of learning and a community of persons with a special purpose, accepts its obligation to provide for its members an atmosphere that protects and promotes its educational mission and that guarantees its orderly and effective operation. To accomplish these goals, the University must require certain standards of conduct. University standards of conduct, published as regulations in the Code of Conduct, do not replace or relieve the requirements of civil or criminal laws. University regulations and civil law, although not in conflict, are often promulgated for different purposes and in different contexts.

Members of the University community are accountable to several different authorities, each with its own interests, obligations, regulations, sanctions, and processes for enforcement and adjudication. Further, members of the University community (students, faculty, and staff) have an obligation to fulfill the responsibilities incumbent upon all citizens, as well as the responsibilities of their particular roles within the academic community.

Therefore, the University has established standards of conduct related to its special educational mission. All members of the University community share the obligation to respect:

- the fundamental rights of others as citizens;
- the rights of others based upon the nature of the educational process;
- the rights of the institution;and
- the rights of members to fair and equitable procedures for determining when and upon whom penalties for violation of University regulations should be imposed.

*\*This Statement is an adaptation of the Model Bill of Rights and Responsibilities proposed by the Carnegie Commission on Higher Education on "Dissent and Disruption: Proposals for Consideration by the Campus." Consultation in the preparation was with the University Council, the Faculty Affairs Committee of the University Faculty Senate, and the Senate Committee on Undergraduate Student Affairs.*

## **RIGHTS OF OTHERS AS CITIZENS**

As citizens of the Commonwealth and the nation, members of the University community enjoy the same basic rights and are bound by the same responsibilities to respect the rights of others, as are all citizens. The campus is not a sanctuary from the general law.

Each member of the University has the right to organize his/her own personal life and behavior, so long as it does not violate the law or University regulations and does not interfere with the rights of others or the educational process.

Admission to, employment by, and promotion within the campus shall accord with the provisions against discrimination in the general law.

## **RIGHTS OF OTHERS BASED ON THE NATURE OF THE EDUCATIONAL PROCESS**

All members of the University community have other responsibilities and rights based upon the nature of the educational process and the requirements of the search for truth and its free presentation. These rights and responsibilities include:

- obligation to respect the freedom to teach, to learn, and to conduct research and publish findings in the spirit of free inquiry. Institutional censorship and individual or group intolerance of the opinions of others are inconsistent with this freedom;
- obligation not to interfere with the freedom of members of the University to pursue normal academic and administrative activities;
- obligation not to infringe upon the right of all members of the campus to privacy in offices, laboratories, and residence hall rooms, and in the keeping of personal papers, confidential records, and effects, subject only to the general law and University regulations;
- obligation not to interfere with the right to hear and study unpopular and controversial views on intellectual and public issues;
- right to identify oneself as a member of the University community and a concurrent obligation not to speak or act on behalf of the institution without authorization;
- right to recourse if another member of the University community is negligent or irresponsible in performance of his/her responsibilities, or if another member of the campus represents the work of others as his/her own; and
- right to be heard and considered at appropriate levels of the decision-making process about basic policy matters of direct concern.

Members of the University community who have a continuing association with the institution have an especially strong obligation to maintain an environment conducive to respect for the rights of others and fulfillment of academic responsibilities.

Trustees have a particular responsibility to protect the integrity of the academic process from external and internal attacks and to prevent the political or financial exploitation of the University by any individual or group.

## **RIGHTS OF THE INSTITUTION**

The institution, and any division or agency that exercises direct or delegated authority for the institution, has rights and responsibilities of its own. The rights and responsibilities of the institution include:

- right and obligation to provide an open forum for members of the University community to present and debate public issues;
- right to prohibit individuals and groups who are not members of the University community from using its name, its finances, and its physical and operating facilities for commercial or political activities;
- right to prohibit members of the University community from using its name, its finances, or its physical and operating facilities for commercial activities;
- right and obligation to provide, for members of the University community, the use of meeting rooms under the rules of the University, including use for political purposes such as meetings of political clubs; to prohibit use of its rooms by individual members or groups of members on a regular or prolonged basis as free headquarters for political campaigns; and to prohibit use of its name, its finances, and its office equipment and supplies for any partisan political purpose at any time;
- right to protect the members of the University community and visitors from physical harm, threats of harm, or abuse; its property from damage and unauthorized use; and its academic and administrative processes from interruption;
- right to require that persons on University property identify themselves by name and address, and state what connection, if any, they have with the University;
- right to set reasonable standards of conduct in order to safeguard the educational process and to provide for the safety of members of the University community and the institution's property.

## **RIGHTS TO EQUITABLE PROCEDURES**

All members of the University community have a right to fair and equitable procedures that shall determine the validity of charges of violation of campus regulations, rules, and/or the Code of Conduct.

The procedures shall be structured so as to facilitate a reliable determination of the truth or falsity of allegations or charges, to provide fundamental fairness to the parties, and to be an effective instrument for the maintenance of order.

All members of the community have a right to know in advance the range of penalties for violation of University regulations. Definition of adequate cause for separation from the University community should be clearly formulated and made public.

Charges of minor infractions of regulations, yielding warnings, probation or other educational interventions may be handled expeditiously by the appropriate staff member or hearing officer.

In the case of charges of infractions or regulations that may lead to separation from the institution, members of the University community have a right to more formal procedures with additional due process, including the right of appeal.

Students are members of campus, the local community, and state. As citizens, students are responsible to the community of which they are a part, and the university neither substitutes for nor interferes with the regular legal process. Students are also responsible for offenses against the academic community. Therefore, action taken in a civil or criminal court does not free the student of responsibility for the same conduct in a University proceeding. The University will only review allegations of student behavior that may have violated the Code of Conduct.

When a student has misconduct allegations brought against him/her either on or off campus, the University will decide on the basis of its interest and the interest of the student whether or not to proceed with its internal review simultaneously or defer action until after the proceedings of the criminal or civil action.

## **CONDUCT**

The Pennsylvania State University is dedicated to maintaining a scholarly community that promotes intellectual inquiry and encourages the expression of diverse views and opinions. When students accept admission to Penn State, they accept the rights and responsibilities of membership in the academic and social environments of that community. Students are expected to support its essential values and to maintain a high standard of conduct that may exceed federal, state, or local requirements. These values include the following:

- personal and academic integrity;
- respect for the dignity of all persons and a willingness to learn from the differences in people, ideas, and opinions;
- respect for the rights, property, and safety of others; and
- concern for others and their feelings and their need for conditions that support an environment in which they can work, grow, and succeed at Penn State.

In order to foster these values, the Code of Conduct is based on the following principles:

1. The University has an obligation to exercise oversight in:

- matters that impinge upon academic achievement and integrity;
- conduct that breaches the peace, causes disorder, and substantially interferes with the rights of others;
- behavior that threatens the physical and mental health and safety of members of the University community;

- behavior that threatens its property, or the property of members of its community, through theft, damage, destruction, or misuse; and
- behavior that is repugnant to or inconsistent with an educational climate.

2. The University has a commitment to enforce its contractual agreements.

3. The University has an obligation to support and be guided by the laws of the land. Violations of the Code of Conduct shall be responded to by appropriate University mechanisms established for, and in consultation with, faculty, staff, and students. There shall be clearly defined channels and procedures for such responses. Sanctions shall be commensurate with the seriousness of the offense.

The Code of Conduct shall be made public in an appropriate manner and may be revised by the University in consultation with the faculty, staff, and students.

## **THE CODE OF CONDUCT**

The Code of Conduct describes behaviors that are inconsistent with the essential values of the University community. Intentionally attempting or assisting in these behaviors may be considered as violations of the relevant section of the Code and may be viewed as serious as engaging in the behavior. A person commits an attempt when, with intent to commit a specific violation of the Code of Conduct, he/she performs any act that constitutes a substantial step toward the commission of that violation.

The Code of Conduct behaviors include, but are not limited to:

**1. ABUSE/ENDANGERMENT/HAZING OF A PERSON:** Physically harming or threatening to harm any person, intentionally or recklessly causing harm to any person or reasonable apprehension of such harm or creating a condition that endangers the health and safety of self or others, including through the facilitation of or participation in any mental or physical hazing activity (refer to Policy Statement 8 in this document).

**2. SEXUAL MISCONDUCT OR ABUSE:** The University does not tolerate sexual misconduct or abuse, such as sexual assault, rape or any other forms of nonconsensual sexual activity. Sexual misconduct and abuse can occur between acquaintances or parties unknown to each other. Sexual abuse is attempted or actual unwanted sexual activity, such as sexual touching and fondling. This includes the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or buttock, or clothing covering them), or forcing an unwilling person to touch another's intimate parts. Sexual misconduct includes, but is not limited to, sexual assault, rape, forcible sodomy or sexual penetration with an inanimate object, intercourse without consent, under conditions of force, threat of force, fear or when a person is unable to give consent because of substance abuse, captivity, sleep or disability (also see Policy AD-12).

**3. HARASSMENT:** Harassment is behavior that is sufficiently severe or pervasive so as to threaten an individual or substantially interfere with the individual's employment, education or access to University programs, activities or opportunities, and that would detrimentally affect a reasonable person under the same circumstances. Behaviors that meet the above definition may include, but are not limited to, the following:

- directing physical or verbal conduct at an individual because of the individual's age, ancestry, color, disability or handicap, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status (also see AD-42);
- subjecting a person or group of persons to unwanted physical contact or threat of such;
- engaging in a course of conduct, including following the person without proper authority, under circumstances which demonstrate intent to place the other person in reasonable fear of bodily injury or to cause the other person substantial emotional distress (also see Policy AD-12);or

- harassment of a sexual nature as described (also see Policy AD-41).

**4. WEAPONS, FIREARMS, AND PAINTBALL DEVICES:** The possession, storing, carrying, or use of any weapon, ammunition, or explosive by any person is prohibited on all University property except by authorized law enforcement officers and other persons specifically authorized by the University. No person shall possess, carry, or use any fireworks on University property, except for those persons authorized by University and local governments to discharge such fireworks as part of a public display. Paintball guns and paintball markers may only be used on the property of the University in connection with authorized University activities and only at approved locations (also see SY-12).

**5. FIRE SAFETY VIOLATIONS:** Tampering with fire or other safety equipment or setting unauthorized fires.

**6. ALCOHOL AND/OR DRUGS:** Illegally possessing, using, distributing, manufacturing, selling or being under the influence of alcohol or other drugs. Use, possession or distribution of beverages containing alcohol on University property shall comply with the laws of the Commonwealth of Pennsylvania and University Policies and Rules. Note: Anyone, including those under 21, serving alcohol to persons under 21 is in violation of both University regulations and state law. Excessive consumption occurs when a person is intoxicated to the degree that the person may endanger self, other persons, or property, or annoy persons in the vicinity. (also see Policies AD-18 and AD-33 and refer to Policy Statement 3). It is also a violation of the residence hall contract for a student to be in the presence of the use of illegal drugs or alcohol, in any residential area.

**7. FALSE INFORMATION:** Intentionally providing false or inaccurate information or records to University or local authorities. Providing a false report of an emergency University rule and/or Code violation. Knowingly providing false statements or testimony during a University investigation or proceeding.

**8. THEFT AND OTHER PROPERTY OFFENSES:** Stealing, vandalizing, damaging, destroying, or defacing University property or the property of others.

**9. DISRUPTION OF OPERATIONS:** Obstruction or disruption of classes, research projects, or other activities or programs of the University; or obstructing access to University facilities, property, or programs. Disruption is defined as an action or combination of actions by one or more individuals that unreasonably interferes with, hinders, obstructs, or prevents the operation of the University or infringes on the rights of others to freely participate in its programs and services (refer to Policy Statement 1).

**10. VIOLATIONS OF ACADEMIC INTEGRITY:** Academic integrity is the pursuit of scholarly activity in an open, honest and responsible manner. Academic integrity is a basic guiding principle for all academic activity at The Pennsylvania State University, and all members of the University community are expected to act in accordance with this principle. Consistent with this expectation, students should act with personal integrity, respect other students' dignity, rights and property, and help create and maintain an environment in which all can succeed through the fruits of their efforts. Academic integrity includes a commitment not to engage in or tolerate acts of falsification, misrepresentation or deception. Such acts of dishonesty violate the fundamental ethical principles of the University community and compromise the worth of work completed by others. Violations of academic integrity include, but is not limited to, copying, plagiarism, fabrication of information or citations, facilitation of acts of academic dishonesty by others, unauthorized possession of examinations, submitting work of another person or work previously used without informing the instructor, and tampering with the academic work of other students (also see Faculty Senate Policy 49-20 and G-9 Procedures). Special procedures are used to address violations of academic integrity. (Refer to Section V: Protocol for Violations of Academic Integrity.)

**11. FAILURE TO COMPLY:** Failing to comply with reasonable directives from University or other officials when directed to do so. Failure to provide identification or to report to an administrative office or, when reasonable cause exists, failing to leave University-controlled premises or dangerous situations when directed to do so by properly authorized persons, including police and/or other University staff. This charge may be added to other charges, e.g., when a student fails to leave a residence hall during a fire drill and refuses to leave when directed to do so by a University official.

**12. FORGERY/ALTERATION:** Making, using or possessing any falsified University document or official record: Altering or forging any University document or record, including identification, meal or access cards. This includes but is not limited to: forging (signing another's name and/or ID number) key request forms, manufacturing IDs or tickets, altering permits, misuse of forms (letterhead stationery, University forms), and keys to mislead others.

**13. UNAUTHORIZED ENTRY OR USE:** Unauthorized entry into or use of property or University facilities including residence halls, classrooms, offices, and other restricted facilities. Unauthorized entry or use of facilities is referred to in University policy regarding the rights of individuals and the rights of the institution. Specifically, policy refers to an "obligation not to infringe upon the rights of all members of the campus to privacy in offices, laboratories and residence hall rooms, and in the keeping of personal papers, confidential records and effects, subject only to the general law and University regulations." The University also has the right to control use and entry into facilities for reasons of security, safety, or protection of property. This includes closing facilities at specified times. It should also be recognized that an open or unlocked door is not an invitation to enter and use facilities. The same concept applies to computer entry or misuse, including violation of any University computer policy (also see [Policy AD-20](#) and [refer to Policy Statement 4](#)).

**14. DISORDERLY CONDUCT:** Engaging in disorderly, disruptive, lewd, or indecent conduct. The item includes but is not limited to: inciting or participating in a riot or group disruption; failing to leave the scene of a riot or group disruption when instructed by officials; disruption of programs, classroom activities or functions and processes of the University; creating unreasonable noise; or creating a physically hazardous or physically offensive condition.

**15. VIOLATIONS OF UNIVERSITY REGULATIONS:** Violating written University policy or regulations contained in any official publications, administrative announcements, contracts and/or postings.

**16. VIOLATION OF LAW:** When it is established that a student has violated federal, state, or local law and the violation of law affects a *Substantial University Interest*, the student may be charged within the Code of Conduct for Violation of Law.

## **RESPONDING TO OFF-CAMPUS MISCONDUCT**

While the University has a primary duty to supervise behavior on its premises, there are many circumstances where the off-campus behavior of students affects a Substantial University Interest and warrants disciplinary action.

The Pennsylvania State University expects students to conduct themselves in accordance with the law. Student behavior off the premises of the campus that may have violated any local, state, or federal law, or yields a complaint from others alleging law violations or student misconduct will be reviewed by the University. Upon receipt of a complaint alleging off-campus student misconduct the Senior Director of the Office of Student Conduct will review the allegations and if necessary, consult with a senior student affairs administrator to determine the appropriate course of action by the University. When students are found responsible for behavior off campus that both meets the definition of affecting Substantial University Interest, and violates the Code of Conduct, sanctions will be applied.

Under normal circumstances, the Off-Campus Misconduct Policy will be reviewed simultaneously by the University. However, the University may defer action until the proceedings of the criminal or civil action have been completed when requested to do by the student. Such a request will be considered by the Office of Student Conduct following an initial review of the circumstance and the basis for the student's request. Whether or not such a request is made and approved, students may also delay action by the Office of Student Conduct by seeking a Disciplinary Withdrawal, whereby they would withdraw from the University until the criminal matter has been resolved.

At the same time, when there is a compelling reason (such as concern for the safety of other students), the Office of Student Conduct may, after an initial review of the evidence, impose the sanction of Interim Suspension, requiring that the student leave the campus pending disciplinary proceedings or medical evaluation.

Student conduct committed off the campus that affects a Substantial University Interest is conduct which:

- constitutes a violation of local, state or federal law. Included are repeat violations of any local, state or federal law committed in the municipality where the University is located;
- indicates that the student may present a danger or threat to the health or safety of him/herself or others;
- significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and
- is detrimental to the educational interests of the University.

Any off-campus student behavior that affects a Substantial University Interest (as previously defined) violates the Code of Conduct and is subject to disciplinary action following standard University procedures (<http://studentaffairs.psu.edu/conduct>).

In accordance with University disciplinary procedures, students are entitled to contest any allegations and/or sanction and may request a hearing or review before an Administrative Hearing Officer or the University Hearing Board. The hearing body will review the referred incidents for off-campus misconduct in the same manner they do for violations that have occurred on University premises. The hearing body may also consider whether or not the referred off-campus misconduct affects Substantial University Interest and whether the behavior should be subject to University disciplinary action.

The University has established sanctioning guidelines for University Code of Conduct violations. Specific sanctions established for off-campus misconduct will vary just as sanctions do for on-campus violations depending upon the individual nature of each situation including the student's prior misconduct record.

The sanctions for off-campus misconduct range from Disciplinary Warning to Permanent Expulsion.

The following is a sample list of misconduct behaviors and/or law violations in each of the University's sanctioning categories of Minor, Moderate and Major. This listing does not take into consideration a student's prior disciplinary record. Therefore, those students with a history of prior misconduct may receive firmer sanctions than those listed below for any particular act of misconduct. Also, this list is not designed to be comprehensive and the University reserves the right to respond to any off-campus misconduct that affects a Substantial University Interest as defined above.

#### **MAJOR STUDENT MISCONDUCT BEHAVIORS/LAW VIOLATIONS:**

The University Student Code of Conduct violations committed off the campus that typically would fall into the MAJOR category and yield a sanction range of Suspension to Expulsion are:

Homicide; Manslaughter; Kidnapping; Delivery of Illegal Drugs; Assault and Abuse of a Person; Sexual Assault; Rape; Incest; Ethnic Intimidation; Crimes Motivated by Intolerance; Child Pornography; Confining

Others; Domestic Violence; Burglary; Robbery; Major Thefts; Arson; Resisting Arrest or Detainment; Creating or Contributing to a Dangerous Condition; Engaging in acts which encourage, prolong or contribute to a public disturbance (e.g. riot, failure to disperse); Distribution of Illegal Drugs; and Serious cases of: Hazing, Harassment and Stalking; Direct Threat of Harm; Unlawful Use or Possessions of Weapons.

### **MODERATE STUDENT MISCONDUCT BEHAVIORS/LAW VIOLATIONS:**

The University Student Code of Conduct violations committed off the campus that typically would fall into the MODERATE category and yield a sanction range of Probation\* to Indefinite Expulsion are:

Simple Assaults; Fights with Injury; Driving Under the Influence; Furnishing Alcohol to Minors; Endangering Self or Others; Unlawful Entry; Theft; False Swearing, Reports, Witness and Identification; Impersonating a Public Servant; Obstructing an Official in their Duties; Aiding or Abetting in a Crime; Public Lewdness; Firearms Violations; Obstructing a Public Thoroughway; Public Drunkenness; Disrupting Meetings or Operations of Others and Processions; and Corruption of Minors.

*\*Probation may include a notation on the student's transcript.*

### **MINOR STUDENT MISCONDUCT BEHAVIORS/LAW VIOLATIONS AT UNIVERSITY PARK AND OTHER LOCATIONS AS DESIGNATED BY UNIVERSITY PARK, ALTOONA, AND BERKS**

The University Student Code of Conduct violations committed off the campus that typically would fall into the MINOR category and yield a sanction range of Disciplinary Warning to Probation\* are:

Disorderly Conduct; Retail Theft; Criminal Mischief; Loitering; Public Nuisances; State Alcohol Violations, except Furnishing Alcohol to Minors and Driving Under the Influence (included in the Moderate category); Public Drunkenness; Possession of Illegal Drugs and Public Damage.

The University will review all second or subsequent student misconduct behaviors stated above in the Minor category. Although the continuum of sanctioning for behaviors under the Minor category range from Probation to Temporary Expulsion, because these are repeat acts of misconduct, sanctions would typically include sanctions greater than probation.

*\*Probation may include a notation on the student's transcript.*  
<http://studentaffairs.psu.edu/conduct/policies/offcampus.shtml>

*The Off-Campus Misconduct Policy is available at:*  
<http://studentaffairs.psu.edu/conduct/policies/offcampus.shtml>

## **POLICY STATEMENTS**

### **1. POLICY STATEMENT ON FREE EXPRESSION AND DISRUPTION**

- a) As an academic community, The Pennsylvania State University is committed to the protection and preservation of the free search for truth; the freedom of thought, inquiry, and speech; and the freedom to hear, examine, and debate alternative theories, data, and views. These are fundamental rights, which must be practiced, protected, and promoted by the University.
- b) It is essential at the University that channels of communication be open, effective, and accessible to all members of the academic community.

- c) The University recognizes, respects and protects all peaceful, non-obstructive expressions of dissent, whether individual or collective, that are within the law, that are within University regulations and that do not interfere with the regular and essential operation of the University. The regular and essential operation of the University is construed to include, but is not limited to, the operation of its offices, classrooms, laboratories, and research facilities and the right of access to these and any other physical accommodations used in the performance of the teaching, research, and administrative functions and related adjunct activities of the University.
- d) Disruption is an action or combination of actions by an individual or a group that unreasonably interferes with, hinders, obstructs, or prevents the regular and essential operation of the University or infringes upon the rights of others to freely participate in its programs and services.
- e) It is the responsibility of University officials to initiate action to restrain or prohibit behavior that threatens the purposes or the property of the University or the rights, freedoms, privileges, and safety of the personnel of the academic community (also see [Policy AD-51](#)).

## **2. POLICY STATEMENT ON DRUGS**

It is the policy of The Pennsylvania State University that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on property owned, leased, or controlled by the University and used in performance of university services. Any violation of this prohibition may result in disciplinary action, including separation from the University, and the violator may be required to participate in a drug abuse assistance or drug rehabilitation program.

When such activity occurs off the premises of the University, the University nevertheless may consider initiating disciplinary action if the University determines that the activity provides a Substantial University Interest related to University operations or upon individuals of the University community (also see [Policy AD-33](#)).

## **3. POLICY STATEMENT ON BEVERAGES CONTAINING ALCOHOL**

The University has established standards of student conduct related to its educational mission. Penn State is dedicated to maintaining a scholarly community that promotes a shared set of values. These values include having concern for oneself, for others and the need for conditions that support a campus climate where students can work, grow, and succeed. Grounded in this value is the act of establishing and maintaining a healthy community. To this end, the University has the responsibility to respect and promote the physical and emotional wellness of students.

Illegal alcohol use or alcohol abuse on or off the premises of the University negatively impacts the University community and places students at personal and academic risk. While responding to misconduct, the University strives to provide a healthy and safe experience for students. University rules and procedures regarding student alcohol violations are specifically established to provide:

- therapeutic or medical support interventions for students,
- community expectations for student conduct behaviors, and
- an orderly and safe environment for community members.

## OFF-CAMPUS ALCOHOL CONSUMPTION

1. When alcohol related activity occurs off the premises of the University, the Office of Student Conduct may consider initiating disciplinary action under the Off-Campus Misconduct Policy. The University reserves the right to impose sanctions for the use, possession, service, or consumption of alcoholic beverages off the premises of the University campus when such behavior affects a Substantial University Interest. In this regard, a violation of local or state law or behavior including, but not limited to, the following may be considered violations of the Student Code of Conduct:
  - (a) **Public Drunkenness:** When a student is unconscious, experiences a loss of control, and/or needs medical attention;
  - (b) **Furnishing Alcohol to Minors:** When a student purchases or serves alcohol to those under the age of 21; and
  - (c) **Repeat Offenders:** When a student is involved in repeat misconduct of a similar nature and/or other types of alcohol related offenses.
2. Alcoholic beverages shall not be served to minors (individuals under the age of twenty-one) at University-sponsored functions. A "University-sponsored function" shall be any event at any location that is sponsored by an officer, employee, or agent of the University in his or her capacity as a representative of the University. Functions organized by students or recognized student organizations shall not be deemed to be sponsored by the University within the meaning of this policy statement.

**Note: Although beverage alcohol is permitted in the area adjacent to the football stadium, kegs are prohibited.**

## ON-CAMPUS ALCOHOL CONSUMPTION

1. The use, possession, or distribution of beverages containing alcohol on University property shall comply with the laws of the Commonwealth of Pennsylvania and University policies and rules. Misconduct that may result in disciplinary action, which may include separation from the University, includes:
  - (a) The purchase, consumption, possession, or transportation, or the attempt to purchase, consume, possess, or transport any beverage containing alcohol by persons under twenty-one years of age, anywhere on the premises of the University;
  - (b) The possession or use of alcoholic beverages in any Penn State on-campus undergraduate residence hall buildings regardless of age. For the 2011-2012 academic year, students over 21 years of age will be able to possess and consume beverages containing alcohol at Penn State Erie, The Behrend College, only in the Behrend apartments, Ohio Hall, and Tiffany, Tigress, and Porcupine Halls. At University Park, students are allowed to possess and consume any beverage containing alcohol inside the White Course Apartments following the laws of the Commonwealth of Pennsylvania;
  - (c) Participating in any tailgating activities in the residential quad areas or residence hall parking lots where alcoholic beverages are being served on any football game/event weekend including all home football games, Football Eve, Fourth Fest, and the Spring Blue and White Weekend. Students tailgating with alcoholic beverages in these defined areas will be confronted and referred to the Office of Residence Life or the Office of Student conduct;
  - (d) The selling, furnishing, or giving of any beverage containing alcohol to any person under twenty-one years of age;

- (e) The purchase, service, use, or possession of beverages containing alcohol by undergraduate recognized student organizations at any function that occurs on the premises of the University;
- (f) The use of University student activity funds by undergraduate recognized student organizations for the purchase of alcoholic beverages whether such beverages are to be possessed or consumed on or off University premises.
- (g) The purchase, consumption, possession, or transportation of beverages containing alcohol in open containers except:
  - by individuals who are twenty-one years of age or older, at facilities licensed by the state;
  - adult graduate students and graduate recognized student organizations serving beverages containing alcohol to adults in facilities owned by the University which are available for such use if, but only if, no monetary charge is made for admission to the function and the function is not open to the public. Adult graduate students and graduate recognized student organizations that serve alcoholic beverages in University facilities shall adopt procedures to prevent the service of alcoholic beverages to minors; and
  - by individuals who are twenty-one years of age or older on University-owned or controlled property when the sponsor has acquired permission under Administrative Policy AD-18.

### **RESPONSIBLE ACTION PROTOCOL**

In response to the University Park Undergraduate Association's campaign for a medical amnesty policy, whereby students who seek medical assistance for peers suffering from alcohol poisoning or related problems would not be charged through the campus judicial system for their own alcohol violations, we have established a *Responsible Action Protocol*.

Under the protocol, students who act responsibly by notifying the appropriate authorities (e.g., calling 911, alerting a resident assistant, contacting police) typically will not face University judicial action for their own alcohol violations, unless they are responsible for other violations (e.g., vandalism, assault) as well. However, these students will be required to attend a substance abuse program, but the fee will be waived.

(also see University policy AD-18)

### **4. POLICY STATEMENT ON COMPUTER AND SOFTWARE MISUSE**

- a) Access to and use of computer facilities, electronically stored data, and software shall comply with federal laws, the laws of the Commonwealth of Pennsylvania, and the rules and regulations of the University including those rules and regulations set forth in Administrative Policies AD-20 and AD-23 and Administrative Guidelines ADG-1 and ADG-2. Misuse of computers, computer facilities, and software may violate federal or state criminal laws and may result in criminal charges against the user. Members of the University community may be subject to University sanctions, including disciplinary charges.
- b) It is a violation of University regulations to:
  - (1) intentionally and without authorization, access, alter, interfere with the operation of, damage or destroy all or part of any computer, computer system, computer network, computer software, computer program, or computer database; and

(2) intentionally or knowingly and without authorization, give or publish a password, identifying code, personal identification number or other confidential information about a computer, computer system, computer network or database.

- c) University regulations apply to all University computers and computer equipment, computerized data and all data owned or held through agreement by the University. These regulations may also apply to computer equipment and data belonging to or held by agreement by members of the University community or others when violations are deemed to have a substantial adverse effect upon the University community or upon individual members of the University community.
- d) It is important that members of the University community be aware of the intellectual rights involved in the unauthorized use and copying of computer software.
- e) Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to the work of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and the right to determine the form, manner, and terms of publication and distribution.
- f) Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violation, may be grounds for sanctions against members of the academic community.

(Also see University Policies [AD-20](#), [AD-23](#), [ADG-1](#), and [ADG-2](#))

## 5. POLICY STATEMENT ON INTOLERANCE

### **Purpose:**

The University is committed to creating an educational environment that is free from intolerance directed toward individuals or groups and strives to create and maintain an environment that fosters respect for others. As an educational institution, the University has a mandate to address problems of a society deeply ingrained with bias and prejudice. Toward that end, the University provides educational programs and activities to create an environment in which diversity and understanding of other cultures are valued.

Acts of intolerance violate the principles upon which American society is built and serve to destroy the fabric of the society we share. Such actions not only do untold and unjust harm to the dignity, safety, and well-being of those who experience this pernicious kind of discrimination but also threaten the reputation of the University and impede the realization of the University's educational mission.

### **Definition:**

An act of intolerance refers to conduct that is in violation of a University policy, rule or regulation and is motivated by discriminatory bias against or hatred toward other individuals or groups based on characteristics such as age, ancestry, color, disability or handicap, national origin, political belief, race, religious creed, sex, sexual orientation, gender identity or veteran status.

### **Policy:**

The Pennsylvania State University is committed to preventing and eliminating acts of intolerance by faculty, staff and students, and encourages anyone in the University community to report concerns and complaints about

acts of intolerance to the Affirmative Action Office or the Office of the Vice Provost for Educational Equity, and, in cases involving students, reports also may be made to the Office of Student Conduct.

If any violation of University policy, rule or regulation is motivated by discriminatory bias against or hatred toward an individual or group based on characteristics such as age, ancestry, color, disability or handicap, national origin, political belief, race, religious creed, sex, sexual orientation, gender identity or veteran status, the sanction will be increased in severity and may include termination or expulsion from the University.

The University prohibits retaliation against anyone who files a complaint and/or participates in an investigation involving alleged acts of intolerance. Retaliation constitutes a separate violation and may result in a sanction independent of the outcome of a complaint.

### **Expression of Opinion:**

The expression of diverse views and opinions is encouraged in the University community. Further, the First Amendment of the United States Constitution assures the right of free expression. In a community which recognizes the rights of its members to hold divergent views and to express those views, sometimes ideas are expressed which are contrary to University values and objectives. Nevertheless, the University cannot impose disciplinary sanctions upon such expression when it is otherwise in compliance with University regulations. (also see University Policies [AD-29](#), [AD-41](#) and [AD-42](#)).

## **6. POLICY STATEMENT ON SEXUAL ASSAULT, RELATIONSHIP AND DOMESTIC VIOLENCE, AND STALKING**

- a) The Pennsylvania State University will not tolerate sexual assault or abuse, such as rape or other forms of non-consensual sexual activity. These acts degrade the victims, our campus community, and society in general. While the University cannot control all the factors in society that lead to sexual assault and abuse, the University strives to create an environment that is free of acts of violence.
- b) Violations of this policy will result in disciplinary action, which may include separation from the University.
- c) Sexual assault and abuse is non-consensual physical contact of a sexual nature. Sexual assault and abuse can occur between acquaintances or parties unknown to each other (also see University Policy [AD-12](#)).

## **7. POLICY STATEMENT ON NONDISCRIMINATION AND HARASSMENT**

The Pennsylvania State University is committed to the policy that all persons shall have equal access to programs, facilities, admission, and employment without regard to personal characteristics not related to ability, performance, or qualifications as determined by University policy or by state or federal authorities. It is the policy of the University to maintain an academic and work environment free of discrimination, including harassment. The Pennsylvania State University prohibits discrimination, harassment against any person because of age, ancestry, color, disability or handicap, genetic information, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status and retaliation due to the reporting of discrimination or harassment. Discrimination, harassment, or retaliation against faculty, staff or students will not be tolerated at The Pennsylvania State University.

- (a) Harassment is a form of discrimination consisting of physical or verbal conduct that (1) is directed at an individual because of the individual's age, ancestry, color, disability or handicap, genetic information, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status; and (2) is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education or access to University programs, activities and opportunities. To constitute prohibited

harassment, the conduct must be such that it detrimentally affects the individual in question and would also detrimentally affect a reasonable person under the same circumstances.

- (b) Harassment may include, but is not limited to, verbal or physical attacks, threats, slurs or derogatory comments that meet the definition set forth above. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved.
- (c) Retaliation encompasses actions taken by an employer against employees who oppose discrimination or participate in an investigation or proceeding involving charges of discrimination.
- (d) These definitions are not intended to deprive an individual of the right of free expression or other civil rights.

(Also see University policy [AD-42](#).)

## **8. POLICY STATEMENT ON SEXUAL HARASSMENT**

Sexual harassment of faculty, staff or students is prohibited at The Pennsylvania State University. It is the policy of the University to maintain an academic and work environment free of sexual harassment. Sexual harassment violates the dignity of individuals and impedes the realization of the University's educational mission. The University is committed to preventing and eliminating sexual harassment of faculty, staff and students through education and by encouraging faculty, staff and students to report any concerns or complaints about sexual harassment. Prompt corrective measures will be taken to stop sexual harassment whenever and wherever it occurs.

(Also see University policy [AD-41](#).)

## **9. POLICY STATEMENT ON PHYSICAL ABUSE**

- a) The Pennsylvania State University is committed to the safety and well being of all of its members and strives to create an environment that is free of acts of violence. Toward that end, the University provides a variety of services to address matters of personal conflict including educational programs, counseling, and other methods of conflict resolution. The University will not tolerate physical abuse by any member of the University community.
- b) This policy also refers to domestic and relationship violence as referred to in AD Policy 12. Domestic violence is defined as the use or attempted use of physical force, or the threatened use of a deadly weapon by a current or former spouse or a person who is currently or has cohabitated with the victim. Relationship violence is defined similarly to domestic violence, but applies to individuals who are dating and are not living together.
- c) Violations of this policy will result in disciplinary action, which may include separation from the University.

## **10. POLICY STATEMENT ON SMOKING**

- a) The Pennsylvania State University is committed to a healthful environment for all members of the community at all locations.
- b) Smoking of any material is prohibited in all University facilities, at all locations, including University-owned vehicles. It also is prohibited in any outside area adjacent to a facility that's configuration and/or other physical circumstances allow smoke either to enter and affect the internal environment or to unduly affect the environment of those entering or exiting the facility. Exemptions to this policy may

be made by the Smoking Policy Review Committee if the committee deems granting the exemption to be reasonable for business or research reasons as submitted by the unit that requests the exemption.

- c) Smoking includes the burning of any type of lighted pipe, cigar, cigarette, or any other smoking equipment, whether filled with tobacco or any other type of material (also see University policy AD-32.)

## **OTHER SELECTED POLICIES**

### **CONFIDENTIALTY OF STUDENT RECORDS**

#### **Preamble**

The Pennsylvania State University collects and retains data and information about students for designated periods of time for the express purpose of facilitating the students' educational development. The University recognizes the privacy rights of individuals in exerting control over what information about themselves may be disclosed and, at the same time, attempts to balance that right with the institution's need for information relevant to the fulfillment of its educational missions. The University further recognizes its obligation to inform the student of his/her rights under the Family Educational Rights and Privacy Act of 1974 (FERPA); to inform the student of the existence and location of records as well as to define the purposes for which such information is obtained; to provide security for such material; to permit student access to, disclosure of, and challenge to this information as herein described; and to discontinue such information when compelling reasons for its retention no longer exist.

#### **Student Records Policy**

The University will disclose information from a student's educational record only with the prior written consent of the student, except that educational records may be disclosed without consent to University officials having a legitimate educational interest in the records and to third parties specifically authorized by FERPA, as referenced under Policies on Disclosure of Student Records.

"University officials" are University employees with general or specific responsibility for promoting the educational objectives of the University or third parties under contract with the University to provide professional, business and similar administrative services related to the University's educational mission. Individuals whose responsibilities place them within this category include teachers; faculty advisers; admissions counselors; academic advisers; counselors; employment placement personnel; deans, department chairpersons, directors, and other administrative officials responsible for some part of the academic enterprise or one of the supporting activities; University Police personnel; health staff; development officers; staff in Alumni Relations; administrative and faculty sponsors of officially recognized clubs, organizations, etc.; members, including students and alumni, of official college (University) committees, staff personnel employed to assist University officials in discharging professional responsibilities; and persons or entities under contract to the University to provide a specific task or service related to the University's educational mission. Access by these officials is restricted where practical, and only to that portion of the student record necessary for the discharge of assigned duties.

"Legitimate educational interests" are defined as interests that are essential to the general process of higher education prescribed by the body of policy adopted by the governing board. Legitimate educational interests would include teaching, research, public service, and such directly supportive activities as academic advising, general counseling, therapeutic counseling, discipline, vocational counseling and job placement, financial assistance and advisement, medical services, safety, raising endowment in support of student scholarships and academic programs, and academic assistance activities. In addition, the University officially recognizes appropriate co-curricular activities that are generally supportive of overall goals of the institution and contribute generally to the well-being of the entire student body and specifically to many individuals who participate in

these activities. These activities include varsity and intramural sports, social fraternities, specific interest clubs, and student government.

Records originating at another institution will be subject to these policies.

### **Student Educational Records**

Student educational records are defined as records, files, documents, data and other materials that contain information directly related to a student and are maintained by The Pennsylvania State University or by a person acting for the University pursuant to University, college, campus, or departmental policy.

Student educational records do not include records of instructional, supervisory, and administrative personnel and ancillary educational personnel that are in the sole possession of the maker and that are not accessible or revealed to any other person except a substitute.

Other exclusions include:

- (a) Notes of a professor/staff member concerning a student and intended for the professor's/staff member's own use are not subject to inspection, disclosure, and challenge.
- (b) Records created and maintained by the Police Services Records Division for law enforcement purposes.
- (c) Records relating to an individual who is employed by an educational agency or institution not as a result of his/her status as a student that:
  - are made and maintained in the normal course of business;
  - relate exclusively to the individual in that individual's capacity as an employee; and
  - are not available for use for any other purpose.

However, employment records relating to University students who are employed as a result of their status as students (e.g., federally-funded work study, graduate assistants, resident assistants) are considered educational records.

- Records on students that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity are not subject to the provisions of access, disclosure, and challenge. Such records, however, must be made, maintained, or used only in connection with the provision of treatment to the student and are not available to anyone other than the persons providing such treatment or a substitute. Such records may be personally reviewed by a physician or other appropriate professional of the student's choice.
- Application records of students not admitted to the University. However, once a student has enrolled in an academic offering of the University, application information becomes a part of the student's educational records.
- Alumni records.

### **Definition of a Student**

For the purpose of this policy, a student is defined as an individual currently or previously enrolled in any academic offering of the University. For newly admitted students, this policy becomes effective on the first day of classes for those students who have scheduled at least one course. A student who accepted an admission offer

but did not schedule at least one course, or a newly admitted student who canceled his/her registration either before or after the semester begins, is not covered by this policy.

This definition does not include prospective students (applicants to any academic program of the University).

### **Public Information Regarding a Student**

The following is a list of directory items that may be made available to the public regarding students of the University without their prior consent and is considered part of the public record of their attendance:

1. Name,
2. Address (local, permanent, and electronic mail),
3. Telephone number,,
4. Class level (semester classification or level: freshman, sophomore, junior, senior, etc.),
5. Major,
6. Student activities including athletics,
7. Weight/height (athletic teams),
8. Dates of attendance,
9. Enrollment status (full-time, part-time, or not enrolled),
10. Date of graduation,
11. Degrees and awards received and where received , and
12. Most recent educational institution attended.

The student is entitled to request that these directory items not be made publicly available. Such a request must be made in writing to the University Registrar. Requests filed within ten days after the first day of class for fall semester will normally block directory items from appearing in printed directories and other annual publications and will block the release of directory items in response to inquiries made to the University by the public after the receipt of the request. Requests filed after the first ten days of the fall semester will block only the release of directory items in response to inquiries made to the University by the public after the receipt of the request. The block will remain in effect until it is rescinded by the student in written instructions filed with the University Registrar.

### **University Officers Responsible for Student Records**

The following University officers are designated as responsible for student records within their respective areas:

- Budget Officer of the University,
- Chancellors,
- Corporate Controller,
- Deans,
- Vice Provosts,
- Vice President and Dean,
- Vice Presidents,
- Senior Vice Presidents and Deans, and
- Senior Vice Presidents.

Each of these officers is responsible to make available a listing of student records within his/her area of responsibility indicating the purpose, storage, security, and disposition of each student record.

### **Policies on Disclosure of Student Records**

The following guidelines will be utilized with respect to the disclosure of student records:

**NOTE:** *In no case will letters of recommendation and other information obtained or prepared before January 1, 1975, that were written on the assumption or expressed promise of confidentiality to the authors, be available for inspection, disclosure, or challenge. Letters of recommendation and other information written and/or compiled after January 1, 1975, are available to students in accordance with guidelines that follow.*

#### **A. DISCLOSURE TO THE STUDENT:**

The student has the right to inspect and review his/her educational records, and may do so by making an oral or written request to the University official responsible for the specific record desired. The official must respond within forty-five days of the request by sending the student a copy of the requested record, or by arranging an appointment for the student to review it. The student has the right to an explanation of any information contained in the record.

Educational records of the student, or the contents thereof, will not be released to the student, his/her parents, or any third party so long as a financial indebtedness or serious academic and/or disciplinary matter involving the student remains unresolved. This limitation does not preclude the student from having personal access to the records - merely from obtaining the release of the information. The student may not have access to the confidential financial statement of parents or any information contained in such statements.

A student may waive his/her right to access to confidential letters of recommendation that he/she seeks for admission to any educational agency or institution; for employment; or for application for an honor or honorary recognition. The student must be notified on request of all such individuals furnishing recommendations, and the letters must be solely for the stated purpose for which the student was notified and for which he/she waived his/her right of access. Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from such agency or institution.

Where any such records, files, or data contain information relative to a third person, the student is entitled to be informed of only the portion of that record as pertains to himself/herself. Each record-keeping unit of the University will establish procedures for accommodating requests for access to student records. An administrative charge not exceeding the actual cost to the University of providing access may be initiated in certain areas for access to record information.

The student is entitled to copy privilege as regards his/her records, files, and data at a reasonable administrative cost.

#### **B. DISCLOSURE OF INFORMATION TO THIRD PARTIES:**

Disclosure of information contained in student records, files, and data is normally controlled by the student.

Typically, such disclosures will be made to someone other than a University official having a legitimate educational interest in the records only on the condition that prior written consent is obtained from the student. The third party is to be reminded that he/she should not permit additional access to the information by an additional person without further written consent of the student prior to such an additional transfer of information.

When information on a student must be shared outside the University, all persons, agencies, or organizations desiring access to the records of a student shall be required to sign a written form to be kept permanently with the file of the student indicating specifically the legitimate educational or other interest in seeking this information. This form will be available solely to the student and to the University officer responsible for the record as a means of auditing the operation of the record system. Exceptions to this are C. through I., below.

Disclosure of information to third parties without prior written consent of the student is permitted in cases where the third party is under contract to the University and is under the University's direct control for the purposes of providing institutional services or performing institutional functions. The contractual arrangement between the third party and the University must require the third party to:

- Protect the information at the same level as required of the University by law, existing contract, or institutional policy.
- Use the information for only the purposes for which Penn State grants access to the information.
- Not share the information with any other entity.
- Destroy or return the information within 60 days of the conclusion of any contractual arrangement with the University and retain no copies of the information.
- Provide adequate administrative, electronic, and physical safeguards to assure the confidentiality, integrity, and accessibility of the information at a level specified in the contract between the University and the third party.

Disclosure of information to third parties conducting research studies for or on behalf of the University is permitted, provided the University agrees with the purpose of the study and executes a written agreement with the research organization. The written agreement must reflect the five bullet points outlined above, and must set forth the purpose, scope and duration of the study, among other provisions. Whenever possible, it is preferable to provide only de-identified data to the research organization.

#### **C. DISCLOSURE TO OTHER EDUCATIONAL INSTITUTIONS:**

Disclosure of appropriate academic records may be made to officials of other educational institutions to which the student has applied and where he/she intends to enroll or is currently enrolled. In addition, Penn State may return records to the apparent creator of those records in order to verify authenticity.

#### **D. DISCLOSURE PURSUANT TO JUDICIAL ORDER:**

Information concerning a student shall be released if properly subpoenaed pursuant to a judicial, legislative, or administrative proceeding. Effort will be made to give advance notice to the student of such an order before compliance by the University.

#### **E. DISCLOSURE PURSUANT TO REQUESTS FOR FINANCIAL AID:**

Necessary academic and/or financial student records may be disclosed without the student's prior consent in connection with the student's application for, or receipt of, financial aid.

#### **F. DISCLOSURE TO FEDERAL AND STATE AUTHORITIES:**

This policy shall not preclude access to student records by authorized federal and state officials in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of federal and state legal requirements that relate to such programs. Except when collection of personally identifiable data is specifically authorized by federal and state law, any data collected and reported with respect to an individual student shall not include information (including Social Security number) that would permit the personal identification of such student.

#### **G. DISCLOSURE UNDER EMERGENCY CONDITIONS:**

On an emergency basis, information about a student that is, in the University's judgment, necessary to protect the health or safety of the student or others may be released by a designated officer of the University to any person whose knowledge of the situation is necessary to protect the health or safety of the student or others.

## **H. DISCLOSURE TO EDUCATIONAL AGENCIES OR INSTITUTIONS:**

Information that will not permit the individual identification of students may be released to organizations of educational agencies or institutions for the purpose of developing, validating, and administering predictive tests and measurements. Similarly, information may be released to accrediting organizations in order to carry out their accrediting functions.

## **I. DISCLOSURES CONCERNING SEX OFFENDERS:**

Information concerning registered sex offenders may be released in a manner consistent with federal and state regulations.

## **CHALLENGE OF RECORD ENTRY:**

The student is entitled to challenge and/or add to the factual basis of any record entry contained in records, files, and/or data. The purpose of this challenge is to ensure that such entries are not inaccurate or misleading, or in violation of his/her privacy or other rights as a student, and to provide an opportunity for the correction or deletion of any such inaccuracies, misleading or otherwise inappropriate data contained therein. The substantive judgment of a faculty member about a student's work, expressed in grades and/or evaluations, is not within the purview of this right to challenge.

The University will provide, on request by the student, an opportunity for a hearing to challenge the content of the student's record(s). The request should be submitted to the appropriate University officer (see "University Officers Responsible for Student Records," above) in whose area of responsibility the questioned material is kept. The University officer is authorized to rectify the entry and so notify the student in writing. The designated officer will provide the student with an opportunity to place in the records a statement commenting upon the challenged information in the educational records that will be kept so long as the contents are contested. The contents of the student's challenge will remain a part of the student's records regardless of the outcome of any challenge.

If a records entry question has not been satisfactorily resolved by this informal procedure, the student is entitled to a hearing on the matter. The hearing must be held within a reasonable time after the request, and the student notified as to the time, date, and place of the hearing in a reasonably advanced time of the hearing as to make his/her presence practical.

A hearing officer will be designated by the Vice Provost and Dean for Undergraduate Education and the student will be afforded a full and fair opportunity to present evidence relevant to the issues of record entry validity. The student may be assisted or represented by an adviser of his/her choice including, at his/her own expense, an attorney. The student will be furnished, within a reasonable time following the hearing, a written decision from the designated hearing officer. In addition, the student is entitled to receive in writing a summary of the evidence and the reasons for the decision.

An adverse decision may be appealed in writing by the student to the Executive Vice President and Provost of the University, and finally, to the President of the University.

The student has the right to file a complaint with the Department of Education concerning alleged failures of the University to comply with the requirements of FERPA.

(also see University policies AD-11 and AD-20)

## **2. SCHEDULING AND USE OF UNIVERSITY FACILITIES AND TIME, PLACE AND MANNER OF PUBLIC EXPRESSION**

## **A. Scope and Purpose**

The following regulations provide the basis for authorization for use of University grounds and facilities and establish procedures for such authorized uses. The rights, obligations, and liabilities of authorized users and of other persons seeking to use the campus are defined below.

While on University property, persons who are not students or employees of the University are required to adhere to the standards of conduct applicable to members of the University community and to abide by University policies and regulations. The University may require student, staff, or faculty identification for admission to events scheduled in University facilities. The purpose of these regulations is to facilitate the effective use and enjoyment of the facilities of the campus as an educational institution, and to ensure the right of free expression and advocacy.

Orderly procedures are necessary to promote use of facilities and free expression and advocacy, in order to conserve and protect facilities for educational use, and to minimize potential conflict between the right of free expression and the rights of others. Further, these regulations exist to prevent possible interference with University functions and responsibilities as an educational institution.

The word "commercial" as used in the following regulations means any activity or event that results in a personal financial gain to the peddler or organization provided that contact between a peddler and a student shall not be deemed commercial if such contact was invited by the individual student involved.

## **B. Scheduling and Use of University Facilities**

(1) Designated University facilities may be reserved when the University is in session for meetings and other non-commercial events by:

- (a) Recognized student organizations (<http://studentaffairs.psu.edu/hub/studentorgs/>) for events related to the purposes of those organizations.
- (b) Members of the faculty and staff for co-curricular events related to their University duties or activities.
- (c) Organizations of University employees for events related to the purposes of the organizations.
- (d) Official alumni and similar University-related organizations, and colleges, schools, departments, and other units of the University for events related to their purposes.

(2) Conditions for use of University facilities:

- (a) Assurance that all University policies, regulations, local, state, and federal laws concerning fire and safety regulations, necessary security, and conduct can and will be followed.
- (b) Assurance that any financial obligations arising from the activity can and will be satisfied by the sponsor.
- (c) Precautions to assure the physical safety and health of the participants.

- (d) Coordination of timing of each event to prevent conflict with previously scheduled activities.
- (e) No person or group other than the reserving sponsor may use the reserved space.
- (f) Undergraduate recognized student organizations shall not serve alcoholic beverages at any on-campus functions.
- (g) Graduate recognized student organizations may serve alcoholic beverages at on-campus locations as approved by the University.
- (h) “Any graduate student organization requesting the use of alcoholic beverages in areas open to the public must send their request to the Assistant Vice President of Student Affairs or his/her designee for review. After review, appropriate requests will be forwarded to the appropriate administrative office for approval as outlined in AD-18.”
- (i) Sponsor must agree to pay for any damages done to the facility while being used.
- (j) Comply with OPP Policy CPD12, which identifies specific locations where camping is permitted on University property, the applicable rules and regulations for camping at such locations, and how to permission to camp is obtained. A copy of this policy can be obtained through the Office of Physical Plant.
- (k) Sponsor must agree to comply with *University Policy Manual AD-64* which establishes guidelines and practices that will minimize the University’s energy consumption, reduce expenditures on energy, and support greenhouse gas reduction goals.

### **C. Charges for Use of University Facilities**

- (1) For events at which admission is free or no donations solicited, the University may charge, based on the cost to the University, for:
  - (a) Special arrangements needed by the user of the facility that impose identifiable costs on the University.
  - (b) Identifiable increments to the University's operating or overhead expense imposed by the use of the facility.
  - (c) For events after building closing hours or on weekends, the University also may impose costs necessary to assure adequate protection of University buildings and facilities.
- (2) For events at which admission is charged or at (or for) which donations are solicited, the University may charge rental charges for its facilities as well as charges indicated in item (1) above.
- (3) Records showing the events for which charges were made by the University, the amount, and basis for the charges, will be public information.

#### **D. Use of University Facilities by Non-University Speakers**

- (1) A student organization inviting a non-University person to speak or perform at a meeting or other event on the campus must complete a University Standardized Agreement before the event.
- (2) At University Park students must contact the Event Management Office, 125D HUB-Robeson Center to go through the Program Registration process. Deadlines regarding University Standardized Agreements will be determined during Program Registration.
- (3) At Commonwealth campuses student organizations need to contact the Office of Student Affairs for University Standardized Agreements and deadlines.
- (4) It is assumed that all events are open to those wishing to attend unless previous publicity indicates these events are for private parties or organizational members only.

#### **E. Use of Outdoor Area for Expressive Activities**

(1) The following areas of the University Park Campus have been designated as areas suitable for expressive activity:

- Old Main Front Patio
- Allen Street Gate Plaza
- Willard Building Patio area between Willard and Obelisk
- Palmer Art Museum Plaza
- Northwest Corner of Shortlidge Road and College Avenue
- Fisher Plaza
- IST Plaza
- Pattee Library Mall Entrance Plaza
- HUB-Robeson – Rear sidewalk pad (not the Patio)
- HUB-Robeson – Lawn
- Osmond Fountain Area (after 5 pm)
- Area under the Willaman Gateway to the Life Sciences

(2) At other University locations, the office of the Chancellor, Dean, or other administrator in charge should be consulted to identify the sites suitable for expressive activity.

(3) Groups should consider such factors as the number of people involved in the activity, how much space will be required, the anticipated time and duration of the activity when selecting a location.

(4) Comply with AD-51 and AD-62.

#### **F. Reservation of Outdoor Areas**

(1) Recognized student organizations or a group of ten or more University students, faculty or staff, may reserve any one of the identified locations for the use of the group subject to the following:

- (a) Locations may be reserved through office staff between the hours of 8:00 a.m. and 5:00 p.m.
- (b) A group may reserve only one location for each day.
- (c) The same group may not reserve the same location for more than one day in each calendar week.

- (d) Reservations must be requested at least 48 hours in advance of the proposed activity, or by the Friday preceding a Sunday or Monday.
- (e) Reservations will be accepted in the order of request, unless consideration of format, size and equitable distribution of locations requires allocation of location.

(2) A group of ten or more persons, which does not include University students, faculty or staff, may reserve a location on the same terms and conditions, except that recognized student organizations and University groups will have absolute priority in the event of conflicting requests.

(3) With a proper reservation, a group will have exclusive use of the reserved location and may not transfer the reservation to or allow use of the location by any other group. If a location has not been reserved, it will be available for use by any individual or group, consistent with the other requirements of this policy.

(4) Reservations will be arranged through the Office of University Relations, 309 Old Main.

### **G. Outdoor Area Expressive Activities Requirements for Use**

(1) Use of sound amplification equipment is prohibited. If sound amplification is required for expressive activity, indoor facilities where sound amplification is available may be reserved for use in accordance with University policy.

(2) Pedestrian or vehicular traffic must not be impeded in any fashion.

(3) Disturbance of or interference with classrooms, offices, study facilities, libraries, or any other University facilities and activities is prohibited.

(4) Damage or destruction of property is prohibited.

(5) Flashing or rotating lights and illuminated signs may not be used.

(6) Hand-held signs are permitted. Signs may not be placed on or affixed to the ground or structures.

(7) Papers, pamphlets, and similar material may be distributed in person.

(8) Placing or erecting structures of any size or material is prohibited.

### **H. Outdoor Use of Residence Hall Areas**

Grounds adjoining University residence halls are reserved for use exclusively by occupants of the residence halls. Requirements for use of these areas are issued by Directors of Residence Life and Housing Services at University Park.

### **I. Procedures for Reserving Indoor Facilities and Registering Events**

- (1) Student organizations must contact the Event Management Office at University Park and, at Commonwealth Campuses, contact the office of the Chief Student Affairs Officer (or his/her designee).
- (2) Individuals and groups not affiliated with the University must contact the Director of University Relations at University Park and at other locations; contact the office of the Chancellor.

## **J. Posters, Notices, Handbills, Banners**

**a.** Except as permitted herein\*, no poster, handbill, banner or any other form of announcement or statement may be placed on, attached to, or written on any structure or natural feature of the campus such as doors, poles, gates, fences, trees or other vegetation, windows, sides of buildings, the surface of walkways or roads, fountains, posts, waste receptacles, or stakes.

**b.** An individual or organization may have noncommercial announcements posted on the University's general purpose bulletin boards. General purpose bulletin boards are those bulletin boards not specifically labeled for or dedicated to a specific purpose. The names of all employees, students, and/or recognized student organizations must be prominently displayed on all announcements and banners.

**c.** An individual or organization may have a banner placed in one of the designated spaces in the following areas:

- Osmond Lab
- On buildings where permanent hooks have been installed for the placement of banners.

Placement of a banner in one of these areas will be permitted only upon prior approval of and subject to reasonable procedures and requirements regarding scheduling and use of these areas as developed by the University offices responsible for such areas. Information on these procedures and requirements should be obtained from the Event Management Office or Office of University Relations.

**d.** Any student or student organization that defaces or damages any University property will be referred to the Student Organizations Conduct Committee or the Office of Student Conduct. Greek social fraternities or sororities will be referred to the Office of Fraternity and Sorority Life. Sidewalk chalk is not permitted on University property.

**e.** Residence hall students may place announcements, statements, or other materials on their individual room door and windows subject to reasonable requirements regarding use of such areas as developed by the Office of Residence Life and as found in the student's housing contract.

(Also see University policies AD-1, AD-2, AD-15, AD-21, AD-26, AD-27, AD-51, AD-57 and AD62.)

## **3. CHARITABLE AND COMMERCIAL ACTIVITIES**

**a.** General policies governing charitable fund raising, commercial sales activities, and sales of food and beverages on- campus and in University facilities are contained in Administrative Policies AD-6, AD-26, and AD-27.

**b.** Fund raising in the residence halls is subject to the following additional restrictions:

(1) Fund raising in the residence hall areas shall be restricted to residence hall house governments and area governments. The area government can recommend to the Senior Director of Residence Life (at University Park) or the Chief Student Affairs Officer or designee (at Commonwealth campuses) that individual exceptions be granted for recognized campus student organizations.

(2) Fund raising shall be restricted to areas in the commons buildings (at University Park) or dining halls (at Commonwealth campuses) approved for activities, programs, and meetings.

(3) Fund raising shall be restricted to the hours of 8:00 a.m. to 11:00 p.m.

(4) Residence hall house governments or area government requests for fund raising programs should be submitted to the Senior Director of Residence Life or designee (at University Park) or the Chief Student Affairs Officer or designee (at Commonwealth campuses) for approval two weeks prior to the proposed date of the fund raising activity. Further, groups sponsoring fund raising activities must register for use of facilities with the area government and the area Residence Life Office. At University Park students must submit the online room reservation request form found at <https://reservations.psu.edu.virtualems/>. This process must be completed a minimum of six business days prior to the event and may require more time depending on the nature of the fundraising activity. Please consult with the area Residence Life Office for a specific timeline of your fund raising activity.

(5) In the residence hall buildings, fund raising that takes place door-to-door or in dining rooms or snack bars is prohibited.

c. Regulations for the Solicitation of Money or the Sale or Solicitation of Sale of Products or Services in University Residence Halls.

(1) Definitions

(a) A residence hall is a University-owned building that contains rooms assigned to students for sleeping, dressing, studying and socializing, and that also contains common facilities and areas used by all students assigned to such residence halls, including common means of ingress and egress, common lavatories, common study lounges, common storage areas, and areas used in common for organized educational and social functions.

(b) The solicitation of a sale of products or services shall include: (1) any attempt to organize a meeting in a residence hall for the purpose of a demonstration or explanation of products or services that are for sale, and (2) any demonstration, explanation, or distribution of literature in a residence hall concerning products or services that are for sale.

(2) Except as hereinafter provided, no person (including a student), firm, business entity, charitable organization, religious organization, or other organization may solicit money or sell or solicit the sale of any product or service anywhere in a residence hall.

(3) A student assigned to a room in a residence hall may invite a person, firm, business entity, charitable organization, religious organization, or other organization to that student's assigned room to solicit money or to sell or to solicit the sale of products or services with that student only. Such solicitation or sale must occur only in the assigned room of the student inviter. The solicitation of money or the sale or the solicitation of a sale of products or services to any other student is prohibited anywhere in the residence hall.

(4) Recognized student organizations and residence hall house governments may solicit money or sell or solicit the sale of products or services in a residence hall in accordance with the regulations governing student organizations. See *Policies and Rules for Student Organizations*.

(5) Nothing in these regulations shall be deemed to preclude any solicitation or sale by mail, telephone, or other communications media.

(Also see policies [AD-6](#), [AD-26](#), and [AD-27](#).)

#### 4. CANVASSING IN UNIVERSITY RESIDENCE HALLS

## **A. At University Park**

- (1) Canvassing shall be defined as any effort to influence opinions, gain support, or promote a particular cause or interest, specifically excluding any solicitation or fund raising as defined by current University policy. Surveys are not considered to be canvassing for purposes of this policy.
- (2) Students, student organizations, residence hall house governments and area governments, and outside interests are eligible to canvass in the residence halls.
- (3) Canvassing may not occur in individual residence hall areas unless approved by a majority vote of the residents of that area.
- (4) Canvassing may occur in the commons buildings with an approved space/table reservation. Canvassing may not occur in the residential dining rooms.
- (5) Canvassing shall be restricted to the hours of 11:00 a.m. to 11:00 p.m.
- (6) Any canvasser in the residence hall buildings must register with the Assistant Director no less than twenty-four hours prior to the canvass and must clearly understand all provisions of canvassing regulations before canvassing may begin. A canvasser who is not a resident of the building in which door to door canvassing is taking place must be escorted by a resident of the building at all times.
- (7) Any canvassing in the commons buildings must have a formal space/table reservations and follow the terms and conditions for reservations and use of common area spaces in residence hall complexes. This reservation process takes a minimum of five (5) business days to complete and can be completed in the Residence Life offices.
- (8) When contacting students in their rooms, canvassers must knock before entering, identify themselves, announce their specific purpose, enter an individual room only with the expressed consent of the resident, and leave immediately if the resident so requests.
- (9) Canvassers must abide by all University rules and regulations. Violators will be subject to referral to the Office of Student Conduct and/or criminal prosecution.

## **B. At Locations Other Than University Park**

Canvassing in campus residence areas shall be defined as any effort to influence opinions, gain support, or promote a particular cause or interest, specifically excluding any solicitation or fund raising as defined by current University policy. Canvassing has been approved by the University subject to the following provisions:

- (a) Canvassing may not occur in individual residence areas unless approved by a majority vote of the residents of that area.
- (b) Non-University interests must be sponsored by a recognized student organization or University department.
- (c) Any canvasser must register with the residence life assistant/associate director not less than twenty-four hours prior to the canvass.
- (d) When contacting students in their rooms, canvassers must knock before entering, identify themselves, announce their specific purpose, enter an individual room only with the expressed consent of the resident, and leave immediately if the resident so requests.

- (e) Canvassers must abide by all University rules and regulations. Violators will be subject to loss of canvassing privileges, University disciplinary action, and/or civil or criminal prosecution.
- (f) Additional provisions may be established at individual campus locations through procedures regularly used for the formation of local policies.

## **5. GUESTS IN RESIDENCE HALLS**

### **A. At University Park**

The residence halls are intended for use by residents of the building and their guests.

(1) A guest is defined as a person visiting a resident of the residence hall at the resident's invitation. Delivery persons are not considered to be guests for purposes of this policy.

(2) The following stipulations relate to all guests:

(a) It is the responsibility of the host student to ensure that his/her guest is aware of University and residence hall policies. Guests are held responsible for their own actions and for knowledge of University regulations. However, the host may be held accountable for damages committed by his/her guest, unless the guest can be identified and is a University student.

(b) Students are permitted to have guests in their rooms only if there is no objection from their roommate(s). In order to ease the congestion of the move-in period and to allow roommates the opportunity to discuss the issue of overnight guests in the room, no overnight guests will be allowed in the residence halls during arrival periods.

(c) Neither room keys nor door access cards will be provided for guests. Residents are not to give their keys or ID+ card to guests in order for them to gain entrance to the room or the building.

(d) Students may have an overnight guest in their room for a maximum of three consecutive nights only if there is no objection from their roommate(s). The University reserves the right to revoke this privilege. Guests may not move from one host's room to another in order to extend their stay in the residence halls.

(e) Only residents and their invited guests are permitted in the living areas of the building, i.e., locations other than the lobby and which include individual rooms and floor lounges. Individuals found in the building who are not residents or guests of residents are considered to be trespassing.

(f) Guests are to use the appropriate restroom/shower facilities, i.e., male and female.

(g) All guests must be escorted by a resident of the building at all times. Individuals may be confronted by a staff member if they are not recognized as a resident of that building and/or they are not being escorted by a resident of the building

(3) Students charged with violations of any of the above regulations will be subject to University disciplinary action. It should be noted that an unescorted guest who is a student of the University shall be subject to University discipline.

In addition to the policies reiterated in the previous pages, there are many other rules and procedures with which students should be familiar. Following are summaries of selected regulations.

## **OTHER REGULATIONS**

### **1. HEALTH**

#### **A. Disabled or Handicapped Students**

Students with disabilities or temporarily disabling conditions that necessitate accommodations should contact the Office for Disability Services at <http://www.equity.psu.edu/ods/> or voice or TDD (814) 863-1807 which will act in consultation with University Health Services staff.

#### **B. Eligibility for Services**

Students enrolled for the current semester will be eligible for care at University Health Services at <http://studentaffairs.psu.edu/health/> according to the "student fee schedule."

Students registered for spring and fall semesters can be seen during the intervening summer at the non-student rate. To make an appointment, call (814) 863-0774 (Clinical Services). For General Information, call (814) 865-6556.

#### **C. Verification of Significant Injury/Illness**

Verification will be provided by University Health Services for students with documented serious, prolonged illness/injury.

Faculty members requesting further information may do so in writing to the Director of University Health Services. Students must complete an "Authorization for Disclosure of Health Care Information" form before any additional information will be disclosed to a faculty member.

#### **D. Re-Enrollment**

In special situations, the Director of University Health Services may establish medical conditions for re-enrollment.

#### **E. Health Insurance**

(1) Health Insurance coverage is recommended for all students.

(2) International students are required to have health insurance for themselves as well as their spouses and children. A policy negotiated by the University reflecting mandatory guidelines is available. A waiver may be obtained by providing proof of adequate alternate insurance to Student Health Insurance. (Waivers must be submitted each fall semester.) Failure to comply may result in University sanctions. There is a \$50 late fee for students who fail to comply with the mandatory health insurance requirement on time and a \$100 late fee for students who fail to comply on time for a second time.

## **F. Acquired Immune Deficiency Syndrome (AIDS)**

AIDS is the end stage of a disease caused by the human immunodeficiency virus (HIV). HIV infection constitutes a major public health problem and challenge. While the incidence of HIV infection in a university population is not high (studies show 2-3 per thousand), many of those infected are unaware they carry the virus. Penn State recognizes the importance of ensuring adequate direct and referral services for HIV infected members of our community and the need to support educational programming.

University policy AD-43 is governed by regard for public health interests as well as commitment to the protection of individual rights. Individuals with HIV infections/AIDS, like other individuals with disabling conditions, are protected as mandated by the federal Americans with Disabilities Act as well as Pennsylvania Act 148.

Confidential HIV Antibody testing is available for all Penn State students by appointment. Pre-and post-test counseling is provided as part of this service.

For more information, or to schedule an appointment, please call University Health Services at (814) 863-0774.

## **G. Pre-Matriculation Immunization**

(a) All incoming freshmen, advanced standing, and graduate students born after 1957 must provide documentation proving:

- Two MMR (measles, mumps, Rubella) immunizations (with the first vaccine being given after 12 months of age and the second vaccine given at least one month after the first).
- For meningococcal immunization requirement, visit [www.hfs.psu.edu/vaccine](http://www.hfs.psu.edu/vaccine).

(b) In addition, high risk students defined by Centers for Disease Control as persons coming from countries with high prevalence of TB or persons with compromised immune systems or persons in contact with others with infectious TB, must also provide proof of a negative (< 5 mm in duration) Tuberculin skin test completed within the past twelve months.

(c) Failure to demonstrate adequate immunizations as required will result in denial of registration for the second semester.

(d) Individuals requesting exemptions for medical or religious reasons will need approval by the Director of University Health Services.

For additional information on all services and programs available at University Health Services (UHS) visit their website at <http://studentaffairs.psu.edu/health>.

(Also see University policy AD-43.)

## **2. AUTOMOBILE, BICYCLE, MOPED REGISTRATION AND PARKING**

Regulations govern student vehicle registration, parking privileges, and use of bicycles, and mopeds on campus (Policy SY-16).

Keep in mind that all students regardless of classification must register their automobiles, bicycles and mopeds. Students also must comply with provisions of the Commonwealth of Pennsylvania as well as regulations of the University when operating a vehicle on campus.

Regulations for roller blades, skates, or sleds prohibit use within buildings or upon roadways, parking lots, bicycle routes or sidewalks used only for pedestrian traffic. These devices are allowed upon other walkways as long as pedestrians are granted the right-of-way. Violations will be subject to state and University regulations. Use of skateboards and motorized scooters on campus is prohibited.

All parking lots are reserved. Instructions for student and visitor parking are available from the Parking Office in 1 Eisenhower Parking Deck (814) 865-1436 at University Park and from the Office of Student Affairs at all other campuses.

Transportation accommodations are available for individuals who are permanently disabled or temporarily disabled. Students needing ADA accessible parking accommodations should contact the Parking Office for information on applying for a state-issued handicap placard and a PSU Parking Permit.

Students may obtain instruction about vehicle registration, use and parking directly from the Parking Office at University Park or from the Student Affairs Offices at all other campuses. Please go to: [www.transportation.psu.edu](http://www.transportation.psu.edu).

### **3. UNIVERSITY LIBRARIES**

Users' guidelines cover eligibility and restrictions associated with borrowing library materials and database search procedures. Full information is available at <http://www.libraries.psu.edu/psul/lending.html>. Students are held responsible for all materials charged out on their library cards (Penn State picture ID's).

Borrowers must maintain a current address on file with the Libraries. Address changes should be reported directly to any of the University Libraries or through the libraries' web site noted above.

### **4. STUDENT ORGANIZATIONS**

The University is interested in personal and leadership development through individual and group activities. Just as individual behaviors are expected to correspond to stated University and community guidelines, members of student organizations and their members are expected to abide by the policies and rules that govern student organizations.

Organizations suspected to be in violation of said policies may be referred to the Student Organization Conduct Committee (SOCC). The policies and rules for student organizations, more information about the SOCC, and other useful information for student organizations can be found online at: <http://studentaffairs.psu.edu/hub/studentorgs/>

For further information, contact the Student Organization Conduct Committee by phone at (814) 863-4624, via email at [studentorg@sa.psu.edu](mailto:studentorg@sa.psu.edu), or in person in 209 HUB-Robeson Center at University Park, or the Office of Student Affairs at all other campuses. Staff members will welcome your inquiries and provide you with guidance.”

### **5. HAZING**

The University defines Hazing as any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student or that willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any recognized student organization.

Hazing includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance

or any other forced physical activity that could adversely affect the physical health and safety of the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or any other forced activity that could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property.

Any activities as described in this definition upon which the initiation or admission into or affiliation with or continued membership in a recognized student organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding. Any recognized student organization that commits hazing is subject to disciplinary action by the appropriate registering organization.

(Also see University policy SY-03 and Pennsylvania State Law on Hazing [P.S.] § 5352.)

## **6. FIRE AND SAFETY**

Penn State is interested in the safety of all members of the University community. Tampering with safety equipment including fire alarms or fire extinguishers or jeopardizing the safety of others is considered a serious matter.

Safety procedures have been developed for fire drills, evacuation of buildings because of bomb threat, and offering emergency assistance to students injured or taken ill suddenly. Flammable liquids, fireworks, weapons, open as well as charcoal fires, candles, incense burners, and torchiere style halogen lamps are prohibited. State and federal regulations and codes are followed, especially in settings where hazardous materials are used or stored.

(Also see University policies [SY-1](#), [SY-3](#), [SY-7](#), [SY-8](#), [SY-12](#), [SY-13](#), [SY-16](#), [SY-18](#), [SY-27](#), [SY-28](#) and [SY-30](#).)

## **7. INTELLECTUAL PROPERTIES**

All Penn State faculty, staff and graduate students, sign an Intellectual Property Agreement at the start of their employment whereby they assign their inventions, discoveries and any resulting patents to Penn State. Undergraduate students and professional students typically (i.e., medical, law, MBA) are not required to sign this agreement and own any intellectual property that they create.

Any intellectual property (such as undergraduate theses, inventions, discoveries, creations and new technologies) conceived or first reduced to practice by a student at The Pennsylvania State University ("University") as a work product (including homework assignments, laboratory experiments, special and independent study projects) of a "*for credit*" course (including SUBJ 294, 494, 594, 296, 496, and 596) will be owned by the student. The University does not claim ownership of such intellectual property. However, intellectual property conceived or first reduced to practice in graduate research (e.g., SUBJ 600 or 610) or graduate thesis preparation (e.g., SUBJ 601, 611) credit courses will be owned by the University and will be subject to University policies and procedures governing intellectual property and patents.

Situations may occur in certain courses (e.g., 296, 496, 596, 295, 395, 495 and 595) where students are presented with the opportunity to participate in projects or activities in which the ownership of any resulting intellectual property must be assigned either to the University or to a sponsoring entity (such as a company) as a condition of the student's participation. Students are never obligated to participate in projects or activities that require the assignment of the student's intellectual property to the University or to another entity. In these situations students will always be presented with two options: 1) to participate in projects or activities that do not require the student to assign their intellectual property or 2) to participate in projects or activities that require

the student to assign their intellectual property. If students agree to assign to the University or to another entity they must complete the Special Student Intellectual Property Agreement Form.

Inquires should be addressed to the Technologies Management Office (814) 865-6277 or at <http://www.research.psu.edu/offices/otm>.

(Also see University policies RA-11, RA-12 and RA-13 and Research Administration Guideline RAG13.)

## **8. UNIVERSITY KEYS**

The University is interested in protecting the property, privacy, and safety of the University and individuals within the University community. Keys are issued selectively. Students are held responsible for misuse or loss of keys and recoring of locks when necessary.

(Also see University policy SY-19.)

## **9. PETS ON CAMPUS**

Control of pets on-campus follow health and safety regulations. Pets are not allowed in the residence halls, are not to be tethered to fences, bike racks, or trees, and are not to be unleashed while on University property.

(Also see University policy SY-7.)

## **10. STUDENT ID+ CARDS**

Each Penn State student is issued an official University ID – the Penn State id+ Card. Students are required by University policy to obtain and carry the id+ card at all times. The id+ card is transferrable from campus to campus. Students should not loan their id+ card to another person at any time.

If a student's id+ card has been lost or stolen, they should immediately deactivate it online at [www.idonline.psu.edu](http://www.idonline.psu.edu) or in person at the student's area Housing commons desk or at the id+ Office. Deactivating the card will suspend residence hall access, Campus Meal Plan and LionCash+ account access, and fitness membership access (if applicable). If the card is found prior to a replacement id+ card being issued, it may be reactivated online within 7 days of being deactivated or at the id+ Office. For IDs not recovered, a new id+ card may be obtained at the id+ Office at the current replacement fee. After hours, students may obtain a temporary replacement ID at their area housing commons desk for a nominal fee until they can visit the id+ Office. New or replacement IDs will be active immediately for residence hall access, Campus Meal Plan and LionCash+ account access, and fitness membership access. (also see University policy AD-24)

## **11. RECYCLING**

It is the policy of the University that all Faculty, Staff, Students and visitors comply with the applicable federal/state/local laws, as well as this policy, and participate in the Recycling Program by separating recyclables and placing them in the appropriate labeled receptacles, and following the regulations set forth below. Visit PSU's Recycling Website at: <http://green.psu.edu>.

(Also see University policy AD-34.)

## **12. NOTE TAKING SERVICES**

Lecture notes taken by a student registered for a specific course are the property of that student. An individual must be registered for a specific course in order to attend classes and take notes for that course.

Materials in printed or tangible form (including handouts, diagrams, photographs, motion pictures, videos, computer programs and databases), prepared and distributed by a faculty member, are protected by copyright laws and can not be reproduced without authorization by that faculty member. Oral lectures or discussions presented by a faculty member may not be recorded in any manner with electronic equipment without authorization by that faculty member.

(Also see University policy AD-40.)

## **REFERENCES**

### **1. NONDISCRIMINATION/GRIEVANCE**

#### **A. Nondiscrimination on the Basis of a Disability**

The Pennsylvania State University encourages academically qualified students with disabilities to achieve full participation and integration of its educational programs. It is Penn State's policy not to discriminate against qualified persons with disabilities in its admissions policies and procedures or its educational programs, services, and activities. Achieving full participation and integration of individuals requires the cooperative efforts of all departments, offices and personnel of the University. To this end, the University will continue to strive to achieve excellence in its services and to assure that its services are delivered equitably and efficiently to all of its members.

Procedural adjustments involving modification of course requirements for attaining a degree should not result in substantive differences in course requirements. Academic requirements that are demonstrated to be essential to the program of instruction being pursued will not be modified. The University shall not impose upon students with disabilities rules that limit participation (such as prohibiting tape recorders in classrooms or the use of guide dogs).

The University shall provide methods of course examination or other procedures for evaluating academic progress that test academic progress, rather than testing the impairment of students with disabilities that impairs sensory, manual, or speaking skills (except where such skills are factors to be measured).

No student with a disability will be discriminated against in access to classes because of mobility impairment. The University shall take steps to ensure that no student with a disability is unable to obtain an education because of a lack of auxiliary aids.

Students are encouraged to contact the Office for Disability Services, 116 Boucke Building, The Pennsylvania State University, University Park, PA 16802; Tel. (814) 863-1807 (voice or TTY), when they need assistance or have questions about any disability issues, including state and federal nondiscrimination requirements. Contact the Affirmative Action Office, 328 Boucke Building, Tel. (814) 863-0471 (voice or TTY) for concerns or grievances of discrimination on the basis of disability. Please refer to the Office for Disability Services web site at [www.equity.psu.edu/ods/](http://www.equity.psu.edu/ods/).

#### **B. Nondiscrimination for Veterans**

The University is a government contractor subject to Section 402 of the post-Vietnam-era Veterans Readjustment Assistance Act of 1974, as amended, which requires government contractors to take affirmative action on behalf of qualified disabled veterans and veterans of the Vietnam era.

Veterans are encouraged to contact Dr. Brian Clark, the coordinator of services for veterans, when they need assistance or have questions about veteran's issues and benefits and state and federal nondiscrimination requirements.

Dr. Brian Clark, The Pennsylvania State University, 325 Boucke Building, University Park, PA 16802; Tel. (814) 863-0465. The Affirmative Action Office should be contacted with inquiries and concerns of discrimination on the basis of veteran status.

### **C. Harassment and Discrimination Grievance Procedure**

The Pennsylvania State University is committed to the policy that all persons shall have equal access to programs, facilities, admission and employment without regard to personal characteristics not related to ability, performance, or qualifications as determined by University policy or by state or federal authorities. It is the policy of the University to maintain an academic and work environment free of discrimination, including harassment. The Pennsylvania State University prohibits discrimination and harassment against any person because of age, ancestry, color, disability or handicap, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status. Discrimination or harassment against faculty, staff or students will not be tolerated at The Pennsylvania State University. (AD-42)

### **DEFINITIONS**

Discrimination is conduct of any nature that violates the policy set forth above by denying equal privileges or treatment to a particular individual because of the individual's age, ancestry, color, disability or handicap, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status.

Harassment is a form of discrimination consisting of physical or verbal conduct that (1) is directed at an individual because of the individual's age, ancestry, color, disability or handicap, genetic information, national origin, race, religious creed, sex, sexual orientation, gender identity or veteran status; and (2) is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education or access to University programs, activities and opportunities. To constitute prohibited harassment, the conduct must be such that it detrimentally affects the individual in question and would also detrimentally affect a reasonable person under the same circumstances.

Harassment may include, but is not limited to, verbal or physical attacks, threats, slurs or derogatory comments that meet the definition set forth above. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved. Retaliation encompasses actions taken by an employer against employees who oppose discrimination or participate in an investigation or proceeding involving charges of discrimination.

These definitions are not intended to deprive an individual of the right of free expression or other civil rights.

### **RESOLUTION OF COMPLAINTS**

The University will make every reasonable effort to promptly investigate and resolve complaints of discrimination or harassment, with due regard for fairness and the rights of both the complainant and alleged offender, and to conduct all proceedings in the most confidential manner possible.

Any member of the University community who experiences discrimination or harassment should immediately report the incident to the Affirmative Action Office, or alternatively, to the Office of Human Resources, the Division of Student Affairs, the Office of Educational Equity or an administrator or faculty member in his or her department or unit. In all cases where the incident is not initially reported to the Affirmative Action Office, the

person receiving the complaint will contact the Affirmative Action Office to ensure consistent responses to issues across units.

The Affirmative Action Office has primary responsibility for resolving discrimination and harassment complaints. If unsuccessful at resolving the issue, the Affirmative Action Office may investigate to reach a formal determination on the merits of the allegations. Investigations will include notifying the alleged offender of the complaint and providing an opportunity to respond to the allegations.

If there is evidence of discrimination or harassment, the University will make every reasonable effort to ensure the discrimination and/or harassment immediately stops and does not recur. The complainant will be informed of the corrective measures taken.

(Also see University policy [AD-42](#).)

## **DISCIPLINARY SANCTIONS**

Disciplinary sanctions for violation of this policy, which may range from a disciplinary warning to expulsion from the University, will be imposed in accordance with applicable University policies. Retaliation constitutes a separate violation and may result in a sanction independent of the outcome of a complaint.

## **2. SEXUAL HARASSMENT COMPLAINTS**

### **POLICY**

Sexual harassment of faculty, staff or students is prohibited at The Pennsylvania State University. It is the policy of the University to maintain an academic and work environment free of sexual harassment. Sexual harassment violates the dignity of individuals and impedes the realization of the University's educational mission. The University is committed to preventing and eliminating sexual harassment of faculty, staff and students through education and by encouraging faculty, staff and students to report any concerns or complaints about sexual harassment. Prompt corrective measures will be taken to stop sexual harassment whenever and wherever it occurs.

### **DEFINITIONS**

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is a condition for employment, promotion, grades or academic status;
2. submission to or rejection of such conduct is used as the basis for employment or academic or other decisions affecting an individual; and
3. such conduct is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education or access to University programs, activities and opportunities. To constitute prohibited harassment, the conduct must be such that it detrimentally affects the individual in question and would also detrimentally affect a reasonable person under the same circumstances.

### **CONSENSUAL RELATIONSHIPS**

Romantic and/or sexual relationships between faculty and students, staff and students or supervisors and subordinate employees are strongly discouraged. Such relationships have the potential for adverse consequences, including the filing of charges of sexual harassment. Given the fundamentally asymmetric nature of the relationship where one party has the power to give grades, thesis advice, evaluations, recommendations,

promotions, salary increases or performance evaluations, the apparent consensual nature of the relationship is inherently suspect.

Even when both parties have consented to the relationship, there may be perceptions of conflicts of interest or unfair treatment of others. Such perceptions undermine the atmosphere of trust essential to the educational process or the employment relationship. Under such circumstances, the person in the position of supervision or academic responsibility must report the relationship to his or her immediate supervisor. Once the consensual relationship is reported, the immediate supervisor is responsible for eliminating or mitigating the conflict of interest to the fullest feasible extent and ensuring that fair and objective processes are in place for decisions relative to grading, thesis advice, evaluations, recommendations, promotions, salary increases or performance evaluations. The new supervisory or academic arrangement should be documented.

## **RESOLUTION OF SEXUAL HARASSMENT COMPLAINTS**

The Affirmative Action Office has primary responsibility for resolving sexual harassment complaints. In addition, vice presidents, deans, campus executive officers, and provosts/deans will designate one or more individuals in their areas as resource persons to assist in resolving complaints of sexual harassment from faculty, staff and students. The Affirmative Action Office will ensure resource persons receive the necessary training and support to handle their responsibilities.

Any member of the University community who experiences sexual harassment should immediately report the incident to the Affirmative Action Office, or alternatively, to a Sexual Harassment Resource Person (SHRP), the Office of Human Resources, the Division of Student Affairs, the Office of Educational Equity, or an administrator or faculty member in his or her department or unit. In all cases where the incident is not initially reported to the Affirmative Action Office, the person receiving the complaint will contact the Affirmative Action Office to discuss resolution and ensure consistent responses to issues across units.

The University will make every reasonable effort to promptly investigate and resolve complaints of sexual harassment, with due regard for fairness and the rights of both the complainant and alleged offender, and to conduct all proceedings in the most confidential manner possible. If unsuccessful at resolving the issue informally, the Affirmative Action Office may investigate to gather information necessary to reach a formal determination on the merits of the allegations. Investigations will include notifying the alleged offender of the complaint and providing an opportunity to respond to the allegations.

If there is evidence of sexual harassment, the University will make every reasonable effort to ensure the harassment immediately stops and does not recur. The complainant will be informed of the corrective measures taken.

## **DISCIPLINARY SANCTIONS**

Disciplinary sanctions for violation of this policy, which may range from a disciplinary warning to termination or expulsion from the University, will be imposed in accordance with applicable University policies.

Retaliation constitutes a separate violation and may result in a sanction independent of the outcome of a complaint (also see University policy [AD-41](#)).

## **SEXUAL HARASSMENT RESOURCE PERSONS**

For information pertaining to University sexual harassment resource persons visit:  
[www.affirmativeaction.psu.edu](http://www.affirmativeaction.psu.edu)

### 3. STUDENTS RECORDS

#### a. At University Park

#### MOST COMMONLY KEPT STUDENT RECORDS

RECORD	LOCATION	CUSTODIAN
Permanent Record (transcript)	Office of University Registrar 112 Shields Building	University Registrar
Academic Progress	Office of the Dean of the College	Dean
Disciplinary	Office of Judicial Affairs, 120 Boucke Building	Senior Director of Judicial Affairs
Financial Aid	Office of Student Aid, 314 Shields Building	Asst. Vice Provost for Student Financial Aid
Student Financial Records	Office of Bursar, 103 Shields Building	University Bursar
Placement Records	Career Services, 101 Bank of America Building	Director of Career Services
Health and Medical Records	126 Student Health Center, Medical Records Dept.	Director of University Health Services
Psychological Records	Center for Counseling and Psychological Services. 501 Student Health Center.	Director of Center for Counseling and Psychological Services
Admission Records (undergraduate)	Admissions Office, 201 Shields Building	Director of Admissions
Admission Records (graduate)	Graduate Admissions Office, 201 Kern Building	Director of Graduate Admissions

#### b. At Other Locations

Students enrolled at locations other University Park should consult their Student Handbook (or contact their Office of Student Affairs) to determine the local campus location for these records.

#### MOST COMMONLY KEPT RECORDS

RECORD	LOCATION/CUSTODIAN
Permanent Records (transcript)	Records
Academic Progress	Director of Academic Affairs
Disciplinary	Student Affairs
Financial Aid	Financial Aid Officer
Student Financial Records	Financial Officer
Placement Records	Student Affairs
Health and Medical Records	Campus Health Services
Admissions Records (undergraduate)	Admissions Office
Admissions Records (graduate)- where applicable	Graduate Admissions Office

#### 4. REFERENCE MATERIALS

##### a. At University Park

Associate/Baccalaureate/Graduate, Degree Programs Bulletin	Paterno Library Reference, Room or College Deans' Offices
Automobile/Parking	University Parking Office, 1 Eisenhower Parking Deck
Health Insurance	Student Insurance Office, 302 Student Health Center
Libraries Lending	C103 Paterno Library
Medical Excuses	126 Student Health Center
Student Aid	Office of Student Aid, 314 Shields Building
Student Organizations	Office of Student Activities, 213A HUB-Robeson Center
Terms, Conditions, and Regulations	201 Johnston Commons
Student Conduct Records	135 Boucke Building

##### b. At Other Locations

Associate and Baccalaureate Degree Programs Bulletins	Paterno Library Reference Area
Automobile/Parking	Student Affairs
Student Guide to General Policies and Rules	Office of Student Affairs
Health Insurance	Office of Student Affairs
Libraries Lending Code	Campus Library
Medical Excuses	Campus Health Office or Office of Student Affairs
Student Aid	Office of Student Affairs
Student Organizations	Office of Student Affairs
Terms, Conditions, and Regulations	Office of Student Affairs