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

**2016-2017**

##### 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 about other regulations. Examples of what can be found in this document include:

#### General University Policies and Rules:

* Student rights and responsibilities
* 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://senate.psu.edu/policies-and-rules-for-undergraduate-students/>.

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

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*, specific offices offer other student life-related documents or pamphlets 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 2016-2017 edition of the *Student Guide to General University Policies and Rules* are current within the 2016-2017 academic year and are subject to change.

## PREAMBLE

At the core of the Penn State community are our values. These values are the shared ideals about how people should act toward one another and the standards to which we hold ourselves, and those beliefs we find important. At Penn State, we value our community and aim for excellence and discovery in the work we do each day. We strive to conduct ourselves with integrity, respect and responsibility in all of our actions. As members of the Penn State Community, we embrace the following Penn State Values:

* **Integrity:** We act with integrity and honesty in accordance with the highest academic, professional, and ethical standards.
* **Respect:** We respect and honor the dignity of each person, embrace civil discourse, and foster a diverse and inclusive community.
* **Responsibility:** We act responsibly, and we are accountable for our decisions, actions, and their consequences.
* **Discovery:** We seek and create new knowledge and understanding, and foster creativity and innovation, for the benefit of our communities, society, and the environment.
* **Excellence:** We strive for excellence in all our endeavors as individuals, an institution, and a leader in higher education.
* **Community:** We work together for the betterment of our University, the communities we serve, and the world.

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 student 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.” The University Council, the Faculty Affairs Committee of the University Faculty Senate, and the Senate Committee on Undergraduate Student Affairs were consulted in the preparation of this Statement.*

## 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 policies and/or 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 and obligation 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; and
* 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 policies, regulations, rules, and/or the Student 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 University 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 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 misconduct that may have violated the Student Code of Conduct or campus regulations found in published University documents.

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 to 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 a responsibility 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 a responsibility 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. Registered student organizations are held accountable for misconduct listed in the Code of Conduct through the applicable conduct process.

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.

**2. SEXUAL MISCONDUCT OR ABUSE:**  Engaging in unwelcome conduct of a sexual nature that is sufficiently severe or pervasive so as to substantially interfere with the individual’s employment, education, or access to University programs, activities and opportunities, and such conduct would detrimentally affect a reasonable person under the same circumstances. Sexual harassment may include, but is not limited to, sexual advances, requests for sexual favors, sexual exploitation, stalking, dating violence, and domestic violence. (Also see University Policy [AD-85](http://guru.psu.edu/policies/AD85.html))

Sexual misconduct is a form of sexual harassment and refers to attempted or completed unwanted or non-consensual sexual activity, including, but not limited to the following: rape, sexual assault, sexual battery, forcible sodomy, sexual penetration with an inanimate object, intercourse without consent, sexual touching and fondling, the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or buttock, or clothing covering those intimate parts), forcing an unwilling person to touch another's intimate parts, sexual exploitation, and sexual coercion.

**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. (Also see University Policy [AD-85](http://guru.psu.edu/policies/AD85.html))

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, race, color, ancestry, national origin, religion, creed, service in the uniformed services, veteran status, sex, sexual orientation, marital or family status, pregnancy, physical or mental disability, gender identity, genetic information or political ideas;
* subjecting a person or group of persons to unwanted physical contact or threat of such; or
* engaging in a course of conduct, including following the person without proper authority (e.g., stalking), under circumstances which would cause a reasonable person to fear for his or her safety or the safety of others or to suffer emotional distress.

**4. WEAPONS, EXPLOSIVES AND OTHER DANGEROUS ITEMS:** The possession, storing, carrying, or use of any weapon, ammunition, explosive, or dangerous chemical or gas 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 Safety Policy [SY-08](https://guru.psu.edu/policies/SY08.html) and [SY-12](http://guru.psu.edu/policies/Sy12.html))

**5. FIRE SAFETY VIOLATIONS:** Tampering with fire or other safety equipment or setting unauthorized fires. Exhibiting behaviors that risk health and safety of self or others during a fire-related incident. Burning candles, incense, or other items in the Residence Halls or other University facilities, whether attended or unattended.

**6. ALCOHOL AND/OR DRUGS:**  Illegally possessing, using, distributing, manufacturing, selling or being under the influence of alcohol or other drugs. Anyone, including those under 21, serving alcohol to persons under 21 is in violation of both University regulations and state law. Excessive consumption of alcohol is also prohibited and 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. 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. (Also see University Policies [AD-18](http://guru.psu.edu/policies/Ad18.html) and [AD-33](http://guru.psu.edu/policies/Ad33.html))

It is also a violation for a student, of any age, to be in the presence of alcohol and/or illegal drugs in any undergraduate residential space.

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

**8. THEFT AND POSSESSION OF STOLEN PROPERTY:**  The taking or possession of items belonging to another individual or entity. The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**9. DISRUPTION OF OPERATIONS:** Obstruction or disruption of classes, research projects, conduct processes and/or investigations, or other activities or programs of the University; or obstructing access to University facilities, property, or programs. 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. (Also see University Policy [AD-57](https://guru.psu.edu/policies/AD57.html))

**10. VIOLATIONS OF ACDEMIC 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 are 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](http://senate.psu.edu/policies-and-rules-for-undergraduate-students/47-00-48-00-and-49-00-grades/#49-20) and [G-9 Procedures](http://undergrad.psu.edu/aappm/G-9-academic-integrity.html))

**11. FAILURE TO COMPLY:** Failing to comply with reasonable directives from University or other officials when directed to do so. Failure to provide identification, to report to an administrative office or, when reasonable cause exists, failure to leave University-controlled premises or dangerous situations when directed to do so by properly authorized persons, including police and/or University staff. Failing to complete sanctions assigned as part of the conduct process.

**12. FORGERY/ALTERATION:** Making, using or possessing any falsified official record or University document; altering or forging any University or official document or record, including identification, meal or access cards. This includes but is not limited to forging documents (signing another’s name and/or ID number), manufacturing IDs or tickets, altering parking permits, and misuse of forms (e.g., letterhead stationery, University forms).

 **13. UNAUTHORIZED ENTRY OR USE:** Unauthorized entry into or use of property or University facilities including private residences, offices, residence halls, classrooms, computers, computer networks, and other restricted facilities. Unauthorized entry or use of facilities is described in more detail in University policies 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 University Policy [AD-20](http://guru.psu.edu/policies/Ad20.html))

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

**15. VIOLATIONS OF UNIVERSITY REGULATIONS:** Violating written University policy or regulations contained in any official publications, administrative announcements, contracts (e.g., residence hall contracts or leases) 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*.*

**17.** **RETALIATION:** Taking adverse action against any individual on the basis of a good faith report made by such individual, or on the basis of such individual’s participation in an investigation, hearing, or inquiry by the University or an appropriate authority, or the individual’s participation in a court proceeding relating to suspected wrongful conduct. (Also see University Policy [AD-67](http://guru.psu.edu/policies/AD67.html))

# 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 or his/her designee will review the allegations and if necessary, consult with a Senior Student Affairs Administrator to determine the appropriate course of action by the University.

In cases in which criminal or civil action is involved, such action and the review of the Off-Campus Misconduct Policy and administration of the University’s conduct process will occur simultaneously. However, the University may defer action until the proceedings of the criminal or civil action have been completed. A deferment will be considered by the Office of Student Conduct following an initial review of the circumstances. 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.

In addition, where 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. (See [Interim Suspension](http://studentaffairs.psu.edu/conduct/terms.shtml))

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

* Constitutes a violation of local, state or federal law, including 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; or
* 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 Discipline Procedures](https://studentaffairs.psu.edu/conduct/Procedures.shtml).

In accordance with University disciplinary procedures, students are entitled to contest any allegations and/or sanctions 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.

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. 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 a Conduct Warning to Expulsion.

### MANDATORY PARTICIPATION IN THE ALCOHOL EDUCATION/INTERVENTION PROGRAM AT UNIVERSITY PARK

All students who engage in behavior on or off the premises of the campus involving the Prohibited Underage Possession or Use of Alcoholic Beverages, Public Drunkenness or Driving Under the Influence will be required to complete a University alcohol education/intervention program. Students assigned to the mandatory alcohol education/intervention program will be responsible for paying all fees and costs associated with the program.

*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

1. 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.
2. It is essential at the University that channels of communication be open, effective, and accessible to all members of the academic community.
3. 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.
4. 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.
5. 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 University Policy [AD-51](https://guru.psu.edu/policies/AD51.html))

## 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 on property owned, leased, or controlled by the University and used in performance of university services is prohibited. Any violation of these prohibitions 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 University Policy [AD-33](http://guru.psu.edu/policies/AD33.html))

## 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 and 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.

(Also see [A Brief Introduction to the University Alcohol Policy, All About Alcohol](http://studentaffairs.psu.edu/conduct/policies/alcohol.shtml).)

A. OFF-CAMPUS ALCOHOL CONSUMPTION

The [Off-Campus Misconduct Policy](http://studentaffairs.psu.edu/conduct/policies/offcampus.shtml) allows alcohol related activity that occurs off campus to come under the jurisdiction of the Office of Student Conduct. Use, possession, service, or consumption of alcoholic beverages off the premises of the University campus may all be considered violations of the [Student Code of Conduct](http://studentaffairs.psu.edu/conduct/codeofconduct/). Additionally, the following behaviors constitute Code violations:

1. Excessive consumption of alcohol: When a student is unconscious, experiences a loss of control, has a high Blood Alcohol Concentration, and/or needs medical attention, a charge of Excessive Consumption of Alcohol may be assigned. This may be true even in cases where students were not charged with public drunkenness or disorderly conduct;
2. Furnishing alcohol to minors: A Code of Conduct violation occurs when a student serves alcohol to or purchases alcohol for those under the age of 21; and
3. Driving under the influence: A Code of Conduct violation occurs when a student is found to be operating a motor vehicle while legally intoxicated.

Additionally, alcoholic beverages may not be served to individuals under the age of 21 at University-sponsored functions. A "University-sponsored function" is 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. This category does not include functions organized by students or registered student organizations.

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

 (Also see [Off-Campus Alcohol Consumption, All About Alcohol](http://studentaffairs.psu.edu/conduct/policies/alcohol.shtml))

B. ON-CAMPUS ALCOHOL CONSUMPTION

Students must comply with the laws of the Commonwealth of Pennsylvania and University policies and rules regarding the use, possession, or distribution of alcoholic beverages. Violation of the following regulations constitutes misconduct and may result in disciplinary action and penalties, up to and including separation from the University.

1. 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, specifically including their rooms in University residential units, is prohibited.
2. The possession or use of alcoholic beverages is prohibited in all Penn State on-campus undergraduate residence hall buildings, including Nittany Apartments and Eastview Terrace, regardless of the age of the individual.
3. It is against residence hall policy for there to be 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 will likely be charged with “open containers in an unauthorized area.”
4. The selling, furnishing, or giving of any beverage containing alcohol to any person under twenty-one years of age is prohibited.
5. The purchase, consumption, possession, or transportation of beverages containing alcohol in open containers is prohibited except by: (a) individuals who are 21 years of age or older, at facilities licensed by the state; (b) adult graduate students and graduate-registered student organizations may serve 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-registered student organizations that serve alcoholic beverages in University facilities must adopt procedures to prevent the service of alcoholic beverages to minors; and (c) by individuals who are 21 years of age or older on University-owned or controlled property when the sponsor has acquired permission under [Administrative Policy AD-18](http://guru.psu.edu/policies/AD18.html).
6. The purchase, service, use, or possession of alcoholic beverages by undergraduate-registered student organizations at any function that occurs on the premises of the University is prohibited.
7. The use of University student activity funds by undergraduate registered student organizations for the purchase of alcoholic beverages is prohibited, whether such beverages are to be possessed or consumed on or off University premises.

(Also see [On-Campus Alcohol Consumption, All About Alcohol](http://studentaffairs.psu.edu/conduct/policies/alcohol.shtml))

C. RESPONSIBLE ACTION PROTOCOL

Penn State has established a [*Responsible Action Protocol*](http://studentaffairs.psu.edu/conduct/policies/alcohol.shtml#responsible) 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 student conduct system for their own alcohol violations. 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 disciplinary 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 BASICS; the fee will be waived. (Also see University Policy [AD-18](http://guru.psu.edu/policies/Ad18.html))

## 4. POLICY STATEMENT ON COMPUTER AND SOFTWARE MISUSE

1. 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 University Policies [AD-20](http://guru.psu.edu/policies/Ad20.html) and [AD-23](https://guru.psu.edu/policies/AD23.html) and Administrative Guidelines [ADG-01](https://guru.psu.edu/policies/ADG01.html) and [ADG-02](https://guru.psu.edu/policies/ADG02.html). 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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](http://guru.psu.edu/policies/AD20.html), [AD-23](http://guru.psu.edu/policies/AD23.html), Administrative Guidelines [ADG-01](http://guru.psu.edu/policies/ADG01.html), and [ADG-02](http://guru.psu.edu/policies/ADG02.html), and ITS [Introduction to the appropriate use of digital media](https://its.psu.edu/legacy/about/policies/ethical-and-legal-use-of-digital-media.html))

1. CYBERSECURITY: Cybersecurity is important at Penn State and is the shared responsibility of those who use the University’s systems, network, and data. Students share in this responsibility and can help protect Penn State systems as well as their own computers. While computer viruses and phishing scams may never be eliminated, there are steps that students can take to protect their data.

Students can avoid many computer security issues simply by protecting and using strong passwords, keeping software and operating systems updated, and installing and using antivirus software and firewalls. Many computer viruses and malware infections are spread through email and Internet surfing activities. Students should be mindful of this and use caution when opening email attachments or clicking on unknown links. Following are some security tips for ensuring Cybersecurity.

1. Create Strong Passwords
* Student passwords should not be easily guessed and should include a minimum of 8 characters with a mix of at least 1 uppercase, 1 lowercase, 1 number, and 1 special character.
* Use different passwords for each website.
* Use caution when using passwords on untrusted public computers.
* Never share your passwords.
* Additional information regarding passwords at Penn State can be found at <http://securepennstate.psu.edu/#password-guidelines>.
1. Enable Firewalls and Antivirus
* Verify that your computer’s firewall is turned on.
* Verify that antivirus software is installed.
* Conduct regular antivirus scans.
* Download antivirus software at no additional cost at <https://downloads.its.psu.edu>.
1. Update Software
* Check to make sure your computer’s operating system is updated.
* Update third party software frequently, including Java, Adobe PDF Reader, and Adobe Flash.
1. Use Email Security
* Use care when opening email attachments or clicking on links. Many malware infections are spread this way.
* Beware of phishing attempts. Remember that Penn State will **never** ask for your username or password by email. **Ever!**
1. Additional Advice. In addition to the above, you should also:
* Avoid illegal file sharing and downloading of copyrighted material.
* Back up your computer’s data to a secure and separate location.
* **Note:** Box.com provides an excellent option for backing up data. Information regarding free Box.com storage for Penn State students can be found by visiting [box.psu.edu](http://box.psu.edu/).

**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, genetic information, 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, genetic information, 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 [AD-29](http://guru.psu.edu/policies/AD29.html) and [AD-85](http://guru.psu.edu/policies/AD85.html))

### 6. POLICY STATEMENT ON DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT AND RELATED INAPPROPRIATE CONDUCT

### Purpose:

To establish the University’s policy prohibiting sex and/or gender-based discrimination, gender-based harassment sexual harassment, sexual misconduct, sexual assault, relationship violence, stalking and retaliation related to reports of such conduct, as well as to define types of misconduct that must be reported. This policy is a companion to University Policy AD-91, Discrimination and Harassment and Related Inappropriate Conduct.

**Policy Statement:**

The University is committed to equal access to programs, facilities, admission and employment for all persons. It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the University’s educational mission, and will not be tolerated. Gender-based and sexual harassment, including sexual violence, are forms of gender discrimination in that they deny or limit an individual’s ability to participate in or benefit from University programs or activities.

This policy shall not be construed to restrict academic freedom at the University, nor shall it be to restrict constitutionally protected expression.

Conduct prohibited by this policy may also violate Title IX and Title VII, and other applicable federal and state laws. Paul W. Apicella, JD, is the Title IX Coordinator. Deputy Title IX Coordinators include Danny Shaha, Senior Director of the Office of Student Conduct; Kim Lantz Yoder, Equity Officer, Penn State College of Medicine; Charmelle Green, Associate Athletic Director of Intercollegiate Athletics; and Julie Del Giorno, Athletics Integrity Monitor/Director of Athletics Integrity and Investigative Services. Additional information about how to contact these individuals, or to otherwise pursue or report a violation of this Policy, is set forth below.

Pursuant to this policy and Title IX of the Education Amendments of 1972, the University will identify Responsible and Confidential Employees on a regular, ongoing basis, and notify these individuals of their obligations to report (or not report) potential violations.

The University will provide regular, mandatory training for all University employees related to issues covered under this Policy. All University employees will be required to complete a Recognizing and Reporting Sexual Harassment and Other Forms of Sexual Misconduct training within the first 30 days of employment at the University. In addition, all University employees will be required to complete an Annual Compliance Training as a reminder of reporting requirements and procedures on a yearly basis.

**Definitions:**

1. **Gender-Based Harassment** is behavior consisting of physical or verbal conduct based on gender, sexual orientation, gender-stereotyping, perceived gender, or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe or pervasive such that it substantially interferes with an individual’s employment, education or ability to participate in or benefit from University programs, activities or opportunities, and would detrimentally affect a reasonable person under the same circumstances. Gender-Based Harassment may include, but is not limited to, verbal or physical attacks, graphic or written statements, threats, or slurs. 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.

(Note: Policy AD-91 defines Sex and/or Gender-based Discrimination as conduct of any nature that denies an individual the opportunity to participate in or benefit from a University program or activity, or otherwise adversely affects a term or condition of an individual’s employment, education, or living environment, because of the individual’s sex, sexual orientation, pregnancy, pregnancy-related condition, gender, perceived gender, or gender identity. Conduct that may constitute Sex and/or Gender-based Discrimination but does not fall within the conduct defined in Policy [AD-85](https://guru.psu.edu/policies/AD85.html) is excluded from the definition of Prohibited Conduct in Policy [AD-85](https://guru.psu.edu/policies/AD85.html) and is addressed in Policy AD-91).
2. **Sexual Harassment** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwanted, inappropriate, or unconsented to. Sexual Harassment is prohibited at the University.

For purposes of student discipline, the term Sexual Harassment is defined in the Student Code of Conduct.

Sexual Harassment committed by an employee or third party can lead to discipline or corrective action when:

(1) Submission to such conduct is made implicitly or explicitly a condition for employment, promotion, grades, academic status, or participation in the University’s activities; or

(2) Submission to or rejection of such conduct is used as the basis for employment or academic or other decisions affecting an individual; or

(3) Such conduct is sufficiently severe or pervasive so as to substantially interfere with the harassed individual’s employment, education or access to University programs, activities and opportunities, or creates a hostile or offensive environment for that individual or others.
3. **Sexual Misconduct** is a form of sexual harassment and refers to sexual offenses including but not limited to rape, sexual assault, sexual battery, sexual exploitation, sexual coercion and any other forms of nonconsensual sexual activity. Sexual misconduct can be committed by strangers, acquaintances and family members, as well as casual and long-term dating partners.

**Sexual assault** occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the victim’s consent. Sexual assault also includes, but is not limited to, attempted or 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 exploitation** includes, but is not limited to: prostituting another person; non-consensual visual or audio recording of sexual activity; non-consensual display or distribution of photos, images or information of an individual’s sexual activity or intimate body parts; non-consensual voyeurism; coercing someone against their will to engage in sexual activity; or knowingly transmitting sexually transmitted disease (STD) without disclosing STD status.

Consent must be informed, freely given and mutual. If coercion, intimidation, threats or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, and the respondent knew or reasonably should have known that the person was incapacitated, there is no consent. This includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. Inducement of incapacitation of another with the intent to affect the ability of an individual to consent or refuse to consent to sexual contact almost always, if not always, negates consent. Silence does not necessarily constitute consent. Whether a person has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.
4. **Stalking** is a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer substantial emotional distress. Stalking may include repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method.
5. **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be based on the length and type of relationship and the frequency of interaction with the persons involved in the relationship. It is important to recognize that emotional, verbal, and economic abuse are part of the web of dating violence and can exist without the presence of physical abuse.

**Domestic Violence** includes crimes of violence committed against a victim by: (i) a current or former spouse; (ii) a person with whom the victim shares a child; (iii) a person who is or has cohabitated with the victim as a spouse; (iv) a person similarly situated to a spouse of the victim; or (v) any other person against whom the victim is protected under Pennsylvania’s domestic and family violence laws. It is important to recognize that emotional, verbal, and economic abuse are part of the web of domestic violence and can exist without the presence of physical abuse.
6. **Retaliation**, as defined in University Policy [AD-67](https://guru.psu.edu/policies/ad67.html), is also prohibited by this policy and may subject the individual who retaliates in violation of this or other University policy to discipline or sanctions.

In addition to the above, in the case of off-campus Prohibited Conduct that did not occur in the context of a University program or activity, the University will consider the effects of such off-campus conduct when evaluating whether there is a hostile environment on campus and/or in an off-campus education program or activity.

**RESOURCES AND REPORTING**

**In situations involving danger to persons or property, individuals are strongly encouraged to first report the incident to the applicable police or public safety department.**

**Mandatory Reporting**

The University strongly encourages any individual who becomes aware of occurrences of Prohibited Conduct to report that Prohibited Conduct to the University via any of the appropriate methods set forth below. Certain University employees, however, may be ***obligated*** to report incidents of Prohibited Conduct based upon their designation as either a “Confidential Employee” or a “Responsible Employee.”

1. **Confidential Employee** – A University employee who is exempt from reporting to the Title IX Coordinator incidents of gender-based harassment, sexual violence, sexual harassment, or any other sexual misconduct in a way that identifies the victim. This includes **professional and pastoral counselors** and **non-professional counselors or advocates**. The university designates confidential employees and those individuals are notified of their designation.
	1. **Professional and pastoral counselors -** includes licensed mental health counselors, pastors, priests, or any other pastoral counselor whose official responsibilities include providing mental health counseling to the campus community. It also includes individuals who are supervised by these people.
	2. **Non-professional counselors or advocates -** includes individuals who are not professional or pastoral counselors, but work or volunteer in on-campus sexual assault centers, victim advocacy offices, women’s centers, or health centers, including front desk staff and students, social workers, doctors, medical staff, or any other person with a professional license requiring confidentiality.

Employees who are designated as Confidential Employees are not required to report any information they learn about an incident involving Prohibited Conduct in a way that identifies the victim. Some Confidential Employees, such as non-professional counselors or advocates, may be required to report aggregate data only.

For more information, including locations where a list of Confidential Employees may be found, please visit the SHARE Website: <http://www.psu.edu/share>.

1. **Responsible Employee –** All Penn State employees who are not Confidential Employees. Responsible Employees are required to report incidents of possible Prohibited Conduct to the Title IX Coordinator, using one of the methods identified below:
2. Fill out the form on the Title IX website: <http://www.psu.edu/share>.
3. Contact the Title IX Coordinator directly, via telephone or email:

Paul Apicella, JD, Title IX Coordinator
222 Boucke Building, University Park, PA 16802
Phone:  (814) 867-0099
Email:  pua26@psu.edu or titleix@psu.edu.

Responsible Employees are not required to report information disclosed (1) at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, or other public forums in which individuals may disclose incidents of Prohibited Conduct, collectively “Public Awareness Events”); or (2) during an individual’s participation as a subject in an Institutional Review Board (“IRB”)-approved human subjects research protocol. The University may provide information about individuals’ rights under Title IX and about available University and Community resources and support at Public Awareness Events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all student subjects of IRB research.

In addition to notifying the Title IX Coordinator of incidents of Prohibited Conduct, any individual may also report Prohibited Conduct under this policy as follows:

|  |  |  |
| --- | --- | --- |
| **For Conduct Committed by** | **Report To** | **Contact Information** |
| Students or Student Organizations | Danny Shaha, Senior Director, Office of Student Conduct and Deputy Title IX Coordinator | (814) 863-0342jds49@psu.edu |
|  |  |  |
| Students, employees, or third-parties at the Penn State College of Medicine | Kim Lantz Yoder, Equity Officer and Deputy Title IX Coordinator | (717) 531-0003, ext. 283353kyoder1@psu.edu |

**Anonymous Reporting**

Anyone may make an anonymous report of Prohibited Conduct by contacting the Ethics and Compliance Hotline at 1-800-560-1637.

For more information on anonymous reporting, please see <https://psuethicsandcompliance.tnwreports.com/> and [hotline.psu.edu](http://www.universityethics.psu.edu/UniversityEthics/hotline/hotline.cfm).

**CONFIDENTIAL REPORTING**

For students and employees who wish to discuss or report, in a confidential setting, sexual misconduct, gender-based harassment, and/or any other Prohibited Conduct as addressed in this policy, a listing of confidential resources is available on the Sexual Harassment and Assault Reporting and Education (SHARE) website at <http://www.psu.edu/share>.

**ADDITIONAL INFORMATION ON REPORTING:**

In addition to the above, employees and other individuals are reminded that they may have other reporting obligations under other mandatory reporting policies.

If the apparent victim is under the age of 18 at the time of the offense and there is any potential of child abuse, University employees should also consult University Policy [AD-72](https://guru.psu.edu/policies/AD72.html), *Reporting Suspected Child Abuse*, which addresses the procedure for mandatory reporting of suspected child abuse.

Finally, certain individuals may also be Campus Security Authorities for Clery Act purposes, and must also take into account their reporting obligations as a CSA under University Policy [AD-74](https://guru.psu.edu/policies/AD74.html).

**Additional Services for Victims:**

Primary care services and/or appropriate referrals to community services will be provided to victims of sexual violence, dating violence, domestic violence and/or stalking. Information about how to best support and identify available services for students and/or employees at all University campuses and locations may be accessed at <http://www.psu.edu/dept/title-ix/> and the [Affirmative Action Office](http://www.psu.edu/dept/aaoffice/sexharass.htm) website. Confidential and non-confidential resources are available and listed on the websites.

**Addressing Complaints of Sex and/or Gender-based Discrimination or Harassment and Sexual Misconduct:**

Once the University receives clear notice, prompt and equitable corrective measures will be taken to stop gender-based discrimination or harassment, to remedy the effects of the gender-based discrimination or harassment, and to prevent future instances of gender-based discrimination and harassment. The Title IX Procedures Document, available at the University’s Title IX website, <http://www.psu.edu/dept/title-ix>, and the [Office of Student Conduct Procedures document](http://studentaffairs.psu.edu/conduct/Procedures.shtml) sets forth in detail the University’s procedures for resolving complaints of gender-based discrimination and harassment (including sexual harassment, stalking, dating violence and domestic violence) and for complaints involving crimes of violence (including sexual assault, rape, and aggravated assault) brought against students.

The Affirmative Action Office Website (<http://www.psu.edu/dept/aaoffice/>) sets forth in detail the University’s procedures for resolving complaints of discrimination and harassment (including sexual harassment) and for complaints involving crimes of violence (including sexual assault, rape, relationship violence, and stalking) brought against third parties and non-student employees of the University.

**Sanctions:**

Against Students:  Disciplinary sanctions for student violations of this policy will be imposed in accordance with the [Code of Conduct and the Student Conduct Procedures Manual](http://studentaffairs.psu.edu/conduct/codeofconduct/). Sanctions range from conduct conversation, conduct warning, conduct probation, conduct suspension, to indefinite expulsion, and permanent expulsion. In addition, possible secondary administrative sanctions may include housing review, room reassignment, loss of housing, and loss of privilege. The University reserves the right to impose other sanctions in addition to those listed above in response to the specific circumstances of a case.

Against Employees: Disciplinary sanctions for employee violations of this policy, which may range from a disciplinary warning to termination from the University, will be imposed in accordance with applicable University policies.

Against Employees: Disciplinary sanctions for employee violations of this policy, which may range from a disciplinary warning to termination from the University, will be imposed in accordance with applicable University policies. Disciplinary sanctions may include one or more of the following measures:

* Termination from the University
* Unpaid suspension
* Restrictions from all or portions of campus
* Change in working facility
* Mandated education
* Written reprimand in personnel file
* Removal from classroom teaching
* Tenure revocation
* Withhold salary increase (from one to several years)
* Removal of endowed chair
* Removal of emeritus status
* Removal of graduate school status
* Termination of research project funding
* Removal from administrative position

**Amnesty for student drug or alcohol possession and consumption violations**:

The University strongly encourages students to report incidents that may violate this policy. Therefore, students who act responsibly by reporting to the appropriate authorities information about conduct violating this policy typically will not face University disciplinary action for their own drug or alcohol possession or consumption in connection with the reported incident.

**Free Expression and Academic Freedom:**

The University is committed to its long-standing tradition of academic freedom and free expression. The University is an institution whose members may express themselves, while protecting and respecting the rights of others to learn, to do research, and to carry out the essential functions of the University free from interference or obstruction. When addressing complaints of violations of this policy, the University will take all permissible actions to respond appropriately, while respecting the rights of free expression and academic freedom. See Human Resources Policy [HR-64](https://guru.psu.edu/policies/OHR/hr64.html) and University Policies [AD-47](https://guru.psu.edu/policies/AD47.html) and [AD-51](https://guru.psu.edu/policies/AD51.html).

**External Complaints:**

The University encourages all individuals with a pertinent complaint to follow the process in this Policy. However, individuals may always choose to make a discrimination complaint directly with outside agencies, including, but not limited to, the Office for Civil Rights of the U.S. Department of Education based in Philadelphia, the U.S. Equal Employment Opportunity Commission, the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice, or the Pennsylvania Human Relations Commission, Harrisburg Regional Office. Contact information for these agencies can be found at the Affirmative Action Office website.

**Further Information:**

For questions, additional detail, or to request changes to this policy, please contact the Title IX Coordinator.

**Cross References:**

[Affirmative Action Office Website](http://www.psu.edu/dept/aaoffice/)

[Code of Conduct & Student Conduct Procedures Manual](http://studentaffairs.psu.edu/conduct/Procedures.shtml)

[Penn State College of Medicine Web Site](http://www.pennstatehershey.org/web/college/home)

[Sexual Harassment and Assault Reporting and Education (SHARE)](http://www.psu.edu/dept/title-ix/)

[University Title IX Website](http://www.psu.edu/dept/aaoffice/title9.htm)

[AD-29](http://guru.psu.edu/policies/AD29.html) - Statement on Intolerance,

[AD-47](https://guru.psu.edu/policies/AD47.html) – General Standards of Professional Ethics

[AD-51](https://guru.psu.edu/policies/AD51.html) – Use of Outdoor Areas for Expressive Activities

[AD-67](http://guru.psu.edu/policies/AD67.html) - Disclosure of Wrongful Conduct and Protection from Retaliation

[AD-72](http://guru.psu.edu/policies/AD72.html) - Reporting Suspected Child Abuse

[HR-01](https://guru.psu.edu/policies/OHR/hr01.html) – Fair Employment Practices

[HR-11](https://guru.psu.edu/policies/OHR/hr11.html) - Affirmative Action in Employment at The Pennsylvania State University

[HR-76](https://guru.psu.edu/policies/OHR/hr76.html) – Faculty Rights and Responsibilities

[HR-79](https://guru.psu.edu/policies/OHR/hr79.html) – Staff Grievance Procedure

**7. POLICY STATEMENT ON SMOKING**

1. The Pennsylvania State University is committed to a healthful environment for all members of the community at all locations.
2. 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 whose 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.
3. 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](https://guru.psu.edu/policies/Ad32.html).)

**OTHER SELECTED POLICIES**

**1. 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 student’s 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](http://www.registrar.psu.edu/confidentiality/Student_Consent_for_Release_of_Information_to_Third_Parties.pdf) 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 (including student employees) 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:

1. 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;
2. records created and maintained by the Police Services Records Division for law enforcement purposes; and
3. 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, and 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:

* Name;
* Address (local, permanent, and electronic mail);
* Telephone number;
* Class level (semester classification or level: freshman, sophomore, junior, senior, etc.);
* Major;
* Student activities including athletics;
* Weight/height (athletic teams);
* Dates of attendance;
* Enrollment status (full-time, part-time, or not enrolled);
* Date of graduation;
* Degrees and awards received and where received; and
* 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](http://www.registrar.psu.edu/confidentiality/Student_Consent_for_Release_of_Information_to_Third_Parties.pdf) 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; and
* 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](https://guru.psu.edu/policies/WrittenAgreementExternalResearchOrganizations.doc) with the research organization. The [written agreement](https://guru.psu.edu/policies/WrittenAgreementExternalResearchOrganizations.doc) 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,"](https://guru.psu.edu/policies/AD11.html#X) 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](http://guru.psu.edu/policies/AD11.html) and [AD-20](http://guru.psu.edu/policies/AD20.html), Administrative Guideline [ADG-06](https://guru.psu.edu/policies/ADG06.html), and Safety Policy [SY-03](https://guru.psu.edu/policies/SY03.html))

## 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; and

(e) members of the University community that are not officially affiliated with the University.

(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 Associate 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](https://guru.psu.edu/policies/AD18.html);

(i) sponsor must agree to pay for any damages done to the facility while being used;

(j) comply with OPP Policy [CPD-12](http://www.opp.psu.edu/about-opp/divisions/cpd/images/cp-d-policy-on-camping-on-university-property), which identifies specific locations where camping is permitted on University property, the applicable rules and regulations for camping at such locations, and how permission to camp is obtained. A copy of this policy can be obtained through the Office of Physical Plant; and

(k) sponsor must agree to comply with University Policy[AD-64](https://guru.psu.edu/policies/AD64.html) 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; or

(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 assess 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.

 (Also see [Policies and Rules for Student Organizations](http://studentaffairs.psu.edu/organizationrules/))

#### 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 5:00 p.m.)
* 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](http://guru.psu.edu/policies/AD51.html) and [AD-62](http://guru.psu.edu/policies/AD62.html).

#### F. Reservation of Outdoor Areas

1. Registered Student Organizations, or a group of ten or more University students, faculty or staff, may reserve any one of the locations identified above for the use of the group, subject to the following:
	1. A location may be reserved only between the hours of 8 a.m. and 5 p.m.;
	2. A group may reserve only one location for each day;
	3. The same group may not reserve the same location for more than one day in each calendar week;
	4. The reservation must be requested at least 48 hours in advance of the proposed activity, or by the Friday preceding a Sunday or Monday;
	5. Reservations will be accepted in the order of request, unless considerations of format, size and equitable distribution requires allocation of locations;
	6. Registered student organizations and University groups have absolute priority in the event of conflicting outside groups;
	7. With a proper reservation, a group will have the exclusive use of the reserved location and may not transfer the reservation to, or allow use of, the location by any other group; and
	8. If a location has not been reserved, it will be available for use by a group, consistent with the other requirements of University Policy [AD-51](https://guru.psu.edu/policies/AD51.html).

## G. Outdoor Space Use Guidelines

1. In addition to other University policies and rules that generally apply to students, faculty, staff and visitors, the following requirements specifically apply to expressive activities at outdoor locations by individuals and groups:
2. Use of amplification equipment is generally prohibited;
3. Pedestrian or vehicular traffic must not be impeded in any fashion;
4. Disturbance of or interference with classrooms, offices, study facilities, libraries, or other University facilities and activities is prohibited;
5. Creation of safety hazards is prohibited;
6. Damage or destruction of property is prohibited. Should damages, destruction or clean up charges/costs occur, the organization, department or individual who reserved the space will be responsible for any and all charges;
7. Hand-held signs are permitted, but flashing or rotating lights and illuminated signs are not. Signs may not be placed on or affixed to the ground or structures, including but not limited to buildings, poles, gates, fences, trees or other vegetation;
8. Papers, pamphlets, and similar material may be distributed in person by sponsoring organization;
9. Placing or erecting structures of any size or material is prohibited. Any such structures will be removed and the sponsoring organization, department, or individual will be responsible for any and all charges;
10. Tables must be staffed by the sponsoring organization and/or group and may be used only in those areas designated for expressive activity.
11. The use of tables must be stipulated at the time of reservation. The name of the sponsoring organization or group must be displayed at the table; and
12. The group reserving the space must provide their own table and chair(s).
13. Smaller groups and individuals are requested to voluntarily use the designated areas, but may use any outdoor area open to the public that can safely be used so long as noise levels do not conflict with the conduct of University business and crowds do not impede egress and ingress to University facilities.
14. Registered student organizations, or a group of ten or more University students, faculty or staff, may reserve a location through the Event Management Office, 125D HUB-Robeson Center. Groups wishing to reserve a space other than those designated must submit a written request for an exception to this policy with the appropriate reservation office.
15. At non-University Park locations, non-University groups requesting the use of University facilities should contact the Office of University Relations at the applicable location to request use of/receive approval for the use of a facility.

(Also see [Event Management Policy Manual](http://studentaffairs.psu.edu/hub/eventmanagement/pdf/HUBRobesonCenterEventManagementPolicy.docx) and University Policies [AD-51](https://guru.psu.edu/policies/AD51.html) and [AD-62](http://guru.psu.edu/policies/AD62.html))

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 the University Park campus, and the Directors of Student Affairs and Housing and Food Services at other campuses with residential facilities.

I. Procedures for Reserving Indoor Facilities and Registering Events

#### 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) for reservations.

#### 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

(1)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.

(2)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 sponsoring the announcement must be prominently displayed on all announcements and banners.

(3)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 can be obtained from the Event Management Office or Office of University Relations.

(4)Any student or student organization that defaces or damages any University property will be referred to the Student Organization 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.

(5)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[Policies and Rules for Student Organizations](http://studentaffairs.psu.edu/organizationrules/)**)**

 (Other University Policies that apply are [AD-01](http://guru.psu.edu/policies/AD01.html), [AD-02](http://guru.psu.edu/policies/AD02.html), [AD-15](http://guru.psu.edu/policies/AD15.html), [AD-21](http://guru.psu.edu/policies/AD21.html), [AD-26](http://guru.psu.edu/policies/AD26.html), [AD-27](http://guru.psu.edu/policies/AD27.html), [AD-51](http://guru.psu.edu/policies/AD51.html), [AD-57](http://guru.psu.edu/policies/AD57.html) and [AD-62](http://guru.psu.edu/policies/AD62.html).)

## 3. CHARITABLE AND COMMERCIAL ACTIVITIES

* 1. General policies governing charitable fund raising, commercial sales activities, and sales of food and beverages on campus and in University facilities are contained in University Policies [AD-06](http://guru.psu.edu/policies/AD06.html), [AD-26](http://guru.psu.edu/policies/AD26.html), and [AD-27](http://guru.psu.edu/policies/AD27.html).
	2. 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 fund raising activity. Please consult with the area Residence Life Office for a specific timeline for 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.

1. 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:

* + - 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
		- 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](http://studentaffairs.psu.edu/organizationrules/))

(5) Nothing in these regulations shall be deemed to preclude any solicitation or sale by mail, telephone, or other communications media. (Also see [Terms and Conditions](http://housing.psu.edu/housing-and-food-service-contract-terms-conditions-and-regulations))

(Also see University Policies [AD-06](https://guru.psu.edu/policies/AD06.html), [AD-26](http://guru.psu.edu/policies/ad26.html), and [AD-27](http://guru.psu.edu/policies/ad27.html))

## 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 reservation 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 via the online room reservation request form found at <https://reservations.psu.edu/virtualems/>.

(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.

(Also see [Terms and Conditions](http://housing.psu.edu/housing-and-food-service-contract-terms-conditions-and-regulations))

#### 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:

1. Canvassing may not occur in individual residence areas unless approved by a majority vote of the residents of that area.
2. Non-University interests must be sponsored by a recognized student organization or University department.
3. Any canvasser must register with the Residence Life Assistant/Associate Director not less than twenty-four hours prior to the canvass.
4. 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.
5. 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.
6. Additional provisions may be established at individual campus locations through procedures regularly used for the formation of local policies.

## 5. GUESTS IN UNIVERSITY 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 permitted 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, and then 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.

(Also see [Terms and Conditions](http://housing.psu.edu/housing-and-food-service-contract-terms-conditions-and-regulations))

OTHER REGULATIONS

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.

#### 1. HEALTH

#### A. Disabled or Handicapped Students

Students with disabilities or temporarily disabling conditions that necessitate accommodations should contact Student Disability Resources (SDR) at <http://www.equity.psu.edu/sdr/> or voice or TDD (814) 863-1807. Student Disability Resources is responsible for coordinating support services, reasonable academic accommodations, and promoting disability awareness in the university community. The SDR team is committed and ready to assist students with disabilities to reach their academic goals. Students who are seeking services at Penn State must self-disclose the need for academic adjustments, auxiliary aids, and/or services to the [disability services office at the Penn State campus](http://equity.psu.edu/ods/dcl) they are attending. Students applying to SDR for services must complete an intake interview (in person or by phone) and present third party documentation from a qualified professional of their disability. This may include documentation from University Health Services if related to the disability the student is reporting. For more information concerning applying to SDR and the services this office provides, go to: <http://equity.psu.edu/sdr>.

#### B. Eligibility for Services

Students enrolled for the current semester on any campus including World Campus will be eligible for care at University Health Services at <http://studentaffairs.psu.edu/health/>.

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

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

UHS may provide verification of illness forms for **significant prolonged illnesses or injuries** resulting in absence from classes. A significant, prolonged illness is a **serious** illness or injury lasting at least a week. Medical documentation is required, either from UHS clinicians or outside clinicians. If a faculty member has questions about a specific student, they can call the UHS Administration office at (814) 865-6555. Due to [patient confidentiality](http://studentaffairs.psu.edu/health/welcome/confidentiality/), UHS cannot release any information without the student’s consent.

UHS policy is consistent with the Faculty Senate Policy [42-27](http://senate.psu.edu/policies-and-rules-for-undergraduate-students/42-00-acquisition-of-credit/#42-27): Class Attendance. The goal of the policy is to reduce negative situations for students, faculty and health care providers.

#### 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](http://studentaffairs.psu.edu/health/services/insurance/waiver.shtml) 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 $50.00 late fee for students who fail to fulfill the mandatory health insurance requirement by the established semester deadline. There is a $100.00 late fee for students who don't fulfill the mandatory health insurance requirement the second time. (Also see requirements for [International Students](http://studentaffairs.psu.edu/health/services/insurance/international.shtml))

F. Pre-Matriculation Immunization

### Measles, Mumps, Rubella (MMR) –

### To satisfy the requirement, a student must have 2 doses of Measles (Rubeola), 2 doses of Mumps and 1 dose of Rubella OR 2 doses of the MMR vaccine OR provide blood test results showing immunity.

#### Meningococcal

Penn State students residing in on-campus housing, including residence halls and apartments, are required by state law to comply with the [College and University Student Vaccination Act](http://www.palrb.us/pamphletlaws/20002099/2002/0/act/0083.pdf) of 2002.

### The meningococcal conjugate vaccine (MCV4) required is known as Menveo or Menactra. This vaccine is effective against the most common meningococcal infections caused by serogroups A, C, W, and Y. One dose of meningococcal conjugate vaccine administered at age 16 or older is required of all incoming students living in University housing who are age 21 or younger. Incoming students living in University Housing who are age 22 or older may submit either proof of vaccination or a Meningococcal Vaccine Waiver

1. Strongly recommended Immunizations
	1. Meningococcal Vaccine (MenB)
	2. Varicella
	3. Tetanus-Diphtheria-Pertussis (Tsap)
	4. Hepatitis B
	5. Hepatitis A
	6. Human Papilloma Virus
	7. Pneumococcal Vaccine in special circumstances

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

Regulations govern student vehicle registration, parking privileges (Policy [BS-04](https://guru.psu.edu/policies/BS04.html)), and use of bicycles, and mopeds on campus (Policy [SY-16](https://guru.psu.edu/policies/SY16.html)).

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 at [www.transportation.psu.edu](http://www.transportation.psu.edu) or 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 Office for Disability Services for information on applying for a state-issued handicap placard. Upon receipt of the placard, contact the Parking Office to obtain the required 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

The University Libraries is dedicated to student success by making available a wealth of resources, equipment and spaces for individual study, collaboration and research. Policies for borrowing materials and for the use of library spaces may be found at <https://libraries.psu.edu/> and in the Code of Conduct posted in all library facilities.

We affirm that our users’ privacy is essential to the intellectual and academic mission of the University and are committed to respecting user privacy in compliance with all federal and state laws and professional standards of confidentiality. All records of materials borrowed, resources consulted and services provided by the library are considered confidential and will not be released without permission unless required by law.

To ensure that library resources are available to all students, Adaptive Technology and Services is available to provide alternative formats of materials and access to assistive technology to students with disabilities at all Penn State campuses. Please contact your library for more information.

#### 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@psu.edu, or in person in 103 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, required, or encouraged to per perform calisthenics, exposure to the elements, forced, required, or encouraged to consume any food, alcohol beverage, drug, or other substance, or any other forced, required, or encouraged to participate in physical activity that could adversely affect the physical health and safety of the individual, 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 or the perceived 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 and/or their members that commits hazing is subject to disciplinary action by the appropriate registering organization.

 (Also see Safety Policy [SY-03](http://guru.psu.edu/policies/SY03.html) and [Pennsylvania State Law on Hazing [P.S.] § 5352](http://pennstatephc.org/faq/current-sorority-members/hazing/hazings-repercussions/#Pennsylvania%27s%20State%20Laws%20on%20Hazing))

**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, fire sprinkler systems, 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 fire, bomb threats, or other emergencies, 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.

General Guidance for Evacuating a Building is available at: <http://legacy.ehs.psu.edu/occhealth/general_building_evacuation.pdf>.

University Safety Policies can be viewed at <http://guru.psu.edu/policies/#SAFETY>.

#### 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 The Pennsylvania State University. Undergraduate students and professional students (i.e., medical, law, MBA) typically 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](http://abe.psu.edu/industry/capstone-design/ipagreement).

Inquiries should be addressed to the Office of Technology Management at OTMInfo@psu.edu or call (814) 865-6277. Additional information can be found at <http://www.research.psu.edu/offices/otm>.

(Also see Intellectual Property and Research Administration Policy [IP-01](https://guru.psu.edu/policies/IP01.html) and Intellectual Property Guidelines [IPG-01](https://guru.psu.edu/policies/IPG01.html) and [IPG-02](https://guru.psu.edu/policies/IPG02.html))

#### 8. UNIVERSITY ACCESS POLICY

To protect the property, security, privacy, and safety of the University and individuals within the University community, access to facilities is controlled. Keys are issued and card access to buildings is activated selectively. Students are held responsible for misuse or loss of keys and will be charged for a core change when necessary.

#### (Also see University Policy [AD-68](https://guru.psu.edu/policies/AD68.html) and <http://housing.psu.edu/commons-desk>)

#### 9. PETS ON CAMPUS

#### The presence of animals on University property has had, in many cases, an adverse effect on the normal functions of the University by causing bodily harm to individuals, unsanitary conditions in University buildings and facilities, and nuisances.

No person, owning or having under his/her control any animal, shall permit such animal to be brought upon the property of The Pennsylvania State University without having a leash or lead suitably attached to the animal and held by the person responsible, except in designated hunting areas.

No person shall tether an animal to any fence, tree, shrub, post, or other object located upon the lands of The Pennsylvania State University not designed for the purpose of securing animals.

No person shall bring any animal into any University building, or permit any animal on any University public transportation facility.

The aforementioned shall not apply to service animals, to authorized research conducted by a University department, to the use of an animal to carry out functional responsibilities of a University department, or to an animal hospital or to a shelter designed and constructed to house animals.

#### (Also see Safety Policy [SY-07](http://guru.psu.edu/policies/SY07.html))

#### 10. STUDENT id+ CARDS

Each Penn State student is issued an official University ID – the Penn State id+ Card. Presentation of the id+ card is required for services of University dining commons, libraries, entrance to access-controlled buildings such as residence halls, and admission to athletic events. It may also be required for other University activities and services. University systems will further identify the rights, privileges, and responsibilities of the individual. Violations of University policies and procedures in using the card will be dealt with accordingly. id+ cards may be used for appropriate educational discounts and admission to facilities at other institutions, etc. Student id+ cards should be carried by all students at all times.

Only the cardholder may be in possession of the id+ card. Cards will be confiscated if presented by someone other than the cardholder or if the card is involved in inappropriate or illegal use. Fraudulent use of the card will result in disciplinary action.

Tampering with id+ cards and/or making color reproductions is prohibited. Labels or stickers may not be added to any of the cards since their presence would interfere with the electronic reading of the card. Punching holes (for hanging, etc.) and burning (branding) is also prohibited. id+ cards may not be collected and held as collateral for the temporary use of equipment, services, etc.

In order to prevent unauthorized use and charges, it is the **individual's** responsibility to report a lost or stolen id+ card. If an id+ card has been lost or stolen, it must be deactivated immediately online at [www.idcard.psu.edu](http://www.idcard.psu.edu), by calling 814-865-7590 (during business hours), or in person at the id+ Office. When a card is deactivated, the cardholder's residence hall access, meal plan access, LionCash+ account, and fitness membership will automatically be suspended. To suspend other features - such as those offered by PNC Bank or other departmental systems - the cardholder must contact the appropriate office. It is also up to the individual to obtain a replacement card at the ID-issuing office by presenting proper identification and paying the currently-approved replacement fee.

(Also see University Policy [AD-24](http://guru.psu.edu/policies/ad24.html))

#### 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 in the University Policy [AD-34](https://guru.psu.edu/policies/AD34.html). For more information, visit PSU’s Recycling Website at: <http://www.green.psu.edu/recycling/>.

#### 12. NOTE TAKING SERVICES

An original work of authorship prepared by a faculty member is subject to copyright protection. The "original hard copy" material in printed or tangible form includes but is not limited to) handouts, diagrams, photographs, motion pictures, and computer programs, data bases and audio and video recordings.

A registered student lawfully may take original hand written or typed notes during an oral lecture presentation and may sell those notes in the free marketplace. The notes may be subject to copyright protection, provided the notes represent an original work of authorship, but any such copyright would not impact in any manner on the faculty member's ownership of the subject matter presented orally, nor the hard copy materials presented and/or distributed during the lecture.

Audio or video recordings of classroom activity by students for the purposes of note-taking are subject to the rules governing student-initiated recordings in University Policy [AD-40](http://guru.psu.edu/policies/ad40.html).

The following statements have been developed from an interpretation of the federal Copyright Act and University policy, to serve as a guide to faculty rights on note-taking issues:

1. Any reproduction of the "fixed and tangible form" of a faculty member's original work(s) of authorship is prohibited by the Copyright Act, and would be subject to a copyright infringement action brought by the faculty member, as copyright owner; or by the University, as copyright owner, in the case of works for hire.
2. Notes taken during an oral lecture presentation should be an interpretation of, and not a verbatim transcript of, the lecture material. Such notes generally are construed to be original. Students have no copyright ownership of verbatim transcripts or substantially verbatim notes.
3. If notes taken during an oral lecture presentation can be shown to be original, they may be copyrighted by the note-taker/note-taking service and sold to third parties, but this copyright does not transcend the ownership rights of the faculty member to the original lecture material, nor the future uses of that subject material.
4. Only formally registered students may attend class and qualify as a note-taker. The policy basis of excluding non-registered students, or non-students, from attending class is two-fold:
	1. Such individuals have not contracted for the educational services provided in the class, and
	2. University Policy [AD-27](http://guru.psu.edu/policies/AD27.html) prohibits the use of University facilities and/or property for commercial sales activities by individuals or non-University organizations.
5. Nothing contained in this policy is intended to restrict a faculty member's right to conduct a class as he/she deems most appropriate, such as electing to distribute class notes in order to promote class interaction, the use of taped lectures, etc.
6. The following is a permissible exception to this policy: Any accommodations required by Federal or State law for disabled students. Contact [Student Disability Services](http://equity.psu.edu/student-disability-resources) for current legal requirements and details on the services provided for disabled students.

(Also see University Policy [AD-40](http://guru.psu.edu/policies/ad40.html))

**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 Vietnam 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. Contact The Affirmative Action Office, 328 Boucke Building, Tel. (814) 863-0471 (voice or TTY), with inquiries and concerns of discrimination on the basis of veteran status.

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

(814) 863-0465

#### C. Discrimination and Harassment and Related Inappropriate Conduct (Policy AD-91)

The University is committed to equal access to programs, facilities, admission and employment for all persons. It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the University’s educational mission, and will not be tolerated. (Also see University Policy [AD-85](https://guru.psu.edu/policies/ad85.html))

**Definitions:**

1. Discrimination is conduct of any nature that denies an individual the opportunity to participate in or benefit from a University program or activity, or otherwise adversely affects a term or condition of an individual’s employment, education, or living environment, because of the individual’s age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information or political ideas.
2. Harassment means behavior consisting of physical or verbal conduct that substantially interferes with an individual’s employment, education or access to University programs, activities or opportunities. Harassment may include, but is not limited to, verbal or physical attacks, graphic or written statements, threats, or slurs. 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.

Any type of Harassment is prohibited at the University. To constitute prohibited Harassment which can lead to discipline under this Policy, the conduct must be such that it detrimentally affects the individual in question and would detrimentally affect a reasonable person under the same circumstances.

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 the 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, 328 Boucke Building, Tel. 814-863­0471 (voice or TTY), 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 informally, 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-85](http://guru.psu.edu/policies/AD85.html))

**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

### 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.

### Disciplinary sanctions:

Prompt and equitable corrective measures will be taken to stop discrimination or harassment, to remedy the effects of the discrimination or harassment, and to prevent future instances of discrimination and harassment. The Title IX Procedures Document, available at the University’s Title IX website, <http://www.psu.edu/dept/title-ix/>, and the [Office of Student Conduct Procedures document](http://studentaffairs.psu.edu/conduct/Procedures.shtml) sets forth in detail the University’s procedures for resolving complaints of complaints of sexual harassment, stalking, dating violence and domestic violence, and for complaints involving crimes of violence (including sexual assault, rape, and aggravated assault).

The Affirmative Action Office Website (<http://www.psu.edu/dept/aaoffice/>) sets forth in detail the University’s procedures for resolving complaints of discrimination and harassment.

 (Also see University Policies [AD-85](http://guru.psu.edu/policies/ad85.html) and AD-91)

**Sexual harassment resource persons:**

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

# 3. STUDENT RECORDS

A. At University Park

### MOST COMMONLY KEPT STUDENT RECORDS

|  |  |  |
| --- | --- | --- |
|  RECORD |  LOCATION |  CUSTODIAN |
|  Permanent Record(transcript) | Office of University Registrar112 Shields Building | University Registrar |
| Academic Progress | Office of the Dean of the College | Dean |
| Disciplinary | Office of Student Conduct, 120 Boucke Building | Senior Director, Office of Student Conduct |
| Financial Aid | Office of Student Aid, 314 Shields Building | Executive Director for Student Aid |
| Student Financial Records | Office of Bursar, 103 Shields Building | University Bursar |
| Placement Records | Career Services, 101 Bank of America Career Services Center | Senior Director, Career Services |
| Health and Medical Records | 126 Student Health Center, Medical Records Dept.  | Senior Director, University Health Services |
| Psychological Records | Center for Counseling and Psychological Services, 501 Student Health Center | Senior Director, Center for Counseling and Psychological Services |
| Admission Records(undergraduate) | Admissions Office, 201 Shields Building | Executive Director for Undergraduate Admissions |
| Admission Records(graduate) | Graduate Enrollment Services, 114 Kern Graduate Building | Director of Graduate Student Services |

#### 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) Academic ProgressDisciplinary Financial AidStudent Financial RecordsPlacement RecordsHealth and Medical RecordsAdmissions Records (undergraduate)Admissions Records (graduate)-where applicable | Records Director of Academic AffairsStudent AffairsFinancial Aid OfficerFinancial OfficerStudent AffairsCampus Health ServicesAdmissions Office  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 | UHS, 126 Student Health Center or Student and Family Services, 120 Boucke |
| Student Aid | Office of Student Aid, 314 Shields Building |
| Student Organizations | Office of Student Activities, 103 HUB-Robeson Center |
| Terms, Conditions, and Regulations | 201 Johnston Commons |
| Student Conduct Records  | Office of Student Conduct, 120 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 | Student Affairs |
| Health Insurance | Student Affairs |
| Libraries Lending Code | Campus Library |
| Medical Excuses | Campus Health Office or Office of Student Affairs |
| Student Aid | Student Affairs |
| Student Organizations | Student Affairs |
| Terms, Conditions, and Regulations | Student Affairs |

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