



UNIVERSITY OF PROVIDENCE

University of Providence- Student Handbook

The University Student Handbook contains the rules, regulations and policies that establish the official parameters for student life at the University. These standards are binding on all University students. It is the student's responsibility to be aware of these expectations and conduct themselves accordingly as members of the University community. All the rules and regulations are in effect for students on and off campus. Responsible behavior is expected of University students wherever they may be. University students are reminded that as members of the University community they are expected to be familiar with all relevant University policies and procedures, including but not limited to those set forth here and in the other volumes of the University of Providence Policy Manual, as well as in the applicable Catalogs

University of Providence- Student Handbook Disclaimer

This University Student Handbook is a document of record issued in 2018. This student handbook contains current information regarding the University Code, institutional policies, residential life policies, and campus life information. It is not intended to be and should not be relied upon as a statement for the University's contractual undertakings. The University reserves the right to modify any University policies and procedures whenever it is deemed necessary or desirable; in any such case, notice thereof will be given as is reasonably practical under the circumstance. An updated digital copy of the Student Handbook can be found on the University's website.

CONTENTS

Student Affairs Division	3	Smoking and Tobacco Use Policy	39
Student Affairs Directory	6	Campus Law Enforcement Policy	39
Code of Student Conduct	7	Reporting a Crime	40
Student Accommodations (ADA) Policy	16	Campus Phones for Emergency Calls	40
Immunizations Policy	17	Campus Security & Fire Safety Report Policy (Clery)	40
Student Identification Cards Policy	18	Fire Safety Policy	41
Student Grievance (Non-academic) Policy	18	Security Awareness & Crime Prevention Programs	41
Student External Complaint Policy	19	Child Abuse and Neglect Policy	41
Chapel Use Policy	19	Emergency Notification and Response Policy	41
Residency Policy	19	Timely Warnings Policy	42
Student Club and Organization Policies	20	Mandatory Reporters Policy	42
Freedom of Expression Policy	21	Missing Students Policy	42
Gambling Policy	21	Registered Sex Offenders Policy	42
Guest Speakers and Performers Policy	22	Security Cameras Policy	42
Non-discrimination and Harassment Policy	22	Acceptable Use Policy	42
Sexual Misconduct Policy (Title IX)	26	Bicycles, Hoverboards, Skateboard, & Skates Policy	44
Political Activities and Speakers Policy	37	Children in the Classroom/Workplace Policy	44
Student Records (FERPA) Policy	37	Credit Card Marketing Policy	45
Volunteers Policy	37	Demonstrations on Campus Policy	45
Alcohol and Drug Prevention Program	38	Parking of Motor Vehicles Policy	46
Student Drug Policy	38	Postings and Notices Policy	46
		Unmanned Aircraft Systems (Drones) Policy	46

Student Affairs

There are many opportunities for all students to get involved on the University of Providence campus. The different areas of Student Affairs provide resources for residential and non-residential students. Student Affairs coordinates the following campus programs and services: Residential Life, the Career Center, Campus Security, Student Health Services, Food Service, Campus Activities Programming, Student Organizations, Intramural Sports, Freshman Year Experience (Corps of Discovery, New Student Orientation & Transition Programs), Leadership Development, Student Discipline & Behavior Intervention, Facilities Scheduling, and others in cooperation with all campus departments.

The Student Affairs staff strive to foster experiential and personal development opportunities that engage students in becoming life-long learners and responsible citizens. The mission of Student Affairs is to facilitate student engagement in learning and personal development by providing exceptional services, distinctive co-curricular programs, leadership growth opportunities, and fostering a safe and diverse living/learning community. The programs and services we offer create opportunities and experiences that support students to achieve their academic, career, and life goals.

Departments

Dean of Students

The Dean of Students at the University of Providence directly supervises Student Engagement, Residential Life, and Health Services. The Dean of Students Office directly administers the Code of Student Conduct and all non-academic disciplinary processes including informal meetings. Additionally, the Dean of Students coordinates special co-curricular programs such as the PRIME Leadership development program and other opportunities for students to grow in ethical character. The Dean of Students also responds to questions and concerns from students regarding non-academic issues. This office will refer a student to the best place for his/her problem resolution and handles complaints that may constitute a violation of the Student Code of Conduct.

The Career Center

The Career Center assists students in developing, evaluating and implementing career and life planning. Career development programs are offered in individual and group sessions using career assessment instruments in workshops and in-class presentations. The Career Center assists students in preparing for and locating appropriate internships and cooperative educational experiences. The Career Center is located on the lower level of the student center.

Student Engagement

Non-academic Student Engagement at the University of Providence is achieved through collaborative effort across campus but is highlighted by distinct and excellent student programming. Flagship programs offered through our Student Engagement Office include the Corps of Discovery and New Student Orientation as well as all of our Student Activities and Student Organizations.

Corps of Discovery

The Corps of Discovery is a signature program for first time, traditional age students at the University of Providence. It is required for all full-time, first-year freshmen students who are pursuing their degrees on campus. The purpose of the program is to foster emotional, spiritual, and physical development, and a shared cohort bonding experience throughout many dimensions of university life. Corps of Discovery will push your limits and provide you with new perspective – on life and self. Physical challenges, like rafting on the Missouri River, will hone your team-building and leadership skills while classroom activities will guide you through your inner terrain in search of key principles, core values, your life’s purpose, and talents. As a multi-year experiential program, with a single purpose: helping students discover themselves and the wondrous world around them.

Discovery Base Camp

The Discovery Base camp offers students the equipment they need to explore “Montana as their classroom.” This equipment is available for students to reserve and check out with little or no fee. Located in the heart of the Student Center lower level, the Discovery Base Camp is where many student adventures begin.

New Student Orientation

Students are required to attend New Student Orientation in their first semester of attendance at University of Providence. New Student Orientation programs are held at the beginning of each semester for the purpose of connecting new students to the programs, resources and community of the University. New Student Orientation for the fall semester is a multi-day program that includes, academic advising, meetings with faculty and staff, social events, parent programs, residence hall activities, and outdoor excursions into Montana’s recreational areas. New Student Orientation for the spring semester is conducted in one day and focuses on mid-year transitions to University and academic life.

Campus Activities and Organizations

Campus Activities offer students a wide range of programs and activities that reflect the social, cultural, intellectual, and recreational needs of students within the context of a Catholic University. Clubs, organizations, programs and events provide a full range of activities to get involved on campus and to enjoy the social opportunities at the University. Students learn to develop interests, activities, leadership skills and an interest in volunteering that will positively impact their life during and after graduation.

Residential Life (Student Housing)

Residential Life is designed to facilitate a safe, healthy, and enjoyable living/learning environment that promotes the spiritual, social, and academic well-being of all residents within the context of the University of Providence Mission Statement. Each resident is expected to learn to accept and share the responsibilities of living with others and to develop the skills of cooperation and communication.

Campus Security

Campus Security provides twenty-four hour security coverage to the University of Providence Great Falls Campus. Security personnel are reachable by phone at 406-791-5911. The security office is located in the student center on the lower level. Daily incident logs are filed with the Chief of Security, Dean of Students, and the Vice President of Student Affairs to review for incidents involving safety or conduct issues. The University of Providence is also served by the Great Falls Police Department, Great Falls Fire and Emergency services. If you need assistance or escort from building to building please contact Security at the above listed number.

Student Health Services

The University Health Center is located in the lower level of the Student Center and offers limited primary care - diagnostic procedures and treatment of common illnesses; preventive health care; minor musculoskeletal injuries; and immunizations. The center is staffed by a nurse practitioner with prescriptive authority. All enrolled University students and University faculty and staff are eligible for services AT NO ADDITIONAL CHARGE. There may be a charge for services such as lab tests, vaccines and pharmacy. The health center will not provide third party billing services. As an ambulatory health care facility on campus we encourage students to schedule an appointment to access care quickly and easily. Walk-ins will be accommodated. Visits are anticipated to take approximately 15 minutes. Contact the Student Affairs office at 406-791-5308 to make an appointment. Referrals outside the Health Center, emergency or otherwise, may be covered under an individual medical insurance plan. It is up to the individual to be responsible for any expenses incurred. For any afterhours care or referral, you may need to consult with your primary care physician for pre-authorization to confirm your insurance coverage.

University of Providence
Student Affairs Staff Directory

Student Affairs – Student Center Upper level

Robert Pastoor - Vice President of Student Affairs	406-791-5309
Carol Hammer- Senior Administrative Assistant	406-791-5308
Jake Clark- Dean of Students	406-791-5230

Security Office – Student Center Lower Level

Cell – 406-791-5911

Ross Murphy – Chief of Security	406-791-5223
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Career Center – Student Center Lower Level

Leslie Dawson – Director of Career Development	406-791-5216
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Residential Life – Emilie Hall Room 110

406-791-5225

Aaron Stucker – Director of Residential Life & Housing	406-791-5218
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Jeddie Herndon - Resident Director, Emilie Hall	Cell 406-750-9722
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Student Engagement/Discovery Base Camp – Student Center Lower Level

Nathan Reiff – Director of Student Engagement	406-791-5229
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Student Activities - Student Center Upper level

Emily Merritt – Coordinator of Campus Activities	406-791-5215
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POLICIES

CODE OF STUDENT CONDUCT

Preamble

The Code of Student Conduct has been established to reflect the mission, vision, and values of the University as a Catholic, liberal arts, and pre-professional university. The Code of Student Conduct establishes the basic behavioral expectations for students pursuing an education. At all times, students of the University of Providence (“UP” or “University”) are expected to maintain standards of personal and social behavior. The University is committed to the concept that the education of individuals includes development of the abilities to make appropriate value judgements and to accept their responsibilities as members of the community.

. The Code of Student Conduct further seeks to develop parameters for student conduct within the contexts of living in community and learning in and out of the classroom. All students are expected to know and abide by the Code of Student Conduct. Unfamiliarity with the rules and regulations is not an acceptable excuse for violations of the Code of Student Conduct.

Article I. Definitions

The term “**UNIVERSITY**” means the University of Providence located in Great Falls, Montana. The term “university premises” includes all land, building, facilities, and property in the possession of or owned, used, or controlled by the University.

The term “**STUDENT**” includes all persons who have accepted their offer of admissions, and/or who are taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, or was enrolled the previous semester and registered for a future semester. Students who are on study abroad or internship/rotations, even if not earning credit, are also considered students. Individuals who have a continuing relationship with the University even if they are on leave or have withdrawn are also considered students, including but not limited to persons who withdraw after allegedly violating the Code of Student Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or those who have been notified of their acceptance for admission are considered “students,” as are persons who are living in University residence halls, although not enrolled in this institution (example: Hall Directors, summer camp participants, staff housing). This Code of Student Conduct applies at all University locations including on-line and study abroad students, any distance locations, and at any off campus University sponsored class or activity.

The term “**MEMBER OF THE UNIVERSITY COMMUNITY**” includes any person who is a student, faculty or staff member, University official, or any other person employed by the University or representing the University.

The term “**UNIVERSITY OFFICIAL**” applies to any employee with assigned administrative or professional responsibilities.

The term “**STUDENT CONDUCT ADMINISTRATOR**” means any individual authorized by the Vice President for Student Affairs to determine whether a student has violated the Code of Student Conduct and to recommend imposition of sanctions.

The term “**ADMINISTRATIVE AGREEMENT**” is an agreement between the institution and a student who accepts responsibility for a violation of University policy. The student agrees to perform the sanctions established upon with a Student Conduct Administrator. Students signing an administrative agreement waive their rights to hearings and subsequent appeals.

“**SANCTION**” is an action affecting the status of a student which is taken by the University in response to misconduct that violates the Code of Student Conduct. The purpose of such action shall be to establish behavioral expectations which uphold the educational mission of the community, as well as to help students recognize acceptable boundaries to their actions and the consequences of future behavior choices. In some circumstances, such actions may also serve to ensure the safety of members of the University community.

Article II. Student Code Authority

Disciplinary authority is vested in University of Providence administrators, faculty members, committees, and organizations, as set forth in this Code of Student Conduct, or in other appropriate policies, rules, or regulations. Specifically, disciplinary authority for academic violations of the Code of Conduct is vested in faculty members, the Academic Division Chairs, and the Provost. Disciplinary authority for all other violations of the Code of Student Conduct is vested in the Vice President for Student Affairs.

Article III: Jurisdiction

By voluntarily choosing to affiliate with the University of Providence, students accept the responsibility to comply with the regulations outlined in the Code of Student Conduct, which apply to behavior both on and off campus. Therefore, the Code of Student Conduct shall apply to student conduct that occurs on University premises and at University sponsored activities, and to off-campus conduct that, in the judgement of the Vice President for Student Affairs, adversely affects the University community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code of Student Conduct shall apply to a student’s conduct even if the student withdraws from the University while a disciplinary matter is pending (see Article VII). The Vice President for Student Affairs shall decide whether the Code of Student Conduct shall be applied to conduct occurring off campus, on a case-by-case basis, in his/her sole discretion.

Note: Study abroad and internship/clinical placement participants are expected to follow the University’s Student Code of Conduct policies, as well those of their study abroad and

internship/clinical programs. Violations of these policies may result in sanctions both at the University of Providence and at the host institution/program.

Article IV: Violation of Law and University Discipline

1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violated both the criminal law and this Code of Student Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Code of Student Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Vice President for Student Affairs.

Note: Incidents involving Sexual Misconduct as that term is defined in the University Sexual Misconduct Policy will be investigated and resolved pursuant to the Sexual Misconduct Policy. In such cases, the University will not wait for the conclusion of a criminal investigation or criminal proceeding to complete its investigation.

Article V: Expectations for Student Conduct

Any student, organization, club, or athletic team found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in the Code of Student Conduct. Moreover, students shall be responsible for the behavior and conduct of any guests that commit or attempt to commit the following misconduct. Any violations of the following acts by a guest may result in the hosting student being subject to the disciplinary sanctions outlined in the Code of Student Conduct.

1. Any violation of local, state or federal laws or regulations. In the event the behavior of any student leads to an arrest, a charge, and/or a conviction by civil authorities, the University reserves the right to apply its own disciplinary procedures and penalties.

It must also be noted that University policies, including this Code of Student Conduct, along with all policies and regulations set by the host institution or program, are in force during a student's time studying abroad.

2. Violating any University policies or procedures including but not limited to Residential Life policies, University catalog, Information Technology policies, parking regulations, and student organization policies. Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website.
3. Conduct dangerous to oneself or others. Any conduct which constitutes an imminent, serious danger to any person's health, safety or personal well-being, including any physical or mental abuse or immediate threat of abuse. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person. Any act of hazing by an individual or a group.
4. Acts of dishonesty, including but not limited to the following:
 - a. Furnishing false information to any University official, faculty member, or office;
 - b. Forgery, alteration, or misuse of any University document, record or instrument of identification;
 - c. Misuse of documents or identification cards. Any forgery, alteration of, unauthorized use of University documents, forms, records or identification cards, including dishonesty of

any kind with respect to course assignments, examinations, illegal possession of examinations; or

- d. Tampering with an election conducted by or for University students.
5. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus. The unauthorized use, or abuse, destruction, or theft of property of the University or any of its members, guest, neighbors. This regulation covers, but is not limited to, the unauthorized appropriation of common property for personal use.
6. Use of University property, including but not limited to technology resources, for private business, commercial or political activities, fundraising or advertising on behalf of non-University organizations or make fraudulent offers of products, items, or services.
7. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises.
8. Pets are not allowed inside buildings, residence halls or on athletic fields. Exceptions are for service animals in campus buildings and approved therapy/emotional support animals which are allowed in assigned residence halls only. All animals on campus must be on a leash and owners are responsible for behavior and clean up. Only fish in tanks of a maximum of five gallons are allowed in residence hall rooms and apartments. See the University's Pet, Service Animal, and Emotional Support Animal policies.
9. Sexual Misconduct. Violation of the University "Sexual Misconduct Policy."
10. Hate crimes, which includes offenses and crimes involving bodily injury reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator's bias or because the perpetrator perceived the person to be in one of the protected group categories. The protected group categories include: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. For Clery purposes, hate crime offenses and crimes also include any of the following offenses that are motivated by bias: Murder and Non-negligent manslaughter; Forcible sex offenses; Non-forcible sex offenses; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Larceny-theft; Simple Assault; Intimidation; Destruction/Damage/Vandalism of Property.
11. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
12. Unauthorized possession, duplication or use of keys, security codes, or readers to any University premises or unauthorized entry to or use of University premises. Unauthorized entry into or use of University property, including academic facilities, residence halls, equipment, or resources (example, unapproved access to the roof of a building, removing window screens, or propping open exterior doors.)

13. Violation of the University's Smoking and Tobacco Use policy. Smoking is not allowed anywhere on our smoke-free campus.
14. Tampering with safety equipment. Disturbing or removing, smoke detectors, fire extinguishers, alarmed doors, or other campus safety devices. Creating a fire, safety, or health hazard. Failure to evacuate University facilities or willfully disregarding any emergency or fire alarm signal.
15. The possession or use of any drug or controlled substance, or the sale or distribution of any such drug or substance. The possession of paraphernalia, for the purpose of illegal drug use, including but not limited to bongs, hookahs, scales, and pipes.
16. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by University regulations), or public intoxication. Possession of empty or decorative alcohol bottles are considered a violation by minors or possession of large quantities of empty bottles for those of legal drinking age. Possession of large quantities of alcohol by those of legal age beyond what is reasonable for individual consumption. Beer bongs, kegs, party bowls and similar items are strictly prohibited. The possession of alcohol is prohibited by those of legal age in the presence of individuals under the age of 21. Alcohol is not permitted in Emilie Hall regardless of age. For more details, see the complete Alcohol Policy in the Student Handbook.
17. Illegal or unauthorized possession of firearms, explosives, other weapons (long knives, bows, martial arts weapons, whips), facsimiles of weapons (e.g., paint guns, BB guns, airsoft pellets), fireworks, dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others. See the University Weapon's Policy.
18. Participating in an on-campus or off-campus demonstration, riot, or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
19. Failure to register a motor vehicle which is used on campus and/or failure to comply with provisions of the University parking regulations. Including obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
20. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community. Disorderly conduct includes but is not limited to: Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, shower, restroom or any other location where privacy is reasonably expected.
21. Engaging in illegal or prohibited gambling activities (see the University Gambling Policy).
22. Unauthorized or prohibited use of the University name, logo or seal.

23. Engaging in prohibited political activities in violation of the University's Political Activities Policy.
24. Theft or abuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.
 - d. Use of computing facilities and resources to interfere with the work of another student, faculty member, or University official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operation of the University computing system.
 - g. Use of computing facilities and resources in violation of copyright laws.
 - h. Any violation of the University Acceptable Use Policy.
25. Failure to comply with lawful directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
26. Failure to comply with the conduct procedure of the University, including failure to respond to the request for a meeting/hearing with a Student Conduct Administrator during the investigation of a violation, and failure to comply with the terms of any disciplinary sanction imposed.
27. Abuse or interference of the Student Conduct system, including but not limited to:
 - a. Falsification, distortion, or misrepresentation of information.
 - b. Disruption or interference with the orderly conduct of an Student Conduct Hearing
 - c. Institution of a Code of Student Conduct proceeding in bad faith.
 - d. Attempting to discourage an individual's proper participating in, or use of, the Student Conduct system.
 - e. Attempting to influence the impartiality of a the Student Conduct administrator prior to, and/or during the course of, a hearing.
 - f. Harassment (verbal or physical) and/or intimidation/retaliation of a member/witness of the conduct process.

A. Alleged Violations of the Code of Student Conduct

1. Any member of the University community may file a complaint against a student, student organization or club, or athletic team ("responding individual") for violations of the Code of Student Conduct. A complaint shall be prepared in writing and directed to the Dean of

Students, who will assign the matter to a Student Conduct Administrator. Complaints may also be filed by members of the Student Affairs Division via incident reports, Campus Security reports or citations, or law enforcement reports to the Dean of Students. Any complaint should be submitted as soon as possible after the event takes place. However, the University is not required to respond to, or exclude consideration of, any allegations within a prescribed time limit.

2. The Student Conduct Administrator may conduct an investigation to determine if the complaint has merit and, if so, whether it can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Administrator.
 - a. If the matter is disposed of administratively by mutual consent of the parties, such disposition shall be final and there shall be no subsequent proceedings.
 - b. If the complaint is not admitted to by responding individual and/or cannot be disposed of by mutual consent, the Student Conduct Administrator will conduct an administrative hearing which allows for appeal.
 - c. If the responding individual admits violating the Code of Student Conduct during the initial conference with the Student Conduct Administrator, the Student Conduct Administrator will determine the appropriate sanction(s).

While the responding individual is entitled to have an advisor present at any meetings with the Student Conduct Administrator and any subsequent hearings, the advisor is not permitted to speak or to participate directly in such proceedings. A responding individual may elect to change an advisor(s) during any stage of the Code of Student Conduct process.

Student Conduct Administrative Hearing Procedures

1. The administrative hearing will take place after reasonable attempts to schedule all parties involved.
2. Notice of the hearing will be issued by the Dean of Students and be delivered to the responding student(s) via university email. There will be no second notice delivered. The written notice will include the particular section of the Student Code of Conduct alleged to have been violated

B. Sanctions

At the conclusion of the hearing the Student Conduct Administrator will determine the appropriate sanctions. Possible sanction include but are not limited to:

1. **Warning/Censure** - Notice to a student that continuation or repetition of specified conduct may be cause for other disciplinary action.
2. **Student Misconduct** - A specified period of time during which any further violation of Student Conduct will receive careful scrutiny and will be considered in determination of future disciplinary action.
3. **Disciplinary Probation** - A specified period of time during which any further violation or incident occurs during the probation period, either as repetition of the first act or violation of a different college policy, the recent violation, as well as the act of breaking probation may subject the student to suspension or expulsion. Those on disciplinary probation may

be restricted from holding offices in student organizations, hold University committee responsibility, and participate in varsity or intramural sports.

4. **Suspension from University Residence Halls** - Prohibits the student from residing in or visiting any University-operated residence hall on either a temporary or permanent basis. Suspension includes forfeiture of any fee rebate for the remainder of the semester.
5. **Interim Suspension** - Exclusion of a student from access to the campus and other privileges or activities as set forth in the notice of interim suspension, pending final determination of an alleged violation.
6. **Suspension** - Exclusion of a student from the campus and other privileges or activities as set forth in the notice of suspension for a definite period of time. Suspension may be deferred when significant mitigating factors are present. However, if a student receives another disciplinary sanction during this period for a further violation of student conduct, the suspension shall take effect. Conditions for readmission may be specified.
7. **Expulsion** - Permanent separation of the student from the University without possibility of readmission. The student will also be barred from the University premises.
8. **Citation** - Issuance of a fine, according to University policies, which incorporate a fee structure.
9. **Restitution** - Requiring a student who has committed an offense against property to reimburse the University or other owner for damage to or misappropriation of such property.
10. **Community Restitution** - Other sanctions may be imposed instead of, or in addition to, those specified above as restitution to the University community. Sanctions may include work requirements, denial or restriction of privileges, participation in educational tasks/programs, essays, and solutions worked out through arbitration or mediation.
11. **Restriction or Revocation of Privileges** - Restriction or revocation of certain student privileges for a specified period of time. Conduct that results in a charge of a violation of a federal or state criminal law will result in a review by the Vice President for Student Affairs as to the student's status on campus. This review may result in restrictions placed on the student's activities and presence on campus, if such restrictions protect the community.

Other than University Suspension or Expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's permanent disciplinary record. One year after graduation, the student's disciplinary record may be expunged of disciplinary actions other than University Suspension or University Expulsion.

The following sanctions may be imposed upon groups or organizations:

- a. Those sanctions listed above in Article V(B)(1-11).
- b. Loss of selected rights and privileges for a specified period of time.
- c. Deactivation. Loss of all privileges, including University recognition, for a specified period of time.

C. **Interim Suspension**

In certain circumstances, the Vice President for Student Affairs, or a designee, may impose a University or Residence Hall Suspension prior a disciplinary hearing.

1. Interim Suspension may be imposed only: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat or disruption of, or interference with, the normal operations of the University.
2. During the Interim Suspension, a student can be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Affairs or designee may determine to be appropriate.
3. The Interim Suspension does not replace the regular process, which shall proceed on the normal schedule.

The student will be notified in writing of this action and the reasons for the suspension. The notice will include the time, date and place of a subsequent hearing at which the student may show cause why his or her continued presence on the campus does not constitute a threat.

D. Appeals

1. A decision reached or a sanction imposed by the Student Conduct Administrator may be appealed by the responding student(s) or reporting student(s) to the Dean of Students. A decision reached by the Dean of Students may be appealed by the responding student(s) or reporting student(s) to the Vice President for Student Affairs, within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Vice President for Student Affairs or his or her designee.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review for the following purposes:
 - a. A procedural (or substantive error) occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures that likely affected the outcome, etc.);
 - b. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. (A summary of this new evidence and its potential impact must be included);
 - c. The sanctions imposed are substantially outside the parameters or guidelines set by the University of Saint Francis for this type of offense or the cumulative conduct record of the responding student.
3. If an appeal is upheld by the Vice President for Student Affairs or the Dean of Students, the matter shall be returned to the original Student Conduct Administrator for reopening to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.
4. The Vice President for Student Affairs is the final authority for all student conduct appeals.

E. Failure to Appear

The judicial processes outlined above are intended to provide the student an opportunity to respond to allegations of violations of the Code of Student Conduct. However, if a student fails to respond to three communications (in the form of written notification, telephone, electronic communication attempting to schedule a meeting or fails to attend a scheduled meeting, the hearing may proceed. The third and final of these communications shall inform the responding individual of the fact that the hearing will proceed and a decision based upon available information may be rendered in absentia.

F. Advisors

The parties may each select an advisor of choice. The advisor may be present during the administrative hearing and any pre and post-hearing conference, however, the advisor(s) shall not address the Student Conduct Administrator. The advisor may confer quietly with the advisee as necessary, as long as they do not disrupt the process. If the advisor fails to respect the limits of the advisor role, the advisor will be asked to leave the conference.

G. Standard of Evidence

The standard of evidence for all Code of Student Conduct proceedings is “preponderance of evidence” or “more likely than not”.

Article VI. Withdrawal and Readmission

If an Accused Student voluntarily withdraws from the University while a complaint is pending, a registration hold will be placed on the Accused Student’s account and he or she shall not be permitted to re-enroll until after the complaint has been resolved. If an Accused Student withdraws after being accused a notation indicating the student withdrew with conduct charges pending will be made on the student’s transcript. Normally, the judicial process shall continue and a decision may be rendered based on available information whether or not the Accused Student is available.

If the complaint cannot be resolved because the reporting individual, witnesses or evidence are not available, re-enrollment shall normally be denied.

Article VII: Interpretation and Revision

- A. Any question of interpretation or application of the Code of Student Conduct shall be referred to the Vice President for Student Affairs or his or her designee for final determination.
- B. The Code of Student Conduct shall be reviewed annually under the direction of the Vice President for Student Affairs.

Disclaimer

University of Providence reserves the right to modify the procedures and the substantive provisions of the Code of Student Conduct at any time.

STUDENT ACCOMODATIONS (ADA) POLICY

It is the policy of the University of Providence to comply with the Americans with Disabilities Act of 1990 (ADA), the Disabilities Amendments Act of 2008 (ADAA), applicable provisions of the Rehabilitation Act of 1973, and applicable local laws that forbid discrimination against

qualified individuals with disabilities. Accordingly, the University provides reasonable accommodations to qualified students and applicants for admission who have disabilities where such accommodations would not cause the University undue hardship. The University of Providence strives to foster a culture where such students feel no hesitation about requesting accommodations that will enable them to participate in social, academic, and University-sponsored extracurricular programs.

Residential Life Accommodation Procedures

The University is committed to providing accessibility to all residential housing for students with registered disabilities. To register as a student with a disability, a student must contact the TRiO/Disability Counselor and submit required documentation.

All documentation is kept confidential in accordance with guidelines set forth by FERPA. Requests for disability-related housing accommodations are reviewed by the TRiO/Disability Counselor in consultation with the Director of Residential Life. Each request is reviewed and determined on a case-by-case basis. Determinations are based on the documentation and information received. Complete applications should be submitted by the identified deadline date. An application that is incomplete or received after the deadline may result in a housing assignment that does not meet the applicant's need.

IMMUNIZATION POLICY

In accordance with the Montana immunization law (MCA 20-5-401 through 410), University of Providence students must meet the following two requirements before they will be permitted to register at the University of Providence or any other post-secondary school in Montana:

- Students, who were born after December 31, 1956, must show proof of two measles and one rubella vaccination.
- The measles vaccinations must have been administered after December 31, 1969.
- It is highly recommended that students who live in the residence halls get the meningococcal vaccine. The meningococcal virus is a serious illness which is easily passed in group living and can result in disfigurement or death.

Academic programs may require additional proof of vaccinations. Please consult with program director.

The following students are exempt from the state of Montana regulation:

- Students who are enrolled in less than 6 credits;
- Students who are registered exclusively in Distance Learning and do not attend any classes on campus; and
- Students who qualify for religious or medical exemptions based on criteria or listed in MCA 20-5-401-410.

If a student in one of the above categories changes his/her status, the student must submit proof of immunization at the time of his/her status change.

Immunization may be shown by the written record of a physician, health agency, or a school record. Immunization against measles and rubella can also be shown by a written physician's record of diagnosis of the disease. Proper evidence or documentation of such immunization must be presented before a student will be permitted to register for classes.

Exemption to this Policy can be made only with a statement from a physician or with the form filed when requesting religious exemption.

STUDENT IDENTIFICATION CARDS POLICY

Students enrolled on the main campus are required to carry their University ID Card. ID cards for students enrolled on the main campus, as well as distance learners, are issued by Campus Security to all new full-time and part-time students at registration. A lost or stolen card must be immediately reported to Campus Security. A replacement card can be obtained for a replacement fee.

The ID grants admission to student activities on campus, entry into controlled access buildings on campus, use of the Wellness Center, use of food service, and free admission to all athletic events. A student on campus must show proper identification when asked by any University official. Failure to produce proper identification may result in the person's removal from campus in addition to possible disciplinary sanctions.

STUDENT GRIEVANCE (Non-Academic) POLICY

Students have the opportunity to raise grievances which have remained unresolved after previous attempts to do so, and that these concerns be dealt with in a just and fair manner. Academic grievances are addressed through the University's Academic Affairs Policies. The University extends the right to any student or recognized student club or organization of to file a grievance in writing in accordance with the procedures and guidelines set forth in this Policy.

An action or decision is grievable pursuant to this Policy only if it involves a misapplication or misinterpretation of University policy or procedure, or a violation of state or federal law. This Policy may **not** be used to grieve:

- Claims based on purchases or contracts;
- Claims against a University employee on matters that are unrelated to the employee's job or role at the University;
- Student disciplinary decisions, since this is addressed via the Code of Student Conduct;
- Formal complaints of harassment or discrimination, since there are separate reporting and resolution policies for them; or
- Where any other University standard, policy or procedure could have been used for the matter being grieved (e.g., Grade Grievances, FERPA grievances, etc.).

Any other concern will be treated as a complaint and students are invited to express their viewpoints in an appropriate manner to any University official. Upon request from any student, the Dean of Students will provide guidance about the appropriate system for redress of a particular complaint.

STUDENT EXTERNAL COMPLAINT POLICY

Title 34 CFR §668.43(b) requires that institutions “make available for review to any enrolled or prospective student upon request, a copy of the documents describing the institution’s accreditation and its State, Federal, or tribal approval or licensing. The institution must also provide its students or prospective students with contact information for filing complaints with its accreditor and with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student’s complaint.”

In compliance with Title 34 CFR §668.43(b), the University provides multiple alternatives for individuals who wish to submit complaints regarding the above. The University expects that students initially discuss concerns with the University administration or file a formal complaint in accordance with established appeals, complaint, and grievances procedures before resolution is sought from a state agency, an accreditation body, or other outside agency.

CHAPEL USE POLICY

The campus Chapel is a holy and sacred place of quiet prayer and reflection. The Chapel is used primarily for Catholic Mass and Catholic worship. However, other uses that are not incompatible with the quiet sacred nature of the space may be authorized by the Vice President for Mission Integration or designee. Because of the holiness of the Altar table, Ambo (pulpit) and the Tabernacle, those sacred objects may never be moved under any circumstances except by the Vice President for Mission Integration or designee. All requests to use the Chapel must be approved by the priest Chaplain or, in his absence, the Vice President for Mission Integration

RESIDENCY POLICY

To be eligible for University housing, the student must be enrolled full-time, or with approval by the Director of Residence Life as a part-time student, for the upcoming academic semester. Any student who leaves the University due to either disciplinary reasons or an official leave of absence shall be required to vacate the room and remove all personal property within twenty-four hours of such action being taken, or immediately if circumstances dictate.

The University does not have established graduate, married, or family housing options. All unmarried students on campus under the age of 21, including transfers, are required to live on campus for two (2) academic years.

All unmarried student athletes are required to live on campus for three (3) academic years and are encouraged to live on campus for all four (4) years. All unmarried athlete transfer students are required to live in campus housing for a minimum of two (2) academic years. Failure to live on campus for the stated times may result in loss of athletic scholarships.

Requests for exception to this policy must be filed in writing to the Residential Life Office and should be made prior to housing assignments. Exceptions may include:

- Student living with parents, legal guardian, or immediate relative within 50 miles of the University of Providence campus; or

- Student who has valid reasons with supporting professional documentation may be allowed to live off campus.

All students are required to make a housing damage deposit which is refunded (if no damages are occurred) upon leaving the University.

Meal Plan Requirements

All students residing in University residence halls are required to have a meal plan. If a student does not live on campus, University meal plans are optional and available for purchase. More information regarding meal plans can be sought at either the Residential Life or Business office, located in the Student Center on campus.

A full list of Residential Life Policies and procedures are available in the Residential Life Handbook on the University of Providence web site here: <https://www.uprovidence.edu/student-life/campus-residential-life/>

CLUBS AND ORGANIZATIONS POLICY

Official University recognition is required for all Student Clubs and Organizations to receive and maintain privileges on campus. When students are functioning in the capacity of members of a recognized student club and organization, they are accountable for their conduct individually and collectively and must adhere to the University Code of Student Conduct, as well as applicable University policies and federal, state, and local laws.

STUDENT CLUBS AND ORGANIZATIONS EVENT POLICY

It is the policy of the University of Providence to promote safe events and activities on University property by recognized student clubs and organizations. As such, a Recognized Student Club or Organization seeking to hold an event either on and off campus are required to the adhere to the policy guidelines and procedures set forth in this Policy, as well as the University's Facilities Use and Rentals Policy

STUDENT CLUBS AND ORGANIZATIONS TRAVEL POLICY

It is the policy of the University of Providence to promote safe travel to events and activities occurring beyond the boundaries of University property by recognized student clubs and organizations that are officially representing the University. As such, Recognized Student Clubs and Organizations seeking to travel off-campus are required to adhere to the policy guidelines and procedures set forth in this Policy.

Note: This Policy does not apply to travel undertaken by individual students attending out of town athletic/recreational events as a non-participant (except when traveling on behalf or with the financial support of a recognized student organization as described above), engaging in study abroad travel, academic field trips, student teaching, internships, observations or research, or participating in intercollegiate athletics competitions under the auspices of the Department of Athletics.

FREEDOM OF EXPRESSION POLICY

As a Catholic University, the University of Providence fosters an environment in which a variety of ideas can be reasonably proposed and critically examined. Faculty and students have a right to invite speakers to campus within reasonable limitations applied by the University (see Guest Speakers and Performers Policy). The University recognizes that the free exchange of ideas and expression may produce conflict. This exchange is an important element in the pursuit of knowledge and a necessary part of the Catholic Intellectual Tradition (CIT). Implicit in the pursuit of this exchange is the privilege to dissent and demonstrate in a peaceful and non-disruptive manner without unreasonable obstruction or hindrance in a manner consistent with the University's Mission, Catholic identity, federal and state laws, and University policies. The University expects that those who enjoy this privilege also accept the responsibility for their actions and for maintaining order. The University also recognizes the rights of those who desire not to protest and who wish to continue to participate in the normal activities of the University. As responsible participants in the University community, students, alumni, and employees can expect fair and impartial treatment in their relations with the University and their dealings with University officials.

GAMBLING POLICY

Gambling while on University property or at University-sanctioned events is neither acceptable behavior nor permitted. The following forms of gambling or bookmaking are prohibited on University property or as part of any University activities:

- Betting on, wagering on, or selling pools on any athletic event, whether professional or amateur; or betting on brackets, fantasy leagues, video game tournaments, or internet gambling;
- Possessing on one's person (or in a room, car, etc.) any card, book, or other device for registering bets;
- Using or knowingly permitting the use of one's premises, computer, telephone, or other electronic communication device for illegal gambling;
- Knowingly receiving or delivering a letter, package, parcel, or electronic communication related to illegal gambling;
- Offering, soliciting, or accepting a bribe to influence the outcome of an athletic event;
- Involvement in bookmaking with respect to sporting events or games of chance;
- Playing cards or other games of chance for money;
- Participation in unauthorized raffles or lotteries; and
- Any similar acts of gambling or betting, as those terms are commonly understood or as identified under Montana or federal law.

In addition to the restrictions listed above, Athletics Department staff and student-athletes must adhere to NAIA regulations, and are therefore prohibited from participating in any sports gambling activities, whether on- or off-campus, concerning any intercollegiate or professional athletics team or competition on any sport in which the NAIA sponsors a championship in any

division. Moreover, University employees may not gamble while on duty regardless of location. These prohibitions apply without regard to whether the activities are legal under federal or state laws.

The University may hold, or authorize others to hold, gaming events (such as casino nights and raffles) for fundraising or other legal purposes upon approval.

GUEST SPEAKERS AND PERFORMERS POLICY

All speakers and/or performers who are not employees of the University must be approved in accordance with the procedures and guidelines set forth within this Policy before speaking or performing on campus or at off-campus University events. The University reserves the right to adopt and enforce rules and regulations as it may deem necessary and proper in regard to the issuance of invitations to outside or off-campus speakers or performers in order to serve the interest of health and safety, prevent disruption of the educational process or working environment, and to protect against the invasion of the rights of others. Moreover, the University President may cancel any event or lecture that creates a public health or safety concern, or disrupts the educational or working environment. See the University's Freedom of Expression Policy. Finally, an invitation to speak or perform at the University of Providence does not include license for unlawful activity or activity that endangers or imminently threatens to endanger the safety of any member of the community or any of the community's physical facilities, nor any activity that disrupts or obstructs the functions of the University or imminently threatens such disruption or obstruction.

Note: This Policy and corresponding procedures do not apply to speakers invited by course instructors to address students enrolled in a course they are teaching, or to internal faculty, staff, and/or student seminars, workshops, conferences, or colloquia. The instructor's Division Chair must approve speakers or visitors in individual classes and/or seminars, workshops, conferences, or colloquia.

NON-DISCRIMINATION AND HARASSMENT POLICY

The University of Providence, mindful of its mission as Catholic and Sisters of Providence institution, strives to provide an educational and working environment that is free from all forms of unlawful discrimination and harassment and is committed to providing an environment that values diversity and emphasizes the dignity and worth of every individual, an environment in which every individual is treated with respect. As part of this commitment, the University does not discriminate on the basis of age, race, religion or creed, color, sex, national or ethnic origin, sexual orientation, marital status, military status, genetic predisposition or carrier status, gender identity, familial status, domestic victim status, pregnancy, citizen status, disability, or any other status protected by state or federal law in administration of its educational policies, employment practices, admissions policies, scholarship and loan programs, and athletic and other school administered programs.

This Policy applies to all applicants, students, faculty, staff, and third parties. Furthermore, the University forbids retaliation and/or any form of harassment against an individual as a result of

filing a complaint of discrimination or harassment or as a result of participating in an investigation of a complaint of discrimination or harassment.

The Executive Vice President and Chief Operating Officer has been designated to handle discrimination or harassment inquiries regarding this Policy:

Justin Crowe, Ph.D.
Executive Vice President and COO
Office of Finance and Human Resources
Providence Hall
(406) 791-5307
justin.crowe@providence.edu

Title IX of the Educational Amendments of 1972 provides that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

The Title IX Coordinator has been designated to handle sex or gender-based inquiries regarding the University’s Sexual Misconduct Policy:

Title IX Coordinator

Robert A. Pastoor, Ed.D.
Vice President for Student Affairs
Title IX Coordinator
Student Center
(406) 791-5309
robert.pastoor@uprovidence.edu

Ombudsperson for Civil Rights & Disability Complaints

In addition, the President shall appoint Ombudspersons to assist students or employees of the University of Providence who wish to file and have advice in alleged civil rights violations. Where appropriate, a specialist in a particular civil rights area may be appointed. The ombudspersons will be announced by the President on an as needed basis. The Ombudspersons are charged:

1. To monitor the University of Providence Affirmative Action Plan itself, and the Human Resources Office for compliance with the plan; and
2. To be advisors for those employees or students who wish to press a complaint in respect to Equal Opportunity or Sexual Harassment or Affirmative Action alleged violations by the University or by individuals on civil rights issues.

DEFINITIONS

Discrimination—conduct that is based upon an individual’s age, race, religion or creed, color, sex, national or ethnic origin, sexual orientation, marital status, military status, genetic predisposition or carrier status, gender identity, familial status, domestic victim status, pregnancy, citizen status, disability, or any other status protected by state or federal law that is so severe, persistent or pervasive that it excludes an individual from

participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, or participation in a University program or activity.

Listed below are examples of conduct that can constitute discrimination if based on an individual's protected characteristic. This list is not all-inclusive; in addition, each situation will be considered in light of the specific facts and circumstances to determine if Discrimination has occurred.

- Singling out or targeting an individual for different or adverse treatment (e.g., more severe discipline, lower salary increase) because of his or her actual or perceived protected characteristic.
- Failing or refusing to hire or admit an individual because of his/her actual or perceived protected characteristic.
- Terminating an individual from employment or an educational program or activity based on his/her actual or perceived protected characteristic.

Other Forms of Discrimination—In addition to the above, the following acts of Discrimination are prohibited by this Policy:

- Causing physical harm, verbal abusing, intimidating or engaging in other conduct that threatens the health or safety of any member of the University community based on his or her actual or perceived protected characteristic.
- Hazing (defined as acts likely to cause physical or psychological harm or social exclusion or humiliation) any member of the university community based on his or her actual or perceived protected characteristic.
- Bullying (defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or degrade another person physically or mentally) any member of the University community based on his or her actual or perceived protected characteristic.

Hostile Environment Harassment—the unlawful harassment against an individual on the basis of his or her age, race, religion or creed, color, sex, national or ethnic origin, sexual orientation, marital status, military status, genetic predisposition or carrier status, gender identity, familial status, domestic victim status, pregnancy, citizen status, disability, or any other status protected by state or federal law when the conduct is either: (a) sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit the individual's ability to participate in or benefit from the university's programs or activities; or (b) the conduct has the purpose or effect of unreasonably interfering with an individual's employment or education.

The determination of whether an environment is "hostile" must be based on all of the circumstances, giving consideration to whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive. Also, the following factors will be considered: (a) the degree to which the conduct affected one or more students' education or individual's employment; (b) the nature, scope, frequency, duration, severity, and location of incident or incidents; and (c) the identity, number, and relationships of persons involved.

A single or isolated incident of Hostile Environment Harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment.

Retaliation—taking adverse action against an individual making a complaint under this Policy or against any person cooperating in the investigation of a complaint under this Policy. Retaliation includes intimidation, threats, harassment, and other adverse action including adverse job action and adverse academic action against any such complainant or third party.

Intimidation—implied threats or acts that cause an unreasonable fear of harm in another.

PROCEDURES/GUIDELINES

I. Reporting Unlawful Discrimination, Harassment or Retaliation to the University

The University can take corrective action only when it becomes aware of problems. Therefore, any individual who believes he or she has experienced or witnessed discrimination, harassment, or an incident of retaliation is encouraged to come forward promptly with their inquiries, reports, or complaints and to seek assistance within the University. Individuals also have the right to pursue a legal remedy for discrimination or harassment that is prohibited by law in addition to or instead of proceeding under this Policy.

Individuals who wish to make a formal complaint (“complainant”) to the University about alleged discriminatory or harassing behavior or retaliation not involving sex or gender may contact the following individual:

Justin Crowe, Ph.D.
Executive Vice President and COO
Office of Finance and Human Resources
Providence Hall
(406) 791-5307
justin.crowe@providence.edu

In addition, the University Ombudsperson for Civil Rights & Disability Complaints may be contacted.

A complaint may be submitted at any time following an incident, although the University’s ability to take any action may be limited by the matriculation or employment status of the alleged respondent.

False and malicious complaints as opposed to complaints that even if erroneous, are made in good faith, may be subject to appropriate disciplinary action up to and including termination or expulsion.

II. External Complaint Procedure for alleged Non-Compliance of the University

An individual desiring to file a complaint with the United States Department of Education alleging that the University is not complying with Federal Civil Rights regulations should contact:

United States Department of Education
REGION VIII Acting Director
(303) 844-3677
1244 Speer Blvd., Suite 310
Denver, CO
80204-3582

III. University's Response to Discrimination, Harassment and Retaliation Complaints

The procedure utilized in the investigation of any complaint of Federal or State Civil Rights Law, infringement, harassment, or disability (Section 504 of the Rehabilitation Act of 1973 or the Americans with Disability Act) will be the same as those used for the investigation of a complaint of sexual harassment (see the University's Sexual Misconduct Policy below).

IV. Equity in University Intercollegiate Athletics Programs

The University seeks to fully and effectively accommodate the interests of both sexes in the administration of its athletic programs and to provide equity both among student athletes and programs. Title IX requires equity for men and women with regard to participation and treatment in athletics programs. Equity refers to how men as compared to women are treated in the aggregate given the unique features of their sports. Men and women are treated equitably across multiple programs when considering the unique requirements of each, such as different equipment, medical attention, and numbers of coaches; however, it is not expected that such treatment will be identical.

Those students who wish to compete on a varsity sport that is not currently offered at the University may file a petition with the Vice President for Athletics or the Title IX Coordinator to gain varsity status. Petitions will be reviewed annually. Factors considered include but are not necessarily limited to gender equity, interest and ability, intercollegiate competitive opportunities, facility space and available resources.

Individuals who believe that a student or students have been denied equitable treatment in intercollegiate athletics should report their concerns to the Title IX Coordinator.

SEXUAL MISCONDUCT POLICY (Title IX)

INTRODUCTION

Members of the university community, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The university believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide

recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

The university's sex/gender harassment, discrimination and misconduct policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom.

The university uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt, "innocence" and "burdens of proof" are not applicable, but the university never assumes a responding party is in violation of university policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

TITLE IX COORDINATOR

The university's Title IX Coordinator oversees compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Coordinator reports to the President of the University, and is housed in the Student Affairs Office, Student Center Upper Level. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the university Title IX Coordinator:

Name: **Robert A. Pastoor, Ed. D.**
Title: Vice President for Student Affairs, and Title IX Coordinator
Student Affairs Office
Location/Address: University of Providence
Student Center, Upper Level
1301 20th St S
Great Falls, MT 59405
(406) 791-5309
Email: robert.pastoor@uprovidence.edu

Deputy Coordinators

Jake Clark
Student Affairs
jacob.clark@uprovidence.edu

Twila Croft
Academic Affairs
twila.croft@uprovidence.edu

Scheri Cox
Human Resources
scheri.cox@uprovidence.edu

Prof. Angel Turoski
Faculty
angela.turoski@uprovidence.edu

Monica Thackery
Athletics
monica.thackery@uprovidence.edu

Additionally, anonymous reports can be made by victims and/or third parties using the reporting hotline at 406-453-4357. Note that these anonymous reports may prompt a need for the institution to investigate.

Individuals experiencing harassment or discrimination also always have the right to file a formal grievance with government authorities:

Seattle Office for Civil Rights

Central Building
810 3rd Avenue
Suite 750
Seattle, WA 98104-1627

Phone: 206-684-4500, TTY: 206-684-4503, Fax: 206-684-0332

Website: <http://www.seattle.gov/civilrights/>

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the President of the University, Dr. Tony Aretz at 406-791-5300, or by email at anthony.aretz@uprovidence.edu.

SEXUAL VIOLENCE -- RISK REDUCTION TIPS

Risk reduction tips can often take a victim-blaming tone, even unintentionally. Only those who commit sexual violence are responsible for those actions. We offer the tips below with no intention to victim-blame, with recognition that these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Give thought to sharing your intimate content, pictures, images and videos with others, even those you may trust. If you do choose to share, clarify your expectations as to how or if those images may be used, shared or disseminated.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. Your partner's consent should be affirmative and continuous. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not

have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don't take advantage of someone's drunkenness or altered state, even if they willingly consumed alcohol or substances.
- Realize that your potential partner could feel intimidated or coerced by you. You may have a power advantage simply because of your gender or physical presence. Don't abuse that power.
- Do not share intimate content, pictures, images and videos that are shared with you.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence, passivity, or non-responsiveness cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

SEXUAL MISCONDUCT OFFENSES INCLUDE, BUT ARE NOT LIMITED TO:

1. **Sexual Harassment**
2. **Non-Consensual Sexual Contact (or attempts to commit same)**
3. **Non-Consensual Sexual Intercourse (or attempts to commit same)**
4. **Sexual Exploitation**

1. **SEXUAL HARASSMENT**

Sexual harassment is:

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

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

Sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it:
 - unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the university's educational and/or employment, social and/or residential program.

Quid Pro Quo Harassment is:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature
- By a person having power or authority over another constitutes sexual harassment when
- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance.
- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational [or employment] program.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to

repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

Some examples of possible Sexual Harassment include:

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

2. NON-CONSENSUAL SEXUAL CONTACT

Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- however slight,
- with any object,
- by a person upon another person,
- that is without consent and/or by force.

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

3. NON-CONSENSUAL SEXUAL INTERCOURSE

Non-Consensual Sexual Intercourse is:

- any sexual intercourse
- however slight,
- with any object,
- by a person upon another person,
- that is without consent and/or by force.

Intercourse includes:

- vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

4. SEXUAL EXPLOITATION

Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual digital, video or audio recording of nudity or sexual activity;
- Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
- Engaging in voyeurism;
- Going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex);
- Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;
- Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

ADDITIONAL APPLICABLE DEFINITIONS:

- Consent:
 - Consent is
 - clear, and
 - knowing, and
 - affirmative, conscious and voluntary,
 - words or actions,
 - that give permission for specific sexual activity.
 - Consent is active, not passive.
 - Silence, in and of itself, cannot be interpreted as consent.
 - Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
 - Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
 - Previous relationships or prior consent cannot imply consent to future sexual acts.
 - Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
 - In order to give consent, one must be of legal age.
 - Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.
 - Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.

- The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).
 - This policy also covers a person whose incapacity results from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the taking of rape drugs. [Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>].
- Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).
 - Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
 - NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
- Use of alcohol or other drugs will never function to excuse any behavior that violates this policy.
- This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.
- For reference to the pertinent state statutes on sex offenses, please see [insert reference here, or place in Appendix].

OTHER MISCONDUCT OFFENSES (WILL FALL UNDER TITLE IX WHEN SEX OR GENDER-BASED)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation,

- pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as
 - a. Repeated and/or severe
 - b. Aggressive behavior
 - c. Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
 - d. That is not speech or conduct otherwise protected by the 1st Amendment.
 6. Intimate Partner Violence, defined as violence or abuse between those in an intimate relationship to each other;
 7. Stalking
 - a. Stalking:
 - i. Repetitive and Menacing
 - ii. Pursuit, following, harassing and/or interfering with the peace and/or safety of another.
 - b. Examples of Stalking:
 - i. A student repeatedly shows up at another student's on-campus residence, always notifying the front desk attendant that they are there to see the resident. Upon a call to the resident, the student informs residence hall staff that this visitor is uninvited and continuously attempts to see them, even so far as waiting for them outside of classes and showing up to their on-campus place of employment requesting that they go out on a date together. Stalking 1.
 - ii. A graduate student working as a on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate the gift deliveries to stop. The student then started leaving notes of love and gratitude on the graduate assistant's car, both on-campus and at home. Asked again to stop, the student stated by email: "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything necessary to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. We are meant to be together."
 8. Any other University policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender

RETALIATION

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a serious violation of university policy.

SANCTIONS

The following sanctions may be imposed upon any member of the community found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. The following are the typical sanctions that may be imposed upon students or organizations singly or in combination:

Student Sanctions (listed below and defined in the Code of Student Conduct)

- Warning
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Transcript Notation
- Organizational Sanctions
- Other Actions

Employee Sanctions (listed below and defined in Employee Policy Manual)

- Warning – Written or Verbal
- Performance Improvement Plan
- Required Counseling
- Required Training or Education
- Demotion
- Loss of Annual Pay Increase
- Suspension without Pay
- Suspension with Pay
- Revocation of Tenure
- Termination

Sanctioning for Sexual Misconduct

- Any person found responsible for violating the Non-Consensual Sexual Contact policy (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous disciplinary violations.*
- Any person found responsible for violating the Non-Consensual Sexual Intercourse policy will likely face a recommended sanction of suspension or expulsion (student) or suspension or termination (employee).*
- Any person found responsible for violating the Sexual Exploitation or Sexual Harassment policies will likely receive a recommended sanction ranging from warning to expulsion or termination, depending on the severity of the incident, and taking into account any previous disciplinary violations.*

*The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

CONFIDENTIALITY, PRIVACY AND REPORTING

Confidentiality and Reporting of Offenses Under This Policy

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

Confidential Reporting

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

- On-campus licensed professional counselors:
RENEW Wellness Center
Student Center, Lower Level
- On-campus health service providers:
Student Health Center
Family Nurse Practitioner
Student Center, Lower Level
- On-campus clergy working within the scope of their ordination:
Vice President for Mission Integration
Father Oliver Doyle
Providence Hall
406-791-5263
Campus Chaplain
Father Silvester Anthony Samy
Student Center, Upper Level, & Chapel
406-791-5321
- Off-campus:
 - Licensed professional counselors
 - Local rape crisis counselors
 - Domestic violence resources,
 - Local or state assistance agencies,
 - Clergy/Chaplains

All of the above employees will maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. Campus counselors are available to help free of charge and can be seen on an emergency basis during normal business hours. These employees will submit timely, anonymous, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client, patient or parishioner.

Formal Reporting Options

All university employees have a duty to report, unless they fall under the “Confidential Reporting” section above. Reporting parties may want to consider carefully whether they share

personally identifiable details with non-confidential employees, as those details must be shared by the employee with the Title IX Coordinator and/or Deputy Coordinators. Employees must share all details of the reports they receive. Generally, climate surveys, classroom writing assignments, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Coordinator by employees. Remedial actions may result without formal university action.

If a victim does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinator or Deputy Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the University will likely be unable to honor a request for confidentiality. In cases where the victim requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the victim and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Division of Student Affairs, Campus Security, and the Behavioral Intervention Team. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy.

Reports to the Title IX Coordinator can be made via email, phone or in person at the contact information below:

Name: Robert A. Pastoor, Ed. D.
Title: Vice President for Student Affairs, and Title IX Coordinator
Student Affairs Office
Location/Address: University of Providence
Student Center, Upper Level
1301 20th St S
Great Falls, MT 59405
(406) 791-5309
Email: robert.pastoor@uprovidence.edu

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex or gender harassment or discrimination of which they become aware, is a violation of university policy and can be subject to disciplinary action for failure to comply with university policies.

Amnesty for Victims and Witnesses

The university community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to university officials or

participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to university officials, and that witnesses come forward to share what they know. To encourage reporting, university pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

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

The Universities complete policy and procedures regarding sexual misconduct are available in Volume II of the University Policy Manual.

POLITICAL ACTIVITIES AND SPEAKERS POLICY

The University of Providence is a tax-exempt institution, qualified by the Internal Revenue Service as a 501(c)(3) corporation. It is absolutely essential that the University protect its tax-exempt status, as it exempts the University from the payment of real property and sales taxes and it qualifies contributions from alumni and friends as charitable deductions.

As a tax-exempt institution, the University as an entity and members of the University community individually are not permitted to use University resources in the pursuit of political objectives and Political Activities (see Definition section below). Individuals are permitted to make political contributions and work on campaigns, but University resources may not be used in political campaigns. Accordingly, on campus distribution of promotional campaign literature for political candidates (by University employees, students, or others) is prohibited. Moreover, as a tax-exempt organization, the University may not provide financial or other forms of campaign support to any candidate, political action committee, or political party; may not provide political endorsements or non-endorsements; and is prohibited from distributing materials such as voter guides, candidate questionnaires and various forms of voter education materials prepared by other organizations. Similarly, University facilities cannot be used to host political fundraisers.

Apart from the tax-exempt issue, as a general policy, members of the University community must refrain from using University stationery or University e-mail addresses as a return address when expressing personal political views. Again, individuals are free to express their own views, but it is essential that personal views not be construed as being the views of The University of Providence. See the Political Activities Guidelines below for additional information.

STUDENT RECORDS (FERPA) POLICY

The Family Educational Rights and Privacy Act (“FERPA”) (20 USC Section 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Additional information on FERPA is available online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>. The guiding principle of FERPA is that education records are private and that students have the right to limit their disclosure to third parties.

It is the policy of the University of Providence to comply with the requirements of FERPA. Consistent with FERPA, University students will be granted access to their Education Record and, except in limited circumstances as set forth in the Procedures/Guidelines section of this Policy, a student’s Education Records will not be disclosed without the student’s consent.

VOLUNTEERS POLICY

University divisions may use volunteers to accomplish certain work as well as extend their budgets. Volunteer services must be properly authorized by the host department and Human Resources. Authorized volunteers are agents of the University, therefore qualifications, background and suitability of the individual must be considered before offering an opportunity to volunteer. Unauthorized volunteers may not be permitted to perform any duties or services on behalf of the University. Moreover, any individual listed on a sex offender registry or who has been convicted of an offense for which he or she must register as a sex or violent offender may not serve as a Volunteer. No department may discriminate in selecting Volunteers based on age, race, religion or creed, color, sex, national or ethnic origin, sexual orientation, marital status, military status, genetic predisposition or carrier status, gender identity or expression, familial status, domestic victim status, pregnancy, citizen status, disability, or any other status protected by state or federal law.

Under federal law, individuals holding F-2, J-2 and H-4 visa statuses are prohibited from volunteering in the same departments and on similar projects as paid University employees. Individuals holding B-1 or B-2 visas are prohibited from volunteering in any capacity at the University.

ALCOHOL AND DRUG PREVENTION PROGRAM POLICY

Pursuant to the Federal Drug-Free Schools and Communities Act Amendments of 1989, the University of Providence has a drug and alcohol prevention program in place for its students and employees. The program includes an annual disclosure to each student and to all employees outlining the standards of conduct expected of students and employees respectively in relationship to the possession, use, or distribution of illicit drugs and alcohol on campus or as part of any University activity; a description of the applicable legal sanctions under local, state and federal law which may arise from the unlawful possession or distribution of illicit drugs; a description of the health risks associated with the use of illicit drugs; and a clear statement of the disciplinary sanctions which may be imposed by the University upon students and employees for violations of the standard of conduct.

The University's Alcohol and Drug Prevention Program is reviewed biennially by the Office of Student Affairs to determine effectiveness and to implement changes (if needed) to ensure that the University's disciplinary sanctions are consistently enforced. The biennial review includes a determination as to: (a) the number of drug- and alcohol-related violations and fatalities occurring on campus or as part of University-sanctioned activities that are reported to campus officials; and, (b) the number and types of sanctions the University imposed on students and employees as a result of such violations or fatalities.

STUDENT DRUG POLICY

University of Providence does not tolerate the illegal use of drugs, narcotics or paraphernalia. The University considers the use, possession, manufacture, distribution or sale of illicit drugs, narcotics or paraphernalia as detrimental to the welfare of the individual and to the health, security and safety of the University community. The university has a responsibility to maintain a safe and secure environment for students to pursue their educational goals free from the use and/or presence of illicit drugs. Additionally, federal and state drug abuse control laws are applicable to all members of the campus community. Violators of the University's drug policy will be encouraged to seek professional help and their enrollment at University of Providence maybe terminated.

Alcohol or Drug Intoxication or Overdose Emergencies

Individuals concerned about a person's intoxication, condition, consciousness, or safety, should call 911 and/or take the individual to a hospital emergency room. Also, please contact Campus Security or, if the incident involves a resident student, a staff member from residential life.

After calling 911, turn the person on his or her side, with their arm extended and supporting their head. Never allow an intoxicated or drugged person to "sleep it off."

Walk or drive an intoxicated person(s) home. Do not let or leave anyone alone outside when intoxicated. Make certain intoxicated individuals are safe INSIDE once home.

Signs of Alcohol Poisoning

- Person is known to have consumed large quantities of alcohol in a short period of time;
- Person is unconscious and cannot be awakened;
- Person has cold, clammy, unusually pale, or bluish skin;
- Person is breathing slowly or irregularly – usually this means less than eight times a minute or eight seconds or more between any two breaths;

Person vomits while unconscious and does not wake up during or after.

SMOKING AND TOBACCO USE POLICY

It is the policy of the University to provide a tobacco-free environment on campus, in campus facilities, and in vehicles in which University functions or services are carried out. Smoking of any material is prohibited on campus, including University-owned and leased vehicles.

Use of chewing tobacco, cigarettes, or other related products is prohibited in all areas of Residential Life. Disposal of the tobacco in destructive or unsanitary means will be cause for disciplinary response.

In addition, University employees may not smoke or use smokeless tobacco while performing the University’s business.

CAMPUS LAW ENFORCEMENT POLICY

Law Enforcement Authority

The University of Providence provides 24-hour security coverage through Campus Security department. Security officers are available on campus at all times and reachable by phone at 406-791-5911. The security office is located in the lower level of the Student Center.

Law enforcement at the University of Providence, including the main campus, and all Residence Halls is left strictly to local law enforcement authorities. University of Providence provides security officers on campus; however, the officers do not have arrest powers. Security officers patrol the campus by foot and also by vehicle. Questions concerning Security, their employees or services can be referred to the Vice President of Student Affairs

All new students and employees are informed on how to access security services as part of their orientation. Signs and email communication continually inform the campus of changes in security services and serve as a reminder for the entire campus.

**REPORTING A CRIME
406-791-5911 or 911**

Security	406-791-5911, Student Ctr. Lower Level
Student Affairs	406-791-5308, Student Ctr. Upper Level
Residential Life	406-791-5225, Emilie Hall Room 110
Vice President for Student Affairs	406-791-5309, Student Ctr. Upper Level
Great Falls Police Department	406-771-1180 (non-emergency) or 911
Title IX Coordinator & Vice President for Student Affairs	406-791-5309, Student Ctr., Upper Level
Rape Crisis Line	406-453-4357 (HELP) or 1-888-587-0199

CAMPUS PHONES FOR EMERGENCY CALLS (dial 9-911)

Inside:

- | | |
|--|--|
| Sullivan Hall (middle of first floor) | Emilie Hall (first floor by main entrance) |
| McLaughlin Center (in foyer) | Theater (in foyer) |
| Science Building (inquire of a staff member) | Chapel (in hallway behind side door) |
| Founders Room (in foyer) | Providence Hall (in foyer) |
| Student Center | |

CAMPUS SECURITY AND FIRE SAFETY REPORT POLICY (Clery)

It is the policy of the University of Providence to comply with the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crime Statistics Act by providing information regarding the University's security policy and procedures and crime statistics to all persons on an annual basis. This information is disclosed annually via the University's Annual Security and Fire Report (ASR), and includes crime prevention, public safety, law-enforcement authority, crime reporting policies, and other important matters about security on campus. Also included in the ASR are statistics for three previous calendar years of reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the University, and on public property within or immediately adjacent to and accessible from the campus.

In addition, it is the policy of the University of Providence to retain the records included in the ASR for seven years from the latest publication of the ASR to which they apply. Support records must also be retained, including Crime and Fire Logs. These records include but are not limited to: incident reports and referrals for disciplinary action; timely warning and emergency notification reports; correspondences to and from local police, CSAs, and the Department of Education having to do with Clery Act compliance; copies of notices to students and employees about the availability of the ASR. All documentation will be dated.

FIRE SAFETY POLICY

The University of Providence complies with the the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008 fire safety policies and reporting requirements by (i) maintaining a fire log and statistics regarding any fires in on-campus housing facilities; (ii) maintaining fire safety systems in all student housing facilities; (iii) conducting regular fire drills in residence halls; (iv) maintaining evacuation plans for each residence hall; (v) providing and publicizing fire safety and training programs for students and employees; and (vi) annually disclosing fire statistics and fire safety program information as part of the University's Annual Security and Fire Safety Report. The components of University's fire safety program are set forth more fully in the Procedures/Guidelines section of this Policy.

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

It is the policy of the University of Providence to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act of 2008 and applicable implementing regulations by conducting annual programs that: (i) inform students and employees about the University's campus security procedures and practices; (ii) encourage students and employees to be responsible for their own security and the security of other; and (ii) inform students and employees about crime prevention practices. A summary of the University's programs shall be published annually in the Annual Security and Fire Safety Report.

CHILD ABUSE AND NEGLECT POLICY

Members of the University of Providence community who interact with, supervise, chaperon, or

otherwise oversee children in University sponsored programs, activities, and/or residential facilities, as well as those employees classified as Mandatory Reporters pursuant to Montana law, have an affirmative obligation to report immediately suspected cases of Child Abuse or Neglect in accordance with the reporting procedures set forth in this Policy. Moreover, any member of the University community may report a concern if they have Reasonable Suspicion that a child has been abused or neglected. The duty to report may not apply to certain communications where a recognized legal duty of confidentiality applies.

EMERGENCY NOTIFICATION AND RESPONSE POLICY

The University of Providence is committed to providing a safe and secure environment for students, faculty, staff and visitors. The University will utilize an emergency communications system, EverBridge, to communicate with students, staff and faculty in the case of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The university will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

TIMELY WARNINGS POLICY

It is the Policy of the University of Providence to issue a Timely Warning Notice in the event it receives notice of an alleged Clery Act crime occurring on campus, on public property within or immediately adjacent to the University's campus, or in or on non-campus buildings or property controlled by the University, where the University determines, in its judgment, that the allegations present a serious or continuing threat to the University community.

MANDATORY REPORTERS POLICY

Pursuant to Title IX, employees at the University are required to report sexual misconduct incidents to the Title IX Coordinator. All members of the University community are strongly encouraged to report concerning behaviors, discrimination, sexual misconduct, and crimes to the Title IX Coordinator or Campus Security.

MISSING STUDENTS POLICY

Higher Education Act Reauthorization with Higher Education Opportunity Act – 2008 Section 485(j) (“the Act”) requires all institutions of Higher Education that participate in any Title IV program and provide on-campus housing to students to establish both a Missing Student Notification Policy and Official Notification procedure for handling missing persons that apply to missing students reports of student who reside on campus. In compliance with the Act, the University will investigate any report of a missing student and take appropriate action to ensure all notifications and actions comply with legal mandates.

REGISTERED SEX OFFENDERS POLICY

The federal Campus Sex Crimes Prevention Act (“the Act”) requires institutions of higher education to issue a statement to the campus community about where to find information on registered sex offenders in the state.

In compliance with the Act, it is the policy of the University of Providence to notify students and employees of the location of information pertaining to individuals employed or enrolled on campus who have been convicted of violent sex offenses or criminal offenses against minors. The website address for Montana’s sexual and violent offender registry is: <https://app.doj.mt.gov/apps/svow/default.aspx>. A copy is kept on file in the Vice President of Student Affairs Office and is updated each semester. Unlawful use of the information for purposes of intimidating or harassing another may be a crime and punishable by law.

The Act also requires convicted sex offenders to notify the state and police in the jurisdiction in which they live if they are enrolled, carry on a vocation or are employed in a post-secondary institution. Further, convicted sex offenders who attend the University, or who are employed or carry on a vocation at the University, either on a full or part-time basis, must register with Student Affairs or Human Resources as applicable.

SECURITY CAMERAS POLICY

Responsibility for determining the appropriateness of installing authorized security cameras on campus that will be used for non-instructional purposes, and for disseminating and implementing this Policy is delegated to Chief of Security.

Security camera use on campus for non-instructional purposes is considered appropriate when it enhances:

- The protection of individuals, equipment and facilities;
- The monitoring of public areas; the monitoring of building entrances and exits; and
- The investigation of criminal activity.

Security camera use on campus is considered inappropriate when it entails:

- The monitoring of private areas; and
- Filming as a means of surreptitiously evaluating employee performance.

Note: The existence of this Policy does not imply or guarantee that security cameras will be monitored in real time continuously or otherwise.

ACCEPTABLE USE POLICY

All Authorized User, by virtue of their use of University Technology Resources, accept the responsibility for using such resources only for appropriate activities consistent with the University’s mission and other applicable University policies that may be implemented from time to time, as well as all federal, state, and local laws, including copyright and licensing laws. Authorized Users are responsible for reading, understanding, and behaving in a manner consistent with this Policy and other related policies pertaining to the University’s Technology Resources. Within reason and in a manner consistent with the University’s educational mission, freedom of speech and unimpeded access to information will be honored. Authorized Users who violate the law or University policy regarding the use of the University’s Technology Resources are subject to loss of access to those resources as well as to University disciplinary and/or legal action as outlined in this Policy.

Electronic Mail

Authorized Users of University email accounts are responsible for using and maintaining their email account in accordance with the procedures and guidelines set forth in this Policy.

Passwords

It is the policy of the University that anyone who has been issued authentication credentials for an account on any Technology Resource system, has access to the University network, or stores any Institutional Data adhere to the password policy guidelines set forth in this Policy. At no time may an Authorized User grant access to the user's account by providing someone else the password.

Wireless Access Points

In order to provide wireless access to authorized users, the Office of Information Technology (IT) installs wireless "access points" in and around the campus. These access points are generally small, antenna-equipped boxes that connect directly to the local area network (LAN), converting the LAN's digital signals into radio signals. The radio signals are sent to the network interface card (NIC) of the mobile device (e.g. smartphone, iPad, laptop, etc.), which then converts the radio signal back to a digital format the mobile device can use. All Authorized Users employing wireless methods of accessing the University's network must use the University's approved access points. Personally-owned and unauthorized wireless access points that are installed without the knowledge or permission of IT and used by individuals to gain unauthorized access to the University's network are strictly prohibited. Any unapproved personal access point discovered in operation and connected to the University's network is subject to being disabled and/or removed immediately and indefinitely. Use of the University's wireless network is subject to the University's Acceptable Use Policy and Information Security Program.

BICYCLES, HOVERBOARDS, SKATEBOARD AND SKATES POLICY

Every person riding a bicycle within the campus has all the rights and is subject to all the duties of a driver of an automobile. Bicycles must be operated in a safe manner and may not be ridden in campus buildings. Bicycles can be stored in offices or locked on bike racks located outside of buildings. Bicycles may not be secured to trees, light poles, posts, handrails, or buildings.

In addition to the above, the following policies have been established for the safety of the University community:

- Riding bicycles, rollerblades, skateboards, skates, in-line skates/blades, hoverboards, or other conveyances in rooms, hallways, courtyards, lounges, and lobbies, as well on all steps and stairways is prohibited;
- Bicycles, skateboards, skates, in-line skates, hoverboards, or other conveyances may not be ridden on sidewalks or walkways where there is a likelihood that such operation will duly interfere with pedestrian traffic; caution is to be exercised at all times and the right of way yielded to pedestrians;
- Unauthorized motorized vehicles, other than wheelchairs, may not be operated on sidewalks;

- Bicycles, skateboards, skates, in-line skates/blades, hoverboards, or other conveyances may not be ridden on any artificial or specially prepared surface (i.e., running tracks and basketball courts);
- All persons operating bicycles, skateboards, skates, in-line skates/blades, hoverboards, or other conveyances on campus are expected to comply with and are subject to state and local ordinances, including adhering to all posted warning, caution, or speed limit signs;
- In the absence of posted speed limits, operators are expected to act in a responsible manner and in respect of local conditions; and
- No person traveling upon riding bicycles, rollerblades, skateboards, skates, in-line skates/blades, hoverboards, or other conveyances is permitted to cling to or attach themselves to any other moving vehicle or golf cart on campus.

CHILDREN IN THE CLASSROOM AND WORKPLACE POLICY

University grounds and infrastructure are designed to provide an environment conducive to the University's Mission as an institution of higher education. For reasons that include the safety of Minor Children and assuring the efficient performance of academic pursuits, administrative operations and services, the University has adopted the following policies:

- Minor Children must be supervised at all times by a parent, guardian, or caregiver while on campus or participating in a University-sponsored program or activity. During these visits, the Minor may not be left unattended or with other employees or students;
- The University does not allow the continued or reoccurring presence of a non-enrolled minor child in the workplace or classroom setting for the following reasons: (1) the potential for interruption of work; (2) health and safety concerns; and (3) liability to the University;
- Minor Children may be brought to the workplace by parent or caregiver employees in the case of unforeseen or emergency situations or when common sense would dictate that it is more efficient for the employee to bring the Minor Child into the workplace (e.g., following or before a physician's appointment if child is not contagious). Such arrangements should be infrequent and only to be temporary in nature;
- Minor Children are generally not permitted in classrooms while classrooms are in session unless permission is granted by the course instructor. Should a Minor Child become disruptive, the student and Minor Child may be asked to leave by the course instructor.
- The University allows for reasonable break times for lactating mothers to express milk and provides accommodations shielded from view to do so. In addition, mothers who choose to breast feed their infant at the workplace are allowed to do so as an exception to this Policy.
- Employees and students who bring Minor Children to the workplace or classroom are responsible for all aspects of the child's behavior. The employee or student is responsible for the Minor Child's safety and is financially responsible for any damages caused by the child. The University does not accept liability for injuries to children or visitors on University premises in violation of this Policy.
- Minor Children are generally permitted in general use areas and facilities (athletic fields, Public Spaces, academic buildings, food service areas, etc.) with a parent, guardian or caregiver, but may be restricted from certain areas of these areas and facilities or from utilizing certain equipment.
- A Minor Child with an infectious disease should never be brought to campus.

- Even when accompanied by a parent, guardian or caregiver, Minor Children not participating in a University -sponsored program or activity are prohibited from high-risk areas such as: laboratories, shops, studios, mechanical rooms, power plants, garages, food preparation areas, or any areas containing power tools or machinery with exposed moving parts.

This policy is not intended to prohibit participation in a University-sponsored event, such as “Take Your Child to Work Day” or other events where families are invited and encouraged to participate.

CREDIT CARD MARKETING POLICY

The University prohibits the advertising, marketing, or merchandising of credit cards to students on University owned, operated, or controlled property, and at any University-sponsored events. This prohibition applies to all banks and other commercial entities (including their third-party representatives) that engage in the on-campus marketing of credit cards to students through solicitation activities.

DEMONSTRATIONS ON CAMPUS POLICY

Demonstrations by members of University community must be registered and approved in writing 72 hours in advance by the President’s Office, which will then notify Campus Security of the approval. Demonstrations may be organized and led only by members of the University community.

Demonstrations or other forms of expression may not compromise the rights of other members of the University community, nor interfere materially with the general operation of the University. Free speech is a cherished foundation of academia. Forms of expression, however, may not be contrary to the University Mission, Catholic identity, or demean or degrade individuals on the basis of a protected class as set forth in the University’s Notice of Non-Discrimination Statement.

Sponsorship or participation in demonstrations in no way relieves the individuals or organizations involved in such activities of responsibility for their conduct. Individuals and organizations sponsoring or participating in demonstrations are accountable for compliance with applicable laws, this Policy, and other applicable University policies.

PARKING OF MOTOR VEHICLES POLICY

Parking a vehicle on the University campus is a privilege. Any person who parks a vehicle on campus agrees to abide by posted parking regulations. Failure to abide by the regulations may, at the University’s sole discretion, result in the imposition of fines, impoundment of the vehicle, towing, and storage of the vehicle at the owner’s expense, disposition of an abandoned vehicle, or any combination of these repercussions. Any unauthorized vehicle parked in a space marked “Handicap,” “reserved”, or in a fire zone will be immediately ticketed and towed at the owner’s expense.

POSTINGS AND NOTICES POLICY

Bulletin boards are one of the major means of communication on campus. For this reason, some coordination and regulation is needed. Notices for University related functions may be posted on University bulletin boards after stamped approval in the Student Affairs Office. The sponsor must be clearly stated on the notice and remove the notice when it is outdated. They must be

confined to bulletin boards unless otherwise authorized. No postings are permitted on trees or vehicles.

The Student Affairs Office must approve all posters, flyers, newsletters, brochures, notices, and banners, especially those of off-campus and commercial advertising. The name of the sponsoring organization must appear on all advertising. Postings without the permission stamp will be removed.

The Athletics office must approve all McLaughlin Center notices. Notices will be posted on bulletin boards located near each entrance for a maximum of 30 days. and must be compatible with the University's Mission as a Catholic Institution, as well as adhere to all University policies.

Employees may only post University-related materials on University non-student bulletin boards. Employees may not post or remove anything on or from University student public postings without authorization from the University Vice President for Student Affairs. Employees must check the University's bulletin boards, emails, and web page periodically for new or updated information and must follow the rules set forth in all posted notices.

Violations of this Policy will result in material being removed and appropriate disciplinary action.

UNMANNED AIRCRAFT SYSTEMS (DRONES) POLICY

All University students, employees, volunteers, contractors, vendors, and visitors are prohibited from operating Unmanned Aircraft Systems, also known as drones, without appropriate permission from the University. If permission is received, operators of an Unmanned Aircraft Systems must comply with the University's appropriate and prohibited uses guidelines (see Procedures/Guidelines). Any operation or use of an Unmanned Aircraft Systems that violates the appropriate and prohibited uses guidelines or any applicable law or regulation is prohibited. It is the responsibility of the operator of the Unmanned Aircraft Systems to ensure that all relevant guidelines, laws, and regulations are adhered to during operation of the Unmanned Aircraft Systems.