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THE UNIVERSITY OF RHODE ISLAND



Division of Student Affairs

STUDENT HANDBOOK

University of Rhode Island Student Handbook

2019 VERSION (ARCHIVE)

Introduction

The Student Handbook is produced by the Dean of Students Office with the assistance of relevant departments and committees. Questions about the Handbook should be directed to the Dean of Students Office, 302 Memorial Union, 401-874-2098 (TT via RI Relay : 711).

The Handbook is generally revised every two years and changes that occur between revisions will be published in the campus newspaper, distributed through residence halls and on the following websites: Dean of Students, Office of Community Standards, Housing Residential Life, and Commuter Affairs. The most current version of the Student Handbook may be viewed at <https://web.uri.edu/studentconduct/university-student-handbook/>

Enrollment at this University is an agreement to comply with all rules, regulations, and policies including those set forth herein, and it is your responsibility to become familiar with these expectations. Ignorance of a policy or regulation is not an excuse for failure to observe it.

The Community Standards and Student Conduct system pertain to all part-time and full-time students; graduate and undergraduate; matriculating and non-matriculating; to newly admitted students; and to students participating in exchange programs or cooperative programs on all University of Rhode Island campuses.

Student Handbook reviewed, edited, and approved by Student Senate, Faculty Senate, and the President of the University of Rhode Island, 2019.

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URI Cornerstones

THE
UNIVERSITY
OF RHODE ISLAND

THINK BIG WE DO™

URI Cornerstones

Our Community Values

The University of Rhode Island is a principled community guided by values. As members of this community, we subscribe to the following principles, which form the foundation of our endeavors.

- ☞ We pursue knowledge with honesty, integrity and courage.
- ☞ We promote independent choice, intellectual curiosity, open-mindedness and free expression.
- ☞ We respect the rights and dignity of each individual and group. We reject prejudice and intolerance, and we work to understand differences.
- ☞ We accept personal responsibility for our actions and their consequences.
- ☞ We actively cooperate to improve the University, the state of Rhode Island, and the global community beyond our borders.
- ☞ We strive to be a community where the environment and property are treated respectfully.
- ☞ We seek to create and maintain an environment conducive to personal health and wellness.
- ☞ We work to develop skills that promote lifelong learning, leadership and service.

Developed by the Quality of Student Life Committee

Student Rights and Responsibilities

Statements of Students' Rights

- Students have the right to freedom of expression, freedom of association, freedom of inquiry and peaceful assembly.
- Students have the right to a learning environment free of disruption and intimidation.
- Students have the right to freedom from harassment, hazing, and any form of illegal discrimination.
- Students have the right to respect for their property.
- Students have the right to redress through a grievance procedure.
- Students have the right to personal privacy and protection against illegal disclosure.
- Students have the right to be represented in university decision-making and policy-forming bodies and the right to be duly informed of proposed changes to student responsibilities and academic policies.
- Students have the right to know grading criteria and to know graduation rates.
- Students have the right to know statistics concerning crime on and around campus.

Statement of Students Rights and Responsibilities in the University Student Conduct System

Rights and Responsibilities of the Responding Party (a Charged Student)

- A charged student has the right to have complaints brought against them within a reasonable time and investigated in a fair, impartial, and timely manner. Time extensions may be made by the Dean of Students or their designee.
- A charged student has the right to procedural due process as outlined in the Student Handbook.
- A charged student has the right to have the hearing process explained by a conduct administrator.
- A charged student may have a Conduct Advisor during all phases of the University Student Conduct System. The Conduct Advisor's role is passive, there to provide guidance and support but does not actively participate in the University Student Conduct System.
- A charged student has the right to request mediation provided both parties voluntarily agree, however, mediation may not be possible in all cases.
- A charged student has the right to be notified in writing of all charges.
- A charged student has the right to accept or deny responsibility.
- A charged student has the right to request a hearing option according to the Student Handbook procedures.
- A charged student has the right to present witnesses as described in the relevant Student Handbook provisions.
- A charged student has the right to submit oral or written statements on their behalf.
- A charged student has the right to question and challenge information presented against them.
- A charged student has the responsibility to present a list of witnesses for a hearing at least two (2) days before the hearing.
- A charged student has the responsibility to be cooperative, respectful, and truthful in all interactions with the hearing officer or the hearing panel.

- A charged student who is found responsible for an offense shall prior to receiving a sanction for that offense, have the right to submit to the hearing panel or officer responsible for determining the sanction, a verbal or written statement concerning an appropriate sanction.
- A charged student has the right to appeal the decision of the hearing panel or hearing officer as explained in the Student Handbook.
- A charged student has the right to be informed of the outcome of the hearing.

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Rights and Responsibilities of the Reporting Party (a student with a complaint)

- A student with a complaint has the right to request mediation provided both parties voluntarily agree, however, mediation may not be available in all cases.
- A student with a complaint, who indicates they have experienced sexual or gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, or a crime of violence has the right to know the outcome of the case.
- A student with a complaint or a witness has the right to have the hearing process explained by a conduct administrator.
- A student with a complaint may have a Conduct Advisor during all phases of the University Student Conduct System. The Conduct Advisor's role is passive, there to provide guidance and support but does not actively participate in the University Student Conduct System.
- A student with a complaint has the right to submit a victim impact statement, verbally or in writing, to the hearing panel or hearing officer determining the sanction.
- A student with a complaint has the right to have their past behavior excluded from the hearing on the facts of the case. Past behavior will be considered when determining sanctions, if needed.
- A student with a complaint has the right to request a change of on-campus residence, if needed.
- A student with a complaint has the right to present witnesses to the hearing panel or hearing officer.
- A student with a complaint has the responsibility to be cooperative, respectful, and truthful in all interactions with hearing panel or hearing officer.
- A student with a complaint has the responsibility to provide the hearing officer or board advisor with the names of witnesses and any documentation related to the case. If not provided, the case will move forward without the information.
- A student with a complaint has the right to request to participate in a hearing through alternative means (i.e. having a partition; through remote video conferencing).

Student Records

Release and Disclosure of Information contained on Student Records

Procedures for the release and disclosure of student records maintained by the University are in large measure governed by state and federal laws. Where the law is silent, the University is guided by the principle that the privacy of an individual is of great importance and that as much information in a student's file as possible should be disclosed to the student on request. A current or former student has the right to inspect and review official records, files, and data directly related to that student. This right does not extend to applicants, those denied admission to the University, or those who were admitted but did not enroll. Students should be aware that in accordance with federal law, the University may, without consent, release information from conduct records if the record contains violations involving violence or issues of safety and well-being.

The University maintains student records primarily for educational purposes, although student records are maintained for other purposes such as health and employment (University Manual section 6.12.21). Guidelines incorporating the requirements of the Federal Family Educational Rights and Privacy Act of 1974 are published in the Student Handbook.

Third parties, including the University police, do not have access to personally identifiable records or information pertaining to students without the written consent of the student who specifies that the records be released, except in cases of health and safety. Parents are considered third parties.

Detailed guidelines for the release and disclosure of information from the student records are available from the Dean of Students Office. These guidelines comply with the legal requirements of the Family Educational Rights and Privacy Act (FERPA) of 1974 as amended.

Public Records

Public information may be released or published without the student's consent. Currently enrolled students may inform the appropriate office that public records should not be released or published (forms for this purpose are available at designated offices or on e-Campus). Information confirming the following items about individual students is public and available from the offices listed below:

Full name	Enrollment Services
Campus, local, home address, e-mail address	Enrollment Services
Telephone listings (campus, local and home)	Enrollment Services
Website address	Enrollment Services
Date and place of birth	Enrollment Services
Major field of study	Enrollment Services

Full/part-time student status	Enrollment Services
Participation in officially recognized activities	Memorial Union/Student Involvement Office
Sports participation	Sports Information Office
Weight and height of members of athletic teams	Sports Information Office
Dates of attendance	Enrollment Services
Degrees and awards received	Enrollment Services
Most recent previous educational institution	Enrollment Services
Class year	Enrollment Services
Graduation dates	Enrollment Services

For purposes of this section, the term “official records, files, and data” means material on students pertaining to their status as students, held by any unit or department of the University and intended for University use or to be available to parties outside the University.

Third Party Access

As a student, you may assign guest access to e-Campus to a third party to view your billing, academic records, and/or financial aid information. A guest can be a parent, guardian, grandparent, sibling, employer, or other third-party payer. Details to grant third party access can be found at: <https://web.uri.edu/enrollment/third-party-access/>

Access and Review of Educational Records

To access educational records, eligible students must submit a written request to Dr. Carnell Jones, Director of Enrollment Services. The letter must identify the record(s) they wish to inspect. Within 45 days of receiving the request, the University will either make arrangements for access and notify the eligible student of the time and place where the records may be inspected, or the University may provide copies of the records, or portions of the records, for a fee. Students may ask school officials to amend a student’s educational records that they believe are inaccurate, misleading, or which violate the student’s privacy rights under FERPA.

Students may file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

URI FERPA Contact: Questions concerning student rights under FERPA should be sent to the Director of Enrollment Services, Green Hall, Kingston RI 02822 (401-874-9500).

Federal FERPA contact: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW; Washington, D.C. 20202-8520.

Private Records

All personal information relating to a particular student other than public records as defined above is considered private information. Information which is considered private records includes:

- Letters of recommendation to which students have waived their right of access
- Campus law enforcement records held in the campus police station
- Clinical, medical, counseling, or health records
- Financial aid records including the financial records of the parents of the student or any information contained therein
- Private records kept by individual faculty or administrators possibly used as memory aids
- General advising records, academic evaluations, test scores, transcripts, or other academic records.
- Conduct and behavioral records

Student Conduct Records

A cumulative file on student violations (Student Conduct Record) will be maintained in the Dean of Students Office.

All conduct records, such as complaint reports, correspondence, charge letters, outcome letters, hearing summaries, are maintained by the Dean of Students Office for seven (7) years after the date of action. Records of an unresolved behavioral situation (as when a student withdraws prior to charging or disposition) shall be reviewed annually starting with the seven (7)-year anniversary to determine if they should be retained. These records are confidential and educational in nature and are kept separate from the academic record. Access to such records is governed by the University Policies for the Release and Disclosure of Information from Student Records.

Student Conduct Records are considered confidential records and therefore, may generally only be released to a third party with the permission of the student, except in cases of health and safety. Parents are considered third parties. Students should be aware that in accordance with federal law (FERPA), the University may, without consent, release certain limited types of information (such as “final results” of disciplinary proceedings) from conduct records in certain limited circumstances, including in cases in which the student has been found responsible for violations involving sexual or gender based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, crimes of violence or behavior related to safety and well-being (<https://www.gpo.gov/fdsys/pkg/CFR-2011-title34-vol1/pdf/CFR-2011-title34-vol1-sec99-31.pdf>).

Academic and Administrative Records

List of records maintained

<i>Type of record</i>	<i>Location</i>	<i>Individual Responsible</i>
Academic records and related correspondence	Enrollment Services Dean's Office	Director Academic Dean
Conduct records	Dean of Students Office	Dean
Health Records	Student Health Services	Director
Counseling records	Counseling Center	Director
Career records	Career Services	Director
Financial aid records	Enrollment Services	Director
International Student Records	International Student Services	Director
Talent Development student records	Talent Development	Director
Tuition, fees, and debts to the University records	Enrollment Services	Director
Athletic records	Athletic Department	Director
Meal plan information and dining records	Dining Services	Director
Residence hall records	Housing & Res. Life	AVP/Director

Student Code of Conduct

Community Standards of Behavior

The University expects students to adhere to all University Policies, Procedures, and Practices.

This Student Code of Conduct, also known as Community Standards of Behavior, are written to give students general notice of expected and prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive terms. Making specific plans or arrangements to violate community standards may lead to charges whether or not the act is completed. Community standards and University policies are examined and revised once every two years by a committee of students, staff, and faculty with input from the University community and with administrative approval. Thus, the standards and policies in this handbook reflect current community norms. They apply to all students and to all student groups. Revisions to Community Standards that occur before handbook redistribution are published in the campus newspaper or otherwise distributed widely.

Jurisdiction of the University

- 1.) Each student shall be responsible for one's conduct from the time of 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 the conduct is not discovered until after a degree is awarded.) The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from the University while a student conduct matter is pending.
- 2.) The University of Rhode Island Student Code of Conduct shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community, poses a threat to safety of persons or property, or damages the institution's reputation or relationship with the greater community. In addition, the University of Rhode Island, in collaboration with the surrounding communities, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The following examples describe the kinds of off-campus acts that might be addressed through the University student conduct system. They are illustrative in intent and they should not be regarded as all-inclusive: driving under the influence of alcohol or drugs; physical/ sexual assault; sale or distribution of illegal substances; malicious destruction of property. The Dean of Students or designee shall decide whether the Student

Code of Conduct shall be applied to conduct occurring off campus, on a case by case basis, at his/her discretion.

- 3.) University student conduct proceedings may be initiated against a student without regard to co-occurring civil or criminal litigation in court or criminal arrest and prosecution resulting from the same or related conduct. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Associate Dean of Students/ Director of Community Standards. Determinations made, or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced or resolved in favor of or against the defendant in the criminal matter.

All Student Senate recognized student organizations and all other academic based student organizations are subject to the Student Community Standards of Behavior.

Appeal of Off-Campus Jurisdiction

If a student is accused of an off-campus offense, and if the Student Conduct Administrator determines that there is cause for referring the matter to the University Student Conduct System, the student shall have the right to dispute the jurisdiction of the University Student Conduct System.

Such an appeal must be filed in writing with the Dean of Students not later than three (3) business days after notice of the Office of Community Standard's decision to charge the student. The appeal shall be presented to the Vice President for Student Affairs for disposition of the application of Off-Campus Jurisdiction. The decision on jurisdiction arrived at by the Vice President for Student Affairs shall be final.

Prohibited Student Conduct

Any student or student organization found to have committed or to have attempted to commit the following misconduct is subject to the imposition of an appropriate disciplinary sanction in accordance with the sanction related standards and procedures described in the "University Student Conduct System" section of this Handbook.

- 1) **Acts of dishonesty**, including but not limited to cheating, plagiarism, or other forms of academic dishonesty; furnishing false information to any University official; forgery, alteration, mutilation, or misuse (including unauthorized access, disclosure, removal) of any University document, record, educational material, identification, or property; unauthorized access to, disclosure of, or use of any university document, record, or identification, including but not limited to, electronic software, data, and records; misrepresenting oneself or an organization as an agent of a university.

- 2) **Disruption, obstruction, or interference** with university activities, including but not limited to teaching, research, administration, meetings, public events, disciplinary proceedings, and public service functions on or off campus; the right of access to University facilities or freedom of movement of any person on campus.
- 3) **Abusive conduct**, including physical abuse, verbal abuse, threats, harassment, discriminatory harassment, stalking, cyberstalking, bullying/cyberbullying, privacy violations, violations motivated by hate, bigotry, and/or bias, discriminatory harassment, intimidation, force, coercion, and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of one's self, another individual, a group of individuals, or members of a student organization. (See Respect for Health, Safety, Rights of Others, Rights of Self Pg.19)
- 4) **Endangering behavior**, which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including one's self, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm. Examples include but are not limited to physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including one's self.
- 5) **Theft of and/or damage** to other persons' or University property, including possession of property known to be stolen.
- 6) **Hazing**, any action taken, or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization is directly or indirectly conditioned and which is likely to produce mental or physical discomfort, embarrassment, harassment, or ridicule.
- 7) **Failure to comply** with 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.
- 8) **Unauthorized access or entry**- Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of other persons' or University property.
- 9) **Misuse of Alcohol**- Public intoxication, use, possession, manufacturing, transporting, providing, or distribution of alcoholic beverages except as expressly permitted by University regulations or by law. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

- 10) **Misuse of Drugs**- Use, possession, manufacturing, providing, or distribution of marijuana, heroin, narcotics, other controlled substances, and/or paraphernalia except as expressly permitted by law and university regulations.
- 11) **Weapons or other dangerous items**- Use, possession, or distribution of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University premises in violation of law or university regulations or use of any object in a way that harms, threatens, or causes fear to others on or off campus. Weapons include, but are not limited to, any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, or instruments designed to look like any of the above.
- 12) **Sexual Misconduct and/or Relationship Violence**, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking.
- 13) **Violation of federal, state, or local law.**
- 14) **Violation of any University policy, rule, or regulation** published in hard copy or available electronically on the University website, including, but not limited to, the University Manual, The University Student Handbook, Housing and Residence Life policies, Student-Athlete Handbook, URI Computer, Internet & Electronic Communications Policies and Procedures, or any academic college policies.
- 15) **Abuse of the Student Conduct System**- including but not limited to failure to obey the notice from a University Hearing Officer or designated University Official to appear for a meeting or hearing as part of the Student Conduct System; falsification, distortion, or misrepresentation of information before a University Hearing Officer or designated University Official; disruption or interference with the orderly conduct of a University Hearing proceeding; institution of a student code of conduct proceeding in bad faith; attempting to discourage an individual's proper participation in, or use of, the Student Conduct System; attempting to influence the impartiality of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding; harassment (verbal or physical) and/or intimidation of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding; failure to comply with the sanction(s) imposed under the Student Code of Conduct, a No Contact Order or a No Trespass Order; influencing or attempting to influence another person to commit an abuse of the Student Conduct System
- 16) **Retaliation**- Retaliation is defined as any conduct which serves as a reprisal with the intent of causing physical or psychological pain. Retaliation includes, but is not limited to, unwelcome or repeated contacts by telephone, by letter, in person, or by third party; damaging or vandalizing personal property; offensive acts/gestures;

contact via text or social media; overt threats, whether or not they were actually carried out; or any conduct that would instill fear and trepidation in the victim.

I. Integrity

Students are expected to be honest and have integrity in all their interactions including academic work.

Truthful Access

Seeking or obtaining University privileges or services to which you are not entitled is prohibited. For example, “hacking” or using someone else’s username or password to access information or services.

Truthful Information

Providing incorrect, untruthful or incomplete information in response to legitimate requests by University officials or conduct boards is prohibited.

Tampering with Information

Destroying, altering, or concealing information of violations of community standards to avoid consequences or to assist another to avoid consequences is prohibited. For example, destroying or deleting photos or videos that show policy violations.

Academic Honesty

Students are expected to be honest in all academic work. A student’s name on any written work including assignments, lab reports, internship reports, papers, or examinations, shall be regarded as assurance that the work is the result of the student’s own thought and study. Work should be stated in the student’s own words and produced without assistance or properly attributed to its source. When students are authorized to work jointly, group effort must be indicated on the work submitted.

Most academic work builds on the contributions of others. Students have an obligation to know how to quote, paraphrase, summarize, or reference the work of others with integrity. A source need not be given for common knowledge within a discipline. Students should seek guidance from instructors about the preferred citation style for each course. It is the student’s responsibility to become familiar with that style and utilize it in their work for that course. In addition, utilizing campus academic resources including the Academic Enhancement Center and the Writing Center are encouraged and not a violation of this policy.

While intent or negligence may affect the seriousness of the sanction, the following examples of academic dishonesty apply regardless.

- Using story material, wording or dialogue taken from published work, motion pictures, radio, television, lectures, websites or similar sources without appropriate quotation marks, citation or footnote reference
- Claiming disproportionate credit for work not done independently
- Submitting work without acknowledging aid received or claiming disproportionate credit for work done jointly
- Unauthorized possession or access to exams
- Unauthorized communication during exams
- Unauthorized use of another's work or preparing work for another student
- Taking an exam for another student
- Altering or attempting to alter grades
- The use of notes or electronic devices such as calculators, computers, or cell phones to gain an unauthorized advantage during exams
- Fabricating or falsifying facts, data or references
- Facilitating or aiding another's academic dishonesty
- Submitting the same paper for more than one course without prior approval from the instructors

II. Respect for Health, Safety, Rights of Others, Rights of Self

The University of Rhode Island expects its students to treat other persons with respect and human dignity. All members of the community share the responsibility for protecting and maintaining community health, safety, and the rights of other persons. Violation of federal, state or local law are prohibited. Because of the University's concentrated housing, varied activities, and the individual needs of students, faculty and staff to pursue their work free from hazards and intrusions on their privacy, the cooperation of all is needed to maintain these standards.

All members of the University of Rhode Island community, guests and visitors have the right to be free from all forms of illegal harassment and discrimination, threats, and violence, including sexual assault, sexual exploitation, dating violence, domestic violence and stalking. The actions and behaviors, which are broadly defined in this section of the Student Handbook, are University Student Conduct System violations.

In addition, violations of certain other University policies, including those adopted by the Council on Postsecondary Education, which by their terms are applicable to URI students, will also be considered violations of the Student Handbook. In some cases, the relevant portions of those policies are explicitly incorporated (by referencing them, or by repeating them verbatim) into this handbook. For example, the provisions of the Council's "Sexual Harassment and Sexual Violence Policy", which is applicable to all URI students, is incorporated by reference into the section of this Handbook **Appendix I Sexual Misconduct and Relationship Complaint and Adjudication Process**

Harassment

“Harassment” is defined as conduct that is so severe, pervasive, and objectively offensive, and that so undermines and detracts from the victim’s educational experience, that the victim-student is effectively denied equal access to educational resources and opportunities. The presentation of any idea, regardless of the ideas’ nature or perceived value, may not be considered harassment unless it is accompanied with verbal threats, intimidation, or conduct as previously defined. Behaviors and actions exhibited via electronic media, including email, text messaging, or social networking websites (e.g. Facebook or Twitter) may be in violation of the harassment policy if they meet the standard set forth above.

Stalking

Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for the individual’s safety or the safety of others; or if the individual suffers substantial emotional distress. For the purposes of this definition “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Common stalking acts include, but are not limited to, harassing, threatening or obscene phone calls, any written or electronic communication, following, vandalism of personal property, and/or leaving unwanted gifts or objects.

Cyberstalking

Transmitting communications to another person, or contacting another person, by electronic means through any computer or other electronic device, for the purpose of harassing that person. Harassing in this context means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or bothers the person, serves no legitimate purpose and would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. Cyberstalking, or cyber harassment, is the use of any form of electronic media to post or send messages that may include false accusations, defamation, slander and libel.

Privacy Violations

Privacy violations such as video or audio taping in private space without permission, voyeurism, or watching others from a place of concealment are prohibited. Examples of private space would include but are not limited to sleeping areas, bathrooms, and locker rooms. Disseminating or threatening to disseminate sensitive personal material (e.g. photos, videos) by any means to any person or entity without consent is prohibited.

Threats

Physical, verbal or non-verbal threats, intimidation or threats which endanger the health, safety or welfare of another person are prohibited.

Physical Assault

Inflicting bodily harm on another person, making physical unwanted contact with another person, putting someone in fear of physical contact or bodily harm or the willful attempt to threaten to inflict bodily harm on another person is prohibited. An assault may be committed without touching, striking or doing bodily harm.

Examples include, but are not limited to the following:

- Actions which require medical attention for substance abuse.
- Self-harm, threats of self-harm, or attempts of self-harm which impact others in the community.
- Driving while under the influence of drugs or alcohol.

Bullying/Cyberbullying

Engaging in repeated or aggressive behaviors that intimidate, intentionally harm, control, or seek to control another individual physically, mentally, or emotionally that it alters the conditions of education, employment, or participation in a university program or activity. An isolated incident, unless sufficiently severe, does not constitute a violation.

Violations Motivated by Hate, Bigotry, and/or Bias

Single or multiple acts toward an individual, group, or their property that are so severe, pervasive, and objectively offensive that they create an unreasonably intimidating, hostile, or offensive work, learning, or program environment, and that one could reasonably conclude are based upon actual or perceived age, race, color, creed, religion, gender identification or expression, ethnicity, national origin, disability, veteran status, sexual orientation, political affiliation, genetic information, citizenship status, marital status, spirituality, cultural, socio-economic status, or any combination of these or other related factors.

Discriminatory Harassment

Discriminatory Harassment is a form of discrimination consisting of unwelcome verbal, written, graphic or physical conduct that:

- 1.) Is directed at an individual or group of individuals on the basis of the individual or group of individuals' actual or perceived protected status, or affiliation or association with person(s) within a protected status (as defined herein above); and
- 2.) Is sufficiently severe or pervasive so as to interfere with an individual's employment, education, or academic environment or participation in institution programs or activities and creates working, learning, program or

activity environment that a reasonable person would find intimidating, offensive, or hostile.

To constitute prohibited harassment, the conduct must be both objectively and subjectively harassing in nature. Harassment may include but not be limited to verbal or physical attacks, threats, slurs, or derogatory or offensive comments that meet the definition set forth herein. Harassment does not have to be targeted at a particular individual to create a violation of this policy. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs, and the status of the individuals involved.

2019 VERSION (ARCHIVE)

III. Alcohol

The University prohibits the unlawful possession, use, or distribution of alcohol by students on the school's property, or as part of the University's activities. The University will impose sanctions on students for violations of the University's policies regarding alcohol up to and including expulsion or referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program. Students should contact the Dean of Students for information regarding sanctions under local, state, and federal law for unlawful possession, use, or distribution of alcohol; a description of the health risks associated with the use of and alcohol; and a description of any alcohol counseling, treatment, or rehabilitation or re-entry programs available to students.

The following behaviors are prohibited:

Illegal consumption and possession of alcohol

Possession and/or consumption of alcoholic beverages is limited to individuals who are 21 years of age or older. Students under 21 cannot transport alcohol in their cars nor have it in their possession while on campus. Empty alcohol containers randomly located in a room of someone under 21 may result in charges.

Excessive Quantities (Students over 21 years of age)

Residents of legal age are asked to act responsibly and not to have excessive amounts of alcohol in their rooms. If a student over 21 years of age has excessive quantities of alcohol in their room or on their person, the student may be asked to remove it from the residence or dispose of it. Excessive shall be defined as a quantity greater than twelve 12-oz. cans or bottles of malted alcoholic beverage or one liter of distilled alcohol beverage. Individuals 21 years and older may not bring alcohol into a University residence unless it is to the room of a student who is 21 or older and, in that case, no more than one six-pack or its equivalent may be brought.

Advertising of Alcohol or Tobacco

The University prohibits the advertising of alcohol and tobacco products by students and student organizations including at University activities.

Banned Alcoholic Beverages

- a. Grain alcohol is prohibited on campus except for laboratory use.
- b. Stimulant Enhanced Alcoholic Beverages. Commercially available stimulant enhanced alcoholic beverages are prohibited on campus (e.g. "Four Loko", "Joose").

Serving or Providing Alcohol to Individuals Under 21

Serving alcoholic beverages to an individual under 21 years of age, purchasing alcoholic beverages for an individual less than 21 years of age, or negligently allowing a minor to consume alcoholic beverages is prohibited. Serving alcoholic beverages to someone who is visibly intoxicated is prohibited.

Public Consumption

Public consumption of alcoholic beverages on University grounds is prohibited. The consumption of alcohol or possession of an open container of alcohol is prohibited in public areas. A public area is any area outside of a student's room, such as, but not limited to corridors, stairways, bathrooms, lounges and balconies, or any other public areas in or in residential living communities (e.g., around the residence halls, fraternity/sorority houses, and on-campus apartments, themed living communities). Students 21 and older who publicly consume alcohol or have an open container in public are in violation of this policy and are also subject to the minimum recommended sanctions.

Consumption in Non-Authorized Locations

The sale and/or service of alcohol is permitted on the Kingston Campus in the following locations: University Club, President's House, Ryan Center, Alumni Center and the Foundation Building. The sale or service of alcohol at the Providence Campus and the Narragansett Bay Campus, and locations not listed above, require the written approval of the President or designee. Generally, requests to serve alcohol at on-campus functions will be denied if students are in attendance. Possession and consumption in all other non-residential University buildings is prohibited.

Use of Tap Systems and Common Source Alcohol Containers

Tap systems whose use is to distribute alcoholic beverages, may not be owned or operated by a student or a student organization, including fraternities and sororities. Common source alcohol containers (e.g. beer kegs, central source containers) are prohibited.

Alcohol Consumption

Tap systems whose use is to distribute alcoholic beverages, may not be owned or operated by a student or a student organization, including fraternities and sororities. Common source alcohol containers (e.g. beer kegs, central source containers) are prohibited.

Drinking Games and Paraphernalia

Drinking games are prohibited. Paraphernalia for drinking games or quantity consumption (funnels, beer bongs, etc.) are prohibited.

Alcohol Purchase

No alcohol may be purchased with student organization funds, including fraternity and sorority dues and other sources of chapter income.

IV. Drugs

The University prohibits the unlawful possession, use, or distribution of illicit drugs by students on the school's property, or as part of the University's activities. The University will impose sanctions on students for violations of the University's policies regarding illicit drugs up to and including expulsion or referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program. Students should contact the Dean of Students for information regarding sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs; a description of the health risks associated with the use of illicit drugs; and a description of any drug counseling, treatment, or rehabilitation or re-entry programs available to students.

The following behaviors are prohibited:

Illegal consumption and possession of Drugs

The use, possession, sale or distribution of narcotics, steroids, stimulants, depressants, hallucinogens, or any other controlled substance or paraphernalia without a prescription are prohibited.

Use or Possession of Marijuana

The use, possession, sale or distribution of marijuana and its derivative are prohibited. Marijuana is not allowed on campus even with a valid prescription. Substances made to resemble marijuana are also not permitted on campus.

Medical Marijuana

The use or possession of Marijuana with a prescription ("Medical Marijuana Card") is prohibited on campus.

Illegal Use or Possession of Any Other Controlled Substance

The use, possession, sale or distribution of narcotics, steroids, stimulants, depressants, hallucinogens, or any other controlled substance or paraphernalia without a prescription are prohibited.

Drug Paraphernalia

Drug paraphernalia is prohibited on campus and may be subject to investigations for drug presence. Drug paraphernalia is defined as any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing,

compounding, converting, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful.

V. Hazing

Hazing is prohibited. Hazing is any action taken or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person, or which is likely to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations may include, but are not limited to, whipping, beating, branding, paddling in any form, forced calisthenics, extended deprivation of sleep or rest or extended isolation, exposure to weather, consumption of any food, liquor, beverage, drug or any other substance, any brutal treatment, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips, or any other such activities, engaging in public stunts, morally degrading or humiliating games and activities, late work sessions which interfere with scholastic activities, or any other forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person or which subjects the student or other person to extreme mental stress.

Tattooing or knowingly and willfully permanently disfiguring the body, limbs, or features of any person using nitrate of silver or any like substance, or by any other means, is also prohibited.

VI. Weapons

On-campus possession of firearms (including blank pistols, replicas, pellet guns, BB guns, and tazers), ammunition, explosives, knives, fireworks, bow and arrow, and other articles or substances recognized as weapons or used as weapons, is prohibited.

Possession of a device designed to produce an electrical charge that can be used as a weapon or to cause bodily injury (e.g., stun gun, immobilizer, cattle prod, brand).

The only possible exceptions are some non-hazardous martial arts devices designed for practice, weapons used in authorized ROTC activities, or weapons used for police science or crime lab activities, and props for theatrical performances.

VII. Respect for Individual and University Property

Individual Property

Students must respect, maintain and care for property belonging to others.

University Property

Maintaining and preserving University grounds, academic buildings, residence and dining facilities, and associated structures is an obligation of all members of the community. Similarly, maintaining and preserving personal property is an obligation of all members of the community.

Theft

Theft, attempted theft, or unauthorized possession of property belonging to the University or to others is prohibited.

Fliers

Students must obtain permission from building managers to post fliers inside any building on campus. Posting of posters, handbills, fliers or notices on walls, trees, buildings, lawns, sidewalks, lampposts, electrical posts, trash containers, motor vehicles or anywhere other than an official bulletin board is strictly prohibited. The use of duct tape on sidewalks, roads, or buildings is prohibited. Delivery of fliers to individual residence rooms or to individual rooms in a fraternity or sorority is prohibited.

Vandalism

Vandalism, destruction of, damage to, or inappropriate use of property belonging to others is prohibited.

Academic Materials and Equipment

Students must respect, maintain, and care for books, magazines, library materials, or other academic materials or equipment. Destruction, mutilation, defacement, or tampering with any of the above is prohibited.

Unauthorized Occupancy

Students must observe University guidelines and policies regarding the occupancy and use of University property and facilities. Unauthorized occupancy of or trespassing on University property or University facilities is prohibited.

Trash, Recycling, and Litter

Students must dispose of trash and recyclable materials only in the proper receptacles provided indoors and outdoors around campus. Littering on campus grounds is strictly prohibited. Contaminating recycling receptacles by putting in items not designated for that container is prohibited.

Motorized Vehicles

No motor vehicles may park on campus property without displaying a proper permit. All motor vehicles must be properly registered. Students may operate or park a bicycle, motorcycle, automobile and any other manual or powered vehicle (except mobility aids) only on established, authorized marked roadways and parking areas.

Rollerblading, skateboarding, and scooters are prohibited within 30 feet of any University building. Skateboards, rollerblades, roller skates, and scooters are prohibited from roadways on campus.

VIII. Respect for University Functions, Policies, and Procedures

Free Expression and Peaceful Demonstrations

(Picketing, Rallies, Parades, Demonstrations, and other Assemblies)

The University of Rhode Island strongly values free speech. The freedom to debate and discuss the merits of competing ideas does not mean that members of the university community may say whatever they wish, wherever they wish. Consistent with the rule of law, the University of Rhode Island may restrict expression that violates the law including speech determined to be incitement to imminent lawless action; speech that falsely defames a specific individual; speech that constitutes a genuine threat or intimidation; speech that constitutes fighting words or legally defined obscenities; or that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the university.

Peaceful Demonstrations

The University of Rhode Island believes in the right to assemble, and is committed to the protection of all peaceful, non-disruptive forms of protest including mass demonstrations, pickets, and rallies. The campus must be open to a free exchange of ideas, however, the University may reasonably regulate the time, place, manner of expression to ensure that it does not disrupt the regular functioning of the university.

Signs, Posters, and Banners

No signs supported by standards or sticks shall be permitted in any assembly inside any building on campus. Signs supported by standards or sticks shall be permitted outside.

Fire, Torches, or Open Flame

The carrying or brandishing of torches, fire, or open flame is prohibited. Protected candles (candles with wind screens) may be used only with prior approval from the Public Safety Office/ Fire and Life Safety.

Masks and Face Coverings

The use of masks or face-coverings for the purpose of hiding one's identity during a protest or assembly is prohibited. The only exception will be for religious observation.

Identification

A student is always expected and required to carry a University of Rhode Island Student Identification Card. Students must identify as a student to an authorized University official having just cause to issue the order. The official must provide identification if the student requests it.

Responding

Students must appear before a University official when properly notified to appear and be informed of the reason for which the meeting requested.

Obstruction

Students must recognize and respect the legitimate functions of the University. Obstructing or disrupting or interfering with teaching, research, administrative, service and other functions of the University are prohibited. Making noise or causing noise to be made with objects or instruments which disturbs any of the above is prohibited.

Freedom of Movement

Students must allow other students, school officials, employees, and invited guests of the University lawful freedom of movement on the campus, lawful use of the property of the University, and the right of lawful entrance to and exit from any of the University's physical facilities.

Impeding Activities

Students must recognize and allow the staff or faculty of the University to engage in the lawful performance of their duties, or for students to pursue their educational activities. Impeding or restricting these activities through the use of restraint, abduction, coercion, or intimidation, or when force and violence are present or threatened, is prohibited.

Vacating Facilities

Students must vacate a building, street, sidewalk, driveway, or other facility of the University when directed to do so by an authorized official of the University, or during a fire alarm.

False Identification

The University identification card is to be used exclusively by the student to whom it belongs. Possession of and/or manufacture of any form of false identification are prohibited.

Student Addresses and Phone Numbers

Students must provide the University with a correct home and current local mailing addresses, phone number, and email address through e-Campus. The University and the Dean of Students Office utilizes the campus email system as the primary means of contact and communication with students.

Encouraging Violations

To encourage, entice, influence, or enlist another person to violate any of the University rules, regulations, or policies listed in this handbook is prohibited.

Complying with Instructions

Students must comply with instructions of University or town officials (e.g., faculty, staff, police, safety and fire officials) when they have just cause to issue these instructions.

Loud or Abusive Action

Loud and abusive actions (including participation in “food fights”) which disturb or threaten the peaceful assembly of the students in the dining rooms will be grounds for referral to the University Student Conduct System.

Gambling

Any gambling not licensed by the state is prohibited. Prohibited activity includes, but is not limited to, such activities as sports betting pools, parlay cards, pyramid schemes, card games with money bets.

Name of the University

No group of students will use the name of the University in outside activities, thereby representing the University, unless approved and authorized by the Director of the Memorial Union/Student Involvement & Center for Student Leadership Development and the Student Senate Inc. For graduate students, the approving body is the Graduate Student Association.

University Trademark

The University has registered its name and its various associated symbols and emblems with the U.S. Patent and Trademark Office. Consequently, all persons and organizations, both on and off campus, are required to obtain a written license from the Vice President of Student Affairs if they wish to use the University's name or symbols on any items for sale. Organizations and units that are officially part of the University will pay a lesser fee than external organizations. The signing of such a license does not grant the right to sell such items on campus. This activity is controlled by other policies.

Copyrights and Patents

All members of the University community, including faculty, pre and postdoctoral fellows, research associates, staff, and students, including graduate assistants and research assistants in any combination of study, research, and teaching, will be subject to the University's Intellectual Property Policies. These policies, which relate to patents, copyrights, and other forms of intellectual property, are contained in the University Manual and are subject to interpretation and implementation by the University's Intellectual Property Committee, with the approval of the President of the University.

IX. Sexual Misconduct and Relationship Violence Policies

Sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking are prohibited under the Student Code of Conduct. It is important to note that sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking are prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Reporting Party (Complainant) or Responding Party (Respondent).

Sexual Harassment

Sexual Harassment is any unwelcome conduct of a sexual nature and/or based on gender that is sufficiently severe and pervasive and objectively offensive as to interfere with a person's work/learning / program performance or to create a hostile, intimidating, or abusive environment. Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at URI;
- b) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at URI; or
- c) Such conduct is so severe and pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the Covered Entity and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the University of Rhode Island.

Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender-stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment.

Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following

- Verbal: Sexual remarks, comments, and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.

- Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts or objects.
- Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape.
- Examples may also include, persistent and inappropriate personal attention in the face of repeated rejection; unwelcome comments about an individual's sexual orientation, gender, gender identity, or gender expression; inappropriate written conduct containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's sexual orientation, gender, gender identity, or gender expression.

Sexual harassment need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment.

The University will consider the effects of both on and off campus conduct when evaluating whether there is a hostile environment on campus.

Sexual Assault

Sexual assault includes any of the following:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;
- Fondling: The touching of the private body parts of another person (breasts, buttock, groin, and/or genitals) for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. This would include making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with, of, or by breasts, buttocks, groin, genitals, mouth, or other orifice; by a person upon a person; without consent;
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in Rhode Island is 16 years of age (See RIGL § 11-37-6).

Sexual assault also includes any sexual act directed against another person, without the consent of that person, including instances where the person is incapable of giving consent.

Sexual Exploitation

Purposefully taking sexual advantage of another without that individual's consent for the initiator's 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 the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Sexual exhibitionism
- Prostituting or soliciting another student
- Non-consensual video, photographing, or audio-taping of a sexual nature and/or distribution of these materials via mediums such as the internet
- Exceeding the boundaries of consent (e.g., allowing people to watch consensual sex without knowledge from the participants)
- Peeping or other voyeurism
- Knowingly transmitting a Sexually Transmitted Infection (STI) or HIV to another individual
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation
- Possession and/or distribution of child pornography

Domestic Violence

Domestic violence is a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner or the complainant;
- A person with whom the complainant shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- A person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- Any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence

Dating violence is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the physical violence or the threat of physical violence has been committed. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking

Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for the individual's safety or the safety of others; or if the individual suffers substantial emotional distress. For the purposes of this definition "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Common stalking acts include, but are not limited to, harassing, threatening or obscene phone calls, any written or electronic communication, following, vandalism of personal property, and/or leaving unwanted gifts or objects.

Retaliation

Retaliatory action of any kind by any member of the University community against individual(s) who bring complaints and who are cooperating in the investigation of a complaint is prohibited and shall be regarded as a separate and distinct violation. Retaliation includes but is not limited to threats (both verbal and physical), intimidation, harassment, coercion, and other adverse action. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of sexual misconduct or relationship violence as defined herein. Examples of retaliation may include pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property, sending unwelcomed messages by electronic media, encouraging friends to relay unwelcomed messages, stalking or threatening, etc.

Amnesty for Title IX Complaints

The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of violence to institution officials. The Complainant, Respondent, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the University or law enforcement will not be subject to the University's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

Relevant Definitions

Consent: Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through manipulation, force or coercion of any kind, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. Impairment or incapacitation due to alcohol and/or drug use, permanent/ temporary psychological or physical disability, and being below the age of consent (age 16) are factors which detract from or make consent impossible. Silence or an absence of resistance does not imply consent, consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

Incapacitation: Incapacitation means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the specific sexual acts. A person may become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious, or due to intellectual or other disability. When determining incapacitation, the inquiry is whether a sober, reasonable person should have known that the person was incapacitated and could not provide consent. Evidence of incapacitation may include, but is not limited to, slurred speech, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.

Force: The use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercion: The use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include but are not limited to threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Reporting Party: The person alleging to have been subjected to violence, harmed or suffers from a violation of the Student Handbook (victim/complainant).

Responding Party: The person or group that is alleged to have committed a violent act, harmed or caused some to suffer by committing an alleged violation of the Student Handbook (charged, accused, respondent).

2019 VERSION (ARCHIVE)

The University Student Conduct System

Introduction

The purpose of the University Student Conduct System is to promote student growth and to preserve the atmosphere of learning necessary to the well-being of all students. The Dean of Students Office is responsible for administering all aspects of the University Student Conduct System. Conduct action may be implemented only through referral of violations to the Dean of Students Office, The Office of Community Standards, the Office of the Vice President of Student Affairs, or Housing and Residential Life. Complaints and reports of violations may be submitted to the Dean of Students Office from the campus police or local police departments, from other students, and from faculty and staff.

As members of both the University community and the outside community, students may be held responsible for incidents in more than one arena. Thus, if the University police receive a complaint, as a fully empowered police department, they may bring criminal charges against any student. If the same incident is also a violation of the University's community standards and falls within jurisdiction of the student conduct system, campus proceedings may proceed independently, concurrently, and according to the University's timetable. Any questions about concurrent charges should be addressed to the Dean of Students Office.

Notice will be given to all students of meetings, hearings, incidents, and outcomes using the student's URI email address (@my.uri.edu).

Cases of academic dishonesty that receive grade sanctions, but not formal conduct action are governed by guidelines under Academic Honesty.

The University Student Conduct System applies primarily to individual students but also applies to student organizations. Fraternity, sorority, and student organization cases are heard by the Dean of Students Office using the same general guidelines outlined in the Student Handbook.

Both reporting and responding students have rights that the University is committed to maintaining and protecting. All policies, procedures, and practices of the University Student Conduct System will therefore be administered in a manner that reflects and preserves a balance and does not favor the rights of one side to the detriment of the other.

Errors in charge letters, outcome letters, or other official communication should be brought to the attention of the charging official within three business days of receipt. Substantive errors may necessitate extension of the student's deadlines. Questions

about the conduct system should be addressed to the Dean of Students Office, 302 Memorial Union, 874-2098.

Definitions

University community: includes staff and faculty and students and visitors to the University of Rhode Island campuses, including the University Police Department.

Conduct administrators: are staff members from the following departments charged with conduct responsibilities: Dean of Students Office, Housing and Residential Life, Office of Community Standards.

Academic cases: are those which involve cheating, plagiarism or falsification of course requirements.

Non-academic cases: involve all other alleged violations of university policies and regulations, and of state or federal law when university jurisdiction applies.

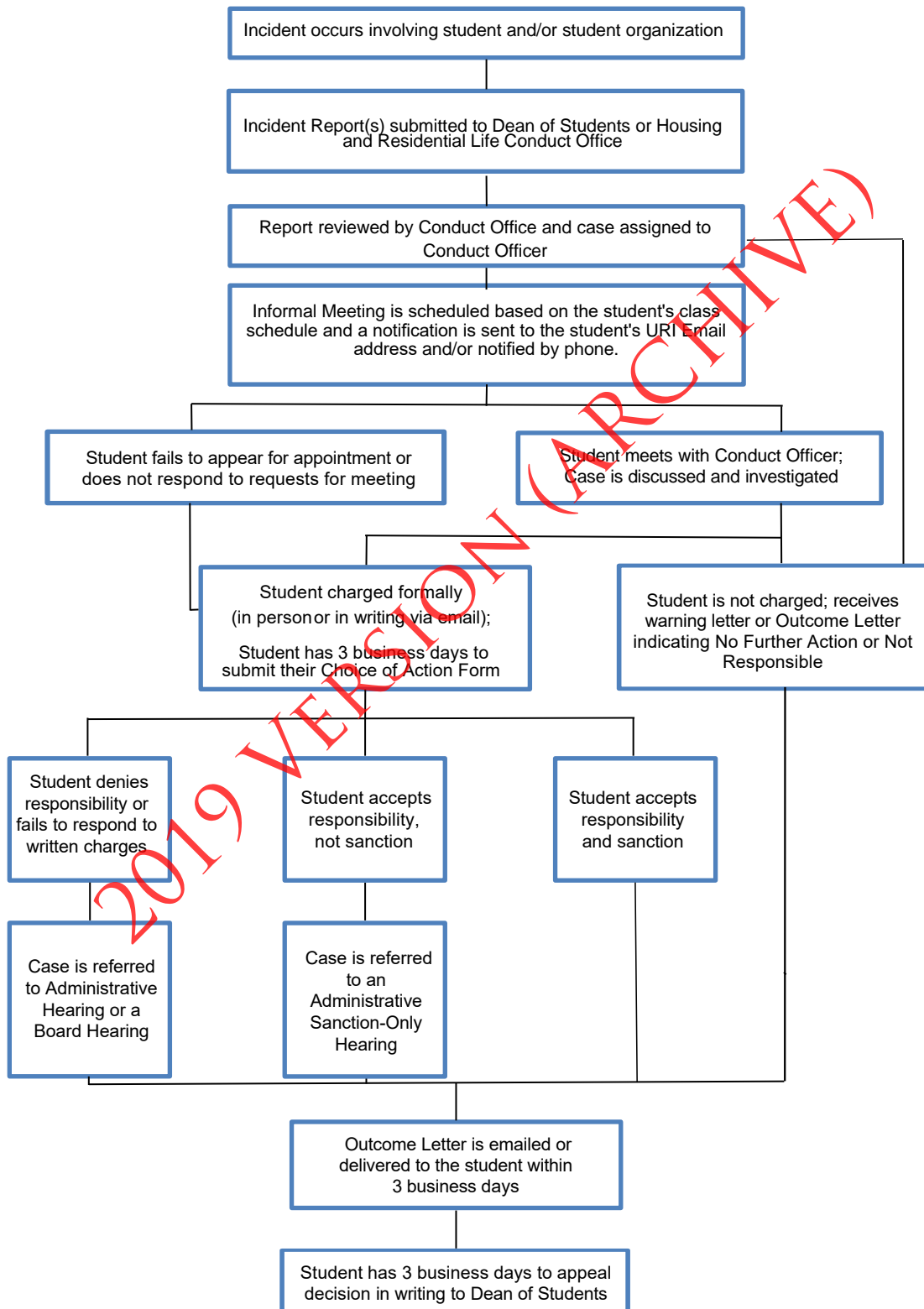
Student: means all persons accepted to the University of Rhode Island for matriculation and/or all individuals registered in or auditing any course or program at the University of Rhode Island. Individuals not currently enrolled but intending to return are also considered students (e.g., those on leaves of absence).

Reporting Party: means the person alleging to have been subjected to violence, harmed or suffers from a violation of the Student Handbook (victim/complainant).

Responding Party: means a person that is alleged to have committed a violent act, harmed or caused some to suffer by committing an alleged violation of the Student Handbook (charged, accused, respondent).

Business Days: means those days the university is open for regular business during the fall, spring or summer terms. Weekends and university-wide holidays are excluded. When the day by which some action must be taken falls between terms, or within the weeks of Thanksgiving, Winter break, Spring break, the action will normally be postponed to the first business day after the break or the beginning of the next term. However, the university may require, upon prior notification of the student, that extenuating circumstances warrant counting of days during such breaks.

Student Conduct Process Flow Chart: NOTE: Allegations involving sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking are heard under a separate process, the Sexual Misconduct and Relationship Violence Complaint Policy. All other violations of the University Community Standards of Behavior are adjudicated as outlined in the flow chart below).



Incident or Complaint review

The available facts shall be gathered from the complainant or the reporting agency and a careful evaluation of these facts, as well as the reliability of information shall be made. If corroboration of the information presented is deemed necessary, further inquiry and investigation shall be undertaken.

If, at this point, in the judgment of the conduct administrator, there is insufficient information of a violation, or the case lacks merit, a decision not to refer the matter to the student conduct system may be made. Generally, a complaint or incident report is acted on within 60 business days after the information is known. In unusual cases, conduct action may occur after a longer period of time.

Deferral of Proceedings

The Dean of Students Office may defer action at any stage of the process.

Conduct Advisors

The University Student Conduct System is not an adversarial process, but an impartial inquiry into student conduct and the facts of the incident. A Conduct Advisor's role is to provide guidance and support for students involved in student conduct matters. The advisor's role is to provide support, guidance and/or advice only. A Conduct Advisor may be a student, faculty, or staff member at the University who has been trained on the University Student Conduct System. Parents or guardians do not serve in a Conduct Advisor role. Training on the Student Handbook and student conduct procedures is strongly recommended for an individual serving in the Conduct Advisor role.

However, anyone with a law degree or a licensed attorney is only permitted to serve as a Conduct Advisor in University Student Conduct Systems meetings or hearings where students are:

- a) Involved in incidents involving sexual assault, sexual harassment, domestic violence, dating violence, and stalking or
- b) Involved in incidents when there is a concurrent criminal charge

The Dean of Students must give prior approval in all instances where licensed attorneys or the presence of anyone with a law degree is requested.

A student with a disability affecting communication or a student who cannot effectively communicate in the English language may seek a reasonable accommodation to allow an advisor or interpreter to present or translate the case for the student.

Witnesses and involved parties are not allowed to serve as advisors.

Role of the Conduct Advisor

The Conduct Advisor's role is passive, and the advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. The advisor may not ask questions or respond on behalf of the Reporting Party or Responding Party. The Reporting Party or the Responding Party may request a break during any meeting and/or proceeding to allow the Reporting Party or the Responding Party to confer with their respective advisors in private. Conduct Advisors may participate in the following ways during the student conduct process:

- To advise the student or student organization on the preparation and presentation of the information prior to and during meetings and hearing
- To accompany the student or student organization to all student conduct meetings and hearings
- To advise the student or student organization in the preparation and presentation of any appeal
- To ensure that the student or student organization understands the seriousness of the hearing
- To consult with and advise the respondent or complainant during the process
- To support the complainant or respondent during the student conduct process

A Conduct Advisor may not do any of the following:

- Present any part of the information for the student/organization
- Ask any questions of any witnesses appearing for the respondent or for the complainant
- Ask any questions of the Student Conduct Administrator or Hearing Panel during hearings

Advisors who do not follow the guidelines outlined in this Policy will be asked to leave the meeting(s) and/or proceeding(s).

The University may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the University is not required to do so and will not do so if it unreasonably delays the Student Conduct process.

Interim or Emergency Measures

Emergency Suspension

Pending formal action on a violation of the student handbook, the status of a student or student organization shall not be altered or the right to be present on the campus, to participate in activities and to attend classes suspended, except for reasons of imminent danger to their physical or emotional safety or well-being or for reasons of imminent danger to the safety or well-being of the University community.

For student organizations, an Emergency Suspension is warranted if their continued activity on the campus may constitute a danger to the safety, property or campus welfare.

The decisions to separate a student or student organization from the University under these conditions shall be made only with the approval of the Vice President for Student Affairs.

If a student or student organization is Emergency Suspended, the student or representatives of the student organization is separated from the campus by this authority, the procedures outlined in the Hearing section shall be implemented only if requested in writing by the separated student or student organization.

The student(s), or student organization, will receive a written notice stating the reasons for the Emergency Suspension and are entitled to a meeting with the Dean of Students, or their designee, within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student or organization's responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students, the student/student organization will have the opportunity to share information regarding the incident and request that the Emergency Suspension be lifted. The Dean of Students, or their designee, will make the final determination whether an Emergency Suspension warrants continuation.

If requested, every effort will be made to offer a hearing within 15 days after the separation. A student or student organization separated from campus by this authority must remain separated until the hearing is held. If more than one semester elapses from the time of the Emergency Suspension to the time the student/student organization requests a hearing, the hearing will always be an Administrative Hearing.

Emergency Removal from On-Campus Housing

The immediate interim removal of a residential student from all on-campus residential units pending formal student conduct charges. An Emergency Removal may be initiated for reasons of imminent danger to their physical or emotional safety or well-being or for reasons of imminent danger to the safety or well-being of the University community. The action must be approved by the Dean of Students or Director of Housing and Residential Life. Removal from traditional residence halls would prevent the student from living in any other on-campus University housing (i.e. IEP, Women's Center, Fraternity or Sorority Houses). The student(s), or student organization, will receive a written notice stating the reasons for the Emergency Removal and are entitled to a meeting with the Dean of Students within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student or organization's responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students or designee, the student will have the

opportunity to share information regarding the incident and request that the Emergency Removal be lifted. The Dean of Students or Assistant Vice President of Student Affairs/ Director of Housing and Residential Life will make the final determination whether an Emergency Removal warrants continuation.

Emergency Relocation within On-Campus Housing

The immediate interim relocation of a residential student from their assigned living unit to another room and/or residence hall. An Emergency Relocation may be initiated for reasons of imminent danger to their physical or emotional safety or well-being or for reasons of imminent danger to the safety or well-being of the University community. The action must be approved by the Dean of Students (or designee) or the Assistant Vice President of Student Affairs/Director of Housing and Residential Life (or designee). The student(s) will receive a written notice stating the reasons for the Emergency Relocation and are entitled to a meeting with the Dean of Students within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student(s) responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students or designee, the student will have the opportunity to share information regarding the incident and request that the Emergency Relocation be reversed. The Dean of Students or Assistant Vice President of Student Affairs/ Director of Housing and Residential Life will make the final determination whether an Emergency Relocation warrants continuation.

Interim No Contact Order

A directive issued when there is a perceived concern for the health, safety, and well-being between all involved parties of an incident. In cases involving multiple students, mutual No Contact Orders will be issued to all involved in the incident. The student(s) will receive a written notice stating the reasons for the Interim No Contact Order and the specific parameters of the Interim No Contact Order. The involved students are entitled to a meeting with the Dean of Students within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student's responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students or designee, the student will have the opportunity to share information regarding the incident and request that the Interim No Contact Order be vacated. The Dean of Students or designee will make the final determination whether an Interim No Contact Order warrants continuation.

Informal Meeting

A meeting that occurs with a conduct administrator when an incident or report has been received. During this meeting the student, or student group, is given the opportunity to discuss the incident or report. The student may or may not be charged during this meeting.

Charges

When the Student Conduct Administrator decides that there is information of a violation that warrants referral to the conduct system, the student shall be notified in writing of the charges. This written notification will include the date, location, description of the alleged violation, reference to the handbook section allegedly violated, and potential sanction(s) will be given.

If a student withdraws or is academically dismissed while charges are pending, conduct procedures may continue or be delayed upon the student's return to the University at the sole discretion of the Dean of Students or designee.

If a student completing degree requirements is accused of a violation of community standards that may lead to suspension or dismissal, the student's degree (e.g., diploma, transcripts) may be held pending resolution of student conduct action or as a result of such action.

A student has three (3) business days to point out errors in charge letters and when a corrected letter is issued, a student will have, at minimum, an additional three (3) business days to choose action.

Response to Conduct Charge

Formally charged students, or groups, may admit or deny responsibility for the charges. A student, or student group, will have three (3) business days upon receipt to respond to a charge letter.

The charged student, or student group, has three options for responding to a conduct charge:

- a) If the student accepts Responsibility for the charges and the Recommended Sanction(s), the case is resolved and an Outcome Letter will confirm the resolution.
- b) If the student accepts Responsibility for the charges but does not accept the Recommended Sanction(s), the incident will be referred to an Administrative Hearing Officer.
- c) If the student denies Responsibility for the charges, the case will be referred to a hearing before a Conduct Board Hearing Panel or Administrative Hearing Officer.

Hearings

The purpose of a hearing is to evaluate information relevant to the responsibility of the responding party (the charged student), and to evaluate information relevant to appropriate sanctioning. The following applies to all hearings:

- Every effort will be made to hold a hearing within 20 class days from the date the student completes the Choice of Action form.
- Concerns, challenges, or objections regarding the prehearing process are not part of the hearing but must be raised with the Dean of Students Office no later than three (3) business days in advance of the hearing.
- If a student withdraws or is academically dismissed while charges are pending, conduct procedures may continue at the discretion of the Dean of Students. If a student completing degree requirements is accused of a violation of community standards that may lead to suspension or dismissal, the student's degree (e.g., diploma, transcripts) may be held pending resolution of student conduct action or as a result of such action.

Because the University believes in the value of review, students may choose the type of formal hearing they prefer when charged with a violation of community standards. The two options for formal hearings are:

Administrative Hearing before a Student Conduct Administrator: Administrative hearings are conducted by a single staff person and are recorded. The recordings are saved for three (3) years.

University Student Conduct Board Panel of students, faculty, and staff: The number of board members varies based on the type of charges (i.e. academic integrity, sexual misconduct, etc.) however all board hearings involve faculty and students, except cases involving allegations of Sexual Misconduct or Relationship Violence.

These hearings are recorded, and the recordings are saved as long as the record is retained.

Administrative Hearing

Summary of Administrative Hearing Process before a Student Conduct Administrator

The following steps apply to the Administrative Hearing Process:

1. Informal meeting is scheduled with the Student Conduct Hearing Officer.

2. The student is charged. At the end of three (3) business days, the student must respond to the Charge Letter by submitting a Choice of Action Form to the Student Conduct Hearing Officer.
3. If a student chooses to deny the recommended outcome (either responsibility and/or sanction), they may request an Administrative Hearing.
4. The Administrative Hearing is scheduled as soon as possible, usually within 2 weeks.
5. The Student Conduct Hearing Officer will send an Administrative Hearing Notification a minimum of five (5) business days prior to the hearing.
6. Students should present a list of witnesses of fact two (2) days before the hearing to the Student Conduct Hearing Officer.
7. The Student Conduct Charging Officer presents all information gathered to the Administrative Hearing Officer prior to the scheduled hearing.
8. The Administrative Hearing Officer sends an Outcome Letter to the student within three (3) business days of the hearing.
9. If the student appeals to the University Appeals Board on Student Conduct, the Administrative Hearing Officer along with the Student Conduct Hearing Officer prepares the University's response to the appeal.

Conduct Board Panel Hearing

The full Conduct Board consists of trained students, faculty, and staff. Every effort will be made to have Board representation from the following groups: graduate students, recognized student organizations, residence hall students, and commuters. Every effort will be made to recruit and select students from diverse backgrounds. Only full-time students who do not have current conduct sanctions are allowed to serve.

Conduct Board member selection will take place in the following order:

- 1) A community wide nomination, interview by representatives from the Office of Community Standards team, and a formal appointment made by the Dean of Students or designee.
- 2) Two or more students appointed by Student Senate.
- 3) Two staff members appointed by the Vice President of Student Affairs and/or Dean of Students.
- 4) Four Faculty members appointed by the Faculty Senate.

Conduct Board Hearing Panel

A Hearing Panel selected from the current Conduct Board membership hears cases of alleged violations of community standards or University policies as referred to it by the Dean of Students Office. Past board members may serve if current board members are not available. Panels will be comprised of at least three (3) members of the conduct board, one of which will always be a student representative.

The panel chairperson shall be selected from the student hearing panel members.

Cases involving allegations of Sexual Misconduct or Relationship Violence

Cases involving Sexual Misconduct or Relationship Violence will be heard by a hearing panel of at least three (3) faculty and/or staff members. ***Students will not serve on hearing panels for Sexual Misconduct and Relationship Violence.***

Summary of Conduct Board Hearing Process before a panel of students and faculty

The following steps apply to the Conduct Board Hearing Panel Process:

1. The student is charged. At the end of three (3) business days, the student must respond to the Charge Letter by submitting a Choice of Action Form.
2. If a student chooses to deny responsibility, they may request a Conduct Board hearing.
3. The Conduct Board is notified of a request for a Hearing Panel.
4. The Student Conduct Hearing Officer sends the Hearing Notification Packet a minimum of five (5) business days prior to the hearing.
5. Student may challenge Hearing Panel members within three (3) business days before the hearing.
6. Students should present a list of witnesses of fact two (2) days before the hearing to the Student Conduct Hearing Officer. It is the responding student's responsibility to ensure that their witnesses are available at the time of the hearing.
7. The Hearing Panel Advisor sends an Outcome Letter to the student within three (3) business days of the hearing.
8. If the student appeals to the University Appeals Board on Student Conduct, the Hearing Panel Advisor along with the Student Conduct Charging Officer prepares the University's response to the appeal.

Procedures for Hearings

All hearings follow procedures outlined below whether they are before a Conduct Administrator or before a Hearing Panel, whether they are academic or non-academic cases. Notice in writing of the hearing will be delivered to the charged student (Responding Party) and when there is one, to the student with a complaint (Reporting Party), at least five (5) business days in advance of the hearing. All hearings are closed.

Evidence

Evidence in a hearing includes an account of the incident written by law enforcement, a Resident Advisor, or a department member, faculty, or staff member. Verbal and written accounts of the incident may also be presented by the Responding Party, the Reporting Party, and witnesses. Audio recordings, video recordings, documents, and materials related to the incident are also considered evidence. The technical rules of evidence applicable to civil and criminal cases shall not apply.

Standard of Proof

The University Student Conduct System Standard of Proof is Preponderance of the Evidence. This standard of proof means that “more likely than not” based on the information being reviewed and presented, leads the Student Conduct Administrator or Hearing Panel to the conclusion that a violation of the Student Handbook occurred. When the student denies responsibility for the charges, the burden of proof rests on the information and witnesses brought forward by the investigating Charging Officer.

Witnesses

During hearings, information supporting the charges is presented through witness testimony and/or supporting reports. No oaths are requested, and the technical rules of witness testimony applicable to civil and criminal cases shall not apply.

In instances where policy or regulations set or monitored by a particular department are allegedly violated, staff from that department may appear as witnesses. In particularly sensitive cases, a counselor or support person may accompany a witness, and/or a witness may participate in alternative video conferencing. This can be arranged in consultation with the Hearing Panel Advisor prior to the hearing.

Witnesses for the responding party may not be permitted to appear at a hearing unless they have already provided the investigating conduct administrator with the substance of their contribution of the facts of the case, either in person or in writing, at least two (2) working days prior to the hearing. **Character witnesses are not permitted.**

Except when written testimony is allowed, the responding party has the right to question all witnesses through the Student Conduct Administrator or panel chair. The Student Conduct Administrator or panel chair has the right to rule on admissibility or manner of questioning.

Written witness statements must either be sent through the witnesses University of Rhode Island email address or certified by a notary public. The Student Conduct Administrator or panel chair with the assistance of the Hearing Panel Advisor determines the appropriateness of the use of written statements regarding the facts of the case. If the statements are admitted and prove to be pivotal to the case, the hearing should be continued or adjourned until the absent witness can be present or further questioned.

Findings and Sanctions

The hearing panel or administrative hearing officer makes one of the following decisions upon completion of the hearing based on the preponderance of the evidence:

- a) A finding of Not Responsible,
- b) A finding of Responsible,
- c) Dismissal of the charges due to lack of information, or
- d) Continuance of the case for the purpose of obtaining additional information or for further consideration.

Decisions on are based only upon information introduced at the hearing. Deliberations on responsibility require a majority vote. Sanctions shall be made by a majority vote. The Hearing Panel chair has the right to vote in all matters.

Students who obtain information at the hearing which might lead to new information must ask for a continuance of the case at the time rather than wait to raise the matter for the first time as the basis for an appeal request.

When information is presented in a hearing indicating the responding party or witnesses may be responsible for violations not yet charged but related to the same incident, with the agreement of the responding party, the Student Conduct Administrator or Hearing Panel may consider these additional violations against the student(s) when making sanction recommendations at the hearing. Without this agreement, Student Conduct Administrator or Hearing Panel may recommend that additional charges be brought against the student later and may recommend that charges be brought against a witness when information about violations related to the same incident is presented in a hearing.

Challenging Hearing Panel Members

The responding party will receive the names of the hearing panel members and Hearing Panel Advisor in the hearing notification letter. The respondent may challenge the participation of a particular panel member or hearing officer for good cause with a written rationale. The challenge must be delivered in writing to the Charging Officer at least three (3) business days in advance of the hearing.

Each panel member will be informed of the responding party's and reporting party's name (when applicable), and the charges at the time of the hearing. Any panel member may disqualify themselves, and either the reporting party or responding party in the case may be permitted to disqualify a member of the panel for "good cause." If alternates for disqualified panel members are available, these alternates take the place of the disqualified members. If it is not possible to replace a sufficient number of disqualified members to maintain a panel composition, the hearing may proceed only with the agreement of the respondent and/or complainant, when applicable.

Rescheduled Hearing

The responding party and the reporting party have the right to one rescheduled hearing if the scheduled time causes undue hardship. The request should be made to the Office of Community Standards at least three (3) business days prior to the hearing and the student may be asked for documentation. A student is required to appear for a scheduled hearing; failure to do so normally results in the case being heard in the student's absence.

Prejudicial or Irrelevant Information

Before the hearing, the Hearing Officer will work to eliminate prejudicial and irrelevant information in the Hearing Packet. If the responding party, or reporting party, if applicable, believes information provided to the hearing panel is prejudicial and irrelevant, they should add a written complaint or request a correction to the Hearing Packet that has been provided for the conduct board and conduct board advisor.

During the hearing, the Student Conduct Administrator or Hearing Panel Advisor and the Hearing Panel chair will work to ensure that the information presented at the hearing is relevant to the case being heard.

Role of the Hearing Panel Advisor

All hearing panels have a Hearing Panel Advisor appointed by the Associate Dean of Students, Community Standards. The Hearing Panel Advisor is present during all stages of the process including hearings and deliberations. Responsibilities of the Hearing Panel Advisor shall include:

- Advising the hearing panel regarding the requirements and provisions of due process,
- Providing continuity in Conduct Board and Hearing Panel operations

and procedures,

- Facilitating the implementation of conduct procedures at all levels of the student conduct system,
- Acting as a liaison between panels and the University community,
- Assisting the board in fulfilling its educational responsibility in sanctioning appropriately,
- Providing the hearing panel with the past conduct history of a responsible student during the sanction part of the hearing, and
- Preparing a written record of each hearing which includes a summary of the statements, information presented, and the decision reached.

The Student Conduct Administrator who serves as the Hearing Panel Advisor shall not be the individual who conducted the original investigation. The Hearing Panel Advisor does not offer a vote or opinion on the question of responsibility or subsequent sanctions.

Order of Events for Hearings

Pre-Hearing Event

The hearing panel and Hearing Panel Advisor examine documents prepared by the Hearing Officer (e.g., summaries of incident, chronology, charge letter, witness statements, police reports, etc.).

The Administrative Hearing Officer or Hearing Panel Advisor sets up the digital voice recording. All hearings are recorded to help in the preparation of a hearing report and appeal. Recordings will be kept for at least three years.

The Reporting Party enters the Hearing room. The Reporting Party's Conduct Advisor enters with the Reporting Party, when applicable.

The Reporting Party enters Hearing room. The Reporting Party's Advisor enters with the Reporting Party, when applicable. In specific cases, the Responding Party and their Conduct Advisors may be present in an alternative location.

Hearing Events and Order

I. Introductions and Statement of Rights

The Administrative Hearing Officer or Hearing Panel chair facilitates the introduction of Hearing Panel members and Hearing Panel Advisor and when applicable, any panel members or Student Conduct Administrators attending the hearing for training purposes.

The Administrative Hearing Officer or Hearing Panel chair explains confidentiality and reads the Statement of Student's Rights in the Student Conduct Process including fairness and due process:

- To be assisted by one Conduct advisor who is not a party in the incident. In specific cases, attorneys may serve as Conduct Advisors, particularly when criminal charges are pending and in cases involving sexual harassment, sexual assault, sexual or relationship violence, or stalking.
- To present witnesses appearing in their behalf.
- To challenge the information presented against them.
- To submit oral or written statements.
- To remain silent and not testify against themselves. Students should remember that if they chose to remain silent, the board is compelled to hear the case and render a decision based upon the information presented.

II. Statement of Charges, Response and Review of Information

A statement of charges will be read by the Administrative Hearing Officer or Hearing Panel chair.

The responding party is asked if they understand the charges. Then, the respondent states whether they accept or deny responsibility for the each of the charge(s). The respondent presents their statement/description of the incident.

If applicable, the reporting party presents their statement and description of the incident first. In specific cases, the reporting party may present their statement and witnesses from another location.

If there is more than one responding party, the Administrative Hearing Officer or Hearing Panel chair determines the order in which the students give their description of the incident. This order and process shall prevail throughout the remainder of the hearing procedures.

Reporting and responding parties are allotted 45 minutes each to present their statement and witnesses. Additional time may be requested of the hearing panel/hearing officer if needed.

III. Questions

Administrative Hearing Officer or Hearing Panel members ask questions regarding the statement and descriptions that were made. The responding party and/or reporting party may ask questions through the panel chair regarding those statements and descriptions. At their discretion, the Administrative Hearing Officer or Hearing Panel member may ask the parties to submit their questions in writing so that they may be evaluated for relevancy.

At the request of the Administrative Hearing Officer or Hearing Panel, the investigating Hearing Officer may appear at the hearing to answer questions from the respondent, Reporting Party, and Hearing Panel.

IV. Witnesses

Witnesses speaking to the facts of the incident are escorted to the hearing room one at a time. The Administrative Hearing Officer or Hearing Panel chair determines order of appearance. The following steps will be followed for witnesses to the facts of the incident:

- 1) The witness describes their knowledge of the incident.
- 2) The panel asks questions.
- 3) The responding party asks questions through the panel chair.
- 4) The reporting party asks questions through the panel chair.

V. Final Statements, Final Questions before deliberations

The responding party may make a final statement limited to 10 minutes.

If applicable, the reporting party makes final statement limited to 10 minutes. The panel reserves right to ask questions after final statements.

VI. Deliberations

The respondent, the complainant, and respective advisors, are escorted from the hearing room.

The Administrative Hearing Officer or Hearing Panel deliberate and decide.

VII. Outcome

The respondent, the complainant, and respective advisors, return to the hearing room to hear the decision on responsibility.

If a respondent is found not responsible, the hearing is concluded.

If a respondent is found responsible, the Administrative Hearing Officer or Hearing Panel will proceed with the sanctioning portion of the hearing

VIII. Sanctions

Information regarding sanctions is presented in the following order:

- 1) A statement of the responding party's past conduct history is read.
- 2) A statement of the recommended sanctions from the investigating Hearing Officer are read.

- 3) The responding party responds to recommended sanctions with their proposed sanctions. The Administrative Hearing Officer or Hearing Panel chair may ask the responding party questions about their recommended sanctions.
- 4) If applicable, the reporting party or individuals impacted by the incident may give victim impact statements and propose sanctions. The Administrative Hearing Officer or Hearing Panel chair may question the reporting party or individuals impacted by the incident.

The Hearing is concluded.

The responding party, the reporting party, and respective Conduct Advisors are escorted from the hearing room.

The Administrative Hearing Officer or Hearing Panel remain in the hearing room and deliberates on sanctions.

IX. Approval of Sanctions

In cases where suspension or dismissal is recommended, the Hearing Panel Advisor or Administrative Hearing Officer will forward the panel's recommended sanctions and rationale for recommended sanctions to the Dean of Students and Vice President of Student Affairs.

In all other cases, the Hearing Panel Advisor or Administrative Hearing Officer will forward the panel's recommended sanctions and rationale for recommended sanctions to the Associate Dean of Students, Community Standards.

The Hearing Panel Advisor or Administrative Hearing Officer sends a final Outcome Letter to the Respondent which includes the Respondent's Right to Appeal, and the process for Appeal to the student the within three (3) business days.

In cases involving sexual harassment, sexual assault, sexual or relationship violence, and stalking, the Hearing Panel Advisor or Administrative Hearing Officer also sends a final Outcome Letter to the Complainant which includes the Complainant's Right to Appeal, and the process for Appeal to the student the within three (3) business days.

Sanctions & Findings

Note: Please refer to the Academic Honesty Procedures for additional information regarding sanctions for Academic Honesty Violation.

Sanctions are a range of actions that may be imposed by the Student Conduct Administrator or Hearing Panel as a consequence of being found responsible for violating the University's community standards of behavior. The Student Conduct Administrator or Conduct Board can establish new or modify existing sanctions that promote student growth and preserve the atmosphere of learning necessary to the well-being of all students and the community. In addition, situational conditions may be applied when appropriate. Situational conditions may include, but are not limited to:

- All facets of the specific individual situation
- The severity of the violation
- The degree to which a student has participated or been involved in an incident
- The student's motivations and intent in connection with the infraction, and
- Any record of past violations

Range of Sanctions and Findings

Community/Work Service

A specific number of unpaid work hours for a non-profit agency. It is the student's responsibility to complete the work service hours and return the documentation certifying completion of work to the hearing officer by the determined deadline. The student must have the supervisor at the volunteer site complete the Work Service Verification Form (available for download at <https://web.uri.edu/studentconduct/files/Work-Service-Verification.pdf>) or forward a letter to the hearing officer detailing the hours and specific work completed.

Court Ordered Sanctions

Sanctions required by the court system. In some instances, a student may be required to provide verification of completion of any court ordered sanctions.

Disciplinary Probation

A stated period of time indicating that a student is responsible for a violation of the student handbook and their behavior is under close examination. During the probationary period, the student is subject to further conduct action, including suspension or dismissal, if found responsible for another violation of the student handbook.

Dismissal

The permanent involuntary separation of a student from all University of Rhode Island owned and operated properties and campuses. Specifically, the student is trespassed

from the University. The student is not allowed to attend classes or university events, nor use or be present in any university facilities. Rhode Island General Law 11-44-26, as amended, allows the University police to arrest any dismissed student found on campus. Dismissal from the University must be approved by either the President or Vice President of Student Affairs and the Dean of Students.

Educational Sanction

Sanctions used to provide additional education related to the behavior or incident by the hearing officer. Students assigned an educational sanction will be given a detailed description of the assignment by the hearing officer. Examples of educational sanctions include, but are not limited to: self-assessment surveys, written assignments and presentations.

Emergency Suspension

Interim immediate separation from the University when it is determined that a student may pose an imminent danger to the physical or emotional safety of themselves, other individuals or the University community. During an emergency suspension, the student may not be present on campus, participate in activities or attend classes. If a student organization's continued activity on the campus may constitute a significant danger to the safety, property or campus welfare, their organization will cease and desist all activities. The Vice President for Student Affairs or designee must give approval for an emergency suspension

Interim Suspension

A temporary removal from campus. If it is determined that a student's continued presence on campus may constitute a threat of harm to the student, to other individuals, and/or to University property, the Vice President for Student Affairs or designee may temporarily suspend the student from being on campus pending the resolution of the student conduct process or other disciplinary process as outlined herein. Prior to issuing the interim suspension, the student will be given the opportunity to show why the interim suspension should not be implemented, including the opportunity to challenge the evidence that the University is relying upon in imposing the interim suspension. In determining the appropriateness of the interim suspension, the rights of the student and the risk of threat to the University community will be taken into consideration. Interim suspensions may also be used when a student is facing criminal charges and wishes to postpone the student conduct or other disciplinary process as outlined herein, pending resolution of the student's criminal case. During an interim suspension, the student may not be on campus without written permission from the Vice President for Student Affairs or designee.

Fines

A monetary sanction assigned by the hearing officer usually for alcohol and marijuana violations that fund University sponsored substance free education and programs.

Fines range from \$25-\$150 for individual students and \$500-\$2000 for student organizations. If more than one substance is involved in a report, the fine may increase by \$50 for individual students and \$500 for student organizations.

For a group with a Student Senate budget, the fine cannot be taken out of the group's current or future budget and the fine must be put in the Student Senate Alcohol-Free Contingency Grant Fund.

Formal Warning

A written formal warning is an indication that a reported behavior is unacceptable and inappropriate and is therefore, a violation of community standards. While this sanction does not restrict a student's activities on campus, it reinforces that community standards cannot continue to be violated. The student should understand that subsequent incidents will be reviewed in light of this incident and could result in more serious disciplinary action.

Grade Sanction

A grade of F or zero issued by a faculty member for an assignment or a course when they find that a student cheated on or plagiarized an assignment.

No Contact Order

A directive issued when there is a perceived concern for the health, safety, and well-being between all involved parties of an incident. In cases involving multiple students, mutual No Contact Orders may be issued to all involved in the incident. A detailed letter outlining the parameters of the order will be provided to all students involved by staff in the Dean of Students Office.

No Further Action

There is insufficient information to determine responsibility in an incident.

Not Responsible

After reviewing the facts of a report and meeting with the student, it is determined that they have not violated community standards.

Parental Notification

Notification to a parent/guardian that a student under the age of 21 has violated the alcohol, marijuana, and/or drug policy or an incident was of such a serious nature that the parent/guardian should be notified.

Random Drug Testing

In cases where students are found responsible for violation of using drugs, the student may be sanctioned to random drug testing. Random drug testing will be scheduled at times when students are not in class. If the student misses a random drug test or

positive results are returned, they may be subject to additional sanctions including, but not limited, to suspension from the University.

Residence Probation (On-Campus)

A specified period of time where a residential student is not in good standing with their residential living community. Any further unacceptable behavior may be cause for removal from the residential living community.

Residence Relocation (On-Campus)

The requirement of a residential student to move from one residential living community to another residential living community due to unacceptable and inappropriate behavior. The student will be re-assigned by the relevant residential living community staff.

Residence Removal (On-Campus)

The immediate termination of a residential student's residential living community contract after one serious violation or repeated violations of community standards in a residential living community. The action must be approved by the Dean of Students or Director of Housing and Residential Life. Removal from traditional residence halls would prevent the student from living in any other on-campus University housing (i.e. IEP, Women's Center, Fraternity or Sorority Houses).

Restitution

Pay for damages to University or individual property. A detailed description and invoice will be given to the student with instructions on how to fulfill this requirement.

Referral to Counseling Services

Referral to counseling services for an intake and assessment session. The student is required to comply with any additional treatment, referrals and educational activities which may be recommended.

Referral to Substance Abuse and Prevention Services (SAPS)

Students found to have violated the alcohol or drug policies will be referred to the SAPS program. After an initial assessment, the SAPS program will inform the student of the required next steps. Next steps range from participation in a survey, an in-person course, an online course, or one on one meetings with a SAPS staff member.

Student Records Hold

A conduct administrator may sanction (e.g., place a hold which may prevent registration or course enrollment) a student's University record when a student fails to complete sanction(s) when found responsible in the University Student Conduct system and/or when a student fails to respond to a reasonable request for a student to meet with a University Official.

Suspension

Involuntary separation of the student from the University for a specific period of time or until a stated condition is met. Such action does not take effect until approved by the Vice President for Student Affairs and the Dean of Students.

Suspension of Privileges

A student is prohibited from participating in designated social events or activities. The Office of Community Standards will notify partnering departments (i.e. Greek Life, Athletics, Talent Development) of the imposed sanction so that the individual department can review the further participation of the student.

Treatment Compliance

The student will be required to comply with any treatment, referrals and educational activities which may be recommended and to provide documentation of official discharge from treatment provider upon completion.

Trespass

A suspension of a student's right to enter a specific building on University property, locations on campus, or all of the University of Rhode Island campuses. When appropriate, a trespass notice may include the suspension of a student's right to represent the University at University-sponsored or related events. When a trespass notice is given, the student will receive a detailed explanation of the parameters of this trespass. In the event there is a report that the student has violated the trespass, it will be recommended to the Vice President for Student Affairs that the student be Emergency Suspended, as defined in the Student Handbook.

Mediation, Negotiated Agreements

Mediation

When there is an alleged violation of community standards, the incident may be adjudicated through a formal Mediation Process if formal mediation is the unanimous choice of three parties involved:

- 1) The student(s), or student groups, allegedly responsible for the violation.
- 2) The student, staff, or department reporting or referring the violation, and
- 3) The Dean of Students or Associate Dean of Students, Community Standards.

Mediation may be initiated at any point in the process when the three parties agree to mediate. Mediation may not be used in cases involving allegations of sexual assault, sexual or relationship violence, or stalking. Trained University mediators approved by the Dean of Students Office conduct the mediation. Mediation requires the cooperation of all parties to work out a resolution to the problem. The mediation process results in a written agreement agreed to by all parties.

Mediation agreements must be approved by the Dean of Students.

Negotiated Agreements

When there are alleged violations of community standards by a student group where the student group accepts responsibility for committing violations, an incident may be adjudicated through a Negotiated Agreement Process if it is the unanimous choice of two parties involved:

- 1) The student group who accepts responsibility for the violation, and
- 2) The Dean of Students or Associate Dean of Students, Community Standards.

Negotiated agreements may only be requested after an informal meeting and before formal University Student Conduct System processes have begun. Negotiated agreements will be jointly developed by a Student Conduct Administrator and leadership of the student group involved. Negotiated agreements may not be used in cases involving allegations of sexual assault, sexual or relationship violence, or stalking.

Negotiated agreements must be approved by the Dean of Students.

In all cases of Mediation and Negotiated Agreements, the written agreement will be kept on file in the Dean of Students Office. Should any aspect of the agreement not be completed, or should a party fail to abide by the written agreement, the student organization will be charged with Failure to Comply and charged for the incident through the University Student Conduct System.

Appeals

The University Appeals Board on Student Conduct

The University Appeals Board on Student Conduct hears appeals of decisions made by administrative action, administrative hearing, or by hearing panels.

The University Appeals Board on Student Conduct consists of one full-time student appointed by the president of the Student Senate, one member of the teaching faculty appointed by the chairperson of the Faculty Senate, and a chairperson holding the rank of assistant professor or above, appointed by the President of the University. For a graduate student's appeal, the Graduate Student Association shall appoint the student member. Students appointed to the Appeals Board cannot have current conduct sanctions. Past board members who are familiar with the current system may serve if current members are not available.

Appeal Procedures and Sanction Approval

Appeal Procedure for the Responding Party

Following a hearing, a charged student has the right to submit within three (3) business days of the date on the Outcome Letter an appeal to the University Appeals Board on

Student Conduct. Such appeal requests are based on specific information, presented in writing to the Appeals Board, on one or more of the following four (4) grounds:

- a) **Fraud** – Information was deliberately submitted or omitted during the hearing process that was not factually or substantially true.
- b) **Denial of Rights** – At any stage of the Student Conduct Process, a Student's Rights outlined in the Student Handbook were violated.
- c) **Procedural Error** – At any stage of the Student Conduct Process, a Conduct Administrator or Conduct Board did not follow processes or procedures outlined in the Student Handbook.
- d) **New Information** – The student discovers new information which was not previously known and available at the time of hearing.

The written appeal must explain how any of these four appeal grounds would have materially affected the outcome of the hearing. The Dean of Students may grant extensions to the deadline for filing appeal requests for good and sufficient reason or cause.

Please use the following link to submit a written appeal.

https://cm.maxient.com/reportingform.php?UnivofRhodeIsland&layout_id=3

Only appeals submitted through this online portal will be considered.

Appeal Procedure for the Reporting Party

Following a hearing, the Reporting Party has the right to submit within three (3) business days of the date on the Outcome Letter, an appeal to the University Appeals Board based on the following grounds:

- a) **New information** – The student discovers new information which was not previously known and available at the time of hearing.
- b) In cases involving sexual harassment, sexual assault, sexual or relationship violence, and stalking, the Reporting Party may also appeal on the same four grounds, as specified above, upon which Respondents may appeal.

The written appeal must explain how these grounds would have Materially Affected the Outcome of the Hearing. The Dean of Students may grant extensions to the deadline for filing appeal requests for good reason or cause.

Sanctions are not grounds for appeal. If a responding party does not agree with the sanction assigned by the Student Conduct Administrator during an Informal meeting, the student should choose a Sanction Only Hearing. Sanction Only Hearings are only Administrative Hearings by a Student Conduct Administrator.

Criteria for Granting an Appeal

Upon receipt of a written request for appeal, the Dean of Students will conduct a preliminary evaluation of the submission to ensure that the appeal is based on the grounds listed above. If it is determined that the appeal is not supported by one of the four grounds, the appeal request will be denied. If the appeal request is approved, a meeting of the University Appeals Board on Student Conduct will be scheduled. The board will be provided with a report of the hearing or administrative action, the appeal request, and an administrative response (from either the Hearing Panel Advisor or the Administrative Hearing Officer) to the appeal request.

A copy of the report of the hearing or administrative action and the administrative response will be provided to the student from the Dean of Students Office as soon as it becomes available.

If the appellant Reporting Party or Responding Party wants the University Appeals Board on Student Conduct to have reactions to the administrative response, it must be put in writing and delivered to the Dean of Students Office at least one hour before the Appeals Board meets and begins deliberations. To help prepare the appeal, the charged student may listen to any available recording. Requests to review the recordings of the hearing can be made through the Office of Community Standards

The University Appeals Board meeting is not a hearing and will remain closed to the public. All appeals are based off a review of the written submissions. If needed the Reporting Party, Responding Party, their respective Conduct Advisors, or Administrative Hearing Officer or Hearing Panel Advisor may be invited to appear before the Appeals Board for the sole purpose of responding to questions from the University Appeals Board members about the written appeal materials. An alternate time will be scheduled for any in-person questioning.

If the University Appeals Board on Student Conduct determines that a written request for an appeal demonstrates one or more appeal ground(s), and that the written appeal demonstrates that the ground(s) has materially affected the hearing outcome, it refers the case back to a new hearing panel.

A new Hearing Panel may either uphold the original decision and sanction imposed or adjust the original decision and/or sanction.

Approval of the sanction by the Vice President for Student Affairs (for cases of suspension or dismissal) or Dean of Students (for all other cases) shall take place after the appeal process is completed. If the Vice President or the Dean of Students does not approve the sanction, they have the authority to change it.

Academic Honesty Procedures

Under the direction of Faculty Senate and guidelines outlined in the University Manual, the Dean of Students Office and the University Student Conduct System are charged with monitoring, tracking, and enforcing Academic Honesty policies. Students have the right to a Conduct Advisor during Academic Honesty proceedings. The following process applies when there is an allegation of academic dishonesty.

Notification of Academic Honesty Violations

Faculty and instructors are required to notify the student of Academic Honesty allegations. Faculty and instructors must also send formal written notice to the instructor's College Dean, the student's College Dean, and the Dean of Students Office. The Associate Dean of Students, Community Standards notifies the student in writing of the Academic Honesty violation.

Range of Sanctions for Academic Honesty Violations

The instructor has three following options when sanctioning a student who has been found responsible for violating the University's or faculty's Academic Honesty standards. These options include:

The Faculty may fail the student for the assignment.

The Faculty may fail the student for the course, with authorization from the instructor's College Dean; and/or

The Faculty may request formal Student Conduct action. This request may be made in lieu of or in addition to a grade adjustment.

Sanctions and Appeals for Academic Honesty Violations

If it is a first offense and no formal conduct action is requested, the faculty-imposed grade sanction will stand, and students are sent a formal and official warning letter from the Office of Community Standards. Repeat infractions will result in conduct action. Conduct action on an allegation of academic dishonesty may be requested by the instructor's College Dean or by the instructor with a statement from the instructor's College Dean. Appeals of formal conduct action will be followed in accordance with the Student Handbook appeals process.

Students accused of academic dishonesty within the drop period may be denied the opportunity to drop the course. This requires authorization from the instructor's academic dean. If the accusation is not upheld in an academic appeal, the student will be given the same options available before the end of the drop period without penalty.

The student may appeal the allegation of academic dishonesty to the instructor's College Dean. The student or instructor may appeal the College Dean's decision to the Provost and Vice President for Academic Affairs. The Provost and Vice President of Academic Affairs decision on the Appeal shall be final. For further academic appeal options, students may consult the University Manual.

General University Policies and Procedures

Communicable Diseases

University students, faculty, and staff are expected to provide the compassion, understanding, and support necessary to help individuals with AIDS and HIV infection. As part of this responsibility, the University will vigorously enforce individual rights of confidentiality and freedom from discrimination as outlined in two existing policies: "Reasonable Accommodation for Employees with Disabilities" and "Life Threatening Illness." Copies of these policies may be obtained at the Office of Human Resources Administration, the front desk at Health Services, and Disability Services for Students.

Animals and Pets

Abuse of any animal is prohibited (including lab animals, wild animals, or working animals). Neglect of an animal constitutes and will result in conduct action. Should an animal need to be removed for its health or safety, hall staff will collaborate with local animal rescue agencies and any associated costs for removal will be applied to the responsible student.

It is the general policy of the University that pets ARE NOT allowed in University buildings, in Housing and Residential Life Facilities, or in living learning communities.

However, the University will, in appropriate cases, at the request of a student with a disability who satisfies certain eligibility criteria, consider an Emotional Support Animal as a reasonable accommodation only in Housing and Residential Life facilities. To request this accommodation, please contact Disability Services for Students and follow the procedures outlined at <http://web.uri.edu/disability/esa/>. Please see "Other Animal Policies" at this link for specific student responsibilities.

Service Animal

Students with disabilities who employ use of a Service Animal (dog or miniature horse), as defined by the Americans with Disabilities Act, can bring the Service animal wherever students are allowed to go. (Exceptions may include certain sterile or dangerous environments).

A Service Animal is defined as a working animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, etc. Emotional support animals do not qualify as Service Animals.

Policies and Procedures Governing Disability-Related Animals

In all cases, students are responsible for the behavior of their Service Animal or their Emotional Support Animal (if approved) and are responsible for any damages to

university facilities caused by the animal. Students must follow general university policies regarding noise, safety, disruption, and cleanliness and must comply with state laws regarding health and vaccination of their animals.

Students are subject to disciplinary action if they do not control their animal or properly care for their animal. If necessary, students will be charged for any damages caused by the animal. Students maintain sole responsibility for their service animal in relevant URI Facilities or for their Emotional Support Animal (ESA) in Housing and Residential Life. The following general policies are applicable to service animals or emotional support animals (ESA) and are enforceable through the URI Community Conduct Standards:

1. URI is not responsible for the care or supervision of the service animal or ESA.
2. The animal's owner is responsible for the cost, care, and supervision of a service animal or ESA, including:
 - a. Compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
 - b. Providing veterinary evidence where appropriate of animal health and vaccination.
 - c. Keeping the animal under control and taking effective action when it is out of control;
 - d. Feeding, walking, and disposing of waste;
 - e. Waste disposal via university plumbing is prohibited in university buildings and is to be disposed of in external trash containers.
3. URI will not require any surcharges or fees for a service animal or ESA. However, the animal's owner may be charged for damage caused by a service animal or ESA to the same extent that URI would normally charge any person for the damage they cause to university property.
4. The owner of the service animal or ESA must comply with all university rules regarding noise, safety, disruption, and cleanliness.
5. In all cases, the owner of the service animal or ESA is responsible for the animal's behavior, which is subject to disciplinary action of the student via the URI Student Conduct process.
6. In all cases, the owner of the animal agrees to hold harmless the University of Rhode Island for any damage or any injury to others caused by their service animal or ESA. Evidence of home liability insurance may be requested for certain animals.
7. If necessary, the removal of any service animal or ESA, with any necessary cleaning, repairs and/or pest control will be done at the expense of the responsible resident.
8. A service animal or ESA, as appropriate to the animal, must be housebroken (i.e.,

- trained so that it controls its waste elimination, absent illness or accident).
9. The service animal or ESA must be kept under control by a harness, leash, or other tether at all times.
 10. If the service animal or ESA shows aggression or threatening behavior of any kind toward any other person or animal, this may be just cause to remove the animal and bar the animal from campus. Prior to such action, the University of Rhode Island representative will notify the owner of the service animal or ESA about the concern and will try to resolve the concern with the animal's handler.
 11. If a service animal or ESA is removed by the University, other reasonable accommodations will be provided to ensure equal access to university programs and services.

Safety Equipment

Safety equipment such as exit lights, fire alarms, sprinkler systems, smoke alarms, or other safety or firefighting equipment must not be used inappropriately or rendered inoperable. The removal or covering of emergency exit charts is prohibited. Obstructing sprinkler heads and hanging personal property on piping is prohibited. Nothing may be attached, taped, or tacked to any electrical, fire alarm, sprinkler piping or devices on the walls or ceilings.

Self-closing mechanisms on interior doors should not be disabled and interior doors should not be propped open.

Responsibility for a false fire alarm, where there is no reasonable belief there is a fire, will result in the minimum sanction of removal from campus residence. Tampering with or damaging other fire safety equipment may also result in a sanction of residence removal. Students may also be billed by the Kingston Fire Department for the cost of responding to a false alarm. Deliberate tampering with any part of a fire alarm system is a criminal offense and may be adjudicated in the state court.

Religious Expression

The University encourages the expression of religious ideas within the context of academic freedom. Rights of all religious groups are to be respected by individuals and by other groups. Religious groups should represent themselves clearly, honestly, and openly.

Students must be free to join and free to leave religious groups. There must be no use of coercive measures to recruit or retain members.

Memorial Union, Student Activities, Event Planning

Eligibility for Student Activities

Any currently registered student is eligible to participate in student activities. Certain privileges and admission fees may pertain only to those undergraduates paying the student activities fee. Accommodations for disabilities are available with 72-hour notice by contacting the sponsoring organization.

Guest Speakers

Student organizations on the campus may freely select persons they wish to invite as guest speakers for their programs. There will be no restriction to control the point of view expressed by speakers other than those imposed by state and national law. Students will have the same right as other citizens to hear different points of view and to draw their own conclusions. The University will not be responsible for the views expressed or entertained by either the speakers or the groups. It will not approve or disapprove such views, whatever their nature, rather, it will be concerned exclusively with discharging its educational duty to facilitate free discussion of all points of view, to the extent guaranteed by the Constitutions of the United States and of the State of Rhode Island.

In all circumstances, the civil rights and liberties of every person involved will be fully respected and protected from any abridgment whatsoever. There will be no infringement upon the right of the speaker to present their views or to perform their intended service. Members of the University community have the right to hear the presentation or benefit from the performance of the intended service. There will be no infringement upon the right of any persons to conduct orderly picketing or make other lawful forms of protest.

Preparation for Speakers

Routine procedures required by the University in connection with the appearance of a guest speaker will be designed only to ensure that there is orderly scheduling of facilities, that adequate preparation for the event, and that the affair is conducted in a manner appropriate to an academic community. University control of campus facilities will not be used as a device of censorship.

When it is known that a potentially controversial person is expected on the campus, with the likelihood of generating some form of protest or demonstration, the President of the University or designated representative will make every effort to arrange prior discussion with the probable protesting group or groups. The only purpose of such meetings will be to establish mutually agreeable arrangements. In no case should such discussion be construed as implying University endorsement of any position.

Protests and Demonstrations

If a formal protest or demonstration is held, it will not be confined to a specified area, but persons, or signs of other devices used to express the protest will not block sight, hearing, access or egress, or otherwise interfere with the orderly conduct of the event being protested or of normal University activities. In order to attain the latter objective, certain areas in which protest activity is to be prohibited may be defined in advance by mutual agreement between the University and the protesting parties defining time, place, and manner.

Security for Speakers

In the event of a visit to the University by a highly placed government official or a highly controversial person, special arrangements for the visit may be required. Such arrangements will be made by the University. Special rules and procedures will be devised and promulgated by a special University committee representing the University administration (including the campus police), the faculty, and the student body. Representatives of outside agencies may be invited either to advise or to serve on the committee.

In all such cases, the University will maintain final control over arrangements, consistent with the University rules and regulations.

If any special rules are adopted, they will be given wide publicity well before the event to which they apply. It is expected that every person on the campus will act in a lawful manner and observe general and special University regulations. The Vice President for Student Affairs or designated representative will be present at all occasions when controversy is likely to arise and will request persons acting in an unseemly manner to desist from such action. Members of the campus community are subject to conduct procedures when violating outlined regulations.

The campus police will normally handle such routine matters as traffic regulations in accordance with established procedures and policies. In the event of violence, or of clear, unmistakable indications of probable violence, the responsible University official in attendance may authorize a call for additional assistance.

Social Events

A social event is described as any planned gathering involving more than seven people and when food and/or beverages are purchased in advance of the event. All social events on campus must be alcohol-free. Social events must comply with event registration requirements.

Registration of On-Campus Social Events

All major events sponsored by the Student Senate Inc. recognized student organizations must register through the Office of Student Involvement a minimum of two weeks

before the event. Major events are defined as events with an expected attendance of 50 or more that is social in nature.

Events may be registered only by an officer of the organization who will oversee the organization's responsibility for compliance with community standards during the event. A designated responsible member of the University community who will be present at the event must register social events for all other non-residence hall groups. No Student Senate Inc. recognized organization may register a social function that is sanctioned for a public health or safety code violation.

If more than 50 people show up and the event is not registered, it is the responsibility of the student organization officers to notify the University police immediately. If the event is registered, but attendance is greater than indicated on the event registration, it is the responsibility of the student organization officers to notify the University police immediately.

Security for On-Campus Social Events

Social events for more than 100 individuals may require security coverage that will be arranged through the Memorial Union Scheduling Office.

Guests at Social Events

Students are responsible for the conduct of their guests at all on-campus social events. Guests are subject to the social regulations and other rules of the University while on campus. The student(s) and/or the sponsoring organization may face conduct action for the behavior of their guest(s). The party registrant may be responsible for the conduct of all uninvited visitors at all on-campus social events. Advertising for all dance parties in excess of 100 anticipated guests must state on all advertising: "Open to all currently enrolled college students with TWO valid Photo ID's: College ID & State or Federal ID."

Outdoor Functions Using Amplified Sound Equipment

The use of amplified sound is permitted only between the hours of 5 p.m. and midnight on Fridays, between noon and midnight on Saturdays, and between noon and 10:00 p.m. on Sundays, not on Monday through Thursday, except by variance. Complaints will be directed to the University police. An excessive number of complaints (as judged by the University Police shift commander in consultation with the sponsoring organization) will be sufficient cause to order the sound discontinued after one warning.

Request for Variations

A variance as to the day of the week and/or hours may be requested in writing from the Director of the Memorial Union/Student Involvement & Center for Student Leadership Development or designee for Student Senate Inc. recognized organizations, from the Assistant Vice President for Student Affairs and Director of Housing and Residential Life or designee for residence halls, or from the Assistant Vice President for Student Affairs and Dean of Students or designee for fraternities or sororities. The request should

include a careful analysis of the sound system's impact and all measures affected to reduce its infringement on the community. Copies of written releases will be required when the outdoor location abuts private property.

Support for Individual or Student Organization Events

In addition to services related to registration, scheduling and security coverage, the staff of the Student Involvement Office is prepared to assist any organization or individual in the following areas of social event preparation: planning, standard band contracts, audiovisual aids and technical personnel, selection of performing artists, and standard agreement forms of renting an off-campus establishment.

Fundraising, Sales, Solicitation, Proselytizing, Petitioning

Under no circumstances are door-to-door activities or systematic phone use permitted to sell, proselytize or collect petition names on campus. All individuals or groups need permission to sell or display products on campus. Individuals or groups operating with approval must produce on demand a copy of the written authorization for purposes of identification and verification.

Administrative authorization does not in any way constitute an endorsement of proselytizing or product, or guarantee of legitimacy, product reliability or safety, or company/ organization history or existence. The individual or group is responsible for compliance with all state and local laws including tax number and product liability insurance.

Fundraising, Sales, Solicitation, Proselytizing, Petitioning: Students and Student Groups

Administrative approval, in writing, from the office or department having jurisdiction is required of all students or student groups wishing to conduct sales to benefit campus or community welfare projects, sell products or services, or proselytize. Normally, students or student groups will not be given permission to sell products or services otherwise available on campus. Approval shall be granted by the following departments:

- In or around Residence Halls and University Apartments, from the Director of Residential Life
- In the Memorial Union and outside between the Union and its sidewalks, from the Director of the Memorial Union and Student Involvement
- In the Bookstore from, the Director of the Bookstore
- In or around dining centers, from the Director of Dining Services
- In or around fraternities and sororities, from the Assistant Vice President or Dean of Students for Student Affairs
- In or around the athletic complex, from the Director of Athletics
- In all other areas of the campus, from the Assistant Vice President of Student Affairs and Dean of Students. The Dean of Students will coordinate use with the Director of Lands and Grounds and the Director of Public Safety
- In or around College of Continuing Education, from the Dean

- In or around Narragansett Bay Campus, from the Coordinator, Narragansett Bay Campus Administration

Fundraising, Sales, Solicitation, Proselytizing, Petitioning: Non-affiliated University Groups or Individuals

Permission to sell products or to solicit on campus by non-affiliated groups or individuals will be denied if the product is otherwise available on campus. Off-campus vendors may enter a bid process for space should the University determine this service to be needed. The advertising of available space and the product(s) to be sold will be in local newspapers allowing all interested vendors the opportunity to submit proposals. Off-campus vendors may participate in special University and student organizational events at the invitation of the University or student groups following established policies and procedures.

Appeals to Fundraising, Sales, Solicitation, Proselytizing, Petitioning

All student and non-student vendors have the right to appeal to the supervisor of the individual denying the request. All solicitation permits must be in writing, may not be given for more than one year, and a copy must be forwarded to the Vice President for Student Affairs or designee.

Student Senate

The Student Senate Inc. acts as the representative of the student body in all matters pertaining to student affairs and academic affairs and serves as the governing body for all recognized student organizations.

Student Organizations

Recognition of new and continuing student organizations shall be the responsibility of and be coordinated by the Director of the Memorial Union/Student Involvement & Center for Student Leadership Development, in cooperation with the Student Senate Inc. for undergraduate students, and Graduate Student Association for graduate students. Students interested in forming a new organization should consult with the Director and appropriate governing body (e.g., Student Senate Inc. or Graduate Student Association) committees to determine the proper procedures for requesting University recognition.

Students are free to organize and join educational, political, social, religious, or cultural associations. No student group shall be barred from recognition as a legitimate campus organization or from the use of University facilities, because of its open affiliation with any association, national organization, or political party. However, no body of students shall organize and act as representative of the University in outside activities unless approved and authorized by University authorities.

Off-campus Functions

If a student organization plans an off-campus function at an establishment where alcohol is served, and if the establishment accepts any remuneration from student organizations, there must be a contract establishing that the license holder is responsible and liable for all carding, security, and handling of alcohol. The Director of the Memorial Union/Student Involvement & Center for Student Leadership Development can assist with this contract.

Student Events Contracts

Contracts are required when Student Senate Inc. organizations sponsor programs or events involving speakers or performers, regardless of whether a fee is charged. Contracts are also required when fraternities, sororities, or residence halls sponsor events in a non-residential University facility. Individual students cannot personally sign contracts on behalf of organizations or residence halls. The Director of the Memorial Union/Student Involvement & Center for Student Leadership Development or the Assistant Vice President for Student Affairs/Director of Residential Life or Associate Director for Residential Life must approve and sign all such contracts respectively. Individual fraternities and sororities shall establish policies for contract commitments within their houses and the Vice President for Student Affairs or designee will sign contracts for events in University buildings.

Greek Community

Fraternity and Sorority Chapters

All policies in this handbook apply to students living in fraternity and sorority chapter houses. Greek letter organizations at the University are a component of the institution's total educational program. As such they are partners with the University in a mutually supportive educational endeavor. Therefore, Greek letter organizations share a responsibility for strengthening the overall quality of student life by making a significant positive contribution to present and future students.

Because of their importance to their own members and to the educational quality of the University campus, fraternity and sorority chapters have specific rights and responsibilities within this community.

Social fraternities and sororities exist at the University as residential units or groups under policies established by the Office of Student Affairs. Fraternities and sororities exist at the University of Rhode Island only at the invitation of the University. This invitation is formally extended by the Vice President for Student Affairs and can be withdrawn if a fraternity or a sorority fails to comply with University policies. Specific policies are found in the Interfraternity Council, Panhellenic Association, President's Manual and in this handbook.

Rights of Fraternity and Sorority Chapters

Fraternities and Sororities at the University, as with all student organizations, have rights. These rights include:

- Choosing their members;
- Participating as a unit in campus group activities;
- Receiving assistance from the University in leadership development activities;
- having a University advisor who will assist them in their chapter development and who will serve as a liaison between them and other parts of the University;
- Participating in self-governing activities through the Interfraternity Council, Panhellenic Association, Multicultural Greek Council, or National Panhellenic Council;
- Providing the opportunity for participation in educational experiences; and
- The right not to be discriminated against because of Greek membership.

Responsibilities of Fraternity and Sorority Chapters

Fraternities and Sororities at the University, as with all student organizations, have responsibilities. These responsibilities include:

- To conduct all activities in accordance with regulations and policies of the University of Rhode Island and their general fraternity or sorority, including policies on hazing and rights of individual members and policies on nondiscrimination on the basis of race, sex, religion, age, color, creed, national origin, disability, sexual orientation, gender identity or expression, or disabled veterans;
- To prohibit alcohol availability during all on-campus events;
- To comply with their chapter and by-laws developed in consultation with and approved by their general fraternity;
- To operate their chapter affairs in a businesslike manner consistent with their constitution and University policies;
- To maintain an atmosphere within their chapter and its activities supportive of high academic standards, establishing general goals and specific objectives periodically in consultation with Greek Affairs in the Dean of Students Office and representatives of the general fraternity;
- To strive toward the achievement of these goals and objectives in consultation with University and general fraternity advisors; and
- To employ a full-time live-in educational advisor.

Housing Corporations

Fraternities and Sororities partner with local and national Housing Corporations to operate living and learning facilities at the University. The relationship between the Housing Corporation and the University is guided by the Student Handbook and land lease or license agreements. Housing Corporations must provide the following staff for Fraternity and Sorority residential facilities:

- Must provide a House Director for at least the academic year.

- If a food service is provided, Housing Corporations must provide a culinary professional.

Finances

Each Housing Corporation that is recognized at the University must annually file 990's and 3rd party audited or compilation financial statements with the Dean of Students Office which align with the federal filing deadlines.

Dining Services

Contract Provisions for Dining Services

Provisions contained in the Dining Services contract are reprinted here and are considered to be official rules and regulations. Specifics on Dining Services procedures may be obtained at the Campus Access Office located in the Memorial Union.

Dining Contracts

In accordance with the existing covenants and University loan agreements, all students who elect to reside in any University residence, except apartments with kitchens, are required to participate in the University sponsored meal program. They must purchase one of the different resident meal plans to suit their eating, study, and work habits. Students should consult the dining services website for plan details.

Special Diets

The University is a non-sectarian institution and resources are not available to construct special diet kitchens for religious, health, or personal reasons.

All variance requests must be submitted and approved prior to the first day of class in order to obtain a full refund.

Extreme medical problems are reviewed by a staff nutritionist along with consultation from University Health Services. Some medical problems may be able to be accommodated. Those students requesting a variance from the meal plans for medical reason must submit a medical variance request form to Dining Services. These forms are available at the campus Access Office in the Memorial Union.

Dining Refunds

Only students who officially withdraw from the University will receive Dining Services refunds for amounts due. The refund policy is posted in the campus Access Office located in the Memorial Union.

Access to Dining Halls

Access to meals is gained through the use of Biometric Hand Recognition and Student ID cards. Students are required to enroll their hand geometry readings at the Campus ID & Dining Office. Hand Recognition data will not be shared with anyone outside the

University. Students are required to bring their ID cards to all meals. Lost cards should be reported during working hours to the Campus ID & Dining Office located in the Memorial Union. Students who are not able to find their card during a 24-hour period must obtain a duplicate card at the Campus ID & Dining Office. A fee will be charged for the replacement of lost ID cards, as well as for the replacement of damaged ID cards.

Meal plan members who do not bring their ID cards to meals and are not registered in the Hand Recognition database will be required to pay cash for the meal. A refund will be provided if the student brings their ID card to the Campus ID & Dining Office within three working days, and it can be determined from a computer printout that the student's ID was not used to obtain a meal. No refunds will be provided after three working days. No academic resident meal plan service is provided during Thanksgiving recess, winter intersession, Spring break, and summer session. Retail food service facilities accepting Ram Account are accessible year-round.

Misuse of Dining Privileges

Improper use of the Dining Services meal plan by trying to procure additional portions for others, improper use of ID cards, or removal of food or food service equipment is prohibited, and offenders will be referred to the University Student Conduct System for formal action. Persons attempting to use meal plan authorizations not belonging to them may be billed for a full semester meal plan and/or other sanctions imposed as a result of formal action. Eating food before payment in the Rams Den is prohibited.

Loud or Abusive Action

Loud and abusive actions (including participation in "food fights") which disturb or threaten the peaceful assembly of the students in the dining rooms will be grounds for referral to the University Student Conduct System.

Health Services

Provisions contained in Health Services brochures and insurance policies are reprinted below and are official University policy. Specifics on Health Services may be obtained by visiting the following website www.uri.edu/health.

Health Services Fee

The health fee is mandatory for all full-time undergraduate and graduate students and all international students. Part-time students who choose to receive their health care at University Health Services can be assessed this fee upon request. The health fee covers the cost of the following:

- Free/confidential office visits with University Health Services staff providers (the full cost of visits if insurance does not cover the cost and/or co-pay expenses in situations where insurance covers a portion)
- Free Ambulance/Emergency transport services (by University EMS)
- Free/Low Cost over the counter medicine (ibuprofen, cough syrup, cold medicine, cough drops, etc.)
- Free Flu Clinics and Health Fairs
- Free health education and prevention programs

Accident/Sickness Insurance

It is the policy of the University that all full-time students have current health insurance to provide coverage for unexpected, extended, and expensive care resulting from accidents and illnesses that are not covered by the Student Health Services fee. All full-time students and all international students and their dependents are required to purchase University sponsored health insurance unless evidence of comparable coverage in another plan is provided to the University through a completed waiver form prior to the posted deadline. Waiver instructions can be found at www.health.uri.edu and are submitted via e-campus.

To waive the Accident/Sickness Insurance, a student must complete and submit the waiver to Health Services each year, prior to the end of the add period (the first two weeks of classes). Unless the waiver is received, the student will be responsible for the insurance charge. The Accident/Sickness Insurance is optional for non-international part-time students. Students who elect insurance coverage through the University are also required to pay the Health Services fee each semester they are registered students regardless of the number of credits they are carrying.

Insurance questions should be addressed to the Health Services Insurance Office at 401-874-4774.

Immunization Requirements

In accordance with Section 23-1-18(9) of the General Laws of Rhode Island, each entering student must provide a certificate signed by a licensed health care provider

giving the dates of immunization to protect against Measles, Mumps and Rubella (German Measles), (MMRx2), in addition to Hepatitis B, Varicella, Meningococcal (MCV4) vaccine and a Tdap (tetanus, diphtheria, pertussis) vaccine. Proof of immunity through a blood test will be accepted in lieu of the vaccination record. Students who do not provide Health Services with this completed certificate within 30 days of the request will be sanctioned and that may delay registration for the upcoming semester.

If an outbreak of a vaccine-preventable disease should occur, an exempt/unvaccinated student shall be excluded from school for a period of time as determined by the Rhode Island Health Department based on a case-by-case analysis of public health risk.

Vaccines for Influenza are strongly recommended. Tuberculosis (TB) Skin Test is required for Health Science programs and/or if the student has traveled to/from certain parts of the world where there is high incidence of active Tuberculosis disease. These and other immunizations are available at Health Services for the cost of the vaccine only, administration of the vaccine is covered under the Health Service fee.

IT Services

Computing Facilities

The computing and networking resources provided by the University of Rhode Island are to be used responsibly in an efficient, ethical and legal manner consistent with the objectives of the University. All users of information technology resources must comply with all federal, Rhode Island and other applicable law, and University policies. Inappropriate activities may jeopardize a user's continued access to University's computing and networking facilities.

Users who violate this policy may be denied access to University information technology resources and may be subject to other penalties and criminal or conduct action. The University may suspend or block access to an account, prior to the initiation or completion of such procedures, when it appears necessary to do so in order to protect the integrity, security, or functionality of University or other computing resources or to protect the University from liability. Computing privileges may be withdrawn when violations have occurred.

Computer/Network Accounts and Use

No one shall use another individual's computer user ID unless explicitly permitted to do so by the authorized user of that ID. Actually being in possession of the user name and password is not permission to access the account.

Files and Programs

Information integrity must be protected on all systems. Users shall not intentionally seek information on, obtain copies of, or modify files, digital media, passwords or any

type of data belonging to other users unless specifically authorized to do so. Similarly, individuals shall not use University computing and networking resources to develop or execute programs that could harass others, deny service to other users, infiltrate computing or network systems, gather unauthorized information or damage or alter any software components.

Resource Use

Respect the finite capacity of technological resources and avoid excessive use of resources. Users shall not use the network and computing resources to harass others, violate others' privacy, tamper with security provisions, attempt entry to non-public hosts or perform illegal acts. Attempts to impersonate others or commit fraudulent acts such as altering the "From:" line or disguising or hiding the origin of electronic messages is prohibited. Other violations include the creation and dissemination of computer "worms" and "viruses," the sending of electronic chain mail, the inappropriate sending of "broadcast" messages, and excessive use of printers and other resources. The unauthorized use of programs that scan networks for vulnerabilities and/or alter network security are prohibited.

Proprietary Software and Copyrighted Materials

Software programs are protected by Section 117 of the 1976 Copyright Act. Software may not be used without a documented license. Users do not have the right to make and distribute copies of programs without specific permission of the copyright holder. Unauthorized copying and use of copyrighted material is specifically prohibited. This prohibition extends to using a single-licensed copy on more than one computer system or willfully exceeding the number of permitted simultaneous users on a multi-user license unless specifically permitted in the software copyright agreement. The use of copyrighted materials on the network, systems, web pages, etc. is prohibited unless such use is covered by federal fair use guidelines or has the permission of the copyright owner.

Personal Use

Information technology resources and services are provided to students for educational use. Personal use is permitted when it does not interfere with normal University activities and when it otherwise complies with this policy. Personal use must not involve solicitation, personal financial gain, outside business activities, or political campaigning.

Security and Privacy

Unauthorized access to systems and data is prohibited. Attempts to breach the security of systems and data may result in conduct action and possible criminal prosecution.

Web Page Content

The following must not be included in official, research/instruction, or personal Web pages themselves or in Web pages accessed via direct links from University Web pages:

- copyrightable or licensed materials for which the necessary permissions for use have not been obtained
- material for commercial gain unrelated to the University
- material or speech that is unlawful or illegal unless with disclaimer for illustrative academic purposes only
- material that is intended to damage, to interfere with, or place an excessive load on a computer system or network

Parking

All vehicles parked on university grounds must display a valid parking permit. All permits are issued through Parking Services. Check the Parking Services web site at www.uri.edu/parking for the latest on-line registration information and complete University parking regulations.

Traffic Tickets

All traffic tickets issued on the campus are State tickets processed by the Rhode Island Traffic Tribunal and are not University controlled. Failure to comply with University regulations and Rhode Island State laws governing traffic and parking may result in fines and towing.

Handicap Parking & Construction Areas

Parking violations in handicap zones and fire lanes will be strictly enforced. Student vehicles are prohibited from construction areas and violators will be towed.

Indebtedness

Failure to make full payment of all required fees or to resolve other debts to the University (for example, unreturned athletic equipment, overdue short-term or emergency loans, lost library books, debts to Housing and Residential Life for damages, obligations required by the University Student Conduct System) may result in the denial of registration until the payment is made, and/or disenrollment. Appropriate University departments will provide the student with notice of the debt and reason for it and a review, if requested. A student must fulfill all financial obligations to the University before receiving transcripts or a diploma.

University Grievance Procedures

Student Grievance against a Faculty or Staff Member

Procedures for students are designed to handle complaints and grievances concerning the actions, decisions, or inaction of faculty and/or staff members. A student should initiate an attempt to resolve the problem with the individual whose action or decision is being questioned. If satisfaction is not reached at this level, the student should proceed up the normal administrative hierarchy.

For example, in academic matters such as a grade complaint, the student should first speak with the professor. The normal hierarchy then leads to the department chairperson, dean of the college, and provost.

Similarly, complaints regarding administrative actions and decisions should first be addressed to the individual whose action or decision is being questioned. The normal hierarchy then leads to the appropriate dean, director, or department head, and then to the vice president or provost of the division in question. In the event of a complaint alleging discrimination, the student may choose to have their complaint heard under the discrimination and equality procedures.

The Dean of Student Office and the Office of Affirmative Action/Equal Opportunity offices are available to advise and inform students concerning such complaints. In addition, students may visit the University Ombuds located in Green Hall. In most cases the Ombuds will not become actively involved until the student has exhausted the normal grievance procedures. Please see http://web.uri.edu/ombud/files/Ombud_Display_Card.pdf for additional information about services provided by the University Ombuds.

2019 VERSION (ARCHIVED)

Residential Living Communities Policies

The following Residential Living Communities policies apply to all residential communities at the University including Housing and Residential Life, approved Fraternities and Sororities, and department managed residential living communities.

Eligibility to Live in University Residential Living Communities

Any currently accepted and/or currently registered University student is eligible to apply for Residential Living housing located on the Kingston Campus. Some residential living communities require membership in a specific group or affiliation with a department or major. Certain deposit and billing requirements may exist. Housing accommodations are based upon availability of bed spaces or apartment vacancies.

Residential Living Community residents, and their guests, living in or visiting are expected to abide by all Residential Living Communities policies.

Student Residence

A room, suite, or apartment occupied by a student or students, and owned by the University or located on University property or contractually related to the University.

Period of Occupancy

The period of time during which a student has been permitted to reside in a student residence by written agreement with the University Residential Living, specifically excluding designated University holidays or between semester breaks during which University Residential Living Community may be officially closed.

Safety

All students, and their guests, in residential living communities are responsible for taking reasonable measures to protect their own person and property and also that of their roommate(s) by routinely locking the door to their student residence, by exclusively retaining their assigned entry mechanism (e.g., key, lock combination, key card), and by supporting and cooperating with efforts of University security personnel to provide a safe and secure residential living community.

Guests and Room Use Policy

Individuals in a student residence in a residential living community who are not residents and are not the guests of a resident will be considered a trespasser.

Residents are responsible for their guests' conduct and will also be held accountable for any violations of University rules and regulations, damages and/or loss of property caused by their guests. Whether or not they are present, students are responsible for the use of their room by guests or others.

Overnight Guests

Residents may have an overnight guest in a residential living community provided permission from the roommate(s), suitemate(s), and/or apartment mate(s) is received and the laws of the state of Rhode Island and all University regulations are observed in all cases. Any one guest cannot stay in a residential living community longer than 4 nights within a month without the explicit written consent of the roommate(s), suitemates, and/or apartment mates as well as approval from the Hall Director, Site Manager, or House President. Any documented guest visitations beyond 4 nights within a month that do not meet the above consent/approval requirements shall be determined as unauthorized residency and may result in eviction and/or student conduct action against the visitor and the host.

Noise

The University has established guidelines, which allows all students to live on campus without being subjected to disturbing sounds. A disturbing sound is defined as noise that interferes with study, sleep, or any other legitimate educational or residential activity regardless of the time. If, in the judgment of a University staff member, the noise level has the potential to interfere with any educational or residential activity and/or is inconsistent with stated noise policies established for the residential living community those responsible for the noise will be held in violation of the noise policy. This includes any noise outside of a residential building that may be heard inside of the building.

Emergency Exits

Stairways, corridors, and doors are emergency exits, and objects of any type cannot be kept in these areas at any time. Objects of any type, including bicycles, left in these areas in residential living communities will be confiscated at the owner's risk and expense.

Combustible Materials

All gas and charcoal grills, fluids, charcoal, and gas containers are not permitted in residential living communities. Gasoline operated machinery, such as motorcycles or mopeds, and any other combustible items including combustible engines (regardless of their state of dismantlement), non-electric lanterns, and large combustible decorations including live Christmas trees or any part of them, are not permitted in residential living communities. The burning of any and all substances is prohibited. Violation of this policy can result in the confiscation of such materials by University Police or through administrative search.

Candles & Incense

Candles including decorative and/or incense are prohibited from residential living communities. The burning of any and all substances is prohibited. Violation of this policy can result in the confiscation of such materials by Campus Police or through administrative search.

Posting of flammable materials

The posting of any paper, cardboard, poster, or other flammable material is prohibited in all common areas in residential living communities, except as otherwise designated by appropriate University officials. Posting in specific residential living communities can be done only with the approval of University officials (e.g., Hall Director, House Director, Site Manager) designated to approve postings. Memo boards, pads and pictures on interior student residence doors are also prohibited.

Appliances

An electric blanket, curling iron, clock, computer, small fan, hair dryer, printer, game systems, razor, stereo, television (27" or smaller), are the only appliances allowed in residential living communities. Each room may also have one refrigerator not to exceed three (3) cu. ft. capacity. Air conditioners are prohibited. Any appliance with a rating of 1,000 watts or higher and all cooking appliances except approved microwave ovens are prohibited. All quartz halogen lights are prohibited. Please review the specific residential living community contract for more information on appliances.

Extension Cords

Improper extension cords and improper adaptors are not allowed. This includes two-wire cords, extension cords, and non-surge protected cords of any kind. All appliances must be plugged directly into the outlet or an approved surge protected power strip.

Roof

Students are not allowed on roofs of any building on University owned, managed, or affiliated property.

Waterbeds and Lofts

Waterbeds are not permitted in residential living communities. Lofts or any bed support systems of any kind are prohibited in residential living communities except those provided by the appropriate University officials (Housing and Residential Life or Fraternity Managers Association) and which meet fire safety guidelines.

Bicycles

Bicycles may not be kept in rooms or apartments where bicycle racks are available.

Animals/Pets

Animals are not allowed in residential living communities with the exception of fish, and animals trained and used as service animals. Fish are permitted in properly maintained aquariums of 20 gallons or less which must have noise-free compressors for the filters. Any and all damage caused by the fish or the aquarium is the financial responsibility of the owner of the fish or aquarium.

Bathrooms: Respect for Privacy and Human Dignity

Residents and guests are expected to respect an individual's right to privacy, dignity, and safety in a bathroom setting. Any action that can be interpreted as a conscious effort to breach privacy or disrespect one's right to dignity is prohibited.

Gender Identity and Bathroom Use

Residents and guests should utilize bathrooms in accordance with their gender identity. Entering a bathroom facility designated for people other than your gender identity is prohibited.

Social Events in Residential Living Communities

To ensure that all social events do not infringe upon the rights of others, and comply with state laws, students must adhere to the following guidelines and regulations and to those appearing elsewhere in this handbook.

While impromptu socializing in student residences is encouraged, at any given time, occupancy may not exceed more than 7 individuals per room or 10 visitors per apartment or suite. Larger gatherings should use the common areas in residential living communities.

Unauthorized Entry

Unauthorized entry by any means into a residential living community is strictly prohibited. Allowing anyone entry during those hours when the exit doors, where applicable, are locked for security purposes, either directly or through negligence (including propping doors), is strictly prohibited.

Damage Billing

Students who are identified as being responsible for damages to residential living community property, structures or equipment will be charged by the appropriate University official (in resident halls or apartments by Housing and Residential Life, or all other residential living communities by the Dean of Students Office or the Fraternity Managers Association) for the labor, materials, and administrative costs necessary to complete the repair.

When the damage or loss is caused by a student(s) within the residential living community but specific student(s) cannot be identified, as a last resort, the cost of repair will be charged to all members of the appropriate residential living unit (building, floor, or suite). The students in question will be notified in writing when community billing is to occur and may appeal that billing through the established grievance process. In cases of malicious damage or other violations of community standards within a residential living community, student conduct action may be taken against the student(s) in addition to their being billed.

Bills must be paid promptly, and excessive or repeated damages will result in warnings and/or termination of the student(s) residential living community contract. While repairs will be made as soon as possible, the damage billing process operates separately from the repair/replacement process. In most cases, the students should contact the Student Conduct Administrator to find out the cost of the damages.

Administrative Searches

University officials and employees are not permitted to enter or search a private student residence during the period of occupancy except in accordance with the following procedures.

Entry and Search with Consent of the Student

Any authorized University employee may enter a student residence if a student who is a resident gives voluntary consent. The student's consent must be freely given and must not be based on coercion, false pretenses, or threats, and must not be occasioned by the student's fear of reprisal for failure to give consent. In situations where the student refuses consent, the search procedures described below may be implemented.

University employees shall not seek consent to search without concrete information that the search will produce information of a violation of community standards or of local, state or federal law.

The intrusion by the employee must be limited to the scope of the consent given by the student. For example, if the student consents to entry by the employee, the employee is not entitled to search the student's belongings without obtaining further consent to do so.

A resident student can give consent to an authorized University employee to enter the room, apartment or shared bathroom. The resident student can give consent only to the search of belongings, and of shared areas that are not under the primary control of another student. For example, a student may give consent to a search of a shared refrigerator but not to any closed containers therein that are the property of another student. No student may consent to the search of another student's bedroom, closets, locker, suitcases, backpacks, or other areas under the primary control of another student.

Entry Without Consent in a Health or Safety Emergency

The Director of Public Safety, Major of University Police, Assistant Director of Public Safety/Risk Management or designee, Dean of Students, the Director or Associate Director of Housing and Residential Life, a Hall Director or Graduate Hall Director may enter a student residence without consent when the employee believes such entry is necessary on an emergency basis (e.g., when time is not afforded to make alternative

arrangements, assault, fire, building damage) to protect the health and/or safety of persons or to make emergency repairs to University facilities to avoid damage to University or student property.

Entry for Routine Inspections and Scheduled Repairs

The Director of Housing and Residential Life and the Assistant Director of Public Safety/Risk Management or their designees may enter residence hall rooms or on-campus apartments and the Dean of Students, Assistant Director of Public Safety/Risk Management or their designees may enter other resident living communities without student consent to conduct general and requested inspections/repairs for health, safety, and building maintenance purposes. Such inspections/repairs may be conducted only after the University has posted a notice indicating the purpose of inspection/repairs and stating that the inspection/repairs will take place no sooner than 24 and no later than 72 hours after the notice is posted. The employee authorized to conduct the inspection/repairs may enter whether or not the resident is present; however, he or she may not enter the room without first knocking on the door and announcing the purpose for entry.

Scheduled renovation projects in living communities sometimes require quick access to student rooms. Any renovation project requiring room access will be posted no less than 24 hours in advance.

Building repairs and/or custodial services, as requested by an on-campus resident or by a University staff member on behalf of a resident, shall signal resident consent to enter the student room for the specific and sole purpose of conducting said requested repair. Repair personnel may not enter the room without first knocking on the door and announcing the purpose for entry.

Verification of Vacancy

Staff responsible for the residential living communities (e.g., Housing and Residential Life, Housing Corporation, Women's Center) including their designees through delegated authority, may enter a specific student room and/or apartment for the purpose of conducting an official verification of a student bed space vacancy. When conducting vacancy verification, the staff member will first knock on the room door and announce the purpose for entry. If there is no response, notice will be left that there will be an entry in 24 hours for vacancy verification.

Entry Without Consent on Suspicion of Violation of University Regulations or Federal or State Law

"Concrete information" is something known from direct observation or information from a reliable source and would cause entry without consent on suspicion of violations. Concrete information can apply to a variety of circumstances. For example, a University representative (e.g. resident assistant, house director, staff member) reports hearing a drinking game, sees alcohol being brought into the room of an underage student, the

smell of marijuana, a towel under the door, the window is open and a fan is blowing or a credible message is received about a suicide threat.

A University representative (e.g., Hall Director or Graduate Hall Director or someone of higher authority, or a House Director) may use master keys for entry only under the following circumstances:

- health and safety crisis
- search warrant from court
- verbal permission has been given for a limited administrative search
- suspicion of violation of University regulation or state law
- written permission has been given for a full administrative search

Limited Administrative Search

A University representative (e.g., Hall Director or Graduate Hall Director or someone of higher authority, or a House Director) who has concrete information of a violation of community standards must get verbal permission from a senior leader of their unit (e.g., Director or Associate/Assistant Director of Housing and Residential Life, Dean of Students, Assistant Dean of Students, Student Engagement) to open the door of a non-responsive student. The resulting search will be hands-off and limited to what is in plain sight, refrigerator contents and a quick look under and around surfaces. Any information found in a limited administrative search may be used for campus conduct procedures.

Full Administrative Search

If federal, state, or local law enforcement officers (including University police) are not involved in an investigation of possible criminal activity, and if a staff or student provides concrete information that the search of a particular room will yield information of a serious violation of community standards by a particular student or student group, the Dean of Students, Director of Housing and Residential Life, or the Vice President for Student Affairs or their designees may issue a written administrative search warrant.

Once the administrative warrant has been granted, the Dean of Students, Director of Housing and Residential Life, or their designees will conduct the search. Any information found in the administrative search may be used only for student conduct procedures. University police, if not involved in an active criminal investigation, may participate in a full administrative search in cases of health and safety.

Other Searches

When federal, state, or local law enforcement officers, including University police, are involved in an investigation of a possible violation of state or federal law, any search of a student residence will be conducted only in accordance with legal standards applicable to police searches of private residences. While law enforcement officers are conducting an authorized search, University staff may accompany them. Information found may be used in criminal proceedings and/or in campus conduct proceedings.

Removal and Re-Assignment

Emergency Removal from On-Campus Residence

Pending final student conduct action on violation of University regulations, the privilege of a student to be a member of the University's residential living communities (e.g., live in or visit residence halls, on-campus apartments, fraternities, or sororities, themed living community) may be withdrawn for reasons of imminent danger due to physical or emotional safety or well-being, or for reasons which seriously jeopardize the safety, well-being, or rights of other residents or staff.

The decision to remove a student from residence halls or on-campus apartments will be made only by the Director of Housing and Residential Life or designee who may consult with the Dean of Students Office and the Vice President of Student Affairs as necessary.

The decision to remove a student from all other residential living communities will be made by the Dean of Students Office in consultation with the Vice President of Student Affairs.

When a student is removed from on-campus housing under these circumstances and is subsequently charged in writing with violation of University regulations, the rights and responsibilities of the University Student Conduct System will apply. A Hearing or Administrative Action must be scheduled within 15 workdays of the emergency removal. The student may request a hearing delay in writing. If a student is separated from campus by this authority, the student must remain separated until the hearing is held.

Enforced Reassignment and Removal

If, in the judgment of the Director of Housing and Residential Life or designee for residence halls and on-campus apartments or the Dean of Students in all other residential living communities, reassignment is necessary to protect the community, to ensure the rights of other residents, or for reasons of health and safety, enforced reassignment may be initiated prior to formal action through the University Student Conduct System.

Any student removed from a University residential living community for conduct reasons may not live in another on-campus living community without advance permission from the Dean of Students. This includes, but is not limited to, fraternities, sororities, on-campus apartments, residence halls, academic themed living and learning communities.

Policies specific to Housing and Residential Life

Although living on campus proves to be beneficial and enriching to the majority of students, living on campus may not be suitable for all student needs. Sharing space with others requires patience, civility, and a certain amount of give and take. For those who are willing to make the necessary adjustments, living on campus can make the college experience much more memorable.

An important mission of the Department of Housing and Residential Life (HRL) is to maintain an environment conducive to community living and academic pursuits, in which the needs and rights of individual residents and those of the community as a whole are equally protected. HRL is aware of the importance of a diverse community and therefore, encourages an environment which respects all students. All residents will be responsible for abiding by all regulations and stipulations contained within the Student Handbook and the HRL Housing Contract. All residents and their guests are expected to cooperate with HRL staff.

Within our on-campus living communities, residents are afforded certain rights and responsibilities. Personal rights will be balanced with responsibilities to the community. Each resident is entitled to sleep, study and pursue interests without the undue influence of others.

Bathroom and Kitchen Cleanliness

Students living in residence halls with suites and/or in apartments are responsible for the regular cleaning of their semi-private and private bathrooms, as well as their semi-private, private and/or community kitchens. Residents will refrain from using community bathrooms while scheduled cleaning is being performed by University custodial personnel.

Athletic Equipment and Activities

Athletic equipment is to be used only in areas specifically designed for that equipment. Examples of unacceptable activities are: Frisbee, ball-playing, darts, hockey, rollerblading, racquetball, tennis, squash, weight-lifting, bicycling or other disruptive behaviors in corridors, lounges, rooms and/or apartments.

Use of Residential Building Lounges, Study and Recreation Rooms

These areas are designed for use by residents, and their related functions will have priority. Any request for use of these areas beyond their intended function must be cleared through the Residence Hall Director (HD), Site Manager or hall council.

Access Cards

During the times when the doors are locked, all residents must use their access card to unlock the main entrances of buildings equipped with the card access system. If students do not have their room key or access card on their person, they must go to the

Campus Dining and ID Office in the Memorial Union to obtain a new ID if they cannot locate a staff member to grant them access. Residents of University Gateway and University Village Apartment complexes must contact their Site Manager to gain access. No student may enter or exit a magnetically locked door.

Keys and Combinations

Only residents and authorized staff are permitted to have access cards, room combinations (combos) and keys to their student residence/residential building. Altering a door lock, unauthorized use of access cards and room and room combinations (combos), having additional keys made or installing locks is prohibited. Due to safety and security needs, any missing, lost or stolen keys will require a lock change at the resident's expense.

Window, Wall and Carpet Coverings

Regulation window coverings have been provided in all student residences and all common areas. These may not be replaced except by HRL. All carpets, flags, and tapestries provided by students must have a "fire spread" rating below 25 and a "low smoke generation." A certificate from the manufacturer, adhering to the above, must be available to HRL on request.

Check-In and Check-Out

Each resident must officially check into and out of the student residence/residential building with the Hall Director, Site Manager or designated staff. Undergraduate residential buildings have their check out schedules posted. In the checkout process, each resident is responsible for turning in the key and having their student residence inspected before departure. Upon checkout, a student residence must be left in the same condition as at the time of check-in. If a student residence is left in unsatisfactory condition, the resident will be billed for restoration charges. If a semi-private or private bathroom, or semi-private, private or community kitchen is left in unsatisfactory condition, the assigned resident(s) will be billed for any related restoration charges for the facility.

Modification of Student's Room or Furnishings

Occupants may not dismantle, refinish, paint, dye, or alter in any way the furniture or furnishings in the student residence without permission from HRL. Lofts or any bed support systems of any kind (except those provided by HRL) are prohibited. Repair or renovations of a student residence by any external source is not permitted without the expressed approval of HRL. Residents are not allowed to have any University furnishings in their student residence except those present at check-in. With the exclusion of beds, students may add their own furnishings to the student residence. Undergraduate residents are not allowed to relocate their beds to any room other than that to which the student is registered without the Hall Director's approval. Residents must never block the egress from their rooms at any time. Room doors must be allowed to open to full swing of the door. Egress from the door to the inside of the room must be kept

clear at all times. This area must not be blocked with baskets, furniture, beds or bed frames encroaching in this area.

Room/Apartment Painting

Students are not allowed to paint their rooms or apartments. If a student's room need to be painted, a work order must be submitted so that appropriate university personnel may paint the room.

Room Changes

Undergraduate students will not be allowed to initiate any room changes during the first three weeks of the start of a semester unless there is a problem of a serious nature that can only be alleviated by changing rooms. Prospective roommates are not subject to any preconditions or approval that would deny them access to any room, and students may not refuse prospective roommates. If, at the end of the fall semester, a student wishes to move, then that move must occur before the intercession, or by the date and time specified by HRL during the spring semester opening period.

Banners

Resident students may not hang, drape, or display any banner or object from or on the outside of balconies or windows at any time except for the purposes of official University business with prior approval from HRL.

Balconies and Porches

Balconies and porches may not be used as storage areas for personal and/or University belongings. Only furniture designed for outdoor use is permitted. University issued furniture is not permitted on balconies and porches. Climbing between and throwing items from balconies and porches is strictly prohibited.

Appendix I- Sexual Misconduct and Relationship Violence Complaint and Adjudication Process

The University encourages survivors/victims to report incidents of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, and stalking.

However, a student's decision to or not to report the incident, request interim action, request disciplinary action (whether through local law enforcement or the University Student Conduct System), or cooperate with an investigation will always be respected and supported. In all situations, a student will have access to a Violence Prevention and Advocacy Services staff member regardless of their choice to report or not report an incident.

Complaints alleging sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking are adjudicated under the **University's Sexual Misconduct and Relationship Complaint and Adjudication Process**. The University's Sexual Misconduct and Relationship Complaint and Adjudication Process outlines the process for adjudicating promptly, fairly and impartially, community standards violations that involve allegations of sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking, and outlines the rights of students involved.

The term "Reporting Party (Complainant)" is used to describe the student who is bringing forth a complaint against another student(s), "Responding Party (Respondent)" in the University Student Conduct System.

The Sexual Misconduct and Relationship Complaint and Adjudication Process outlines the steps, anticipated timelines and decision-making process for the disciplinary proceeding; including how to report a complaint, the standard of evidence that will be used (preponderance of the evidence); and a list of all possible sanctions that the University may impose following the results of the Title IX Complaint Process.

Sexual Misconduct and Relationship Complaint and Adjudication Process is implemented by officials who, at a minimum, receive annual training on relevant issues and on how to conduct the process in a way that protects safety and promotes accountability. Relevant issues include issues related to sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking.

The University will provide for an adequate, reliable and impartial investigation of all complaints, which will include: interviews with the Reporting Party, the Responding Party and any relevant witnesses; a review of any other relevant evidence; an equal

opportunity for the parties to present witnesses and other evidence and equal access to information being considered in the Sexual Misconduct and Relationship Complaint and Adjudication Process (in accordance with the Family Educational Rights and Privacy Act). The Reporting Party and the Responding Party will, to the extent possible, receive simultaneous notification, in writing, of the result of the Sexual Misconduct and Relationship Complaint and Adjudication Process; the procedures for the Reporting Party and the Responding Party to appeal the result of the Sexual Misconduct and Relationship Complaint and Adjudication Process; any change to the result, if applicable; and when such results become final.

Jurisdiction

The University has jurisdiction over all allegations of sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking committed by students both on and off-campus. The Sexual Misconduct and Relationship Complaint and Adjudication Process constitutes the University's formal resolution process and disciplinary proceeding used by the University to respond to sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking committed by students.

Informal Resolution Process

Certain complaints may be resolved through the formal mediation process as outlined herein or, in limited situations, informally, where the Reporting Party and the Responding Party have been fully informed of all available options for resolution of the complaint and have both voluntarily chosen to resolve the complaint through the formal mediation or an informal resolution process. The Reporting Party and/or the Responding Party can ask to end the formal mediation or informal resolution process at any time before its completion. Once a Complaint has been resolved through the formal mediation or informal resolution process, the matter will be closed.

The University will take steps to stop and prevent recurrence of any prohibited behavior and remedy discriminatory effects on the Reporting Party and others, if appropriate.

Advisors

For complaints alleging sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking, the Reporting Party and the Responding Party have the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice for support, guidance and/or advice. The University will not limit the choice of advisor or presence of the advisor for either the Reporting Party or Responding Party in any meeting or proceeding provided the advisor complies with the guidelines for advisors outlined in this Student Handbook (pg. 40). The advisor's role is to provide support, guidance and/or advice only. The advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. The advisor may not ask questions or respond on behalf of the Reporting Party or Responding Party. The Reporting Party or the Responding Party may

request a break during any meeting and/or proceeding to allow the Reporting Party or the Responding Party to confer with their respective advisors in private. Advisors who do not follow the guidelines outlined in this Policy will be asked to leave the meeting(s) and/or proceeding(s). The University may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the University is not required to do so and will not do so if it unreasonably delays the Sexual Misconduct and Relationship Complaint and Adjudication Process.

Standard of Evidence

The preponderance of the evidence standard (more likely than not) will be used under the Sexual Misconduct and Relationship Complaint and Adjudication Process and for making findings regarding all complaints of sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking.

Reporting Party's Rights and Responsibilities

When the Dean of Students (Deputy Title IX Coordinator) or designee becomes aware of an allegation of sexual and gender based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking committed by a student, the Dean of Students or designee will contact the Reporting Party and provide the Reporting Party with detailed information about the Reporting Party's rights and responsibilities, as well as information regarding resources and interim measures. The Dean of Students or designee will explain to the Reporting Party:

- 1) the Sexual Misconduct and Relationship Complaint and Adjudication Process, and their role as Reporting Party in the process;
- 2) the role of an advisor who can support the Reporting Party during the Sexual Misconduct and Relationship Complaint and Adjudication Process;
- 3) the community standards violations of sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking; and the resources available including any interim actions that may be deemed necessary based on the information being provided.

Threat Assessment

When the Dean of Students or designee becomes aware of an allegation of sexual and gender based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking committed by a student, the Dean of Students or designee will (in collaboration with the Behavioral Intervention Team), conduct an initial threat assessment to determine whether there is reasonable cause to believe that the Responding Party poses a continuing, significant threat of harm to the health, safety, and welfare of others or to the University community, and whether interim measures are necessary to alleviate or mitigate that risk.

Making a Complaint

Complaints alleging sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking committed by students may be made by submitting a written Complaint to the Dean of Students or designee. Any individual who has experienced sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking by a student of the University may make a Complaint. Except in limited circumstances that involve protecting the health and safety of the University community and its members, the Sexual Misconduct and Relationship Complaint and Adjudication Process will not be initiated unless a written Complaint has been made. Specifically, in some limited instances, to protect the health and safety of the University community and its members, it may be necessary for the University to initiate the Sexual Misconduct and Relationship Complaint and Adjudication Process against the Responding Party even if a written complaint has not been made. Reasonable accommodations are available for individuals who may need assistance in making a written complaint.

Upon receipt of the written Complaint, the Dean of Students or designee will determine whether the University has jurisdiction to resolve the Complaint under the Sexual Misconduct and Relationship Complaint and Adjudication Process. Matters that cannot be resolved under the Sexual Misconduct and Relationship Complaint and Adjudication Process, because of jurisdiction, will be referred to the appropriate departments on campus.

Alleged violations of the Student Conduct Code, which are ancillary and related to the Complaint, will be resolved under the Sexual Misconduct and Relationship Complaint and Adjudication Process.

Responding Party Rights and Responsibilities

The Dean of Students or designee will have a preliminary meeting with the Responding Party at which time the Dean of Students will:

- 1) share the written Complaint with the Responding Party, if applicable (in cases where there is no written Complaint because the University is proceeding as the Reporting Party, the University will provide written notice to the Responding Party of the allegations);
- 2) explain the Responding Party's rights and responsibilities under the Sexual Misconduct and Relationship Complaint and Adjudication Process and their role as a Responding Party;
- 3) explain the role of an advisor who can support the Responding Party during the Sexual Misconduct and Relationship Complaint and Adjudication Process;

- 4) explain the resources available including any interim actions that may be deemed necessary based on the information being provided;
- 5) describe any potential sanctions that may result from a finding of responsibility; and answer any questions the Responding Party may have.

At the preliminary meeting, the Responding Party will also be provided with information regarding the Responding Party's constitutional rights, including the right to have the Complaint heard under the Sexual Misconduct and Relationship Complaint and Adjudication Process, which is the complaint process used for all similar matters; the right to receive notice of all Student Conduct violations that are being alleged, as well as any ancillary violations being alleged against the Responding Party; the right to be heard by the hearing panel, who are an impartial arbiter under the Sexual Misconduct and Relationship Complaint and Adjudication Process; and the right to hear a description of all information presented to the hearing panel that supports a finding of responsibility.

At the end of the preliminary meeting, the Responding Party may:

- 1) voluntarily admit responsibility and execute a written Waiver of the Sexual Misconduct and Relationship Complaint and Adjudication Process (at which point the Responding Party will be assigned a sanction(s) and the Sexual Misconduct and Relationship Complaint and Adjudication Process will be concluded); or
- 2) request that the alleged violation(s) be adjudicated in accordance with the Sexual Misconduct and Relationship Complaint and Adjudication Process.

A Responding Party who executes a written Waiver of the Sexual Misconduct and Relationship Complaint and Adjudication Process is not entitled to an appeal.

If the Responding Party chooses to have the Complaint adjudicated through the Sexual Misconduct and Relationship Complaint and Adjudication Process, then the Responding Party may submit a written Response to the Complaint, within three (3) business days after the preliminary meeting, to the Dean of Students or designee. After three (3) days, the Dean of Students or designee will initiate the Sexual Misconduct and Relationship Complaint and Adjudication Process.

The Reporting Party will be provided with a copy of the written Response prior to the start of the Investigation.

If the Responding Party fails to appear at the preliminary meeting after notification or fails to respond to communications from the Dean of Students or designee, the Dean of Students or designee may proceed with the Sexual Misconduct and Relationship Complaint and Adjudication Process without the Responding Party's participation.

Investigation and Adjudication

Upon receipt of the Responding Party's written Response, the Dean of Students or designee will appoint an investigator(s). The investigator(s) will investigate the complaint and issue a report. The Dean of Students or designee will have the discretion to appoint an internal investigator(s) or an external investigator(s), or both.

The University will ensure an adequate, reliable and impartial investigation of all complaints alleging sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking, including the opportunity for both the Reporting Party and the Responding Party to present witnesses and evidence. The investigation will include interviews with the Reporting Party, the Responding Party and witnesses, if applicable. The investigator(s) will determine, in the investigator(s)' sole discretion, what information is relevant. Character evidence will not be considered; and pattern evidence (evidence of previous conduct) will only be considered if the previous conduct is so substantially similar to the conduct cited in the instant matter to indicate a pattern of behavior. Additionally, medical and counseling records are privileged and confidential. Therefore, those records will not be required to be disclosed.

Past sexual history will typically not be considered except possibly where consent is at issue. Specifically, prior consensual sexual activity between the Reporting Party and the Responding Party, while not determinative, may be relevant to determining whether consent was sought and received. Past sexual history may also be considered under very limited circumstances, for example, to explain injury. However, consent to one sexual act will never be considered to constitute consent to another sexual act.

Both the Reporting Party and the Responding Party will be provided with timely and equal access to any information that will be used during the investigation and will be provided with sufficient time to prepare for meaningful participation in the investigation, provided that the time provided to the Reporting Party or Responding Party does not unreasonably delay the Sexual Misconduct and Relationship Complaint and Adjudication Process. Unreasonable delay will be determined by the Dean of Students or designee in their sole discretion.

Conflict of Interest

The Reporting Party and the Responding Party will receive the name of the investigator(s) prior to the start of the investigation. The Complaint or Responding Party may challenge the participation of the investigator(s) for good cause with a written rationale. The challenge must be delivered in writing to the Dean of Students or designee prior to the start of the investigation. The Dean of Students or designee will determine, in their sole discretion, whether a genuine conflict of interest exists. In the event of a conflict of interest, a new investigator(s) will be assigned.

Draft Investigation Report

At the end of the investigation, the investigator(s) will complete a Draft Investigation Report. The Draft Investigation Report will summarize the relevant exculpatory and inculpatory evidence learned during the investigation, including direct observations and reasonable inferences drawn from the facts and any consistencies or inconsistencies between the various sources of information.

Once the Draft Investigation Report has been completed, the investigator(s) will schedule separate meetings with the Reporting Party and the Responding Party to review the Draft Investigation Report. After meeting with the investigator(s), the Reporting Party and the Responding Party will have three (3) business days to respond to the investigator(s) in writing to offer additional comments, clarify information previously shared, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation.

Final Investigation Report

If, after receiving the written responses from the Reporting Party and the Responding Party regarding the Draft Investigation Report, the investigator(s) determines that no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator(s), further inquiry is necessary, the investigator(s) will follow up on the information before finalizing and completing the investigation. If new information is obtained as a result of further inquiry, that information will be shared with the Reporting Party and the Responding Party and the Reporting Party and the Responding Party will have the opportunity to provide additional relevant information as applicable.

Once the investigation is deemed by the investigator(s) to be complete and final, the investigator(s) will then provide the Dean of Students or designee with the Final Investigation Report. The Dean of Students or designee will review the Final Investigation Report to ensure that it has been completed in accordance with relevant policy, federal and state law and official guidance. The Dean of Students or designee will notify the investigator(s) of any inconsistencies with relevant policy, federal and state law and official guidance that are present in the Final Investigation Report so that the investigator(s) can make corrections.

Once reviewed by the Dean of Students, the Final Investigation Report will be forwarded to the Office of Community Standards to determine if any student conduct policies were violated. If it is determined that charges are warranted, the responding party will be notified by the Office of Community Standards.

Charge Letter and Choice of Action Form

When the Student Conduct Administrator decides that there is information of a violation that warrants referral to the conduct system, the student shall be notified in writing of the charges. This written notification will include the date, location,

description of the alleged violation, reference to the handbook section allegedly violated, and potential sanction(s) will be given.

If a student withdraws or is academically dismissed while charges are pending, conduct procedures may continue or be delayed upon the student's return to the University at the sole discretion of the Dean of Students or designee.

If a student completing degree requirements is accused of a violation of community standards that may lead to suspension or dismissal, the student's degree (e.g., diploma, transcripts) may be held pending resolution of student conduct action or as a result of such action.

A student has three (3) business days to point out errors in charge letters and when a corrected letter is issued, a student will have, at minimum, an additional three (3) business days to choose action.

Response to Conduct Charge

Formally charged students may admit or deny responsibility for the charges. A student will have three (3) business days upon receipt to respond to a charge letter.

The charged student has three options for responding to a conduct charge:

- 1) If the student accepts Responsibility for the charges and the Recommended Sanction, the case is resolved, and an Outcome Letter will confirm the resolution.
- 2) If the student accepts Responsibility for the charges but does not accept the Recommended Sanction, the incident will be referred to an Administrative Hearing Officer.
- 3) If the student denies Responsibility for the charges, the case will be referred to a hearing before a Conduct Board Hearing Panel.

Hearings

Conduct Board Panel Hearings will follow the process outlined on page 46 of the URI Student Handbook. Please note that cases involving allegations of Sexual Misconduct and Relationship Violence cases will be heard by a hearing panel of at least three (3) faculty and/or staff members. **Students will not serve on hearing panels for Sexual Misconduct and Relationship Violence.**

Sanctions

An individual found responsible for sexual and gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking (and/or any ancillary violations) is subject to one or more of the following sanctions outlined above in the sanctions section of this Student Handbook (pg. 55).

Notice of Outcome

After receipt of the sanctions, the Dean of Students or designee will simultaneously provide a written Notice of Outcome to the Reporting Party and the Responding Party, which will include the finding(s), sanction(s) (if applicable), rationale and notification of the procedures to appeal the result. The Notice of Outcome will also include any individual remedies offered to the Reporting Party, if applicable, which directly relate to the Reporting Party, as well as any other steps the University has taken to eliminate any hostile environment, if the investigator found one to exist.

Appeal

The Reporting Party and the Responding Party have the right to appeal and participate in the appeal process. Please see Appeal Procedures located in the URI Student Handbook, pg. 61.

Requests for appeal must be submitted in writing to the Dean of Students or designee within three (3) business days following delivery of the written Notice of the Outcome. Appeals are heard by the University Appeals Board and will be strictly limited to the grounds for appeal outlined on pg. 61. The Appeal Board is an impartial decision-maker and will conduct the appeal in an impartial manner.

If the appeal is denied, the matter will be closed, and the outcome set forth in the Notice of Outcome will be final.

If the appeal is granted, the Appeal Board may remand the case for a new hearing with a new hearing panel. The results of the new hearing, including the finding(s) and sanction(s) will be final and not subject to further appeal.

The Appeal Board will provide a decision regarding the Appeal to the Vice President of Student Affairs who will simultaneously provide written notice to the Reporting Party and the Responding Party within a reasonable period of time.

The decision of the Appeal Board regarding the appeal will be final.

Timelines for the Student Complaint Process

The University will make its best efforts to complete the Sexual Misconduct and Relationship Complaint and Adjudication Process (including the investigation and appeal process) in a timely manner. The lengths of investigations may vary due to the complexity and unique factors of each case. The Reporting Party and the Responding Party will be provided with periodic status updates as necessary.

Interim Measures/Actions

Interim measures are individualized services offered as appropriate to either or both the Reporting Party or the Responding Party prior to an investigation or while an investigation is pending. Interim measures are determined on a case-by-case basis and

may include counseling, extensions of time or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar accommodations.

Requests for interim measures may be made to the Dean of Students or designee. The Dean of Students or designee will be responsible for the implementation and coordination of interim measures. Interim measures will not disproportionately impact the Reporting Party and are available even if the Reporting Party does not report or continue to pursue a complaint.

If requested by the Reporting Party, the University will promptly implement a one-way no contact order (with the burden of no contact on the Responding Party) if the University has made a finding of responsibility under the Sexual Misconduct and Relationship Complaint and Adjudication Process, even if an appeal may be filed, or has been filed and is pending. If requested, the University will assist the Reporting Party in filing/applying for orders of protection, restraining orders or similar lawful orders issued by a criminal, civil or tribal court.

To request information about available remedial and protective measures, contact the Dean of Students and the Dean of Students or designee will provide assistance and information regarding available options for remedial and protective measures, including assistance in obtaining, complying with and enforcing orders of protection issued by a criminal, civil or tribal court.

Privacy and Confidentiality

The University will make all reasonable efforts to protect the confidentiality of the Reporting Party, Responding Party and other necessary parties by keeping all complaints and investigations private to the extent possible and will only disclose on a “need to know” basis. It is the expectation of the University that any persons who participate in the investigation and/or adjudication of allegations of sexual and gender based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking or otherwise gain knowledge thereof, shall treat all information acquired, whether written or oral, as confidential, provided however, that the Reporting Party and Responding Party may share such information with their advisor and legal representative, if applicable.

The University will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, in certain circumstances, the University may not be able to grant the confidentiality request(s) due to various factors, including when there is a risk of imminent harm to an individual or others or a threat to the health and safety of the University community. Additionally, while some concerns or complaints can be resolved without disclosing one's identity, often successful resolution may be difficult to achieve under such circumstances.

In cases where a Reporting Party's request for confidentiality is granted, the University will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the Reporting Party. Further, individuals who are directly accused of violations of this Policy and who, as a result, may be subject to sanctions, are entitled to a summary of the charges against them so that they may effectively respond.

The University will maintain, as confidential, any accommodations or protective measures provided to the Reporting Party, to the extent that maintaining such confidentiality does not impair the ability of the University to provide the accommodations and/or protective measures.

When a student is found responsible for sexual and gender-based harassment, sexual violence, sexual assault, sexual exploitation, domestic violence, dating violence, or stalking and sanctions are imposed, the University may disclose that information to third parties.

In cases of threat to the community or on-going individual or University safety concerns, the Reporting Party will be notified prior to disclosure of private or personal information. The University has established procedures and structures in place to determine when full or partial disclosure is warranted.

Campus Security Authorities and Timely Warnings

The University has identified Campus Security Authorities as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also known as the Clery Act). Please see the University of Rhode Island Annual Security Report at <http://web.uri.edu/police/clery-reports-statistics/> for additional information.

There may be circumstances that will require the notification to the community (e.g., Clery Act Timely Warning, Emergency Notification) if the alleged perpetrator is a threat to the University community. Such mitigating circumstances include but are not limited to: the alleged perpetrator is a stranger with no viable leads as to identity, a pattern of similar negative behavior particularly violent incidents in a specific location, the assault is committed by multiple assailants, or the assault includes the use of a weapon. However, any identifying information about the victim will not be released in the community notification.

Prevention and Awareness Programs

The University is committed to preventing sexual assault, dating violence, domestic violence and stalking as they are defined in herein as well as in the Clery Act. The University conducts ongoing educational and primary prevention and awareness programs for all faculty, staff and employees (including incoming students and new

employees) to: promote awareness; prevent sexual assault, dating violence, domestic violence and stalking; and to remind the entire community of the University's prohibition against sexual assault, dating violence, domestic violence and stalking. A description of the institution's educational and primary prevention and awareness programs can be found in the University's most recent Annual Security Report.

Bystander Intervention

Bystander intervention refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of sexual misconduct and relationship violence, including sexual assault, sexual exploitation, dating and domestic violence or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying effective ways to intervene and take action provided that the intervention or action can be undertaken in a way that ensures the safety of the bystander. For more information about bystander intervention please contact Violence Prevention and Advocacy Services at (401) 874-9131 or <https://web.uri.edu/womenscenter/vpas/>.

A description of the University's educational and primary prevention and awareness programs, including bystander intervention, can be found in the University's most recent Annual Security Report.

Risk Reduction

Risk reductions are designed as options to decrease perpetration and bystander inaction, increase empowerment for victims to promote safety, and help individuals and communities address conditions that facilitate violence. A description of the University's educational and primary prevention and awareness programs, including risk reductions, can be found in the University's most recent Annual Security Report.

Amnesty

The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of violence to institution officials. The Reporting Party, Responding Party, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the University or law enforcement will not be subject to the University's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

Law Enforcement

While not required, the University strongly encourages anyone who becomes aware of behavior that may constitute a violation of Rhode Island State Law to report the incident

to local law enforcement. The University can provide support, resources and assistance to those who do so. Regarding the involvement of law enforcement, the Reporting Party has several options, including: (1) to notify law enforcement authorities, including local police; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Reporting Party chooses; or (3) to decline to notify such authorities. The University will comply with the Reporting Party's request for assistance in notifying law enforcement. The Reporting Party's choice to report to law enforcement will not impact the implementation of accommodations and/or protective measures if applicable.

Information about local law enforcement agencies and how to make a police report can be found on the Department of Public Safety's webpage, which can be found at <http://web.uri.edu/publicsafety/staff/> or by calling 401-874-4910. The Reporting Party has the right to file a criminal complaint and a complaint under the Sexual Misconduct and Relationship Complaint and Adjudication Process simultaneously. The University will comply with law enforcement requests for cooperation. Such cooperation may require the University to suspend an investigation, for a short period, while law enforcement gathers evidence. The University will promptly resume its investigation as soon as it is notified by law enforcement that its evidence gathering process is complete.

2019 VERSION (ARCHIVED)

Appendix II- Information on Title IX, VAWA, and Rhode Island Board of Higher Education's Council on Postsecondary Education Governing Policy on Sexual Harassment and Sexual Violence

The University of Rhode Island, in its commitment to maintaining a safe and secure learning environment, has instituted policies and procedures for confronting the issue of sexual harassment, sexual and gender violence, sexual assault, domestic violence, dating violence, and stalking. Most importantly, the University informs the members of the community by focusing on prevention, education, awareness, and intervention.

The University prohibits any form of harassment, abuse or violence and is proactive in the prevention of sexual assault, gender and sexual violence, domestic violence, dating violence and stalking on our campuses. Additionally, the University continuously enhances services for victims that exist on campus and in the local community, regardless of gender identity, sexual orientation, ability, race or ethnicity.

Rhode Island Board of Higher Education's Council on Postsecondary Education Governing Policy

University policies and procedures in this area are governed by the Rhode Island Board of Higher Education's Council on Postsecondary Education. The Council of Postsecondary Education Sexual Harassment and Sexual Violence Policy may be found at <https://web.uri.edu/affirmativeaction/files/FINAL-CPE-APPROVED-4-1-2015-TECH-REV-UPDATE-03-12-18.doc>

The Sexual Harassment and Sexual Violence Policy prohibits actions of sexual harassment, sexual assault, sexual or relationship violence, or stalking at all Rhode Island educational institutions under the its jurisdiction, including the University of Rhode Island. In addition, the policy complies with requirements in applicable federal and state law including Title IX of the Education Amendments of 1972, Title VI of the 1964 Civil Rights Act, and the Violence Against Women Reauthorization Act of 2013.

The Council of Postsecondary Education Sexual Harassment and Sexual Violence Policy “applies to the perpetration of sexual harassment, sexual assault or sexual [or relationship] violence [, or stalking] by one member of the Covered Entity’s community (faculty, staff, student, or volunteer) against another. Depending on the context, the policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity. The policy applies to all such behavior occurring on campus, and to behavior occurring off campus when the behavior arises in the context of a Covered Entity event or otherwise has a significant relation to, or could have a significant impact on, the Covered Entity’s living, learning or employment environments.”

Application of Student Handbook Violations

Violations of the Counsel on Post-Secondary Education Sexual Harassment and Sexual Violence Policy that involve students will be adjudicated by the University Student Conduct System and the Policy is incorporated in the Student Handbook for that purpose.

Portions of the Counsel on Post-Secondary Education Sexual Harassment and Sexual Violence Policy definitions and terms are replicated below. These definitions and terms are also considered to be University Community Standards violations.

Sexual Harassment

Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at the Covered Entity;
- (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at the Covered Entity; or
- (3) Such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the Covered Entity and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the Covered Entity.

The following are just two examples of conduct and behavior that will very likely be considered sexual harassment under this policy:

- (1) A faculty member conditions a student's favorable evaluation on the student's submission to sexual advances. The faculty member then gives the student a poor evaluation after the student rejects the faculty member's advances.
- (2) A student editor for the college newspaper continually and inappropriately touches another student newspaper staff member in a sexual manner over an extended period of time. The touching is unwelcome and continues even after the student editor is asked to stop. The conduct makes the staff member uncomfortable and creates an offensive and hostile environment in the newsroom.

Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity.

Examples of such conduct and behaviors that may be lead to a finding of sexual harassment include, but are not limited to, the following:

- (1) Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.
- (2) Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts or objects.
- (3) Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape.

Sexual harassment need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender-stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment under this policy. Specific examples of such behavior that may lead to a finding of sexual harassment include the following:

- (1) A male employee is repeatedly taunted and insulted verbally by his co-workers for his "looking like a girl," "for acting like a girl" and "acting like a queer."
- (2) A female program director is repeatedly called "bossy", "overly aggressive" and "un-lady like" by her male supervisors with some of these criticisms noted in her performance evaluations.

Sexual Violence

As used in this policy, the term sexual violence shall refer to (a) "sexual violence under Title IX" as that term is defined herein; (b) "sexual or relationship assault or violence under VAWA" as that term is defined herein; and/or (c) "sexual assault or relationship violence under Rhode Island law" as defined herein. *All forms of sexual assault and violence are prohibited under this policy.*

Sexual Violence Under Title IX

Sexual violence under Title IX, as described in the April 4, 2011 guidance issued by the U.S. Department of Education, is a form of sexual harassment, and refers to: physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and other forms of sexual coercion.

Sexual or Relationship Violence or Assault Under VAWA

Sexual or relationship violence or assault under VAWA refers to the following offenses, as defined herein: Sexual Assault-VAWA; Domestic Violence-VAWA; Dating Violence-VAWA; and Stalking-VAWA.

Sexual Assault- VAWA

An offense that meets one of the following definitions of rape, fondling, incest, or statutory rape used in the FBI's Uniform Crime reporting Program.

Rape ---The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence- VAWA

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of

relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence- VAWA

A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim,

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking- VAWA

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual or Relationship Violence or Assault Under Rhode Island Law

Sexual or Relationship Assault or Violence under Rhode Island Law refers to the following offenses, as defined herein and fully set forth on **EXHIBIT A** attached hereto and made a part hereof:

SEXUAL ASSAULT – RI (as defined in R.I.G.L §11-37-1 through §11-37-6)

DATING VIOLENCE – RI (as defined in R.I.G.L. §16-22-24)

DOMESTIC VIOLENCE –RI (as defined in R.I.G.L. §12-29-2)

STALKING – RI (as defined in R.I.G.L. §11-59-1 through §11-59-2)

Retaliation

Retaliation against any the Reporting Party or witness is prohibited and shall be treated as a separate violation under this policy as well as any of the Covered Entity's community standards and Non-Discrimination Policy.

Furthermore, no officer, employee, student or agent of any of the Covered Entities shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of law, or any of the Covered Entity's policies or procedures, relating to campus security or campus crime reporting, including any laws and policies relating to the reporting of, and required responses to, allegations of sexual violence.

Reporting Procedures and Available Resources

Each of the Covered Entities shall establish, and make known to their students and employees, their (legally compliant) "reporting procedures" for the reporting of instances or complaints of sexual harassment and sexual violence, including a description of which employees shall be responsible for reporting, and which official(s) shall be responsible for receiving such reports. The Covered Entities shall also publish and make available to all of their students and employees information about "available resources" for individuals who believe they are victims of, witnesses to, or are simply concerned about, sexual harassment or sexual violence. Such "available information" should include a list of internal and external agencies, offices, hotlines, websites, or other information resources or service providers the Covered Entity believes would be

important or valuable resources for their students and employees. The current “reporting procedures” descriptions, and “available resources” listings, for the University of Rhode Island, Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner, are attached hereto as Exhibits B, C, D and E respectively, and are incorporated by reference into this policy. Each Covered Entity shall be obligated to keep their “reporting procedures” descriptions and “available resources” listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits B, C, D or E) to the Council, which will substitute the updated exhibits for the old ones and attach them to this policy.

Investigations and Disciplinary Actions

Each Covered Entity shall investigate complaints and allegations of sexual harassment and sexual violence **against their employees**, pursuant to the Council for Postsecondary Education Discrimination Complaint Procedures. Each Covered Entity shall also investigate complaints and allegations of sexual harassment and sexual violence **against their students** in accordance with procedures described in their respective student conduct policies. Individual Covered Entity employees found in violation of this policy may be subject to disciplinary action up to and including remedial education, written reprimand, suspension and/or termination.

Title IX Notification

University of Rhode Island Policy Statement on Harassment

"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..." Title IX - 20 U.S.C. § 1681

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs that receive federal financial assistance. Athletics are only one component of Title IX. Other programs and activities which may be included are: recruitment, admissions, financial aid, and scholarships; course offerings and access; hiring and retention; and, benefits and leave.

Title IX also protects students from unlawful sexual harassment in school programs and activities. In compliance with Title IX, the University prohibits discrimination on the basis of sex in employment as well as in admissions, enrollment, and in the provision of all services, programs and activities. The University's Policy Statements outlining these prohibitions may be accessed online at <https://web.uri.edu/affirmativeaction/title-ix/>

The University's Title IX Coordinator monitors compliance with this law and centrally coordinates the institution's response to complaints of discrimination based on sex.

For students involved in Title IX cases, the Dean of Students is designated as the Deputy Coordinator for Student Affairs. In this role, the Dean of Students will ensure complaints of this nature are addressed by the appropriate University entities and will assist Reporting Parties in receiving any medical, mental health or other services that may be warranted as well as facilitate any interim measures that may be necessary to protect the complainant in the University setting.

Individuals with questions or concerns about Title IX, and/or those who wish to file a complaint of non-compliance, may contact the University's Title IX Coordinator or designated Deputy Coordinators for more information:

Title IX Coordinator: Roxanne M. Gomes, CAAP
Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
75 Lower College Road
Kingston, RI 02881
401-874-2442
roxanne@uri.edu

Deputy Title IX Coordinator: Gerard J. Holder, J.D.
Assistant Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
75 Lower College Road
Kingston, RI 02881
401-874-2442
hbias23@mail.uri.edu

Deputy Title IX Coordinator, Student Affairs: Daniel Graney, Ed.D.
Dean of Students
302 Memorial Union
Kingston, RI 02881
401-874-2098
dgraney@uri.edu

Alternatively, or in addition to the Title IX Coordinator, inquiries may be directed to the U.S. Department of Education's Office for Civil Rights, the federal agency charged with enforcing compliance with Title IX:

Boston Office
Office for Civil Rights
US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: (617)289-0111

Email: OCR.Boston@ed.gov

Title IX Reporting Options

The University encourages survivors/victims to report incidents of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, and stalking.

However, a student's decision to or not to report the incident, request interim action, request disciplinary action (whether through local law enforcement or the University Student Conduct System), or cooperate with an investigation will always be respected and supported. In all situations, a student will have access to a Violence Prevention and Advocacy Services staff member regardless of their choice to report or not report an incident.

Reporting Options for Incidents Which Occurred Off -Campus

A student at the University who wishes to report an incident of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, and stalking that occurred off-campus or away from University properties may choose to report a crime to the local law enforcement.

In addition, a student may also choose to initiate University disciplinary action against another student (or students) at the University if the incident occurred off-campus. There are several options for reporting including Violence Prevention and Advocacy Services, the Dean of Students Office, or the Title IX Office:

Violence Prevention and Advocacy Services
Racine Amos
Women's Center
22 Upper College Rd, Kingston
401-874-9131
amosr@uri.edu

Title IX Coordinator
Roxanne M. Gomes, CAAP
Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
roxanne@uri.edu

Deputy Title IX Coordinator
Gerard Holder
Assistant Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
hbias23@uri.edu

Deputy Title IX Coordinator, Student Affairs
Daniel Graney, Ed.D.
Dean of Students
302 Memorial Union
Kingston, RI 02881
401-874-2101
dgraney@uri.edu

Reporting Options for Incidents Which Occurred On-Campus

A student at the University who wishes to report an incident of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, and dating violence that occurred on campus may choose to report a crime to the University's Police Department.

URI Police Department: On duty 24 hours a day, 7 days a week.
85 Briar Lane, Kingston, RI
Emergency: (401) 874-2121
Non-Emergency: (401) 874-4910

The blue emergency telephones throughout the campus ring directly into URI Police Dispatch.

In addition, a student may also choose to initiate University disciplinary action against another student (or students) at the University if the incident occurred on-campus. There are several options for reporting including Violence Prevention and Advocacy Services, the Dean of Students Office, or the Title IX Office:

Violence Prevention and Advocacy Services
Racine Amos
Women's Center
22 Upper College Rd, Kingston
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amosr@uri.edu

Title IX Coordinator
Roxanne M. Gomes, CAAP
Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
roxanne@uri.edu

Deputy Title IX Coordinator, OAAEOD
Gerard Holder
Assistant Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
hbias23@uri.edu

Deputy Title IX Coordinator, Student Affairs
Daniel Graney, Ed.D..
Dean of Students
302 Memorial Union
Kingston, RI 02881
401-874-2101
dgraney@uri.edu

The University Student Conduct System and Title IX Complaints

A student who chooses to report a Title IX incident, seeks interim actions, requests disciplinary actions, or cooperates with an investigation will have access to a Violence Prevention and Advocacy Services staff member, or a Conduct Advisor of their choice, to assist with the University Student Conduct System. The term “Reporting Party” is used to describe the student (e.g., survivor, victim) who is bringing forth a complaint against another student(s), “Responding Party” in the University Student Conduct System.

Upon receiving a report of a Title IX violation and with the consent of the Reporting Party, the Dean of Students will assign a trained Title IX Investigator and will report the incident to the Title IX Coordinator.

During the initial meeting with the Reporting Party, the Title IX investigator will ensure that the student:

- 1) Understands the Rights of the Reporting Party, the University Student Conduct System process, and their role as complainant in the process,
- 2) Understands the role of a Conduct Advisor who can assist the complainant during the University Student Conduct System process,

- 3) Is informed about the community standards violations of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, or stalking and,
- 4) Is aware of available resources available including any interim actions that may be deemed necessary based on the information being provided.

A student who is accused or alleged to have committed a Title IX community standards violation is called the “Responding Party”. During the initial meeting with a Responding Party, the Title IX investigator will ensure that a student:

- 1) Understands the Rights of a Responding Party, the University Student Conduct System process, and their role as respondent in the process,
- 2) Understands the role of a Conduct Advisor who can assist the Responding Party during the University Student Conduct System process,
- 3) Is informed about the community standards violations of gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, or stalking and,
- 4) Is aware of available resources available including any interim actions that may be deemed necessary based on the information being provided.

The Title IX investigator will strive to complete the investigation in a timely manner. However, the availability those involved (e.g., witnesses, conduct advisors, complainant, respondent) may impact the investigation timeline.

Both the Reporting Party and the Responding Party will be updated as needed throughout the process.

If the Responding Party is found responsible for Title IX community standards violations, sanctions will be based on Student Handbook guidelines with input from the complainant through a victim’s impact statement.

During the investigation, every effort will be made to protect personally identifying information of all parties involved. Due to the nature of Title IX complaints and through the investigation process, confidentiality can only be guaranteed when an incident is reported to a professional counselor acting in a counseling role or pastoral counselor acting in a pastoral role.

University officials, Student Conduct Administrators and Conduct Board members will protect privacy of any personally identifiable information as they are communicating about any necessary interim decisions and within the University Student Conduct System.

Both the complainant and the respondent will receive an Outcome Letter within three (3) business days of a hearing which includes the process for Appeals. The Appeals

Process is outlined in the University Student Conduct System section of the Student Handbook.

Interim Measures/Actions

Interim measures or actions are steps that the University deems necessary to protect the health, safety and well-being of the students.

The University may issue interim measures or actions after talking with students involved in Title IX cases. Student Conduct Administrators will assess and determine which interim measures or actions are taken that are in the best interest of the health, safety and well-being of the students involved.

Interim measures or actions may be ordered by the Dean of Students Office and services delivered by a variety of departments on campus including but not limited to: No Contact Orders, emergency transportation for treatment and follow-up care, housing relocation, danger or other assessments, Counseling, translators/interpreters, and academic adjustments (including course changes, reductions in course load).

The following local community agencies listed below can provide assistance to individuals who have experienced gender and sexual based harassment, sexual violence, sexual assault, domestic violence, or dating violence:

Day One (24-hour help line and legal advocacy)	http://www.dayoneri.org
South County Hospital	http://www.southcountyhealth.org
State of RI Department of Health	www.health.ri.gov/violence/about/sexual/

Privacy and Confidentiality

Privacy and confidentiality limits access to or places restrictions on specific information as dictated by state and federal laws, statutes, and regulatory guidance.

In instances where gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, or stalking is reported to a staff member of the University's Counseling Center or to a pastoral counselor acting in a pastoral role, the name and identifying information will be kept confidential.

In all other cases, when gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, or stalking is reported, all efforts will be made to protect the privacy of parties involved.

When a student is found responsible for gender and sexual based harassment, sexual violence, sexual assault, domestic violence, dating violence, or stalking and sanctions are imposed, the University may disclose that information to third parties.

In cases of threat to the community or on-going individual or University safety concerns, complainants will be notified prior to disclosure of private or personal information. The University has established procedures and structures in place to determine when full or partial disclosure is warranted.

The University has identified Campus Security Authorities as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (also known as the Clery Act). Please see the University of Rhode Island Annual Security Report at <http://web.uri.edu/police/clery-reports-statistics/> for additional information.

There may be circumstances that will require the notification to the community (e.g., Clery Act Timely Warning, Emergency Notification) if the alleged perpetrator is a threat to the University community. Such mitigating circumstances include but are not limited to: the alleged perpetrator is a stranger with no viable leads as to identity, a pattern of similar negative behavior particularly violent incidents in a specific location, the assault is committed by multiple assailants, or the assault includes the use of a weapon. However, any identifying information about the victim will not be released in the community notification.

Resources for Victims

Resource	Phone Number	Hours of Operation
Local Law Enforcement In Case of an Emergency	Dial 911	24 hours 7 days a week
State Victims of Crime Helpline	(800)494-8100	24 hours 7 days a week
URI Police 85 Briar Lane Kingston, RI 02881 http://web.uri.edu/police/	(401)874-2121	24 hours 7 days a week
Violence Prevention and Advocacy Services 22 Upper College Road Kingston, RI 02881 https://web.uri.edu/womenscenter/vpas/	(401) 874-9131	Monday-Friday 8:30am – 4:30pm
Dean of Students Office Memorial Union, 3rd Floor http://web.uri.edu/deanofstudents/	(401)874-2101	Monday – Friday 8:30am – 4:30pm

University Health Services Potter Building 6 Butterfield Rd Kingston, RI 02881 http://web.uri.edu/healthservices/	(401)874-2246	Monday – Friday 8am to 8pm and Weekends & Holidays (Urgent Care Only) 10am to 4pm
University Counseling Center 217 Roosevelt Hall http://web.uri.edu/counseling/	(401)874-2288	Monday, Wednesday, Thursday & Friday 8:30am-4:30pm Tuesday 8:30am- 6:30pm

2019 VERSION (ARCHIVED)

Rhode Island Criminal and Civil Law Provisions relating to Sexual Assault, Relationship Violence, and Stalking

University students are expected to follow all state laws pertaining to sexual assault, relationship violence and stalking. For a complete list of legal sanctions related to sexual assault, domestic violence, dating violence, and stalking in the State of Rhode Island, please visit <http://webserver.rilin.state.ri.us/Statutes/>.

Victims of sexual assault, domestic violence, dating violence, and stalking may also want to review the following Rhode Island laws in order to help them decide if they want to file a complaint with local law enforcement and/or seek issuance of a restraining order. Please see the following statutes,

<http://webserver.rilin.state.ri.us/Statutes/title11/11-37/index.htm> (sexual assault)
<http://webserver.rilin.state.ri.us/Statutes/title12/12-29/INDEX.HTM> (domestic violence)
<http://webserver.rilin.state.ri.us/Statutes/title11/11-59/INDEX.HTM> (stalking)
<http://webserver.rilin.state.ri.us/Statutes/title11/11-52/11-52-4.2.htm> (cyberstalking, cyber harassment)

Below is a summary of Rhode Island laws, including applicable definitions and possible criminal penalties for violation of those laws.

Hate Crimes

"A hate crime is any crime motivated by bigotry and bias, including, but not limited to threatened, attempted, or completed acts that appear after investigation to have been motivated by racial, religious, ethnic, sexual orientation, gender or disability prejudice." General RI Laws Section 42-28-46.

Stalking

In Rhode Island, Stalking is defined as any person who harasses another person; willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking. Stalking shall be deemed a felony punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars (\$10,000), or both. Rhode Island Stalking Law 11-59-2.

Cyberstalking, Cyber-Harassment

In Rhode Island, whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or their family is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500), by imprisonment for not more than one year, or both. For the purpose of this section, "harassing" means any knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or bothers the person, and which serves no legitimate purpose. The course of conduct must be of a kind that would cause a reasonable person to suffer substantial emotional

distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct." A second or subsequent conviction under subsection of this section shall be deemed a felony punishable by imprisonment for not more than two (2) years, by a fine of not more than six thousand dollars (\$6,000), or both. Rhode Island Computer Crime Law 11-52-4.2

Sexual Assault

In Rhode Island, sexual assault is defined legally (Rhode Island Sexual Assault Law 11-37) in three degrees:

- 1st Degree: any forced or coerced penetration of the vagina, anus or mouth, by any part of another person's body or by an object. The penalty for first degree sexual assault (11-37-3) is Prison for a period not less than ten (10) years and may be imprisoned for life.
- 2nd Degree: any forced or coerced contact with a person's genital area, inner thighs, buttocks, or the breast of a female. The penalty for second degree sexual assault (11-37-5) is Prison for not less than three (3) years and not more than fifteen (15) years.
- 3rd Degree: penetration when one person is age 18 or older and the other is over the age of 14 but under the age of consent (age 16). The state of Rhode Island does not recognize the ability of people under the age of 16 to give informed consent to sexual intercourse with an adult. The penalty for third degree sexual assault (11-37-7) is Prison for not more than five (5) years.

Dating Violence

Dating violence means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner. Dating partner means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term. Rhode Island General Laws Section 16-22-24

Domestic Violence

Domestic violence includes, but is not limited to, any of the following crimes when committed by one family or household member against another: Simple assault, Felony assaults, Vandalism, Disorderly conduct, Trespass, Kidnapping, Child-snatching, Sexual assault, Homicide, Violation of the provisions of a protective order, Stalking, Refusal to relinquish or to damage or to obstruct a telephone, Burglary and Unlawful Entry, Arson, Cyberstalking and Cyber-Harassment, and Domestic Assault by strangulation Rhode Island General Laws Section 12-29-2 and related sections

Appendix III- URI Drug and Alcohol-Free Campus Statement

The University of Rhode Island supports students in demonstrating responsible behavior in the best interest of their personal health and well-being, the community's general welfare, and the rights of others. Students are expected to assume responsibility for their actions and must understand that being under the influence of drugs and or alcohol in no way lessens their accountability. Information about alcohol and its effects is available through Substance Abuse Prevention Services in the Dean of Students Office.

Although alcohol is a drug socially accepted by many, it can be abused. Misuse of alcohol may damage physical, mental, and emotional health. Emotional and behavioral problems such as depression, poor social interactions and low achievement levels are all compounded by alcohol or other drug use.

A study by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) found that alcohol use during the teenage years could interfere with normal adolescent brain development and increase the risk of developing an Alcohol Use Disorder. Approximately, 20 percent of college students meet the criteria for an Alcohol Use Disorder.

In addition, the NIAAA estimates that underage drinking contributes to a range of acute consequences, including injuries, sexual assaults, and even deaths. College students defined as those between the ages of 18 and 24 experience the following:

- 1,825 college students between the ages of 18 and 24 die from alcohol-related unintentional injuries, including motor-vehicle crashes.
- 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.
- 97,000 students between the ages of 18 and 24 report experiencing alcohol-related sexual assault or date rape.
- About 1 in 4 college students report academic consequences from drinking, including missing class, falling behind in class, doing poorly on exams or papers, and receiving lower grades overall.

The consequences of substance abuse listed above are not totally inclusive and do not cover all possible implications of the possession, consumption, manufacture or sale of alcohol and other drugs.

Students whose consumption is putting themselves or others at risk should seek supportive services through the University's Counseling Center, Substance Abuse Prevention Services, or Health Services. Members of the University community will be held accountable for inappropriate behavior while under the influence of alcohol.

For more information on Alcohol Abuse and Alcoholism, please see <http://pubs.niaaa.nih.gov/publications/AlcoholFacts&Stats/AlcoholFacts&Stats.htm>

Treatment

The University's Substance Abuse Prevention Services, Health Services, or the Counseling Center do not report community standards violations when students seek assistance related to substance use or abuse. All substance abuse treatment services are considered confidential.

Medical Amnesty

Actions taken to preserve life and/or safety of students in emergency situations shall not expose students to Student Conduct charges regarding alcohol or drug consumption if that student's role in the situation is to call for help or emergency services.

Risks Associated with Drug and Alcohol Use

Alcohol is a powerful drug and like marijuana, cocaine, or heroin, it can pose certain risks to health and well-being. Many students are unaware of the potential physical and psychological consequences of their drug use. Not everyone who uses drugs becomes addicted. The vast majority of Americans who drink alcohol, for example, do so without any serious problems.

Alcohol and other drug use can impair judgment, reasoning, communication, and perception. In addition, alcohol and drug may lead to risky sexual encounters such as unprotected sex and sexual assault. While, alcohol may be a contributing factor in cases of sexual assault, it does not cause a person to commit sexual assault. Furthermore, drunkenness does not absolve a guilty party from an act of sexual violence. Drunk or sober, sexual assault is a crime.

Personal Risk Factors

Frequently, students who drink abusively do not consider themselves to be problem drinkers. Certain factors pose an increased risk for developing a serious alcohol problem. Risk factors include:

- having one or more blood relatives with a history of alcohol or other drug problems
- growing up in a family in which alcohol was associated with family dysfunction;
- drinking to get drunk
- being able to "hold your liquor" – seeming to be less affected by alcohol than most people
- excessive drinking at a young age and/or having a history of other drug abuse;
- having one or more memory "blackouts" due to drinking
- drinking to relieve bad feelings or to escape from problems

- having friends who are heavy drinkers
- a history of impulsivity and/or behavioral problems, such as conduct disorder
- using other drugs which, when combined with alcohol, increase the effects and dangers of drinking.

Chronic alcohol abuse has been linked to liver disease, gastrointestinal disorders, birth defects, depression, impotence, and malnutrition.

Acute Alcohol Poisoning

Certain high-risk practices (e.g., drinking games, drinking grain alcohol punch) involve the quick ingestion of large amounts of alcohol that can shut down breathing and heart functioning. Engaging in or participating in high-risk practices can be fatal.

There are specific signs and symptoms of Acute Alcohol Poisoning which would require medical intervention **immediately**. These signs and symptoms include:

- The person is unconscious or semi-conscious and cannot be roused.
- The person has cold, clammy, pale or bluish skin.
- The person's breathing is slow or irregular.
- The person vomits while passed out and is not waking up after vomiting.

If an individual is experiencing any of the above symptoms after drinking alcohol, it is possible that they are suffering from Acute Alcohol Poisoning. Please take the following steps and seek medical intervention immediately:

- 1) Call the 874-2121 for immediate medical attention. If in a residence hall, get a Resident Assistant or Hall Director.
- 2) Do not leave the person alone
- 3) Do not let them "sleep it off"
- 4) Turn the person on their side to prevent choking should vomiting occur.

Birth Defects

Fetal Alcohol Syndrome is among the three leading causes of birth defects. Fetal Alcohol Syndrome refers to a pattern of physical and mental defects that may occur in infants whose mothers drink during pregnancy. Currently, 4.5 per 1,000 live births are affected by fetal alcohol spectrum disorders.

Resources for Substance Abuse Prevention

University Resources

If you have ever wondered whether your use of alcohol or other drugs is causing problems for you, it might be helpful to speak with someone who can give you specific information about your particular patterns of use and the associated risks. Confidential assistance is available at the following locations on campus:

Substance Abuse Prevention Services

This comprehensive outreach program sponsors a range of activities aimed at reducing the risks and consequences associated with alcohol and other drug abuse. Consultation, peer education, in-service training, early intervention programs, and referral information are among the services offered to the university community. Under the sponsorship of various academic departments, students frequently complete internships in Substance Abuse Prevention Services, incorporating their interests in college student development, psychology, marketing, nursing, journalism, fine arts, public relations, multimedia technology, pharmacy, and research.

The JADE program (Judicial Alcohol and Drug Education) balances enforcement with education when students are referred through the conduct system for violations of campus alcohol and drug policies.

<http://web.uri.edu/substance-abuse/>

University Counseling Center

Confidential counseling and mental health services are offered through individual and group sessions. Specialized treatment and education is provided by a substance abuse specialist. <http://web.uri.edu/counseling/>

University Health Services

On-going programs for students include physician/nurse practitioner services; nursing services; specialists' physician's clinics (dermatology, gynecology, internal medicine, psychiatry, surgical); health screening; women's clinic; counseling services; and health education. Laboratory, x-ray, and pharmacy services are available on-site.

<http://web.uri.edu/healthservices/>

Psychological Consultation Center

Assessments, individual, couple, and family counseling. Sliding fee available based on need. <http://web.uri.edu/pcc/>

Off-Campus Resources for Substance Abuse Prevention

Al-anon & Alateen www.al-anon.org/

Alcoholics Anonymous www.rhodeisland-aa.org/

Meadows Edge Recovery Center <http://butler.org/programs/outpatient/alcohol-and-drug.cfm>

Narcotics Anonymous www.gpana.org/

Rhode Island Council on Alcoholism and Other Drug Dependence
<https://www.ncadd.org/component/comprofiler/userprofile/Rhode%20Island%20Council>

Driver Re-Training RI Department of Motor Vehicles
<http://www.dmv.ri.gov/adjudication/retraining/index.php>

Rhode Island Criminal Law Provisions Relating to Alcohol and Drugs

University students are expected to follow all state laws pertaining to the possession, consumption, manufacture, and sale of alcoholic beverages as defined in Title 3 of the General Laws of Rhode Island. For a detailed listing, please visit

<http://webserver.rilin.state.ri.us/Statutes/TITLE3/3-8/INDEX.HTM>

For a list of federal drug trafficking penalties, see

https://www.iecc.edu/files_user/CONS/Files/Federal_Trafficking_Penalties.pdf

For a list of penalties for violations of the drug and alcohol laws of Rhode Island, see

<http://www.rilin.state.ri.us/Statutes/TITLE3/INDEX.HTM> (alcoholic beverages);

<http://www.rilin.state.ri.us/Statutes/TITLE11/INDEX.HTM> (criminal offenses);

<http://www.rilin.state.ri.us/Statutes/TITLE21/INDEX.HTM> (food and drugs); and

<http://www.rilin.state.ri.us/Statutes/TITLE31/INDEX.HTM> (motor and other vehicles).

For a list of penalties for violations of local drug and alcohol ordinances, see

https://www.municode.com/library/ri/narragansett/codes/code_of_ordinances?nodeId=PTIICOOR_CH46MIOF (Narragansett)

https://www.municode.com/library/ri/south_kingstown/codes/code_of_ordinances?nodeId=PTIICOOR_CH12OFMIPR (South Kingstown)

https://www.municode.com/library/ri/providence/codes/code_of_ordinances
(Providence)

Alcohol and other Drugs

Driving While Impaired

In Rhode Island, persons at least eighteen (18) years old but less than twenty-one (21) years of age driving with a blood alcohol concentration greater than .02 but less than .10 are considered to be driving while impaired. The sanctions for driving while impaired include a fine of up to \$250, up to 30 hours of community restitution, suspension of driver's license for a minimum of one month up to three months and attendance at a DUI/DWI class or an alcohol treatment program.

In Rhode Island, driving while having a blood alcohol concentration of .08% and above is a crime. Some of the Rhode Island penalties for driving while under the influence of alcohol or other intoxicating drugs include fines starting at \$100, community service, license suspension, and/or imprisonment.

False Identification

Section 3-8-6(d) of the Rhode Island statute states that it is unlawful for a minor (under the age of 21) to purchase, or attempt to purchase, or to make a false statement or misrepresent their age through the presentation of a false document in connection with the attempted purchase of alcohol. The sanction is a minimum fine of \$100-\$500 and

the possibility of up to 30 hours of community service and suspension of their driver's license for up to three months for a first offense.

Transportation of Alcohol

Section 3-8-9 of Rhode Island statute states that any person who has not reached their twenty-first (21st) birthday and who operates a motor vehicle upon the public highways, except when accompanied by a parent, legal guardian, or another adult who is over the age of twenty-one (21) years and related, whether by blood, adoption or marriage, to the operator within the following degree of sanguinity: brother, sister, grandfather, grandmother, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, great uncle or great aunt and, knowingly having liquor or intoxicating beverages in any form in containers, opened or unopened, in any part of the vehicle shall be guilty of a criminal violation. In addition, violators may be progressively sanctioned the following: fines of \$250 - \$950 and suspension of license to operate a motor vehicle thirty (30) days to one year (12 months).

Underage Possession

Section 3-8-10 of Rhode Island statute states that possession of alcohol by a minor is illegal. The fine ranges from \$150-\$750 for a first offense. In addition, violators may be required to perform community service and shall be subject to a minimum sixty (60) day suspension of their driver's license, and upon a second offense or subsequent offense may be ordered to undergo substance abuse assessment.

Illegal Drugs

Rhode Island statutes cover a wide range of drug offenses, including the use, possession, sale, distribution, transportation and manufacture of various types of drugs (see 21-28-4 Rhode Island General Laws). Among other provisions the State law creates the following mandatory minimum prison sentences for first-time offenders who are not "drug dependent" persons. Actual sentences depend on the severity and the circumstances of the offense, and the character and background of the offender, and include:

- Persons arrested for the sale of illegal drugs may be subject to being held in jail without bail until a hearing and are subject to forfeiting any money or vehicles associated with the sale of those illegal drugs.
- Imprisonment of not less than ten years plus fine for possession of enumerated quantities of controlled substances: heroin, coca leaves, cocaine, ecgonine, phencyclidine (PCP), Lysergic acid diethylamide (LSD), and marijuana.
- Possession of larger enumerated quantities results in a minimum prison sentence of not less than twenty years plus fine.
- Distribution of a controlled substance to persons under age 18 is penalized by imprisonment for not less than 15 years.
- Education and counseling may be required.

Marijuana

The Rhode Island General Laws concerning Marijuana can be found:

- R.I. Gen. Laws § 21-28-4.01 (2015)
- R.I. Gen. Laws § 21-28-2.08 (2015)

The University of Rhode Island complies with the Drug-Free Schools and Communities (Campuses) Act of 1989 and the Federal Anti-Drug Abuse Act of 1988.

On April 1, 2013, the state of Rhode Island de-criminalized (no criminal penalties) the possession and use of a small amount of marijuana for personal use. Although de-criminalized in the state, possession and use of Marijuana is prohibited at the University because use and possession of Marijuana is illegal under federal regulations.

The penalties for those found with marijuana by the law enforcement include the following:

- Possession of marijuana for personal use of up to one ounce by an individual 18 years or older is a civil violation, punishable by a \$150 fine, no jail time, and no criminal record. Individuals under 18 years old face a \$150 fine and completion of an educational sanction.
- Possession of 1 ounce to 1 kilogram is a misdemeanor that is punishable by a maximum of 1-year imprisonment and a maximum fine of \$500
- Possession with the Intent to Distribute of between 1-5 kilograms is a felony punishable by a mandatory minimum sentence of 10 years and a maximum of 50 years imprisonment and a maximum fine of \$500,000.
- Possession with the Intent to Distribute of more than 5 kilograms is a felony punishable by a mandatory minimum sentence of 25 years and a maximum sentence of life imprisonment as well as a maximum fine of \$100,000.
- Sale or possession within 300 yards of a school may result in a doubling of the penalties.
- Possession of Marijuana while driving will result in a driver's license suspension for a period of 6 months.

Smoking

Smoking of "tobacco" is prohibited in all University buildings and in all University owned or operated residences, and automobiles. "Tobacco" refers to any and all tobacco products, whether inhaled or ingested, as well as electronic cigarettes. Smoking is prohibited within 20 feet of all University buildings and University controlled residences. Health Services/Health Education is available for tobacco cessation information at 401-874-5354.

Appendix IV-Discrimination and Equal Opportunity

It is the policy of the University of Rhode Island not to discriminate on the basis of race, sex, religion, age, color, creed, national origin, disability, sexual orientation, gender identity or expression, or disabled and/or Vietnam era veteran status in the recruitment, admission or treatment of students, the recruitment, hiring, or treatment of faculty and staff, and in the operation of its activities and programs, as specified by State and Federal laws, including the Equal Pay Act of 1963, Titles VI and VII of the Civil Rights Act of 1964 as amended, the Age Discrimination in Employment Act of 1967, Title IX of 1972 Educational Amendments to the Higher Education Act, Executive Order 11246, as amended, Sections 503/504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and all other laws which pertain to access and equality. The University of Rhode Island is committed to the principles of Affirmative Action and the attainment of Equal Employment and Equal Educational opportunities for all qualified individuals. Please see the University's Statement on Discrimination and Equal Opportunity at the following website

<http://web.uri.edu/affirmativeaction/files/All-3-Anti-Discrimination-Policy-Stmts.pdf>

The Affirmative Action Equal Opportunity and Diversity (AAEOD) Office handles all complaints on discrimination and harassment. Any member of the University community (e.g., faculty, staff, or student) may file a discrimination complaint the AAEOD Office. The Discrimination Complaint Process for the University of Rhode Island is available at <http://web.uri.edu/affirmativeaction/discrimination/complaint-procedures/>. Seeking information and advice from the AAEOD Office does not obligate the campus community member to file a formal complaint

Prohibited Actions

The following are considered prohibited actions under the Student Code of Conduct and violations will be adjudicated through the University Student Conduct System.

Violations Motivated by Hate, Bigotry, and/or Bias

Single or multiple acts toward an individual, group, or their property that are so severe, pervasive, and objectively offensive that they create an unreasonably intimidating, hostile, or offensive work, learning, or program environment, and that one could reasonably conclude are based upon actual or perceived age, race, color, creed, religion, gender identification or expression, ethnicity, national origin, disability, veteran status, sexual orientation, political affiliation, genetic information, citizenship status, marital status, spirituality, cultural, socio-economic status, or any combination of these or other related factors.

Discriminatory Harassment

Discriminatory Harassment is a form of discrimination consisting of unwelcome verbal, written, graphic or physical conduct that:

- 1.) Is directed at an individual or group of individuals on the basis of the individual or group of individuals' actual or perceived protected status, or affiliation or association with person(s) within a protected status (as defined herein above); and
- 2.) Is sufficiently severe or pervasive so as to interfere with an individual's employment, education, or academic environment or participation in institution programs or activities and creates working, learning, program or activity environment that a reasonable person would find intimidating, offensive, or hostile.

To constitute prohibited harassment, the conduct must be both objectively and subjectively harassing in nature. Harassment may include but not be limited to verbal or physical attacks, threats, slurs, or derogatory or offensive comments that meet the definition set forth herein. Harassment does not have to be targeted at a particular individual in order to create a violation of this policy. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs and the status of the individuals involved.

Harassment Based on Personal Attributes

Harassment on the basis of one's race, sex, religion, age, color, creed, national origin, disability, sexual orientation, gender identity or expression, or disabled and/or Vietnam era veteran status, is considered to be discrimination. Because some students may be reticent to initiate complaints based on this type of harassment, specialized advice is available. Seeking information and advice from a staff member does not obligate the student to file a formal complaint.

Discrimination based on Disability

The person designated to coordinate the University's efforts to comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act as they pertain to students and staff is the AAEOB Officer.

Reporting

The University investigates when incidents of discrimination are reported. A student who has experienced discrimination on the grounds of race, sex, religion, age, color, creed, national origin, disability, sexual orientation, gender identity or expression, or disabled and/or Vietnam era veteran status may lodge a complaint by contacting the Dean of Students Office or the Office of Affirmative Action:

Roxanne M. Gomes, CAAP
Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
roxanne@uri.edu
<http://web.uri.edu/affirmativeaction/discrimination/>

Gerard Holder
Assistant Director, Office of Affirmative Action, Equal Opportunity and Diversity
201 Carlotti Administration Building
401-874-2442
hbias23@uri.edu

Daniel Graney, Ed.D.
Dean of Students
302 Memorial Union
Kingston, RI 02881
401-874-2101
dgraney@uri.edu

In most instances, offices will work together to make a preliminary investigation and attempt to resolve the complaint through informal means. The AAEO Officer and the Dean of Students Office may also refer the complainant to the appropriate body for further action.

Student complaints regarding students are generally directed to the Dean of Students Office. Student or faculty complaints regarding faculty or classroom concerns are generally directed to the chair of the department or to the dean of the college in which the class is taught. In any case, complaints may be directed to the Office of Affirmative Action, Equal Opportunity and Diversity (AAEO).

In addition, an anonymous on-line reporting option for Bias related behavior is available at <http://www.uri.edu/brt/>. Incidents reported through anonymous reporting are evaluated and reviewed by the Bias Response Team which recommends education and training based on incidents reported at the University.

Current student employees with a complaint about a supervisor, should discuss the complaint with the supervisor of the alleged offender in the department or office where the alleged discrimination occurred and/or with the AAEO Officer or designee.

Prospective employees and students who believe they have been discriminated against may register their complaints directly with the AAEO Officer who will make a thorough review of the facts in the case and report these along with recommendations, to the

appropriate office or supervisor. Where necessary, the AAEOB Officer will bring the report to the attention of the President.

Response to reports Discrimination, Hate, Bigotry, and/or Bias

Students who report instances of discrimination, hate, bigotry, or bias can expect the following:

- Respectful listening
- Confidentiality (exceptions to confidentiality will be explained)
- Timely response
- Reasonable protection against retaliation
- Established procedures will be followed
- Defined conclusion to the process

In response to such incidents, the University may plan campus programs or enhance educational efforts to help prevent future incidents. If the perpetrator of the incident can be identified and if established policies or laws are violated, disciplinary student conduct or criminal action may be taken.

University Resources

Resource	Location	Phone number
Dean of Students Office	302 Memorial Union	401-874-2098
AAEOB Office	201 Carlotti Administration Building	401-874-2442
Campus Police	85 Briar Lane	401-874-2121
Counseling Center	217 Roosevelt Hall	401-874-2288
Disability Services for Students	302 Memorial Union	401-874-2098
Gender and Sexuality Center	19 Upper College Rd	401-874-2894
University Health Services	Potter Building	401-874-2246
Housing and Residential Life	Residential Education, Hillside Hall	401-874-2570
Multicultural Center	74 Lower College Rd	401-874-2851
Office of the Ombud	138 A Roosevelt	401-874-4250
Student Senate, LLC	201 Memorial Union	401-874-2261
Talent Development	Taft Hall	401-874-2901
University Chaplains	6 Fraternity Circle	401-874-2740
Violence Prevention and Advocacy Services	22 Upper College Rd	401- 874-9131
Women's Center	22 Upper College Rd	401-874-2097

Community resources

NAACP, Providence Chapter	http://naacpprov.org/
Urban League	http://nul.iamempowered.com/affiliate/urban-league-rhode-island
Victims of Crime Act	http://www.rijustice.state.ri.us/voca/
Women's Resource Center of South County Hospital	http://www.wrcsc.org
US Office of Civil Rights Boston Office	(617)289-0111 OCR.Boston@ed.gov

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