

# TIGER LORE: STUDENT CODE OF CONDUCT

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# STUDENT CODE OF CONDUCT

# TIGER LORE

2019 - 2020

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## TIGER LORE: STUDENT CODE OF CONDUCT

### DISCLAIMER

The content of University of the Pacific’s Tiger Lore: Student Code of Conduct (Tiger Lore) is provided as information for each student and is designed to supplement the University’s catalog and other related publications. It was prepared as a guide to help students make their academic and co-curricular life at the University of the Pacific successful.

Tiger Lore is not meant to be a complete statement of rules, regulations, policies or procedures, nor does it contain a complete list of all programs, services or University Policies. Students are encouraged to read Tiger Lore and keep it available as a reference. It is subject to change at any time as deemed appropriate by the University at its sole discretion. Any such changes may be implemented without prior notice and without obligation, and unless specified otherwise, are effective when made.

For students with disabilities or special print related needs, please contact The Office of Services for Students with Disabilities, 209.946.2879. The Tiger Lore is also available at: [www.go.pacific.edu/TigerLore](http://www.go.pacific.edu/TigerLore)

### DEFINITIONS

**Pacific:** University of the Pacific (Sacramento, San Francisco and Stockton campuses)

**Student:** Includes all full and part-time undergraduate, professional, and graduate students from the time of application for admission to the time of the conferral of a degree and includes periods prior to the start of classes, after classes have ended, between terms, and when a student is not officially enrolled but has an ongoing relationship with Pacific.

**Faculty or Faculty Member:** Means the president, provost, associate provosts, deans of the schools and colleges; professors, associate professors, assistant professors, instructors, lecturers, adjunct professors, volunteer professors, clinical professors, and part-time professors, visiting professors, and scholars (writers, composers, artists, executives, and the like)-in-residence, teaching assistants in their teaching capacity, and others who are recognized under the University’s bylaws or policies or both as members of the University Faculty.

**Member of the Pacific Community:** Includes any person who is a student, faculty member, University official or any other person employed by University of the Pacific. When questions arise the Provost, and as appropriate and necessary in consultation with the Registrar’s Office and Human Resources, shall determine a person’s status in a particular situation.

**University Official:** Means any University of the Pacific employee who has responsibility for administering, monitoring, interpreting, or enforcing University Policies, including the Student Code of Conduct.

**University Premises:** All land, buildings, facilities, and other property in possession of or owned, used, or controlled by University of the Pacific.

**Organization:** Means any number of persons who have complied with the formal requirements for registering a group recognized by the University.

**Shall:** This term will be used in the imperative sense.

**May:** This term will be used in the permissive sense.

**Policy:** University of the Pacific's written regulations including, but not limited to the Student Code of Conduct, University Catalog, Pacific webpages and other college/program/department handbooks or guides.

## JURISDICTION

The Student Code of Conduct (Code) is applicable to all University of the Pacific (Pacific) students, as defined by this Code. Violations of the Code may include conduct occurring on campus or off-campus, including online and electronic communication or other conduct, when the University determines it has a substantial interest in the conduct. The University has a substantial interest in conduct when it:

- Occurs at University-related events
- Occurs during study abroad, clinical, internship or other academic programs
- Constitutes a violation of local, state or federal law; including repeat violations of any local, state, or federal law committed in any county where the University is located
- Indicates that the individual may present a danger or threat to the health or safety of him/herself or others
- Significantly threatens the rights or property of those protected by this Policy, or significantly breaches the peace and/or causes social disorder
- Is harmful to the educational mission of the University
- Involves individuals covered by this Policy at a non-university event

Notwithstanding any other provisions of the Code, Pacific reserves the right to take any action, which in its judgment is necessary and appropriate to protect the safety and well-being of the campus community.

## THE STUDENT CODE OF CONDUCT

- A. Acts of dishonesty, including but not limited to the following:
  - a. Violation of the Honor Code, including cheating, plagiarism, or other forms of academic dishonesty.
  - b. Violation of established University policies or procedures.
  - c. Violation of local, state, or federal laws.
  - d. Knowingly making or delivering materially false or misleading written or oral statements to a University official.
  - e. Knowingly initiating or causing to be initiated any false report, warning, or threat.
  - f. Forgery or unauthorized alteration or usage of any University document, record, or instrument of identification.
- B. Intentionally or recklessly causing physical or psychological injury or harm, or causing reasonable apprehension of, or threats of such injury or harm, to any individual at a time or place within the jurisdiction of this Code.

- C. Intentionally or recklessly interfering with University activities, including, but not limited to: studying, teaching, research, residential activities, administration, student conduct proceedings, or fire, police, or emergency services.
- D. Engaging in sexual, discriminatory, or other harassing conduct so sufficiently severe, pervasive, and/or objectively offensive that it substantially interferes with a person's participation in educational programs or work performance, or creates an intimidating, hostile, or offensive educational or work environment.
- E. Failure to comply in a prompt fashion with the directions of, and/or verbally threatening, abusing, or harassing any University official, including, but not limited to, student and professional staff members and Public Safety Officers. Additionally, failure to identify oneself to a University official when requested to do so.
- F. Intentionally or recklessly destroying or damaging University property, and/or the property of others.
- G. Intentionally and substantially interfering with the freedom of expression of others on University premises or at University-sponsored activities.
- H. Attempted or actual theft, unauthorized possession, or any other misappropriation or conversion of property or services of a member of the Pacific community or other personal or public property, on or off campus.
- I. Disorderly conduct; or lewd, indecent, or obscene behavior.
- J. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by University of the Pacific policies), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
- K. Use, sale, distribution, or possession of any controlled substance, illegal drug, or drug-related materials, including, but not limited to, drug pipes, bongs, roach clips, and other such paraphernalia; possession or use of any controlled substance without physician prescription; or action while under the influence of any of the aforementioned substances.
- L. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University of the Pacific premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
- M. Disabling, tampering with, or damaging fire or other environmental and health safety equipment, doors, or signs; unauthorized use or possession of fireworks and/or other incendiary materials.
- N. Unauthorized personal presence or use of University premises, facilities, or property.
- O. Any behavior that disrupts or causes disruption to computer services; damages, alters, or destroys data or records; adversely affects computer software, programs, systems, or networks. The use of any data, computer system, or network to devise or execute any scheme to defraud, deceive, extort, or wrongfully obtain money, property, or data.

- P. Failure to take reasonable steps to avert, stop, report, or leave a situation involving a violation of the Code. Attempting, conspiring to commit, or aiding and abetting in a violation of the Code.
- Q. Violating the terms of, or failure to complete any sanction imposed in accordance with this Code.

## HONOR CODE

The Honor Code at the University of the Pacific calls upon each student to exhibit a high degree of maturity, responsibility, and personal integrity. Students are expected to:

- Act honestly in all matters;
- Actively encourage academic integrity;
- Discourage any form of cheating or dishonesty by others; and
- Inform the instructor and appropriate University administrator if a student has a reasonable and good faith belief and substantial evidence that a violation of the Honor Code has occurred.

### **Conduct in conflict with the Honor Code includes, but is not limited to:**

*Cheating:* Cheating is the willful giving or receiving of an unauthorized or dishonest advantage to/from another. Cheating may be accomplished by any means whatsoever, including, but not limited to, the following: fraud, duress, deception, theft, talking, signs, and gestures. Attempted cheating is also considered cheating. Examples of cheating include, but are not limited to:

- Use of resources not authorized by the instructor or readily available to all students in the course, including past exams, for the completion of an assignment or to study for an exam.
- Copying graded assignments from another student or giving one's work to be copied or used by another student.
- Selling work from a course completed at Pacific for money or "credit" or purchase of coursework or other unauthorized assistance from an online source.
- Working together on an assignment when not specifically permitted by the instructor.
- Looking at another student's paper during an examination, allowing a student to look at one's paper, or giving answers to another during an examination.
- Looking at text or notes during an examination when not specifically permitted by the instructor.
- Doing homework, taking an exam, writing a paper, or doing any other coursework for another student or allowing another person to do it for you, when not specifically permitted by the instructor.
- Using any technological/communication tool not authorized by the instructor during an exam.
- Engaging in behavior specifically prohibited by an instructor during class discussions, in the course syllabus, or via other course-specific communication means or tools.

*Plagiarism:* Presenting as one's own, the work or the opinions of someone else without proper acknowledgment. Plagiarism includes, but is not limited to:

- Failing to give credit for ideas, statements of facts, or conclusions derived by another author; failure to use quotation marks when quoting directly from

## UNIVERSITY POLICIES

The following are selected university policies deemed most relevant to students on all three University of the Pacific campuses; however, it should not be considered a complete compendium of all programmatic or institutional policies.

### ALCOHOL

Students will comply with all federal, state, and local laws and University policies governing the consumption, possession, distribution, and sale of alcoholic beverages on University property; at any activity or event on or off the campus sponsored by Pacific; or where a campus community member is representing Pacific as part of an off-campus program, activity or event. This includes, but is not limited to, the following policies:

- Alcoholic beverages may not be served, distributed, or furnished to persons under the age of 21.
- Individuals under the age of 21 may not possess, distribute, consume, or be under the influence of alcohol at any time on-campus, adjacent to campus, or at any campus-sponsored event, including hosting others who are consuming alcohol.
- The possession and use of kegs and other common source containers are prohibited, except when provided by licensed and approved third-party vendors at registered events.
- The possession by individuals under the age of 21 of items generally intended to hold or conceal alcohol, such as flasks, is prohibited.
- Drinking games (with or without alcohol) and associated paraphernalia are prohibited.
- A person or group, whether on or off campus, is expected to obtain medical assistance for individuals suffering from an emergency related to the consumption of alcohol or other drugs. Failure to do so may result in student conduct action.
- The operation of a vehicle (including a bicycle, skateboard or other similar transportation devices) while impaired by alcohol, marijuana and/or other controlled substances is prohibited.
- The consumption of alcohol or possession of an open container in public is not permitted by individuals regardless of age. Public areas include, but are not limited to, the streets, grounds, and other open space areas of the University. Alcohol is not permitted in the common areas of Residential Facilities and Greek Houses, including hallways, lounges, courtyards, restrooms, laundry rooms, basements, and patios.
- The only on-campus locations where students 21 years of age or older may possess or consume alcohol are:
  - In the privacy of a person's own living space as determined by University residential documents. The resident's door must be closed and alcohol must be consumed in a manner that does not disturb surrounding resident rooms. Such alcohol must be for the individual use of those 21 years of age or older.
  - In accordance with all policies related to the service and distribution of alcohol, a limited number of additional locations may be used to host events with

another, whether it is a paragraph, a sentence, or part thereof; failure to properly cite the work of another person.

- Submitting an assignment purchased or obtained from a "research" or term paper service.
- Submitting an assignment, whole or in part, obtained from the internet or other unauthorized resources.
- Giving a speech or oral presentation written by another and claiming it as one's own work.

*Other Academic Dishonesty:* Other forms of academic dishonesty include, but are not limited to:

- Planning with one or more students to commit any form of academic dishonesty.
- Lying to an instructor or providing any misrepresentation of information in order to receive any academic advantage or accommodation.
- Submitting papers or speeches for credit that are substantially the same in two or more classes without the prior written approval of the instructors involved.
- Removing tests from the classroom without the approval of the instructor, or misappropriating any portion of a test, either physically or electronically.
- Altering answers on a scored test or any graded work and submitting it for a higher grade without explicitly articulating the alterations made.

### Honor Code Jurisdiction & Sanctioning

- Tiger Lore lists the range of sanctions for violations of the Student Code of Conduct.
- Jurisdiction for Honor Code violations includes behavior engaged in while a student is attending any study abroad program in which the student will receive credit towards a degree awarded by University of the Pacific.
- Instructors may impose academic sanctions (e.g. failing grade for the exam or course) in addition to those sanctions listed in Tiger Lore. Refer to the course syllabus for details.
- A student found responsible for a violation of the Honor Code resulting in suspension or dismissal from the University will receive a grade determined by the faculty for the course in which the violation occurred and be withdrawn from all other courses.
- In the case of suspension or dismissal, a notation of the sanction imposed will appear on the student's transcript.

alcohol. Please consult with the facility manager for specific requirements for authorization and use.

## DRUGS

- Except as legally prescribed, drugs (see below for definition) are prohibited. Additionally, the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance, including cannabis, is prohibited.
- The possession and use of all forms of cannabis are prohibited on campus.
- Prescriptions for medical cannabis do not exempt individuals from compliance with University policies or laws related to smoking or drug use. Specifically, California law does not allow individuals to smoke or otherwise use medically prescribed cannabis in any area where smoking is prohibited and within 1000 feet of any school.
- Law enforcement officers, including staff of the Department of Public Safety, in a manner consistent with laws applicable to their respective function, have a legal right to search any and all buildings on the campus without prior notice to anyone at the University.
- Drugs are defined as, but not limited to any:
  - stimulant
  - intoxicant (other than alcohol)
  - nervous system depressant
  - hallucinogen
  - other chemical substance, compound or combination of the aforementioned when used to induce an altered state
  - and/or otherwise lawfully available product (such as over-the-counter or prescription drugs) used for any purpose other than their prescribed or intended use.

## PARENTAL NOTIFICATION OF DRUG AND ALCOHOL USE

If a registered student, who is under the age of 21 or is claimed as a dependent by parents or guardians pursuant to the Internal Revenue Code, has violated the Code's alcohol and/or drug policies, the student's parents or guardians may be notified by the Division of Student Life.

## EVENT AND MEETING REGISTRATION

All social events and meetings must be registered and approved prior to the event being held, regardless of the location of the event. University policies apply to all social events regardless of location or host of the event, including, but not limited, to apartment communities, student organizations, and individuals. Social events may not be held, registered, or approved in the traditional residence halls. Please consult with your designated campus space management representative or student activities advisor for information regarding the process for hosting meetings and events.

## NOISE

Pacific follows general municipal ordinances regarding public nuisance noise. The following special noise restrictions are enforced without regard to their sound level impact and may be enforced without the prerequisite of sound level measurement.

### General Noise Regulations

1. It is impermissible for any person to willfully make or continue or permit or cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.
2. The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:
  - a. The volume of the noise;
  - b. The intensity of the noise;
  - c. Whether the nature of the noise is usual or unusual;
  - d. Whether the origin of the noise is natural or unnatural;
  - e. The volume and intensity of the background noise, if any;
  - f. The proximity of the noise to residential sleeping facilities;
  - g. The nature and zoning of the area within which the noise emanates;
  - h. The density of the inhabitation of the area within which the noise emanates;
  - i. The time of the day or night the noise occurs;
  - j. The duration of the noise;
  - k. Whether the noise is produced by commercial or non-commercial activity.

The University recognizes that groups of people engaged in organized social activities occasionally produce higher volume levels. Such a privilege should be exercised with due consideration for the rest of the community (residential units, campus, or city). However, excessive exterior noise resulting from organized events or parties, speakers played outside of windows, or individual or group disturbances, may result in student conduct action.

## FREEDOM OF EXPRESSION

Each student has the right both on the University campus and in the course of University-operated activities, to freedom of expression, subject to reasonable rules and standards related to the time, place, and manner of such conduct. Such freedom of expression includes the right to peaceably communicate, observe, listen, and assemble in public meeting areas in order to freely exchange ideas, without regard to the content of the views expressed. As these rights are for each student, it follows that each member of the community, students included, has an obligation to refrain from preventing and disrupting the exercise of such rights by others, whether the persons involved are expressing approval or disapproval of an idea or action.

This policy is important in order to maintain on the campus an atmosphere conducive to scholarly and educational pursuits, to preserve the dignity and seriousness of University public and other functions and to respect the rights of other persons. The only limits on free expression are those behaviors proscribed by law and necessary to protect the safety and rights of others. This policy protects the right to free expression including to dissent, while ensuring that no individual or group disrupts the normal operations of the University.

Disruption is defined to include, but is not limited to:

- Obstructing the entry or exit from any campus facility;
- Preventing the movement of any person or vehicle on or about the campus;
- Creating loud noise that disrupts normal University operations;
- Damaging University property;
- Endangering or threatening the health or safety of any individual;
- Infringing upon or denying the rights of any individual;
- Engaging in acts of unlawful discrimination or harassment as defined in the section of this Code: Acts of Discriminatory Harassment.

Student conduct action may be taken in the event of any actual or attempt at the disruption of the University operations, or in the event of any damage to University property or private property, whether through individual or group protest. Students are encouraged to seek demonstration coordination assistance from the Student Leadership and Involvement Office.

## STUDENT PROTEST PROTOCOL

Members of the Pacific community, including students, staff, and faculty have the right both on the University campus and in the course of University-operated activities, to freedom of expression, subject to reasonable rules and standards related to the time, place, and manner of such conduct. Such freedom of expression includes the right to peaceably communicate, observe, listen, and assemble in public meeting areas in order to freely exchange ideas, without regard to the content of the views expressed. The following protocol has been established to help ensure that the rights of every University of the Pacific community member are protected in the exercise of free expression.

Individuals not associated with University who choose to engage in protest on a University of the Pacific's campus will be subject to the same expectations outlined in this protocol and may be removed from University at its discretion. Members of the university are responsible for the behavior of their guests.

### Role Definitions

The Vice President for Student Life (or designee) will identify, from an established pool, a Liaison and Observers to monitor the protest activities.

**Liaison:** The role of the liaison is to identify the protest leaders and serve as the primary communicator on behalf of the University with these individuals.

**Observer:** The role of the observer is to serve as eyes and ears for the University. The observer actively communicates with the liaison, Public Safety and other University Officials regarding the protest activities, especially when it appears there may be an escalation from one level of activity to another. Observers will generally be in a ratio of 1 to every 25 protesters.

**Pacific Community Member:** Individuals associated with University of the Pacific including currently registered students; staff, and faculty employed by the University; and alumni in good standing.

**Non-Community Members:** Individuals who do not have an identified affiliation with the University.

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## Civil Protest

A civil protest will usually take the form of an organized public demonstration of disapproval or display disagreement with an idea or course of action. It should be noted that in *many* cases campus protests such as marches, meetings, picketing and rallies will be peaceful and non-obstructive. A protest should not be disrupted unless one or more of the following conditions exist as a result of the demonstration:

- Obstructing the entry to or exit from any University campus or facility;
- Preventing the movement of any person or vehicle on or about any of the University's campuses;
- Creating loud noise that disrupts normal University operations;
- Damaging University property;
- Endangering or threatening the health or safety of any individual;
- Infringing upon or denying the rights of any individual;
- Engaging in acts of unlawful discrimination or harassment as defined in the Student Code of Conduct: Acts of Discriminatory Harassment.

### Immediate Actions

- If any of the above conditions exist, Public Safety should be notified and will be responsible for contacting and informing the Dean on Call
- The Dean on Call will notify the Vice President for Student Life (VPSL) and Dean of Students (DoS).

- The VPSL or designee will identify a Liaison and Observers to begin communication with the protest group advising them of the campus policies and procedures.

### Peaceful, Non-Obstructive Protest

Generally, peaceful protests should not be interrupted. Protestors should not be obstructed or provoked and efforts should be made to conduct University business as normally as possible.

If protestors are asked via the Liaison, at the Vice President for Student Life's or designee's request, to leave but refuse to leave by regular facility closing time:

- Arrangements will be made by the Vice President for Student Life to monitor the situation during non-business hours, or
- Determination will be made to treat the violation of regular closing hours as a disruptive protest.

Decisions will be communicated to the protest group via the Liaison, unless determined otherwise by the Vice President for Student Life.

### Non-Violent, Disruptive Protest

In the event that a protest blocks access to University facilities or interferes with the operation of the University:

The Liaison will go to the area and ask the protestors to leave or to discontinue the disruptive activities.

If the protestors persist in disruptive activity, the following statement will be read first by the Liaison as circumstances permit:

*"I am \_\_\_\_\_, speaking on behalf of the University of the Pacific. The University's Code of Student of Conduct forbids the following: [read one or all of the potential violations depending on the nature of the disruption]"*

1. *Intentionally or recklessly interfering with University activities, including, but not limited to: studying, teaching, research, residential activities, administration, student conduct proceedings, or fire, police, or emergency services.*
2. *Failure to comply in a prompt fashion with the directions of, and/or verbally threatening, abusing, or harassing any University official, including, but not limited to, student and professional staff members and Public Safety Officers. Failure to identify oneself to a University official when requested to do so.*
3. *Intentionally or recklessly destroying or damaging University property, and/or the property of others.*
4. *Intentionally and substantially interfering with the freedom of expression of others on University premises or at University-sponsored activities.*

5. *Disorderly conduct; or lewd, indecent, or obscene behavior.*
6. *Unauthorized personal presence or use of University premises, facilities, or property.*

*Individuals here present violating these rules may be subject to disciplinary action, up to dismissal from the University.*

If the protestors persist in disruptive behavior after the above administrative message is read, the following statement shall be read by the Liaison, as circumstances permit:

*"The University has requested that Public Safety or other law enforcement officials clear this area. The University's administration will now withdraw from this area to permit Public Safety or other law enforcement officials to do so."*

**To be read by Public Safety official:** *"I am (peace officer's name and rank), a peace officer for the (name of jurisdiction). I hereby declare this to be an unlawful assembly, and in the name of the People of the State of California, command all those assembled at (specific location) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action. Other police action could include the use of force, which may inflict significant pain or result in serious injury. Penal Code §409 prohibits remaining present at an unlawful assembly. If you remain in the area just described, regardless of your purpose, you will be in violation of Penal Code §409. The following routes of dispersal are available (routes). You have (reasonable amount of time) minutes to disperse."*

### Violent, Disruptive Protests

In the event that a violent protest in which injury to persons or property occurs or appears imminent, the following will occur:

#### During Business Hours

- Public Safety will be notified immediately
- Public Safety will take any and all immediate actions to ensure the safety and wellbeing of the campus community
- Public Safety will in turn contact the Dean on Call who will contact other key administrators, including the Vice President for Student Life and Dean of Students
- If advisable, the Vice President for Student Life will alert the President
- The President, in consultation with the Vice President for Student Life and the Dean of Students & Executive Director of Public Safety will determine any further actions

#### After Business Hours

- The University Police will be notified immediately of the disturbance
- Public Safety will investigate the disruption and report and notify the Dean on Call & Director of Public Safety, who will inform the Vice President for Student Life and other key administrators
- The Vice President for Student Life will report the circumstances to the President



NOTE: If possible, an attempt should be made by the Liaison to communicate with the protestors to convince them to desist from engaging in violent activities in order to avoid further escalation of possible violent confrontation; however, at this stage the situation has become a police matter.

### Subsequent Procedures/Information

If it becomes necessary, the Vice President for Student Life and Director of Public Safety or designee will call for assistance from the Stockton Police Department or other law enforcement agencies as needed.

Efforts should be made to secure positive identification of protestors in violation to facilitate later testimony, including photographs if deemed advisable. Additionally, efforts should be made to record digitally any police action for future reference.

Related Policies found in Tiger Lore: FREEDOM OF EXPRESSION

Portions of the protocol are adapted from University of Iowa

### PARTISAN POLITICAL ACTIVITY

University of the Pacific, as a tax-exempt institution, is subject to federal, state, and local laws and regulations regarding political activities including, campaign activities, lobbying, and the giving of gifts to public officials. While all members of the University community are naturally free to express their political opinions and engage in political activities to whatever extent they wish, it is very important that they do so only in their individual capacities and avoid even the appearance that they are seeking or acting for the University in political matters. BEFORE engaging in any political activity using campus resources, including Pacific email, students must contact the campus department responsible for advising student organizations or the campus Dean of Students for additional information on partisan political activities.

### HAZING

Hazing by any student, group of students, alumni, advisor, or organization, is prohibited.

- The University regulation on hazing is consistent with Title V of the California Code of Regulations (5 CA ADC § 41301) and California Penal Code section 245.6.
- The University will consider hazing to be any portion of the pledging and/or initiation process, whether on or off campus, which could cause discomfort, pain, fright, disgrace, embarrassment, injury or is personally degrading regardless of the intent or end result.
- “Hazing” includes any method of initiation, pre-initiation into a student organization (including teams), or any pastime or activity engaged in connection with an organization that causes or is reasonably likely to cause personal degradation or disgrace resulting in physical or emotional harm to any student. Hazing activities may include, but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities required possession of

items; wearing public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; any other activities which are not consistent with academic achievement, fraternal law, ritual, University policies, or applicable state law.

- Any activity done with the consent of the person(s) involved does not exempt it from this policy.
- Activity may be considered hazing regardless of the student’s membership status—even members can be hazed.
- Participation by active members in any hazing activity, as defined by this policy, does not exempt it from this policy.
- Education and policy interpretation is available upon request from the Student Leadership and Involvement Office.

### CAMPUS ACTIVITIES

- Golfing is not permitted on campus, except as sanctioned in advance by the Grounds Supervisor or designee.
- Slacklines are only permitted in pre-approved locations. Consult Recreational Sports (Stockton) or Buildings and Grounds (Sacramento) for additional information.
- Painting of the “spirit rocks” on the Stockton campus is permissible at any time, day or night; however, individuals may not remain on-site, even voluntarily, to protect or prevent others from painting the rocks. When a rock is painted, it should be painted-over completely covering the previous artwork. Altering of another group’s work is not permitted. Additionally, language or images that would be considered offensive or derogatory to the Pacific community are not permitted.

### BIAS AND DISCRIMINATORY HARASSMENT

*Acts of Bias:* Bias incidents are acts of conduct, speech, or expression that target individuals and groups based on age, citizenship, disability, ethnicity, gender identity or expression, geographic origin, language, marital status, nationality, race, religion, sexual orientation, or socioeconomic status.

Bias incidents may violate the Student Code of Conduct and other University policies or laws, while other acts of bias may be considered protected speech or expression. Pacific protects the free expression of ideas, even if they are unpopular, because this is vital in promoting learning in an educational setting. Freedom of speech can sometimes protect controversial ideas and sometimes even offensive and hurtful language; however, it does not protect personal threats, discriminatory conduct or other acts of misconduct that violate the Student Code of Conduct, other University policies, or relevant federal, state, and local laws.

*Acts of Hate:* A “hate crime” is defined in California Penal Code Section 13023, which states in part, “any criminal act(s) or attempted criminal act(s) to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe the crime was motivated, in whole or in part, by the victim’s race, ethnicity, religion, sexual orientation, gender, or physical or mental disability.”

Hate crimes may violate federal and civil statutes, and therefore may be prosecutable if appropriate. Pacific’s Department of Public Safety forwards Hate Crime Reports filed at the University to the Vice/Criminal Intelligence Unit of the Stockton Police Department

for follow-up. The Vice/Criminal Intelligence Unit is responsible for compiling statistics on hate crimes and ensuring the data is reported in accordance with state guidelines. The Department of Public Safety is required to remain in compliance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act by including data on reported hate crimes.

*Acts of Discrimination, Harassment, and Discriminatory Harassment:* The University prohibits acts of discrimination, harassment and discriminatory harassment by and against members of the Pacific community such as faculty, staff, and students, including hostile behavior that is engaged in on the basis of a person's race, color, national origin, ancestry, sex, gender, sexual orientation, age, religion, religious creed, physical or mental disability, medical condition, marital status, military status, citizenship status, and other status protected by law.

Individuals are expected to respect the rights of others. As an educational community, the University of the Pacific is committed to responsible behavior, which gives evidence of individuals having considered the ethical and social consequences of actions for oneself and for others.

The University will not tolerate behavior that constitutes acts of discriminatory harassment because such behavior undermines the emotional, physical, or ethical integrity of any community member. Such proscribed behavior includes, but is not limited to physical, visual or verbal conduct that deprives someone of educational access, benefits or opportunities; and/or defames, intimidates, or impedes the learning or work or movement of a person or persons, when engaged in on the basis of a person's race, color, national origin, ancestry, sex (gender), sexual orientation, age, religion, religious creed, physical or mental disability, medical condition, marital status, military status, citizenship status, and other status protected by law. Such conduct is not protected by the University's policy on freedom of expression, described in Section 7 of the Code. These prohibited actions or behaviors, when engaged on the basis of these factor(s) also include, but are not limited to:

- Verbal, nonverbal, or computer generated words, images, or symbols;
- Behavior or physical contact that impedes or blocks movement;
- Persistent unwanted behavior that threatens or intimidates;
- Electronic postings, online communities, blogs (including University blogs).

Please refer to [www.pacific.edu/x34625.xml](http://www.pacific.edu/x34625.xml) for additional information and reporting options.

### PHYSICAL ASSAULT/BATTERY

Physical assault or battery is prohibited. Physical assault or battery is defined as any unwanted physical contact or threat of contact with harmful intent or result by a student against another individual. Such action includes, but is not limited to:

- Physical assault or abuse;
- Attempted physical assault or abuse;
- Reckless behavior, but not accidental, which may result in injuries to oneself or others; or
- Conduct resulting in personal injury.

This offense may also be treated as a type of Sexual Misconduct (Title IX) violation in certain situations.

### THREAT OF HARM

Conveyances of threats, which result in, or may result in, harm to any person or the damage to University property or the property of others by willful and deliberate means is prohibited. This includes the use of communication technology (e.g. voicemail, text messages, and social networking sites) to convey a threat. This offense includes, but is not limited to:

- Verbal and non-verbal abuse
- Threats of violence
- Attempting physical assault upon any person
- Threats to destroy University property or the property of others

### RETALIATION

Retaliation by an individual or group against any other individual or group for opposing, reporting, threatening to report a policy violation, or for participating in a related investigation, proceeding, or hearing is prohibited.

### THEFT

Theft of personal or University property violates this Code and state law. Theft includes, but is not limited to, the following:

- Unauthorized removal of any property from any room in a residential unit, University office, service building, or grounds and/or from individuals or businesses on or off-campus.
- Unauthorized removal of any library materials.
- Unauthorized use of any login, password or other forms of identification/authorization.

### GAMBLING

Gambling for money or stakes representing money or for any other form of monetary or material reimbursement is prohibited on University property unless exempted by California law.

### VANDALISM

The attempted or actual physical abuse, destruction or defacement of property belonging to another or to the University that impairs its utility or diminishes its material or aesthetic value is prohibited.

### BICYCLES

- Bicycle riding is permitted for transportation purposes only. Recreational use, including tricks, jumps, or movement that endangers self, others, or damages University property, is prohibited.

- Bicycles may not be chained or locked to handrails or left in areas such as stairwells, balconies, or common areas that impede pedestrian and/or vehicular traffic. Bike hooks are not allowed in rooms/apartments.
- Bicycles must be licensed. A free license may be obtained from the University Department of Public Safety. Bicycles should also be registered with the local police department. The bicycle serial number from the bike is required for licensing.

### SKATEBOARDS/ROLLER SKATES

Skateboarding and roller-skating on campus are permitted for transportation purposes only. Recreational use, including tricks, jumps, or movement that endangers self, others, or damages University property, is prohibited.

### MOTOR VEHICLES

*Abandoned Vehicles:* No person may abandon, wreck, dismantle, or render any vehicle inoperable on University property. If a vehicle is not removed within 72 hours upon receipt of a compliance notice, the vehicle will be towed at the owner's expense.

*Motor Routes:* Mopeds, motorcycles, or any motor-driven vehicle may not be driven off normal motor routes.

*Mopeds:* Mopeds may park in areas designated for bicycles or motorcycles.

*Speed Limits:* The maximum speed limit on campus is 15 miles per hour for all vehicles. The parking lot speed limit is 10 miles per hour for all vehicles.

*Out of State Vehicle Registration Requirements:* Any vehicle entering California is subject to registration within 20 days if the vehicle owner accepts gainful employment or establishes residency (excluding residence halls).

*Pedestrians:* Pedestrians must follow the rules of the road and may be cited.

### PARKING

All motorized vehicles parked on University property must display a valid parking permit by hanging the permit from the rear view mirror. Motorcycle riders should contact the Department of Public Safety for details on displaying a valid permit. Only one vehicle may occupy one legal parking stall. The possession of a current parking permit or pass does not guarantee a parking space. All parking policies must be followed. Failure to abide by parking policies will result in a parking citation. In addition, the California Vehicle Code is enforced and parking citations can be issued for violations. The Department of Public Safety may temporarily suspend parking regulations for special events on campus. For detailed parking regulations, visit the Department of Public Safety parking site: [web.pacific.edu/x3255.xml](http://web.pacific.edu/x3255.xml).

### REMOTE CONTROLLED VEHICLES

Individuals are not permitted to play or engage in drone, model airplane flying, radio controlled or non-radio controlled model car operation, or the use of any other power-driven or noise producing hobby or recreational device on campus. Exceptions to this policy may be granted only with consultation and approval of the Department of Public Safety and the Office of Risk Management.

### FIRE SAFETY

Students are required to evacuate immediately when any fire alarm sounds within a building.

The tampering with fire safety equipment in any manner or negligently or deliberately setting-off false fire alarms is prohibited. Obstruction of any emergency exit, fire escape, or access to emergency equipment is also prohibited.

- Fire safety equipment includes, but is not limited to: smoke detectors, alarm stations, water hoses, and fire extinguishers.
- Students found responsible for violations of this policy will be subject to immediate suspension or dismissal from the University, as well as restitution for the costs to remedy such conduct. In addition, individuals may be charged with a felony and prosecuted to the full extent of the law.
- The fire department must and does respond to all alarms regardless of the cause. Please refer to the applicable section from the California State Penal Code Section 148.4.

### FIREWORKS, FIRECRACKERS, EXPLOSIVES, AND IMPLOSIVES

Possession and use of any combustible, explosive, or implosive composition, or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation is prohibited unless under professional supervision in an academic setting.

### WEAPONS, EXPLOSIVES, OR DANGEROUS CHEMICALS

The California Code of Regulations Title V, Section 41301 and California Penal Code Sections 626.9 and 626.10 indicate that weapons are not permitted on campus. Some weapons are illegal to possess under all circumstances as described in the California Penal Code. For weapon regulations, please contact the Department of Public Safety.

Possession, display, or use of firearms of all descriptions, explosives, weapons, any instruments that can be construed as dangerous weapons, or dangerous chemicals are not permitted on or immediately adjacent to, University premises and/or in connection with a University activity.

- Brandishing or use of firearms, explosives, weapons or dangerous chemicals on University premises, even if legally possessed, in a manner that harms, threatens or causes fear to others is prohibited and shall be considered sufficient cause for immediate suspension pending an investigation.

- Students must arrange for off-campus storage of firearms, other weapons, and martial arts equipment intended for hunting, target practice, or other recreational purposes. Weapons include, but are not limited to:
  - Rifles, hand guns, paintball rifles/pistols, and Airsoft or Softair rifles/pistols
  - Tasers
  - Bladed instruments which exceed two and one-half (2.5) inches in length (except those used for culinary purposes in residential communities)
  - Martial arts equipment
  - Slingshots, archery supplies (e.g. bows, arrows)

## HEALTH INSURANCE

- All students defined are required to either enroll in the University’s Student Health Insurance Plan (SHIP) or provide proof of other adequate health care coverage that is equal to or greater than the University plan. Requirement excludes off campus and distance learning programs - **Undergraduate and PharmacyD students enrolled in nine (9) units or more; Dental, AEGD Residents, Graduate and International students enrolled in one (1) unit or more; Law students enrolled in 6 or more units** - will be charged for the plan at the beginning of the fall and spring terms. Students who do not complete an annual waiver by the posted deadline will be automatically enrolled in the plan. Students must submit proof of insurance and complete the online waiver process which can be found at: [www.pacific.edu/insuranceoffice](http://www.pacific.edu/insuranceoffice).
- The annual waiver process needs to be completed prior to the first day of the Fall semester. Students who did not complete the annual waiver may submit in the Spring to waive the Spring term which is due prior to the first day of the Spring semester. It is the responsibility of each student to have continued health insurance coverage while enrolled in classes at the University. Insurance eligibility will be verified when the insurance waiver is received. Students who knowingly turn in invalid insurance information may be found in violation of the Student Code of Conduct. For insurance waiver requirements, please refer to [www.pacific.edu/insuranceoffice](http://www.pacific.edu/insuranceoffice).
- If a student elects to enroll in the University SHIP, they will be enrolling in the Anthem Blue Cross PPO health plan. This plan covers preventive care, illnesses, injuries, and medical emergencies that occur after the student has enrolled in the health insurance plan. Please be advised that the plan does not cover all health expenses as there is an annual deductible, co-pays, and co-insurance. Full plan details should be reviewed prior to enrolling. The health coverage dates run from August 1<sup>st</sup>, 2019 to January 31, 2020 and February 1, 2020 to July 31, 2020 for Undergraduates, Graduates, and Law Students. The premium is subject to change every academic year and is charged to the Student Account in two installments, one at the start of each semester. (Please refer to [www.pacific.edu/insuranceoffice](http://www.pacific.edu/insuranceoffice) for additional coverage and premium information).
- As some curricular and co-curricular activities have inherent risks of injury, students should understand that the University is not responsible for any resulting injuries.

## IMMUNIZATION POLICY

All incoming undergraduate, graduate and professional students enrolled in one or more units on any of Pacific’s three campuses are required to comply with the immunization requirement by the first day of their term at the University. Students who are non-compliant will have a hold placed on their registration. A hold will prevent students from registering, adding or dropping classes, and receiving transcripts or diplomas in the future. Health Profession students may be removed from clinical rotations if not compliant with program requirements. For more information, visit: [www.pacific.edu/immunizationcompliance](http://www.pacific.edu/immunizationcompliance) or call 209.946.2315 ext. 5.

## PACIFICCARD - IDENTIFICATION CARD

The PacificCard ID is used to enter campus facilities, access the services at the library, enter athletic events, purchase goods and services both on and off campus, print and copy in the library, scan into the Baun Fitness Center, and do laundry in most of the residence halls. There is no charge for the initial card. However, if lost, stolen, or damaged, there will be a minimal replacement fee.

The PacificCard has a self-managed fund called PacificCash where students deposit funds into an account and use these funds for campus retail services. The monies in the PacificCash account are owned by the student. Students do not receive a statement; however, students may check their balance at any time by using the “Manage PacificCard” link on the University’s website or visiting the PacificCard website. Deposits to a student's PacificCash account may be made online or in the PacificCard Office. Call the PacificCard Office at 209.946.CARD (2273) or visit [www.MyPacificCard.com](http://www.MyPacificCard.com) for further information.

## Identification Card

The student ID card (PacificCard) is used for identification on and off campus and is valid for the entire time a student is enrolled at the University. A copy of the Use Agreement can be found on the PacificCard website. It is not transferable. Lost ID Cards can be deactivated by logging onto [www.pacific.edu/PacificCard](http://www.pacific.edu/PacificCard).

- Students are required at all times to be in possession of, and present upon request to any University official, their Pacific student identification card (PacificCard).
- Photo Identification (ID) badges are required to be displayed above the waist at all times while on the Health Science Campus. This includes the main pharmacy building, the Rotunda, and Chan Clinic buildings. Students not displaying their ID will be issued a University Regulation Citation, which will result in referral to the Student Conduct and Community Standards Office.

## PET/ANIMAL

To promote a healthy and safe environment for the university community, University of the Pacific prohibits the presence of pet and other animals in all buildings, residence halls, athletic fields, outside dining areas, university events, or other facilities that are

owned, leased operated or maintained by the university. The following are not subject to this policy:

- Service animals trained to perform task(s) for an individual with a disability, in accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act;
- Emotional support animals for an individual with a disability, in accordance with the Americans with Disabilities Act (ADA), US Department of Housing and Urban Development (HUD);
- Animals specifically approved by the cognizant department or school;
- Fish in an aquarium not to exceed 5 gallons (see Residential Life and Housing Pet Policy);
- Pets of employees who live in university-owned housing.

The feeding of birds, feral cats, and other non-domesticated animals is not permitted.

## RENOVATIONS

All renovations of campus buildings including the hanging of fixtures, pictures, and curtains, must be reviewed in advance by the Office of Support Services staff to ensure that no asbestos-containing materials (ACMs) are disturbed without proper safeguards.

## ROOFS

The roofs of campus buildings are off limits to all persons except authorized University employees.

## SMOKING

“Smoking” means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant, or other combustible organic or chemical substance, the smoke or vapor from which is specifically designed or intended to be inhaled or drawn into the nose or mouth.

- Smoking is prohibited in all University facilities.
- Smoking is permitted only in designated areas on the Sacramento Campus.
- With the exception of the DeRosa University Center, smoking is prohibited within twenty (20) feet of all other facility main entrances, exits, or operable windows to any building that is open to the public where smoking is prohibited, except while passing on the way to another destination.
- Smoking is prohibited within one-hundred (100) feet of the DeRosa University Center.
- Use of hookahs, electronic cigarettes, vapor pens, and other similar devices for smoking is prohibited on campus or at any University sponsored event.
- Pacific prohibits the possession of tobacco and tobacco-related products by individuals under the age of 21.

## BARBEQUES

The possession or use of personal open-flame cooking devices (BBQs) or Liquefied-petroleum-gas-fueled (propane) cooking devices is prohibited on campus.

## SOLICITATION

Solicitation includes distribution of printed materials, or publicizing an activity, organization, or issue. It may involve political or religious concerns or issues. A registered student organization or recognized on-campus group must sponsor any soliciting agent from outside the campus community in order to reserve space in the Student Leadership and Involvement Office. Individuals not complying with the solicitation policies of the University, or who abuse the privilege, will be in violation of these policies. Violation of this policy will result in asking parties to leave and enforcement of trespass ordinances. Violators may be subject to cancellation of soliciting privileges by the Director of the Student Leadership and Involvement Office or designee. Exceptions to this policy include: petition drives for state and local ballot measures as well as non-profit voter registration will be permitted without sponsorship from the Student Leadership and Involvement Office. Petitioners must follow normal registration procedures. Petitioners will be limited to one petition or one petition topic. Additionally, petitioners must be located in a stationary assigned location.

## FUNDRAISING

The term “fundraising” refers to efforts by student organizations to raise additional funds for their activities through solicitation of donations, admission charges, ticket sales, and/or the selling of various goods and services.

- Only registered student organizations may receive approval from the Student Leadership and Involvement Office to fundraise on campus.
- If a group reserves space to sell a given product or service during a specific period of time, other groups may be denied like requests.
- All fundraising must clearly indicate both beneficiary and sponsoring group.
- When selling an item or service, the sponsoring organization must obtain permission from the Director or designee of Student Leadership and Involvement Office.

## RAFFLES

Fundraising activities, such as the distribution of tickets for raffle prize drawings, are permitted on campus. Contact the Student Leadership and Involvement Office for specific requirements, including written approval from the District Attorney, prior to the promotion, distribution, or sale of tickets.

## POSTING

In order to maintain the campus buildings and grounds in an attractive manner, no posting of any materials is allowed on the outside of buildings, including, but not limited to, walls, doors, and windows.

- All printed material must be approved prior to posting by the Student Leadership and Involvement Office, except for Social Greek organization printed materials, which must be approved by the Student Leadership and Involvement. Text and visual content are considered for approval. This approval process is NOT intended for academic or departmental spaces.
- All printed material must include the name of the sponsoring student organization and contact information. Any posting advertising a registered event must include the University approved verbiage regarding accommodation needs and requests.
- Masking tape, zip ties, staples, or tacks are the only approved hanging devices, used as appropriate, on-campus surfaces.
- No posting is permitted on wood surfaces, walkways, windows, or painted surfaces, including wood hand railings or walkways.
- There is no posting of any sort within the DeRosa University Center. Contact the Student Leadership and Involvement Office.
- Posting within academic spaces is based on the approval from each academic area.
- Events with alcohol sales can only communicate that approval in the following manner: "Cash Bar Available." This information must not exceed 20% of the posting; additionally, no alcohol-related imagery can be used.
- Flyers are permitted on kiosks and may not cover existing, timely material.
- Approved banners and flyers are permitted on brick surfaces of the McCaffrey Center for one week only.
- Two sandwich boards are permitted in walkways for up to three days with the approval of the Student Leadership and Involvement Office. Boards must not impede access to services or the flow of traffic.
- Information tables may be checked out from the DeRosa University Center (limited availability) with a student ID.
- Chalking of surfaces may be permitted in selected areas for 48 hours with approval from the Student Leadership and Involvement Office. Chalking will only be approved for exterior concrete areas.
- Any materials approved by the Student Leadership and Involvement Office intended for distribution in a residential, apartment, or Greek communities may only be posted/ distributed in residential facilities by Residential Life and Housing staff. Student organizations and/or individuals are responsible for submitting approved materials to the Residential Life and Housing Office at least 5 business days prior to the event date. Materials will be posted within 72 hours of receipt.
- Clearing Postings: The sponsor is responsible for removing publicity that is outdated or damaged. Any organization or individual who does not remove old material will be ineligible for future posting.
- The University reserves the right to remove publicity that violates this policy.
- It is prohibited for any person to throw or deposit any commercial or noncommercial handbill or advertisement in or upon any vehicle, which is parked upon a public street, or upon a parking lot.

## STUDENT CONDUCT REVIEW PROCESS AND PROCEDURES

### Student Conduct and Community Standards Mission Statement

Our mission is to support students in their pursuit of holistic learning and personal development by:

- Cultivating academic integrity personal accountability and community responsibility;
- Supporting a diverse and inclusive campus environment where students flourish;
- Educating the campus community regarding the Student Code of Conduct;
- Partnering with student, staff, and faculty across department and campuses with respect to Student conduct concerns;
- Providing a fair, educational, and responsive process for the investigation, review, and resolution of Student Conduct matters;
- Utilizing evidence-based prevention and intervention programs.

### Introduction: Student Code of Conduct

The Code identifies the general standards of student behavior, which are essential to the University's educational mission and its community life. The Code is applicable to all University students, including but not limited to, undergraduate and graduate students on Pacific's three campuses; in addition, specific schools and colleges (e.g., McGeorge School of Law, Arthur A. Dugoni School of Dentistry and Thomas J. Long School of Pharmacy and Health Sciences, etc.) may have policies and procedures that apply to students enrolled in a specific program of study. Students are also responsible, and will be held accountable, for the conduct of their guests while the latter is at a University location or facility and/or participating with the student host in a University-related activity.

### General Principles of Policies and Process

The Code is set forth in writing in order to give students general notice of prohibited conduct. The provisions of the Code are to be read broadly and are not designed to define prohibited conduct in exhaustive terms.

### Jurisdiction of the Student Conduct Process

The student conduct process is applicable to all University students, including undergraduate, professional, and graduate students (unless otherwise noted by the program of study in which the student is enrolled). The jurisdiction of the process extends to behaviors by students and students' guests that occur on or adjacent to University of the Pacific campuses or at any University-operated program, premises or facility, including study abroad programs, internships, athletic events, campus trips, and any other activity occurring in the scope of or fairly related to the students' relationship with the University. Issues which arise solely from student employment with the University and which do not otherwise affect the student relationship with the University are not recognizable by the student conduct process but by the Department of Human Resources.

### **Inherent Authority**

Notwithstanding any other provisions of the Code, the University reserves the right to take any action, which in its judgment is necessary and appropriate to protect the safety and well-being of the campus community.

### **Student Participation**

Students are asked to assume positions of responsibility in the student conduct system so that they might contribute their skills and insights toward the resolution of student conduct cases. However, final authority in student conduct matters is vested in the appropriate officers of the University administration, as designated by the Code.

### **Focus of the Proceedings**

The focus of the inquiry in student conduct proceedings will be to determine if the individual (“responding party”) alleged to have engaged in a violation of the Code is responsible or not.

### **Rules of Evidence**

Formal rules of evidence will not be applicable, nor will asserted violations from procedures necessarily invalidate a decision or proceeding, unless there is significant prejudice to the responding party, reporting party or to the University, and a different outcome would have been likely.

### **Effect of Governmental Proceedings**

Processes under this Code are independent of any governmental criminal proceedings that are or may become applicable to the behavior at issue. The findings of governmental authorities will not be determinative of the outcome of the student conduct process.

### **Burden of Proof**

The burden of proof will be such that the responding party will be presumed not responsible and their responsibility must be established to the satisfaction of the student conduct review body or officer by a preponderance of the evidence.

### **Student Enrollment**

A responding party is not permitted to withdraw from a course, program, or University of the Pacific, until the Student Conduct Process is complete and all allegations are resolved. A student who withdraws may be re-enrolled and a relevant grade, sanction, or notation on the transcript may be assigned.

### **Student Mail**

The student conduct system will communicate with a student electronically via the student’s official Pacific email account. Students are accountable for responding promptly. Failure to do so is not an acceptable excuse for delaying the student conduct process.

### **Student Organizations**

Student Organizations may be charged with the violation of any section of the Code or violation of any policies and procedures included in Tiger Lore. A student organization and its officers may be held collectively or individually responsible for violations of the Code by those associated with the group or organization who has received the actual or implied authorization or ratification of the group, organization, its leaders, officers, or spokespersons. The officers, leader or any identifiable spokesperson for a student

organization may be directed by the Vice President for Student Life or a designee to take appropriate action designed to prevent, cease or remedy a violation of this Code by the group or organization. Sanctions for group or organization violations may include revocation or denial of registration, as well as other appropriate sanctions, pursuant to this Code.

### **Sanctions for Violation of the Student Code of Conduct**

One or more of the following sanctions may be imposed for a violation of the Code. Factors to be considered in determination of the appropriate penalty may include any one or more of the following: the judgment of the Student Conduct Review Board or Hearing Officer as to the severity of the violation, the behavior of the respondent in the course of the proceedings under this Code, the past student conduct record of the respondent, the nature of the offense, and the severity of any damage, injury, or harm resulting from it.

***Dismissal from the University:*** The student is permanently separated from the University. Notification will appear on the student’s academic transcript. The student will also be barred from University premises. Dismissal requires review and approval by the Vice President for Student Life.

***Suspension from the University:*** The student is temporarily separated from the University for a specified period, with or without conditions that must be satisfied before the resumption of student status is permitted. The record of suspension shall appear on the student’s academic transcript. The student will not participate in any University activity and will be barred from entering the campus, unless otherwise notified in writing. Suspended time will not count against any time limits of the Graduate School for completion of a degree. Suspension requires the review and approval of the Vice President for Student Life. A suspension is converted to dismissal if it is determined that the specified conditions or resumption of student’s duties have not been satisfied.

***Disciplinary Probation:*** A specified period during which a student’s status is between good standing and suspension. During this period, any additional violation of University policy or conditions of probation shall result in more significant disciplinary sanctioning including the possibility of suspension or dismissal.

***Termination of Eligibility or Relocation within Student Housing:*** University housing accommodations are a privilege. Students who demonstrate that they are unable to live in the community, due to severe or repeated violations, may be relocated to another housing facility or have their housing eligibility terminated. If housing eligibility is terminated, students must vacate housing facilities and are ineligible for further University housing, including during the summer, for a designated or indefinite period.

***Ineligibility for Graduation:*** A responding party, otherwise eligible to earn an academic degree and participate in related commencement proceedings, as to whom there are pending Code proceedings which, in the judgment of the Vice President for Student Life, present a realistic possibility of suspension or dismissal, shall not be eligible to receive the degree or participate in commencement proceedings until student conduct proceedings are completed.

**Restitution:** The student is required to make payment to the University or to other persons, groups, or organizations for damages incurred as a result of a violation of this Code. Restitution must be made within 30 days unless otherwise determined by the Student Conduct Review Board or Hearing Officer.

**Restriction:** For a specified or indefinite period, the student is restricted from entering a specific area or areas on campus or communicating in any manner with the individual(s).

**Educational Project/Service:** Research projects, educational classes, or other appropriate learning experiences may be assigned by the Student Conduct Review Board or Hearing Officer. Students will be responsible for all associated fees.

**Disciplinary Warning:** The student is given a verbal or written warning that future violations will result in more severe student conduct action. A record shall be made of any verbal warning.

**Other Sanctions:** Hearing Officers and Student Conduct Review Boards retain the right to impose additional or related sanctions, including but not limited to fines, according to the specific needs of a situation.

### **Roles and Responsibilities**

**Associate Dean of Students/Director of Student Conduct and Community Standards:** The Associate Dean serves as the primary administrator of the student conduct process. The Associate Dean trains and advises administrative Hearing Officers, Support Persons, Review Board, and Appeal Committee members; maintains student conduct files and related evidential information; with recommendations from academic council and student leadership organizations appoints individuals to serve on Student Conduct Review Boards and evaluates their ability to serve without prejudice; and, completes a statistical summary of cases to the University each semester and conducts regular reviews of University student codes.

**Student Conduct Support Person:** Reporting and responding parties may seek assistance and support from a Student Conduct Support Person who informs the student about the student conduct review process and the party's rights and responsibilities as it relates to that process. This person does not advise or represent the student as to the specifics of the incident under investigation. A Student Conduct Support Person typically is a faculty member, administrator, staff person, or student at Pacific, who is trained by the Student Conduct and Community Standards Office, and may not serve if the individual has a stake in the outcome of the case. Off-campus individuals and those with no affiliation to the University may not act in this role, unless an exception is granted by the Director of Student Conduct and Community Standards. Current faculty or staff may not act as the Student Conduct Support Person to family member who is a responding or reporting party.

**Hearing Officers and Student Conduct Review Boards:** Hearing Officers, typically student life or athletics administrators and/or faculty members, adjudicate alleged Code violations. Student Conduct Review Boards (Review Board) may also adjudicate allegations of student code violations. A Review Board is comprised of five people – three students, one faculty member, and one staff member. A student serves as the chair, convener, and facilitator of the Student Conduct Review process. Review Board members

serve a one (1) academic year term with continuation subject to approval by the Director of Student Conduct and Community Standards. Prior to deliberations, Review Board members participate in a training session offered by the Student Conduct and Community Standards Office. A Hearing Officer or Review Board member, who is a respondent in proceedings under this Code or in governmental criminal proceedings, are temporarily ineligible from Student Conduct Review Board service until those proceedings are resolved with finality. The Director of Student Conduct and Community Standards may assign the matter to a different Hearing Officer or Student Conduct Review Board in the event of a vacancy or disqualification.

**Student Conduct Appeals Committee:** A Student Conduct Appeals Committee considers a student appeal of the decision of a Hearing Officer or Student Conduct Review Board. An Appeals Committee is comprised of three student members, one faculty member, and one staff member not involved in the original hearing decision. Prior to appeal deliberations, committee members participate in a student conduct training session offered by the Student Conduct and Community Standards Office. The Director of Student Conduct and Community Standards may disqualify committee members charged with any violation of the Code or with a criminal offense from any further participation in deliberations.

### **Hearing Process**

Reports of alleged conduct violations should be submitted to the Student Conduct and Community Standards Office. Persons submitting information are required to provide an incident report with information pertinent to the case. Alleged violations of Residential Life and Housing, Fraternity and Sorority Life, and Athletic policies will be adjudicated by the designated Hearing Officer for that area. All other alleged violations of Residential Life and Housing, Fraternity and Sorority Life, or Athletic policy violations that may result in a change in a student's University status will be referred to the Student Conduct and Community Standards Office for adjudication.

A hearing is convened, if sufficient evidentiary information suggests a code violation may have occurred. If a hearing is warranted, a charge letter will be issued to the responding party(ies) from the appropriate office. A hearing is a meeting between the student(s) cited on an incident report ("responding party") and a Hearing Officer or Review Board.

In most other instances, the student may select from a choice of hearing processes – either 1) a Hearing Officer or 2) a Student Conduct Review Board. The following violations require adjudication by a Student Conduct Review Board; however, the Director of Student Conduct and Community Standards, at their discretion, may recommend a specific process based upon the unique circumstances of the case.

- Student organization event violations
- Fire safety violations
- Any form of sexual misconduct, physical assault or harassment
- Alcohol or drug overdose resulting in transport to the hospital or jail
- Repeated violations of any policy



## Hearing Procedures

The following procedures apply to hearings before a Hearing Officer, Student Conduct Review Board, and Appeals Committee:

- The Hearing Officer, Student Conduct Review Board, Appeals Committee, Associate Dean of Students/Director of Student Conduct and Community Standards, reporting party, and responding party, have the right to request the participation of witnesses at the hearing.
- Hearings are private.
- The Hearing Officer, Board, or Committee will exercise control over the hearing to avoid needless consumption of time and prevent the harassment or intimidation of witnesses. Any person, including the Student Conduct Support Person, who disrupts a hearing or who fails to adhere to the rulings of a Hearing Officer, Board, or Committee may be excluded from the proceedings.
- Decisions of a Hearing Officer, Board, or Committee, must be in writing and include a summary of findings, decision, and sanctions(s). Summaries should be sufficiently detailed to permit review on appeal.
- The student may challenge the designation of a Hearing Officer, Board, or Committee member for cause. The Director of Student Conduct and Community Standards will determine if the challenge is valid. If a challenge is valid, the complaint will be referred to another Hearing Officer, Review Board, or Appeals Committee.
- Witnesses will be asked to affirm that their testimony is truthful and, if false testimony is given, witnesses may be subject to charges for violation of the Student Code of Conduct.
- Witnesses, other than the responding party, may, at the discretion of the Hearing Officer or Review Board, be excluded from the hearing during the testimony of other witnesses.
- Except as described within the Code, formal rules of evidence and discovery will not be applicable; however, prior to the hearing, the responding party and reporting party will be entitled to review all relevant documents in possession of the Director of Student Conduct and Community Standards.
- Responding and reporting parties may be afforded the opportunity to question those witnesses who testify at the hearing.
- Written statements may not be admitted into evidence unless signed by the witness and witnessed by a University official or by a person designated by the Director of Student Conduct and Community Standards. An advance copy of written statements for review must be made available to the responding party and reporting party.
- Responding and reporting parties are accorded the following procedural protections:
- A written notice of charges, a copy of the Student Code of Conduct, and a scheduled hearing with a Hearing Officer, Review Board (Board), or Appeals

Committee (Committee). Responding parties who fail to appear after proper notice will be deemed to have accepted responsibility for the charges against them and to submit to sanctions.

- A hearing during which the Hearing Officer or Board reiterates the nature of the alleged violation, including the time, date, and place where it is alleged to have occurred. Responding and reporting parties shall have the opportunity to hear and reply to the evidence submitted.
- The Hearing Officer or Board will also explain the student conduct process and that the hearing record may become part of the student's educational record.
- Reasonable access to the case file prior to and during the hearing, including an oral summary of the evidence supporting the charge(s). Responding party(ies) and reporting party(ies) must make this request in writing.
- The responding party and reporting party may utilize the assistance of a Student Conduct Support Person throughout the student conduct process. This individual may provide advice and counsel, but may not speak on behalf of, or otherwise represent a student during student conduct procedures. Responding and reporting parties who wish to have the assistance of a Student Conduct Support Person must inform the Director of Student Conduct and Community Standards in writing at least two days prior to the scheduled hearing date. A Student Conduct Support Person may not appear in lieu of the student.
- Responding and reporting parties may request the attendance of witnesses. The Director of Student Conduct and Community Standards must be notified prior to the hearing that the responding party or reporting party plans to call witnesses. In order to appear at the hearing, witnesses must have information relating to the case.
- A sanction will be levied if the Hearing Officer, Board, or Committee determines that the responding party is responsible for the violation(s). If not, the charge(s) will be dismissed.
- A written statement of the hearing decision will be sent to the responding and reporting parties in a timely manner.

### Responding parties are provided with the following rights:

- To be considered not responsible for a violation unless responsibility by the student is shown by a preponderance of the evidence.
- To be given a fair process as provided in this policy.
- To be allowed a reasonable time to prepare for a student conduct hearing, defined as at least two business days.
- To have the right to appeal an adverse decision in accordance with procedures in this document.
- To be assured of privacy in accordance with the terms of the Federal Family Educational Rights and Privacy Act.
- To be given, upon request, access to the official file of a record of their student conduct proceedings.

## Appeal Procedures

Responding and reporting parties may appeal recommended student conduct sanctions to a Student Conduct Appeals Committee. A decision may be appealed on the following grounds:

1. The sanction is grossly disproportionate to the offense.
2. The procedures in this Code were not followed, resulting in prejudice to the student.
3. New relevant evidence is available that could not have been produced at the time of the hearing, despite the exercise of reasonable diligence, that could affect the outcome.
4. The decision is not supported by a preponderance of the evidence.

Students must submit a written statement in support of an appeal to the Director of Student Conduct and Community Standards within three days of receiving the final decision of the hearing officer or board. The Director of Student Conduct and Community Standards is responsible for convening the Appeals Committee.

The Appeals Committee will review the Hearing Officer or Review Board summary of the testimony, findings, and decision, as well as the student's appeal statement. The Appeal Committee will consist of three students, one of whom will serve as chair, one faculty member, and one staff member, none of whom served on the original case. The committee may request the Hearing Officer, Review Board, or the responding party, submit additional information in writing or appear at an appeal meeting. The Committee will give deference to the determinations of the Hearing Officer or Review Board, and may make one of the following recommendations:

- Recommended sanctions may be reduced or increased, if found to be grossly disproportionate to the offense.
- The case may be referred back to the Hearing Officer or Review Board if specified procedural errors in interpretation of this Code were so substantial as to deny effectively the student a fair hearing or if new significant evidence became available which could not have been discovered by a properly diligent student before or during the original hearing.
- The case may be dismissed if the decision is not supported by substantial evidence.

## Exceptional Procedures

The Vice President for Student Life (VPSL) or designee may preliminarily suspend a student or student organization pending a hearing and decision, if they determine that the student's presence on campus poses a threat of harm to the student, to others, or to the stability and continuance of normal University functions. A suspended student will be given an opportunity to appear in person before the VPSL or designee within three days of the effective interim suspension date to contest the interim suspension.

Hearing Officer, Board, or Appeals Committee decisions regarding a suspension or dismissal will be reviewed by the VPSL, or designee, whose decision will be final and binding unless the President chooses to review the matter. This final decision may withdraw, modify, defer, suspend, or confirm the decision and sanction.

The imposition of sanctions may be deferred during the appeal process, unless otherwise decided at the discretion of the VPSL or designee.

Victims of violent crimes on campus will be notified of the results of the related student conduct hearing. The alleged perpetrator of a crime of violence is a student who is alleged to have committed acts that would, if proven, constitute any of the following offenses or attempts to commit the following offenses:

- Arson
- Assault offenses
- Burglary
- Criminal homicide-manslaughter by negligence
- Criminal homicide-murder and non-negligent manslaughter
- Destruction/damage/vandalism of property
- Kidnapping/abduction
- Robbery
- Forcible sex offenses

The alleged perpetrator of a non-forcible sex offense means a student who is alleged to have committed acts that, if proven, would constitute statutory rape or incest.

## Student Conduct Files and Records

Referrals may result in the development of a student conduct file, which will be sealed if the student is found not responsible for the charges. Files of students found responsible for code violations will be retained as a student conduct record for seven years following that student's graduation. Files may be retained for longer periods or permanently, if so specified in the sanction.

## Modified Hearing Board Procedures in Special Circumstances

The Director of Student Conduct and Community Standards, with approval from the Vice President for Student Life, may invoke the following modified Student Conduct Review Board procedures when it is determined that reporting party and/or responding party and/or witness participation, for good cause shown to the VPSL, will result in disorderly or disruptive proceedings or otherwise substantially impair the effectiveness of evidence production.

## The Report

A description of the alleged violation will be submitted in writing to the Director of Student Conduct and Community Standards. The statement can be written by the reporting party, written as reported to a University official, or recorded in the presence of and transcribed by a University official. Specific violations of the Pacific Student Honor Code, including the Student Code of Conduct and University Policies, should be cited as part of this report.

Release of Personal Information: The responding party has the right to know the name of the reporting party, witnesses, and the details of the report; however, upon request, this information will be removed from the documents that are provided to the Student Conduct Hearing Board.

File Access: The reporting party and responding party have a right to reasonable access to the case file, witness lists, and investigation results prior to and during the hearing. Requests for access must be made in writing a minimum of three working days prior to the hearing.

Student Conduct Support Person: The reporting party and responding party have the right to have the presence of a support person. See the section titled *Student Conduct Support Person* for additional information.

Reporting Party Letter: Upon receipt of a written report from the reporting party and evaluation by the Student Conduct and Community Standards Office to determine that there is reasonable cause to believe that a violation has taken place, a charge letter will be issued to the responding party from the Student Conduct and Community Standards Office. The letter will contain the alleged code violations, a description of the events related to the alleged violation, and an explicit warning against contact, harassment, or retaliation directed toward the reporting party and/or witnesses. A copy of the complaint letter will be provided to the reporting party.

#### **The Student Conduct Review Board**

- The Student Conduct Review Hearing Board (Board) will be made up of three students, one faculty member, and one staff member.
- If a Board member has a relationship with either the responding party, reporting party, or identified witnesses that would present the potential for bias, that member may not serve.

#### **The Hearing**

- The Student Conduct Review Board, Associate Dean/Director of Student Conduct and Community Standards, and the responding party have the right to request the participation of the reporting party and witnesses in person for questioning. This request must be made in writing three business days prior to the hearing.
- In order to implement the policy on modified hearing procedures, participation may be via audio/visual or equally effective other technology means from a separate location.
- The Student Conduct Review Hearing Board, in consultation with the Director of Student Conduct and Community Standards, will prepare its questions in advance of the hearing. Questions may be edited at the discretion of the Director of Student Conduct and Community Standards.
- Upon request, involved parties and witnesses will not be identified by name during the hearing and parties may not communicate directly with one another at any time during the hearing.
- Initial questions for use at the hearing must be submitted in writing three (3) business days prior to the hearing to the Director of Student Conduct and Community Standards. All questions must be relevant and respectfully phrased.
- Questions and/or discussion regarding students' private sexual history and personal matters unrelated to the incident in question are not permitted,

except for good cause shown, such as where such questions are relevant to motive and consent issues.

- During the hearing, additional questions may be submitted in writing for consideration by the Director of Student Conduct and Community Standards, who will determine question relevance and then direct it to the appropriate party. In this situation, the hearing may be paused while the Director works with the student(s) submitting the question to ensure the questions are relevant and phrased in a respectful manner. The Director shall not prohibit the asking of any questions determined by the Student Conduct Review Board to be relevant and appropriate.
- The reporting party has a right to make an "impact statement" to the Student Conduct Review Board and the responding party shall have the right to make a responsive statement and additionally comment on the impact on the responding party.
- The reporting party and responding party will be promptly informed of the outcome following the hearing.
- For complaints deemed by the Director of Student Conduct and Community Standards to be sensitive in nature, whether the alleged victim is serving as the reporting party or as a witness, alternative testimony options will be given, such as placing a privacy screen in the hearing room, or allowing the alleged victim to testify from another room via electronic means. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student.
- Past Sexual History/Character. The past sexual history or sexual character of a party will not be admissible by the other party in hearings unless such information is determined to be highly relevant by the Director of Student Conduct and Community Standards. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance of the hearing by the Director of Student Conduct and Community Standards.
- While previous conduct violations by the accused student are not generally admissible as information about the present alleged violation, the Director of Student Conduct and Community Standards may supply previous complaint information to the Board, or may consider it him/herself if s/he is hearing the complaint, only if:
  - The accused was previously found to be responsible;
  - The previous incident was substantially similar to the present allegation;
  - Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.

## POLICIES—INFORMATION—REQUIRED NOTIFICATIONS

### CLERY ACT

The Department of Public Safety, in compliance with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act prepares an annual crime statistics report. This report contains policies of our school pertaining to the safety and security of our employees and students, and the last three years of crime statistics relating to crimes that occurred on or near the campus reported to the Department of Public Safety. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual security report, by notifying the Department of Public Safety. Crime categories include violent crimes, such as, domestic violence aggravated assault, robbery, sex offenses, dating violence, stalking, homicide and non-violent crimes, such as motor vehicle, burglary, drug and alcohol policy violations. Statistics also include arrests, if any, for liquor-law, drug abuse, and weapons possession violations occurring on or near the campus. This report may be found at: [web.pacific.edu/x5071.xml](http://web.pacific.edu/x5071.xml).

### DISABILITY ACCOMMODATION

The University does not discriminate against students and applicants on the basis of disability in the administration of its educational and other programs. The University will reasonably accommodate qualified students (including applicants) with disabilities as defined by applicable laws, if the individual is otherwise qualified to meet the fundamental requirements and aspects of the program of the University, without undue hardship to the University. Harassment on the basis of disability issues is prohibited by the University's policies.

To begin the process of establishing eligibility for services, the individual must identify themselves to the Office of Services for Students with Disabilities by providing recent and specific evidence that documents a formal diagnosis of a physical, psychological, or cognitive disability from a qualified professional. Pacific expects that, if you are a student with a disability, you will give sufficient notice of your need for assistance (preferably prior to the start of the semester), although the University will consider the merits of each request at the time of receipt. Upon receiving a request for assistance as well as appropriate documentation, the staff from the Office of Services for Students with Disabilities considers the student's need for assistance as it relates to the documented disability. Please note the University does not provide or subsidize personal care devices or services such as ambulatory devices or assistance with bathing, dressing, laundry, etc. Referrals to area agencies, however, are available upon request.

For additional information, please contact:

Office of Services for Students with Disabilities  
McCaffrey Center Room #137  
Phone/TTY: 209.946.2879  
E-Mail: [ssd@pacific.edu](mailto:ssd@pacific.edu)

More detailed information about how to qualify for accommodations, as well as our Policy Manual for Students with Disabilities, is available at [www.pacific.edu/disabilities.xml](http://www.pacific.edu/disabilities.xml).

### STATEMENT ON DIVERSITY AND INCLUSIVE EXCELLENCE

The University of the Pacific community—including students, faculty, staff, administrators, and alumni—believes that diversity and inclusion are essential to the fulfillment of all aspects of our institutional mission. This includes providing a superior student-centered learning experience, and preparing individuals for responsible leadership in their careers and communities.

A superior student-centered learning experience requires diversity and inclusiveness in our curricular and co-curricular programming, University climate, recruitment, admissions, hiring and retention. Pacific acknowledges, accepts, and respects the uniqueness of each individual, despite differences in race, color, religion, national origin, ancestry, age, genetic information, sex/gender, marital status, veteran status, sexual orientation, medical condition, pregnancy, gender identity, gender expression or mental or physical disability, as well as cultural, political, intellectual, religious, or other affiliations.

Responsible leadership demands that all members of the Pacific community become competent and ethical citizens in an increasingly multicultural society. In practice, Pacific, and each member of its community, will aspire to move beyond simple tolerance by: affirming each person's right to freedom of expression; providing a safe and nurturing environment to explore differences; and embracing and celebrating the rich dimensions of diversity in all people.

### DIVERSITY AND EQUAL OPPORTUNITY POLICY

University of the Pacific is an affirmative action and equal opportunity employer dedicated to workforce diversity. In compliance with applicable law and its own policy, Pacific is committed to recruiting and retaining a diverse faculty and staff and does not discriminate in its hiring of faculty and staff, or in the provision of its employment benefits to its faculty and staff on the basis of race, color, religion, national origin, ancestry, age, genetic information, sex/gender, marital status, military and veteran status, sexual orientation, medical condition, pregnancy, gender identity, gender expression, or mental or physical disability.

### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The University of the Pacific complies with The Family Educational Rights and Privacy Act (abbreviated FERPA and formerly known as the Buckley Amendment). Educational institutions are required to annually notify enrolled students of their rights under the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), as amended. This page fulfills this obligation and serves as the annual FERPA notification to students at the

University of the Pacific, by providing information about the university policy and students' rights with respect to their education records.

“Student” means an individual who is or who has been in attendance at University of the Pacific. A student or resident's FERPA rights begin when the student or resident registers and attends his/her first class. It does not include any applicant for admission to the university who does not matriculate, even if he or she previously attended the university. (Please note, however, that such an applicant would be considered a “student” with respect to his or her records relating to that previous attendance. Students or residents who originally sought admission to one program of study at the university and are denied, but subsequently are admitted and enrolled in a different program of study, have FERPA rights only in their admitted and enrolled program of study.) "Education records" include those records that contain information directly related to a student and that are maintained as official working files by the University. Examples of records that are not education records are records about students made by instructors, professors and administrators for their own use and not shown to others; campus police records maintained solely for law enforcement purposes and kept separate from the education records described above; employment records, except where a currently enrolled student is employed as a result of his or her status as a student; records of a physician, psychologist, or other recognized professional or paraprofessional made or used only for treatment purposes and available only to persons providing treatment; records that contain only information relating to a person's activities after that person is no longer a student at the university.

It is the policy of the university (1) to permit students to inspect their education records, (2) to limit disclosure of personally identifiable information from education records without students' prior written consent, and (3) to provide students the opportunity to seek correction of their education records where appropriate. A student alleging university noncompliance with the Family Educational Rights and Privacy Act has the right to file a written complaint with the Family Policy Compliance Office:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

**Students have the right to inspect and review their education records within 45 days after the day that University of the Pacific receives the request for access.**

Each student has a right of access to his or her education records, except confidential letters of recommendation received prior to January 1, 1975, and financial records of the student's parents. A student may, by signed writing, waive his or her right of access to confidential recommendations in three areas: admission to any educational institution, job placement, and receipt of honors and awards. The university does not require such waivers as a condition for admission or receipt of any service or benefit. If the student chooses to waive his or her right of access, he or she is notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations

are used only for the purpose for which they were specifically intended. A waiver may be revoked in writing at any time, and the revocation applies to all subsequent recommendations, but not to recommendations received while the waiver was in effect.

**Procedure to be followed:**

Requests for access should be made in writing to the Office of the Registrar, and should specify the record(s) the student wishes to inspect. The University complies with a request for access within a reasonable time, at least within 45 days. The Registrar's Office will make arrangements for access and notify the student of the time and place where the records may be inspected.

**University of the Pacific limits disclosure of personally identifiable information from education records unless it has the student's prior written consent, subject to the following limitations and exclusions.**

**Directory Information.** In accordance with the FERPA, the University has the right to release Directory Information without the student's or resident's prior written consent. The University gives annual public notice to students of the categories of information designated as directory information. This information may appear in public documents or otherwise be disclosed even in the absence of consent unless the student files written notice requesting the University not to disclose any of the categories by the opt-out date, which is three weeks after the first day of the first term of enrollment. While students may opt out at any point subsequent to the opt-out date, late opt-outs will not apply retroactively to information previously released. To block the release of this information ('opt out'), a student must submit a Request for Non-Release of Directory Information Form. The University of the Pacific has designated as "directory information" the following items.

- Student's name
- University ID number
- Mailing and local address
- Telephone number
- E-mail address
- Photograph/Video
- Date and place of birth
- Degrees, honors, and awards
- Major field of study
- Grade level
- Dates of attendance, including matriculation and graduation
- Enrollment status (undergraduate, predoctoral, graduate, full-, part-time)
- Most recent educational agency or institution attended
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

**University Officials.** One exception, which permits disclosure without consent, is disclosure to University officials with legitimate educational interests. At Pacific, "University official" is defined as (1) a person employed by the University or in an administrative, supervisory, academic or research, or support staff position (including law

enforcement unit personnel and health staff); (2) a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); (3) a person serving on the Board of Regents; (4) a student serving on an official University committee (academic, grievance, or disciplinary) or assisting another University official in performing his or her tasks. A university official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for University of the Pacific.

**Prior Consent Not Required.** FERPA allows additional exceptions to the written consent requirement for disclosure of education records to third parties. Some of these exceptions are listed below:

To officials of another school in which a student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

To an alleged victim of any crime of violence of the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

In response to a court order or subpoena, the University makes reasonable efforts to notify the student before complying with the court order.

Appropriate parties in connection with an emergency, where knowledge of the information is necessary to protect the health or safety of the student or other individuals;

Parents of a student who is a dependent for income tax purposes. (Note: The University may require documentation of dependent status such as copies of income tax forms.)

Accrediting organizations for purposes necessary to carry out their functions;

Organizations conducting educational studies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. The studies are conducted so as not to permit personal identification of students to outsiders, and the information is destroyed when no longer needed for these purposes;

State and local officials to which such information is specifically required to be reported.

Authorized persons and organizations that are given work in connection with a student's application for, or receipt of, financial aid, but only to the extent necessary for such purposes as determining eligibility, amount, conditions, and enforcement of terms and conditions;

Authorized representatives of the Comptroller General of the U.S., the Secretary of Education, the Secretary of the Department of Health and Human Services, the Director of the National Institute of Education, the Administrator of the Veterans' Administration, but only in connection with the audit or evaluation of federally supported education programs, or in connection with the enforcement of or compliance with Federal legal requirements relating to these programs. Subject to controlling Federal law or prior consent, these officials protect information received so as not to permit personal

identification of students to outsiders and destroy such information when it is no longer needed for these purposes.

**Prior Consent Required.** Where FERPA does not allow exceptions to the written consent requirement, the University does not release personally identifiable information in education records or allow access to those records without prior consent of the student. Unless disclosure is to the student himself or herself, the consent must be written, signed, and dated, and must specify the records to be disclosed, the identity of the recipient, and the purpose of disclosure. A copy of the record disclosed is provided to the student upon request and at his or her expense.

The University, along with the student's education records, maintains a record for each request and each disclosure, except for the following:

disclosures to the student himself or herself;

disclosures pursuant to the written consent of the student (the written consent itself suffices as a record);

disclosures to school officials of the University.

disclosures of directory information.

This record of disclosures may be inspected by the student, the official custodian of the records, and other university and governmental officials.

**University of the Pacific provides students the opportunity to seek correction of their education records.**

A student who believes that information contained in his or her education records is inaccurate, misleading, or violative of privacy or other rights may submit a written request to the Office of the Registrar specifying the document(s) being challenged and the basis for the complaint. The request will be sent to the person responsible for any amendments to the record in question. Within a reasonable period of time of receipt of the request, the University decides whether to amend the records in accordance with the request. If the decision is to refuse to amend, the student is so notified and is advised of the right to a hearing. He or she may then exercise that right by written request to the Office of the Registrar. Within a reasonable time of receipt of the request, the student will be notified in writing of the date, place, and time reasonably in advance of the hearing. The hearing will be conducted by a university official who does not have a direct interest in the outcome. The student will have a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney. Within a reasonable period of time after the conclusion of the hearing, the University will notify the student in writing of its decision. The decision will be based solely upon evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. If the University decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the University will amend the records accordingly. If, as a result of the hearing, the University decides that the information is not inaccurate, misleading, or otherwise in violation of the student's rights, the University will inform the student of the right to place in his or her record a statement commenting on the information and/or explaining any reasons for disagreeing

with the University's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept and will be disclosed whenever the contested portion of the record is disclosed.

### EMERGENCY PROCEDURES

Campus emergencies can be man-made or natural. They happen quickly and allow little time for preparation. The size and scale of the emergency is determined by the potential for loss of life, damage to facilities, and the resources needed to restore the University to its normal operations. Please place the Department of Public Safety's telephone number in your cell phone address directory. Emergency calls should be made to 209.946.3911 and non-emergency calls are made to 209.946.2537. Members of the campus community should refer to the Pacific Emergency Website to learn more about emergency response: <http://www.pacific.edu/campus-life/safety-and-conduct/emergency-management-and-response.html>

### STUDENT RESIDENT MISSING PERSON STATEMENT

In accordance with the Higher Education Opportunity Act of 2009, if it is determined that a student residing in a University of the Pacific owned or operated housing facility, who is the subject of a missing person report, has been missing for more than 24 hours, and has not returned to campus, the following actions will be taken:

- The University will attempt to contact the student using the student's personal emergency contact information.
- In the event a student is unable to be reached, the University's Department of Public Safety will file a missing person report with the local law enforcement agency, and a representative from the Division of Student Life will notify the student's emergency contact person(s) on file with the University.
- If a student is under 18 years of age, and not an emancipated individual, the University will notify a custodial parent or guardian no later than 24 hours after the time that the student is determined to be missing.

All students are encouraged to keep in contact with a trusted person, especially if they plan to be away from campus for longer than 24 hours.

### ANNUAL ASBESTOS NOTIFICATION

This letter provides notification to the University community that there may be a presence of asbestos-containing materials (ACMs) in campus buildings. Annual notification is required by California Health & Safety Code 25915 et seq. ACMs identified in various campus buildings include: fireproofing, floor tile & mastic, pipe insulation, ceiling acoustic, ceiling tile mastic, wallboard joint compound, et al.

Please contact your campus Physical Plant department for more information about ACMs in specific campus buildings. For more information about Asbestos, refer to the OSHA website at [www.osha.gov/SLTC/asbestos/index.html](http://www.osha.gov/SLTC/asbestos/index.html).

The University is committed to maintaining a safe and healthy learning and work environment. The University's Risk Management and Physical Plant staff conduct on-going building surveys to identify and safely manage previously installed asbestos-containing products. Renovation of buildings on our campus must be reviewed in advance by Physical Plant staff to ensure that no ACMs are disturbed without proper safeguards. Work that requires removal or repair of ACMs is restricted to trained and qualified persons only. Physical Plant will need to approve the qualified contractors.

Use the following measures to protect yourself and others from exposure to airborne asbestos:

- Presume all building materials contain asbestos until determined otherwise by Physical Plant.
- Do not install walls, closets, cabinets, or ceilings.
- Do not remove, cut, drill, sand, grind or otherwise disturb any material in the buildings, including carpet and floor tile.
- Do not paint (this includes any walls, ceilings, floors, and electrostatic painting of office furniture).
- Do not remove any items nailed or screwed to the walls (this includes pictures, cabinets, electrical, etc.).
- Do not go above ceilings, behind walls, or into building spaces such as attics and crawlspaces, unless these areas have been inspected and cleared by Physical Plant.
- Do not pull cable or wiring through above-ceiling spaces with asbestos.
- Do not install screws, pins, nails, or hangers into ceilings or walls.

### ALCOHOL AND OTHER DRUG USE POLICY

College and university campuses may be particularly vulnerable to the abuse of alcohol and other drugs. As members of the Pacific community, we must share in the work of solving this problem. The following is a summary of University of the Pacific's policies and programs relating to the use of alcohol and other drugs on our campus. This information is sent to you annually as a requirement of the Drug-Free Schools and Communities Act of 1989, and the Drug-Free Workplace Act of 1988. Universities that receive federal/state funds in any form are required to comply with the above acts. We must take affirmative steps to prohibit the unlawful possession, use, and/or distribution of illicit drugs and alcohol. If you have any questions, students should call the Division of Student Life at 209.946.2365.

#### Standards of Conduct

Students, faculty, and staff will comply with all federal, state, and local laws and University policies governing the consumption, possession, distribution, and sale of alcoholic beverages and drugs on University property; at any activity or event on and off the campus sponsored by Pacific; or where a campus community member is representing Pacific as part of an off-campus program, activity, or event. More detailed policy

information regarding the consumption, possession, distribution, and sale of alcohol can be found on the Tiger Lore website link at [www.go.pacific.edu/TigerLore](http://www.go.pacific.edu/TigerLore).

Except as legally prescribed, drug possession and use is prohibited. Additionally, the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance, including marijuana, is prohibited.

It is the responsibility of every student, faculty, and staff member to report incidents involving infractions of federal, state, local drug and alcohol laws, and/or University policies to the Assistant Vice President for Human Resources or Director of Student Conduct and Community Standards.

**Description of Health Risks**

The misuse of alcohol and/or prescription drugs or use of illicit drugs can result in overdose, death, violence, incarceration, loss of a driver’s license, failed relationships, petty property crime, school dropout, lowered productivity and quality, increased absenteeism and tardiness, serious psychobiological and neurobiological problems, reduced concentration, impaired judgment, loss of short term and long term memory, diminished reasoning skills, strained family relationships, damaged fetuses, and other serious life-altering effects. Additional information regarding health risks is available from the Cowell Wellness Center or [www.drugabuse.gov/drugpages.html](http://www.drugabuse.gov/drugpages.html).

**Statement of Conduct Sanctions**

Students who have violated laws governing the use of alcohol and illicit drugs will be subject to sanctions ranging from disciplinary warning up to, and including, dismissal from the University. Incidents involving students, against whom a complaint is filed, will be processed in accordance with the Student Conduct Procedures, a copy of which may be obtained at [www.go.pacific.edu/TigerLore](http://www.go.pacific.edu/TigerLore). Employees of the University may be demoted, suspended, or dismissed for violation of this policy. Staff challenging the imposition of such sanctions may appeal through the Grievance Procedure as outlined in the University of the Pacific Staff Handbook, a copy of which may be obtained from the Department of Human Resources. The appeal process for faculty is outlined in the Faculty Handbook.

**Criminal Penalties**

Federal penalties for the trafficking of controlled substances are dependent upon several conditions including the substance, amount, and whether the matter is a first offense or repeated offense for an individual or other legal entity.

- For a detailed list of penalties, visit: <http://www.justice.gov/dea/druginfo/ftp3.shtm>
- For information on California DUI penalties, refer to: <https://www.dmv.ca.gov/portal/dmv/detail/dl/driversafety/dsalcohol>
- For information on California underage drinking laws, visit: [http://alcoholpolicy.niaaa.nih.gov/APIS\\_State\\_Profile.html?state=CA](http://alcoholpolicy.niaaa.nih.gov/APIS_State_Profile.html?state=CA)

**Resources for Assistance**

Counseling and Psychological Services is open to all enrolled students for alcohol and substance abuse treatment services (as well as general mental health treatment). Services provided to a student may include evaluation, education, and group and

individual therapy. In addition, Counseling and Psychological Services can provide referrals to community-based treatment centers.

In certain circumstances where a student’s alcohol or drug problem is beyond the scope of Counseling and Psychological Services ability to help, a referral to a community resource may be encouraged. All treatment at Counseling and Psychological Services is free and confidential. In addition to treatment services, educational outreach programs on alcohol and drug issues and prevention are available to the campus community.

- Alcohol Abuse 24 Hour Action Helpline: 800.234.0420
- Alcoholics Anonymous: 209.464.1594
- Alcohol & Drug Treatment Center 24 Hour Helpline: 800.711.6375
- Counseling and Psychological Services: 209.946.2315 ext. 2
- Health Services: 209.946.2315 ext. 1
- Narcotics Anonymous: 209.464.9262
- Employee Assistance Program: 877.595.5281

**FEDERAL STUDENT FINANCIAL AID & DRUG LAW**

The Higher Education Opportunity Act, HEA Section 484(r), 34 CFR 668.40, requires the Financial Aid Office at University of the Pacific to notify each newly enrolled student of information regarding Federal Student Financial Aid Penalties for Drug Law Violations.

A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment in which federal student aid was received may not be eligible to receive federal student aid (including any grant, loan, or work assistance) during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving the possession of a controlled substance:		
Ineligibility period is:	First offense	1 year
	Second offense	2 years
	Third offense	Indefinite
The sale of a controlled substance:		
Ineligibility period is:	First offense	2 years
	Second offense	Indefinite

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

- the student satisfactorily completes a drug rehabilitation program that complies with the criteria prescribed in the federal regulations and includes two unannounced drug tests;



- the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations; or
- the conviction is reversed, set aside, or otherwise rendered invalid.

To determine whether or not you meet eligibility guidelines, call 1-800-4-FED-AID (1-800-433-3243).

### **LEAVE OF ABSENCE POLICY**

This policy provides general information regarding Leaves of Absence. Graduate programs may have additional policies regarding leave and return. Students should consult with their department for circumstances and processes specific to their program of study.

#### **A Voluntary Leave of Absence Is A Type of Withdrawal**

Generally, Voluntary Leave of Absence requests are made to the Office of the Registrar prior to the beginning of a semester. Requests made during the semester are governed by additional policies and the timing of such requests will affect housing, financial aid, tuition charged, health insurance, and progress toward degree.

This policy is not used in place of the student conduct process for review of alleged behavior that may violate the Student Code of Conduct and/or University Policies. A student initiating a Voluntary Leave of Absence may be simultaneously required to participate in the Student Conduct Review Process. A student returning from a Voluntary Leave of Absence will return with the same disciplinary status in place prior to the Leave.

#### **Medical Leave of Absence/Withdrawal**

There are times when a student may require time away from the University due to physical or psychological illness. Under these circumstances, a student may request a Medical Leave of Absence/Withdrawal from the Office of the Registrar. With the written consent of the student, the medical or mental health professional providing treatment to the student shall provide written confirmation that the Medical Leave is necessary due to the student's health. Documentation should be provided to the University within 30 days of the request for Medical Leave. The University may request a review of the medical or mental health documentation by a University healthcare professional or other appropriately trained professional identified by the University. This consultation may include a conversation between the treating provider and the designated University healthcare professional or representative.

#### **Other Leaves of Absence**

There are other compelling reasons that may be considered in support of a Voluntary Leave of Absence. The University may request supporting documentation from a student to substantiate a request.

#### **Polices and Conditions For All Leaves**

- If a Leave of Absence is granted prior to the start of the semester, no tuition will be charged for the semester(s) during which the Leave of Absence has been

granted. A student taking a Leave of Absence commencing after the semester has started may be subject to tuition and other financial obligations as outlined by Student Accounts.

- A student on a Leave of Absence is not registered as a student and therefore may not use University facilities including libraries, Baun Fitness Center, Pacific Health Services, and Counseling and Psychological Services, or attend any University sponsored event. A student on Leave must immediately vacate University housing.
- A student returning from a Leave of Absence should consult with the Associate Dean of Students and pay close attention to reenrollment and financial aid deadlines.

#### **Documentation of Readiness to Return**

A student granted a Voluntary Leave of Absence may be asked to demonstrate that the condition for which the Leave was granted has been resolved sufficiently to allow resumption of studies. Specifically, the University may require one or more of the following, depending on the reason(s) cited for the Leave:

- Medical or psychological records from the physician(s) and/or mental health professional(s) who cared for the student while on Leave and/or a "Statement of Readiness to Return" from these health care professional(s). Students will be asked to sign a written consent form for the release of this information to specific University representative(s) serving as point person for the student's transition and/or on a need- to-know basis.
- An assessment interview or examination conducted by a member of the Counseling and Psychological Services staff and/or a member of the Pacific Health Services staff depending on the health condition that necessitated the Leave.

#### **Confidentiality**

University of the Pacific will maintain the confidentiality of all information regarding Voluntary Leaves in accordance with federal, state, and local laws, and to the greatest extent consistent with the goal of processing such Leaves. All records and information concerning Voluntary Leaves of Absence are confidential. Access to these records is limited by appropriate federal, state, and local laws.

University of the Pacific reserves the right to notify a parent or guardian if deemed appropriate under the circumstances and as permitted by applicable federal, state, and local law.

#### **Involuntary Leave of Absence Policy**

The University values the health, safety, and general well-being of all of its students and provides a range of services to support the physical and emotional health of students. While the University strives to preserve and respect the autonomy of all persons, it understands that there may be occasions when a student's physical or mental health conditions cause the student to present a direct threat to others or significantly disrupts the educational and other activities of other learners and of the University community, necessitating a leave of absence from the University. Additionally, as a result of an individualized assessment by a qualified healthcare professional, it may be

determined that there is a significant risk of self-harm, and the risk of such harm cannot be eliminated or reduced to an acceptable level through reasonable and realistic accommodations utilizing campus resources.

This policy is not used in place of the student conduct process for review of alleged behavior that may violate the Student Code of Conduct and/or University Policies. A student may be required to participate in the Student Conduct Review Process conterminously with the Involuntary Leave Process. A student returning from an Involuntary Leave of Absence will return with the same disciplinary status in place prior to the Leave.

Prior to invoking an Involuntary Leave, every effort will be made to encourage the student to take a Voluntary Leave of Absence, the process for which is described in the Voluntary Leave of Absence/Withdrawal Policy.

The University may place a student on an Involuntary Leave of Absence or require conditions for continued enrollment under any one of the following circumstances when the student exhibits behavior resulting from a mental or physical health condition that:

- Directly threatens, harms, or has the immediate potential to harm the health and safety of students or University community members;
- Causes or threatens to cause significant damage to property;
- Significantly disrupts the educational and other activities of the University community.

#### **The Involuntary Leave Process**

When a student exhibits one or more of the behaviors described above, the matter should immediately be brought to the attention of the Dean of Students or designee, who may convene the Behavioral Intervention Team (BIT).

The Dean of Students or designee will coordinate the team, initiate collection and management of student information relevant to the assessment of threat or disruption, and, where relevant, communicate recommendations of the BIT (in writing) with the student, informing the student of the procedures for an Involuntary Leave of Absence. In cases where the student is not determined to be a threat, or when the decision is to monitor the student, a student may or may not be notified and the rationale for this decision will be documented.

In most cases, the student will be required to undergo an immediate assessment of the student's mental and/or physical condition. Counseling and Psychological Services, Pacific Health Services, or another University approved healthcare provider will conduct this evaluation. This assessment will evaluate whether there is a preponderance of evidence to indicate that a student represents a high probability of substantial harm, based upon reasonable judgment and informed by current medical knowledge or objective non-medical evidence, if medical evidence is not available. The assessment shall ascertain:

- The nature, duration, and severity of the direct threat of harm;
- The probability that the substantial harm will actually occur;
- The likelihood that the harm will occur soon; and

- Whether reasonable modifications of policies, practices, procedures, or the environment will sufficiently mitigate the risk.

Based upon the aforementioned assessment, the Dean of Students or designee will utilize available information to make an informed and objective determination of the student's ability to participate safely and without major disruption in the student's academic program and in the campus community. This decision may include, but not be limited to:

- Permitting the student to remain enrolled with no conditions;
- Permitting the student to remain enrolled subject to conditions (and including descriptions of conditions). If permitted to remain enrolled subject to conditions, non-compliance may result in the imposition of an Involuntary Leave; or
- Placing the student on an Involuntary Leave of Absence.

Prior to taking action, The Dean of Students or designee will notify the student (in writing) of:

- The specific behavior and/or information used in determining that the student poses a direct threat and/or disruption to learning activities or the University community;
- The nature of the preventive measure(s) the University intends to implement with respect to the student; and
- The student's right to present evidence on their own behalf to the Dean of Students to challenge the University's decision.

If a student is subject to conditions in order to remain enrolled, the student shall be informed in writing of the effective date and the length of time the conditions will be in effect. If the University's decision is to require an Involuntary Leave of Absence, the decision will also indicate the length of the leave and conditions (if applicable) under which the student may return from leave.

#### **Involuntary Leave Appeal Process**

A student subject to this policy may appeal the decision to impose an Involuntary Leave to the Vice President for Student Life (VPSL). The student must submit a written letter of appeal within three (3) business days of receipt of notification of the Involuntary Leave decision. The VPSL will review the appeal letter and any documentation provided by the student in support of the appeal, and review documentation utilized by the Dean of Students to inform their decision. The VPSL may uphold, reject, or modify the Involuntary Leave decision and will notify the student in writing of this determination, usually within 48 hours. Restrictions outlined in the original decision will remain in place until the appeal process is complete.

#### **Interim Suspension/Leave**

The Vice President for Student Life (VPSL) or designee, based upon information available at the time of the decision, and in consultation with professionals with relevant

expertise, may temporarily remove a student from campus, if the VPSL determines that the student's presence on campus poses an imminent threat of immediate and severe harm to self, to others, or to the stability and continuance of normal University functions. At the VPSL's discretion, this temporary removal may remain in place until a final appeal decision is rendered.

#### **Process for Readmission After Involuntary Leave**

A student wishing to return to campus after an Involuntary Leave must:

- Notify the Dean of Students in writing and provide documentation demonstrating that the student has met all conditions set forth by the University for return.
- Complete and submit to the Admissions Office a "Return to Active Status" form found on the University website at:

<http://www.pacific.edu/Admission/Undergraduate/Applying/Readmits.html#special>

A student wishing to return must pay special attention to the deadlines established by the Admissions Office for returning students, and required documentation should be submitted a minimum of 30 days in advance of the Admission deadline date for the desired semester of return.

The University may impose conditions on readmission to the University, including submission to an evaluation from an appropriate health care provider; participating in a readmission interview with a qualified health care professional; provision of proof that the student followed a treatment and/or counseling plan during the student's leave; and providing the University with authorization to access the student's health records and/or other documentation pertinent to the student's specific situation and absence. The University may also place conditions on the student's readmission (e.g. on-going counseling, which will continue after the student returns to campus).

If a student is denied readmission for any reason, the student may appeal the decision to the Vice President for Student Life. The appeal must be made in writing and submitted within 10 business days of the date of the written notice of readmission denial. The Vice President for Student Life will review all of the information relevant to the student's request for readmission, and will issue a final determination regarding the student's readmission.

#### **SMOKING**

"Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, weed, plant, or other combustible organic or chemical substance, the smoke or vapor from which is specifically designed or intended to be inhaled or drawn into the nose or mouth.

- Smoking is prohibited in all University facilities.
- Smoking is permitted only in designated areas on the Sacramento Campus.
- Smoking is prohibited within one-hundred (100) feet of the DeRosa University Center.
- With the exception of the DeRosa University Center, smoking is prohibited within twenty (20) feet of all other facility main entrances, exits, or operable windows to

any building that is open to the public where smoking is prohibited, except while passing on the way to another destination.

- Use of hookahs, electronic cigarettes, vapor pens, and other similar devices for smoking is prohibited on campus or at any University sponsored event.
- Pacific prohibits the possession of tobacco and tobacco-related products by individuals under the age of 21.

#### **COMPUTER USE**

The University's computing and communications resources shall be used securely, respectfully, and cooperatively in support of the University's mission. The University provides computing and communications access to faculty, students, staff, and others solely for the purposes of supporting teaching, learning, research, service, and administration within the context of the University's mission.

Please note: University of the Pacific and its faculty and staff do not monitor online communities. However, any behavior that violates this Code which is brought to the attention of a University official will be treated as any other violation and will be referred through channels outlined in this Code.

- The University is a non-profit, tax-exempt organization, and as such, is subject to a number of pieces of legislation regarding sources of income, political activities, use of property, etc. The University prohibits use of University information and information technology resources for partisan political activities, where such use is prohibited by law, and prohibits use for unauthorized commercial purposes.
  - Incidental personal use, within the guidelines of this policy, is considered appropriate. Such permissible incidental personal use does not include web hosting or other services for third parties.

Secure Use: Users of University computing and communications resources are responsible for taking appropriate steps to safeguard University and personal information, as well as University facilities and services.

Passwords and other authentication and authorization codes, cards, or tokens assigned to individuals should not be shared with others. Authorized users should not provide access to unauthorized users. Passwords should be chosen carefully to lessen the possibility of compromise. Users are responsible for all activity that takes place under their User ID(s).

Activity that may compromise the system's integrity or security of any on or off-campus system is prohibited. This includes any type of unauthorized access or hacking.

Unauthorized monitoring of individual user activity, information, and communications is prohibited. See the University's Computing and Communications Confidentiality Policy (<http://www.pacific.edu/Documents/oit/ITPolicies.pdf>).

Users must ensure the security of restricted, confidential, proprietary, licensed, copyrighted, or sensitive information entrusted to their care or that may come into their possession. Security includes, as appropriate, protection from unauthorized disclosure, modification, copying, destruction, or prolonged unavailability.

Respectful Use: University computing and communications resources must be used in a manner that respects the rights of others.

Users must abide by all local, state, and federal laws. This includes all applicable copyright laws and license agreements, especially software license agreements.

Users must abide by all University policies including the prohibition of sexual misconduct and discriminatory harassment. These policies prohibit verbal and visual conduct of a harassing nature; threatening, obscene, or other offensive messages; or graphics that would be deemed inappropriate in other contexts.

Users must not attempt to represent themselves as someone else, mask their identity, or engage in computing or communication activities using another person's User ID or other electronic credentials. Use of University resources for illegal conduct is prohibited.

Users accessing off-campus systems should additionally abide by the rules, regulations, and acceptable use policies of those external systems. Given that user action may reflect upon the University, courtesy, civility, and good etiquette is highly recommended.

**Cooperative Use:** Users of University computing and communications resources are expected to cooperate so that all users may make maximum use of facilities and services in a shared environment.

The University provides computing and network systems, services, and resources to facilitate business and academic activities of the University. Incidental personal use must not interfere with University business and academic activities. This includes personal activities that use bandwidth, occupy storage space, or slow down processing of systems, networks, or other resources needed for University business and academic activities.

Users must not engage in activities that would impede the activities of others including the internal or external distribution of junk email (a.k.a. Spam), chain mail, viruses, worms, remote controllers or other malicious code, or other unofficial and/or unsolicited distributions, especially to persons you do not know.

Users should refrain from using sounds or visuals that may be disruptive to others in shared facilities, such as instant messaging.

All users share the responsibility of seeing that University computing and communications resources are used securely, respectfully, cooperatively, and for their intended purposes. If policy questions arise or if suspected policy violations are encountered, users should take no unilateral action, but promptly notify and/or cooperate with the appropriate University officials.

## **COPYRIGHT INFRINGEMENT**

- All University of the Pacific students MUST comply with federal copyright law (U.S. Code Title 17).
- Copyright infringement is defined as unauthorized possession or sharing of copyrighted materials, including, but not limited to: music, movies, computer software and games, videos, or any other media which requires a license to possess. Sharing of copyrighted material without permission is a violation of the Digital Millennium Copyright Act (DMCA) and is a violation of University policy. Both the entertainment and software industries actively monitor the Internet for possible copyright infringements with legal action becoming more common. Statutory damages range from \$200 to \$25,000 per violation. Violators who, for commercial

advantage or private financial gain, can be criminally fined up to \$500,000 and/or spend up to 5 years in prison for the first offense. The law requires the University to respond expeditiously when notified that a PacificNet user is violating copyright law. Therefore, Pacific actively monitors student networks for peer-to-peer activity specific to copyright infractions.

- Examples of copyright infringement include, but are not limited to sharing files through: email; peer-to-peer (P2P) file-sharing programs/services; posting materials on an Internet web page or folders; instant message file transfers; and sharing of physical media (CD-ROMs, DVD, USB thumb drives, flash memory, and hard drives).
- Sanctions for violating this policy include, but are not limited to: loss of use of the PacificNet privileges, reconnection and/or other technical fees, and possible disciplinary sanctioning. Continued violations of this policy may result in more serious sanctions up to, and including, suspension or dismissal.

## **TECHNICAL RESOURCES**

### **General Student Technical Services**

- insidePacific – <http://insidepacific.pacific.edu>
- insidePacific is a fully integrated system for the students to access their personal information and stay in touch with the campus environment.
- All students at the University of the Pacific have their own PacificNet ID providing access to insidePacific. This access provides them with a means of communicating with professors, fellow classmates, checking their grades, account balances, online payments, and financial aid awards, as well as registering for classes.
- insidePacific is also a general announcement system for the University; a site where job possibilities, athletic events, and other campus activities are posted.

### **Email**

All students are provided with a Google e-mail box and access to the University network. This system provides the ability to create a personal address book, set up rules to automatically forward email, and keep their own personal calendar.

### **Customer Service Center (CSC)**

The Customer Service Center can help with:

- Configuring computers for PacificNet.
- General troubleshooting of hardware and software for Window, Mac & Linux computers.
- Virus, malware and spy-ware removal assistance.
- Provide password resets for voicemail and long distance authorization code.
- Help with phone features such as call waiting, three-way calling and call forwarding.

### **PacificNet - Network**

Internet and Telephone- All traditional residence hall rooms, apartments, and Greek facilities are equipped with direct wireless access to the Internet. Wireless access is

available campus wide. The McCaffrey Center Apartments (North 2 story) has wireless access only whereas the East 1 story has both wireless and wired.

#### Academic Computing

- Pacific provides access to up-to-date computing resources through open lab facilities and its campus network.
- A few academic departments on campus also provide restricted computer lab facilities for their students. These departments include: Art, Business, Engineering & Computer Science, Pharmacy, and Psychology.

#### Information Commons

- The Stockton Campus Library has workstations, study rooms, one button studio, media lab, loanable equipment such as laptops, GoPro Camera, Camcorders, and print/copy/scan stations.
- The Rite Aid Information Commons has workstations, study rooms, and print/copy/scan station.
- The Sacramento Campus & Law Library has workstations, study rooms, and print/copy/scan station.

#### PT Software Maintenance Service for Students

- To ensure student workstations/laptops provide stability and maximum availability, the Pacific Technology (PT) recommends that users take the time necessary to maintain their machines. Personal computers require periodic operating system patches, anti-virus software, and other maintenance measures. To insure that everyone can safely use PacificNet, computers that are not properly maintained or kept up to date may be automatically removed from the network until proper maintenance or updates are performed.

Please visit the [Pacific Technology](#) (PT) page for the latest information, tools, and technical details. However, if you believe you cannot maintain your own computer or otherwise prefer not to, you may obtain service from the Customer Support Center (CSC) on the Stockton campus. Located in the Raymond James Common room on the Stockton Campus, the technical professionals in the CSC are available to help whenever needed. You may visit the CSC during our normal hours of operation, Monday – Friday 8am to 5pm, doors are closed from 12pm – 1pm for lunch, via e-mail ([helpdesk@pacific.edu](mailto:helpdesk@pacific.edu)) or you may also call 209.946.7400.

## GRIEVANCES

### Academic Grievance

#### Informal Grievance Process for Academic Matters

Prior to submitting a formal grievance, the student shall:

1. Consult the instructor whose action is being appealed. This consultation generally must take place within 14 calendar days of the start of classes after the grading period in question. The instructor is expected to meet with the student and respond to the student's grievance in writing within 10 calendar days.
2. If the student and the instructor are unable to reach agreement, or if the instructor is unwilling or unable to meet with the student, the student shall meet with the

chair of the instructor's department. If the instructor involved is the Department Chair or if there is no Department Chair, the student shall meet with the appropriate Assistant or Associate Dean of the school involved. The Department Chair/Assistant or Associate Dean will meet with the student and with the instructor and recommend a solution to both the instructor and the student in writing within 10 calendar days.

#### Formal Grievance Process for Academic Matters

1. If the student and instructor are still unable to reach agreement, the student may file a grievance with the Student Conduct and Community Standards Office (Student Conduct) generally within 42 calendar days (6 weeks) of the start of classes after the grading period in question.
2. Student Conduct shall immediately notify a Student and Faculty Advocate. The Student and Faculty Advocates will meet with the aggrieved student within 14 calendar days (2 weeks) and advise the student in the preparation of evidence necessary to support the student's complaint(s).
3. Once a grievance has been forwarded, the Student Academic Grievance Board shall be convened to conduct a hearing within 21 calendar days (3 weeks). Student Conduct shall postpone the Student Academic Grievance Board Hearing in the event that the student is currently a party to an academic dishonesty case. The Board shall review all evidence, including the course syllabus, grading policy, exams, homework assignments, papers and other appropriate documents. Hearings are closed to all but the parties to the complaint, any witnesses, and the Student and Faculty Advocates. The student may be advised by the Student and Faculty Advocates during the hearing, but the Advocates may not testify. The Board will deliberate in executive session.
4. The decision of the Board is final, and the Board has the authority to change a grade or determine a remedy if it deems such action necessary. The decision will be provided in writing to the student, the instructor, the Student and Faculty Advocates, the Dean of the school or college involved, and when a grade is changed, the University Registrar who shall amend the student's transcript. All written copies of the complaint, evidence, decision, and the content of the hearings will be treated as confidential and will not be released other than as mentioned above.

All timelines for this process are suggested and may be extended for just cause. A student seeking clarification or guidance regarding filing an academic grievance should contact the Student Conduct and Community Standards Office for assistance 209.946.2177 or [studentconduct@pacific.edu](mailto:studentconduct@pacific.edu).

#### General Grievance

Grievances not otherwise provided for should be addressed to the Director of Student Conduct and Community Standards or Provost with responsibility for the area in which a decision is being challenged. The Director of Student Conduct and Community Standards will advise students regarding the appropriate office. Complaints or questions must be submitted in writing to the Director of Student Conduct and Community Standards or

Provost. A response will be made in a timely manner, normally not to exceed 10 school days. Individuals with disabilities should refer to the Policy Manual for Students with Disabilities.

### STUDENT COMPLAINT PROCEDURE NOTICE

The United States Department of Education requires institutions of higher education to publish and comply with policies regarding student complaints that address the school's program of education.

Accordingly, as a Western Association of Schools and Colleges (WASC) accredited institution, University of the Pacific is subject to the WASC Standards found on the WASC website at: <https://wascsenior.box.com/shared/static/nrraop98ob2zec99yvm1.pdf>

*Any student at Pacific who wishes to bring a formal complaint to the administration regarding a significant problem that directly implicates the school's **program of education and its compliance with the WASC Standards** should do the following:*

1. Submit the complaint in writing to the Vice President for Student Life. The complaint may be sent via email, U.S. Mail, facsimile, or in person to the Office of the Vice President for Student Life (Hand Hall).
2. The complaint should describe in detail the behavior, program, process, or other matter that is at issue, and should explain how the matter directly implicates the student's program of education and the University's compliance with a specific, identified WASC Standard(s).
3. The complaint must contain the complaining student's name, student ID#, official Pacific email address, and current mailing address. This information will be kept confidential, but there must be an identifying name for a response to take place.

When an administrator receives a student complaint that complies with the foregoing requirements, the following procedures shall be followed:

1. The Vice President for Student Life will acknowledge the complaint within 3 business days of receipt. Acknowledgement may be made by email, U.S. Mail, or by personal delivery, at the option of the Vice President.
2. Within 10 business days of acknowledgement of the complaint, the Vice President for Student Life, or the Vice President's designee, shall respond to the substance of the complaint, either in writing or in person, and shall indicate what steps are being taken by the University to address the complaint. If further investigation is needed, the complaining student shall, upon conclusion of the investigation, be provided with substantive response to the complaint within 10 business days after completion of the investigation.
3. Any appeal regarding a decision on a complaint shall be brought before the President of the University. The decision of the President will be final. Any appeal must be brought within 10 business days from the date of the response by the Vice President for Student Life.
4. A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the Office of the Vice President for Student Life for a period of 8 years from the date of final resolution of the complaint.

If you believe that your complaint warrants further attention after exhausting all the steps outlined in the response given to you by the Vice President for Student Life, you may contact the Western Association of Schools and Colleges (WASC) at <http://www.wascsenior.org/comments>. If your complaint is about the institution's compliance with academic program quality and accrediting standards. WASC is the academic accrediting body for University of the Pacific.

If you believe that your complaint continues to warrant further consideration after exhausting the review of either WASC or the investigative team representing University of the Pacific, you may submit a complaint to the Attorney General of the State of California by filing a complaint form with the Public Inquiry Unit of the California State Department of Justice at:

Public Inquiry Unit: 916-322-3360; Toll-free (in CA): 800-952-5225; Fax: 916-323-5341; or online forms: [http://ag.ca.gov/contact/complaint\\_form.php?cmplt=PL](http://ag.ca.gov/contact/complaint_form.php?cmplt=PL)

The Attorney General's Office will review the process through which the campus attempted to resolve your complaint. If the process complies with the written outline, the Attorney General's Office will, for the purposes of state oversight, consider the matter closed. If the Attorney General determines that the process through which the campus attempted to resolve your complaint did not comply with its published process, the Attorney General may request reconsideration by University of the Pacific. The Attorney General's Office also has oversight of University of the Pacific as authorized through the "Supervision of Trustees and Fundraisers for Charitable Purposes Act" [Cal. Gov't Code § 12598], which provides public means to submit complaints regarding non-profit colleges and universities that abuse their status under the Internal Revenue Code of 1986 23 U.S.C. §501(c)(3). The California Attorney General is given broad powers to undertake law enforcement investigations and actions to protect the public interest under Cal. Gov't Code § 12598.

Most complaints made to media outlets or public figures, including members of the California legislature, Congress, the Governor, or individual Regents of University of the Pacific are referred to the Office of the President.

Nothing in this disclosure limits any right that the student may have to seek civil or criminal action to resolve the complaint.

University of the Pacific has provided this disclosure to you in compliance with the requirements of the Higher Education Act of 1965, as amended, as regulated in CFR 34, Sections 600.9 (b) (3) and 668.43(b). If anything in this disclosure is out of date, please notify the Vice President for Student Life, 3601 Pacific Avenue, Stockton, CA 95211, 209.946.2365.

### TITLE IX

Title IX is a federal law that prohibits discrimination based on sex, gender, gender identity and sexual orientation. This also includes various kinds of sexual violence, such as sexual assault, sexual harassment, stalking and intimate partner violence. University of the Pacific complies with federal law and works to maintain a safe and equitable

community through its *Policy Prohibiting Sexual Violence, Discrimination and Retaliation*. The policy, along with important support resources and information, is located at the following website: <http://go.pacific.edu/titleix>

## STOCKTON SPECIFIC POLICIES

### STUDENT ORGANIZATION POLICIES

Students have the freedom to organize and join associations to promote their common interests. The University provides resources and professional advice to student organizations regarding programs, activities, policies, and procedures. Pacific assists in the development of new organizations and the re-registration of existing ones to meet the co-curricular needs of Pacific students. The Student Leadership and Involvement Office is responsible for advising and assisting student organizations. The Director or designee acts in all matters of student organization registration or the withdrawal of registered student organization status in accordance with University policy.

#### Registration Requirements

- Membership shall be open to students of University of the Pacific regardless of race, national origin, creed, or political affiliation, sex, sexual orientation, religion, or disability, unless the organization meets federal exemption requirements. Student organizations seeking to extend membership to non-Pacific students (including alumni), must consult in advance with the Student Leadership and Involvement Office.
- All active members must be in good academic standing.
- Organization officers must be in good academic standing with the University. Undergraduate students must be enrolled for 12 or more units (6 for graduate students) to hold an elected or appointed office in a student organization. Students must maintain a 2.50 cumulative GPA to hold an elected or appointed office in a student organization. Individual student organizations may stipulate higher unit or GPA requirements to hold office.
- The organization must file a copy of the current constitution and/or bylaws, by which it is governed with the Student Leadership and Involvement Office. An organization affiliated with a national, state, or local group shall also file a current copy of the constitution and bylaws of its related group with the Director or designee.
- The organization must identify an advisor from the faculty or staff of the University. This employee must be considered full time by the university. Any exceptions must be approved by the Director or designee.
- Organizations must have at least five (5) student members, including a President and a Treasurer.

- Organizations receiving funds from ASuop or the University must adhere to the financial procedures of these respective funding sources.
- Student organization meetings and events must be open to all students in common use facilities.
- All student organizations must attend an orientation meeting/training at the beginning of the fall semester (or spring for new organizations).
- All fraternal organizations must be affiliated and actively involved with the appropriate governing council.
- Student organizations must not affiliate with local, state, or national organizations which require affiliates to support specific economic, political, or social positions that conflict with University policies.
- All student organizations must register their events/meetings in accordance with the Event Registration Process (see 5, Event & Meeting Registration).

#### Rights and Privileges

Registered student organizations will have the following rights and privileges:

- Scheduling the use of University facilities for meetings and events.
- Use of professional services of the Student Leadership and Involvement Office in developing programs and planning events.
- Use of the name of the University in organization correspondence and publicity.
- The right to request financial subsidy and other services from ASuop or constituent school governing bodies.
- The right to use the University as its mailing address.
- The privilege of using publicity media on the campus bulletin boards, DeRosa University Center screens, master and weekly calendars, plus assistance in planning and executing publicity campaigns.

#### Responsibilities of a Registered Organization

A registered student organization must:

- Manage itself within the framework of University policies, and within the provisions of the student organization's constitution and bylaws; and ASuop policies for organizations receiving funding.
- Conduct its fiscal operations in accordance with proper standards of business management.
- Work with its selected advisor, the Student Leadership and Involvement Office, and ASuop to enhance the purposes and plans of the organization for the benefit of its members and the University.
- All student organizations must have University accounts paid in full before they may host or schedule an activity or event on the campus. Additionally,

all rights and privileges will be temporarily suspended until accounts are cleared.

### Financial Concerns

It is important that treasurers and student organization leaders keep orderly records, act within the realm of their authority, and collect and dispense organization monies with a high degree of trust and openness. Leaders and advisors should discuss how money is handled. If dues are collected, members should be well informed regarding their purposes and disbursement. Funds should be carefully budgeted and used to carry out the interests and activities of the organization. There are two approved methods of handling student organization funds:

- University Account: These are established with the Finance Center Accounting Office. Monthly reports are provided. Deposits and disbursements are handled like other University accounts. Monies left over each year are forwarded to the next year. There are no fees or interest.
- ASuop Funds: For groups receiving funds from ASuop Funding or constituent schools, ASuop has separate procedures. Allocations are made under the guidelines of the Finance Code in the ASuop Bylaws. Consult ASuop during budgeting cycle or at the time funds are awarded.
- All other methods are prohibited, unless otherwise approved by the Director or their designee.

### Annual Registration

Each Fall semester, organizations must submit an "Organization Registration" form to the Director or designee of Student Leadership and Involvement Office and attend a student organization orientation meeting. In order for an organization's registration to remain current, updated contact information for the organization's President and Treasurer must be submitted in addition to a current constitution and/or bylaws.

### SOCIAL GREEK ORGANIZATIONS

Social Greek organizations must follow all University policies. In addition, the following policies must be adhered to:

#### Recognition

- In order to be a recognized Social Greek organization, a written invitation from the Vice President for Student Life is required. Information regarding the colonization of new Social Greek organizations is available at the Student Leadership and Involvement Office.
- All Social Greek Organizations must register annually with the Student Leadership and Involvement Office. Chapters failing to register by the

stated deadline will not be recognized by the University and will be unable to register or host events.

- All recognized Social Greek organizations must be a member of the Panhellenic Association (PHA), Interfraternity Council (IFC), or the Multicultural Greek Council (MGC).
- A minimum of four (4) representatives including the chapter President, Treasurer, New Member (Pledge) Educator, and Social Chair, must annually attend a mandatory orientation with the Student Leadership and Involvement Office each semester.
- A Social Greek organization may lose its recognition as a registered student organization by the University or inter/national office through continued violations of university and/or fraternity policies. The request to cease and desist may originate from the university, the inter/national office, or both.
- Social Greek organizations that have lost University and/or inter/national recognition may not engage in any University event or activity. This includes, but is not limited to: use of the University name, funds, and resources; and use of the organization's symbols, name, nickname, ritual, mascot, or organization letters.

#### Events

- All events sponsored by Social Greek organizations must be registered and approved by the Student Leadership and Involvement Office. This includes, but is not limited to: social events, recruitment, family days, and philanthropic events.
- Social Greek organizations present at events where any University policy is violated may be held responsible for the same violation as the sponsoring organization.
- Social Greek organizations are not permitted to co-host or co-sponsor any type of event with an unrecognized organization.

#### Deferred Recruitment

Membership in a Social Greek organization is by invitation, after the successful completion of 12 or more units of college course work and a cumulative grade point average of 2.50. In order to join a Social Greek organization, a student must be registered for a full-time course load of study. A roster of all new (potential members) members must be submitted for grade checks prior to the issuance of invitations to membership.



## New Member Education

All new members (potential members) must participate in the mandatory New Member Education Program sponsored by Student Leadership and Involvement Office prior to being initiated into their chapter of affiliation and in addition to any pre-initiation educational program offered by the chapter. Program date(s) will be determined by the Student Leadership and Involvement Office each semester.

## Chapter Residency

Students with sophomore standing and above are eligible to reside as active members in social fraternity and sorority chapter houses beginning the following semester or term after joining. They must appear on the organization roster as recorded in the Student Leadership and Involvement Office the Spring or Fall semester prior to living in the chapter house. Students may not terminate their University Housing Agreement by requesting to move from a University operated housing facility to a private Greek chapter house.

## Violations of Policy

Social Greek organizations involved in alleged violations of University or Social Greek organization policies will be subject to adjudication as outlined in the Greek Organization Conduct Procedures. In addition to university policies, Social Greek organizations must adhere to local chapter governing provisions, inter/national bylaws and procedures, and the following statements pertaining to alcohol and drugs:

- The possession, sale, use, or consumption of alcoholic beverages, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or in any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city, and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
- No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the chapter. The purchase or use of bulk quantity or common source(s) of alcoholic beverage (e.g. kegs or cases) is prohibited.
- Open parties, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited.
- No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).

- The possession, sale, or use of any illegal drugs or controlled substances while on chapter premises or during a fraternity event, or any event that an observer would associate with the fraternity, is strictly prohibited.
- No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold, or otherwise provided to those present. This includes any event held in, at, or on the property of a tavern as defined above for the purpose of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.
- No chapter may co-sponsor, co-finance, attend, or participate in a function at which alcohol is purchased by any of the host chapters, groups, or organizations.
- All recruitment activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor, as defined in this policy.
- No member or pledge, associate/new member or novice shall permit, tolerate, encourage, or participate in 'drinking games.' The definition of drinking games includes, but is not limited to, the consumption of shots of alcohol, liquor, or alcoholic beverages, the practice of consuming shots equating one's age, 'beer pong,' 'century club,' 'dares,' or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.
- No alcohol shall be present at any pledge/associate member/new member/novice program, activity, or ritual of the chapter. This includes, but is not limited to, activities associated with 'bid night,' 'big brother-little brother' events or activities, 'big sister-little sister' events or activities, 'family' events or activities, and initiation.

## PROFESSIONAL GREEK ORGANIZATIONS

A Professional Greek Organization is any organization utilizing Greek letters, affiliated with a national organization, and not falling under the umbrella of a Social Greek letter organization. This includes groups affiliated with the School of Pharmacy and Health Sciences.

- In order to be recognized by the University, all Professional Greek organizations must annually register with the Student Leadership and Involvement Office.
- Professional Greek Organizations must have at minimum one (1) member in attendance at each Greek Council meeting. (Please consult the Student Leadership and Involvement for council identification and meeting times.)
- Professional Greek Organizations must register and obtain approval for their recruiting and pledging activities through the Student Leadership and Involvement Office a minimum of 2 weeks prior to the first recruitment event taking place.
- A roster of all potential pledge members must be submitted for grade checks prior to the issuance of invitations to membership. This will ensure that all students invited into membership are in good standing with the University and possess the required minimum 2.50 Cumulative College GPA or 3.0 Cumulative High School GPA (when College GPA is not applicable) and have no outstanding student conduct matters.
- Students must be enrolled for 12 or more units (6 for graduate students) to hold an elected or appointed office and must maintain a 2.50 cumulative GPA to hold an elected or appointed office in a Professional Greek Organization. Individual organizations may stipulate a higher unit or GPA requirements to hold office.
- A minimum of four (4) representatives including chapter President, Treasurer, Pledge Educator, and Social Chair must annually attend a mandatory orientation with the Student Leadership and Involvement Office each semester.

## STOCKTON RESIDENTIAL LIFE & HOUSING POLICIES

Residential Life & Housing policies apply to students that have completed a Student Housing Agreement to reside in University-owned residence halls, fraternities/sororities, and apartments at the University of the Pacific. These policies exist to assist in providing a safe and clean living and learning environment for students residing on campus, as well as to ensure University property is well-maintained and protected. Residents of these spaces are also responsible for upholding the Code of Conduct and all University policies outlined in Tiger Lore. The process outlined in Tiger Lore for addressing Code of Conduct and policy violations will be utilized for all allegations of misconduct by residents. Residents found to be responsible for violations of the Code of Conduct and/or Tiger Lore policies, including Residential Life & Housing policies may be receive sanctions impacting their status as a student at Pacific and/or

their status as a resident residing in University-owned residence halls, fraternities/sororities, and apartments.

### APPLIANCES

Appliances with open heating elements such as hot plates, sun lamps, lava lamps, candle warmers, and space heaters are fire safety hazards and are prohibited. Toasters and coffee pots with an exposed heating plate are only permitted in kitchen areas within apartment spaces. Non-University air conditioners are not permitted in any residential communities.

Small refrigerators (no larger than 3.2 cubic feet), small microwaves (no larger than 1.0 cubic foot and 900 watts), and rice cookers with enclosed heating elements and automatic shut-off are permitted in rooms.

Industrial strength extension cords are permitted, as long as they are plugged into surge protectors. Due to fire safety concerns, cords need to be directly connected to a surge protector or outlet; “daisy chaining” or connecting cords and/or devices together is prohibited.

#### *Electrical Loads*

As electrical capacities of buildings vary, residents may be required to stop using their microwave, electric water coolers, or other appliances to reduce the possibility of disrupting electrical service. Reliable available power from a typical 20 amp circuit is about 16 amps, which is the approximate amount supporting residential spaces on campus. Under normal circumstances, the on/off operating nature of certain appliances allows the circuit to remain on with several items connected. Circuits will trip off if they become overloaded. This can happen when high-powered appliances such as hair dryers and/or too many appliances are operating at the same time. When a circuit breaker trips off, this will result in a loss of power.

Below is the list of maximum electrical items that can function in a residence hall room with 2 people, assuming nothing else is running and everything is not on at the same time. Estimated loads of electrical appliances (actual loads will vary depending on model):

(2) Laptop	1.2 amps
(2) PC & Monitor	5.0 amps
(2) Printer (inkjet)	1.3 amps
(1) Flat Panel TV (30 inch)	1.2 amps
(1) Stereo	1.5 amps
(1) DVD player	1.5 amps
(2) Desk lamps (75 watts equivalent LED)	.24 amps
(2) Small Refrigerator (3.2 cf)	8.0 amps

To help prevent overloading the circuit, turning off certain appliances when not needed will reduce the load on the circuit. This is also the sustainable approach to reducing the carbon footprint of the campus. Residents will be requested to remove appliances that require significant amps.

### CANDLES AND INCENSE

Candles, incense, and other incendiary products, even as decoration, are prohibited. Residents with religious observance needs not met by this policy should contact their Residence Director or the Residential Life & Housing office.

### CLEANING RESPONSIBILITIES

Residents are responsible for regularly cleaning their room/apartment, including regularly removing trash and other waste materials, and for maintaining reasonable sanitation and safety standards. Residents may not leave trash outside their room/apartment door, in common areas, or bathrooms. Personal trash should be taken to outside dumpsters and recycling bins and should not be deposited in bathroom or common area trashcans. Before leaving for break periods, residents must remove trash from inside their room/apartment. There is a \$25 minimum disposal charge per incident for improperly disposed trash.

### COOKING AND KITCHENS

Due to fire safety and health concerns, residents are not permitted to cook in their residence hall room, fraternity or sorority room, or apartment bedroom. Cooking is permitted in the kitchens available in each apartment. For residents residing in Casa Jackson, a common area kitchen may be accessed and used for cooking. Residents are expected to clean up the kitchen after each use.

For those residents without access to an apartment kitchen or common area kitchen, they can become a member of the Kitchen Co-op located in the Towerview Apartment community. The Kitchen Co-op is a fully equipped kitchen on-campus that is accessible, through a semester membership fee, to students, staff, faculty, and clubs.

### DAMAGES / MAINTENANCE OF PREMISES

Residents must give reasonable care to their room/apartment and its furnishings as they are responsible for the condition of their space throughout their occupancy. If there are damages to the room/apartment, the resident(s) will be charged for those damages (including missing/damaged furniture). Residents may not attempt to repair any damages to their Housing Accommodations; any repairs done by residents may be considered damages

and will be charged accordingly. For additional terms regarding maintenance of premises, please consult the Student Housing Agreement.

Residents will be held responsible for loss of property or damage to individual units and furnishings. As a member of the residential community, residents will share responsibility for community damage to common areas. If the person(s) responsible for the damage is identified, the resident(s) will be charged for the cost of repair / replacement. If the responsible person is not identified, the entire community will share the cost of repair/replacement. Residents will be charged a minimum of \$5.00 per semester if common area damages occur. Physical Plant will determine the cost of the damages and Residential Life & Housing office staff will determine distribution of the cost of repair/replacement. Residents will be notified in writing and the cost of the repair/ replacement will be billed to their Student Account. All damage charges must be paid in order for the resident to be re-admitted to the University or to receive grades or transcript. In addition to costs, student conduct action may result.

### DECORATING AND PERSONALIZING ROOMS / APARTMENTS

Residents are expected to leave the room or apartment in the same condition as when they moved in. Residents will be charged for damages or unauthorized alterations to their living space.

Residents are not permitted to:

- Suspend beds and/or furniture from walls or ceilings
- Affix materials to the walls, windows, doors, or ceiling in a manner that might damage the surface (e.g. nails, duct tape) other than attachments provided by Pacific
- Place wallpaper or 'contact' paper on the walls or windows
- Place contact paper in cabinets or on shelves
- Paint living unit (walls, doors, floor, etc.), including writing on walls with detergent
- Install black lights in University light fixtures
- Place carpets/rugs in apartments that may cause damage to doors
- Have or display candles, alcohol bottles, or alcohol signage as room decorations
- Use cinder blocks as decoration or as part of furniture
- Have stolen merchandise including, without limitation, items such as milk crates, street signs, etc.

### FIRE SAFETY

Items that create a safety or fire hazard are not permitted, including but not limited to candles, incense, halogen lamps, space heaters, dead plants or trees,

non-LED rope/string lights or rope/string lights with large bulbs, or extension cords without a UL approved circuit breaker.

Tampering with fire and/or safety equipment is not permitted (see Tiger Lore: Student Code of Conduct and Tiger Lore: Stockton Campus Policies - Fire Safety Equipment, Deliberate & Malicious Tampering). This includes but is not limited to fire alarms, smoke detectors, fire extinguishers, exit signs, and fire doors. Covering or disconnecting a smoke detector in a room or apartment is prohibited. As it may also compromise fire safety or lead to potential damages, hanging from or hanging items on sprinkler heads or pipes is not permitted.

Residents are required to evacuate a facility any time the fire alarm in that facility is activated.

## FURNITURE

All University furniture must be kept within the resident's room or apartment. No furniture may be stored on apartment patio, balcony areas, or walkways/hallways. There is no storage for room or apartment furnishings. Window screens, curtains, curtain rods, or other items affixed to any part of the room or apartment may not be removed or added to the facility. All University furniture should be returned to its original layout upon resident's check-in to the assigned room or apartment. Community furniture may not be removed from community spaces or lounges for use in resident rooms or apartments.

Personal furniture must not block any entrances or exits to any room or apartment. Any personal furniture, trash, or other belongings may be subject to removal at a cost to the resident. Water-filled furniture, outdoor clotheslines, and metal-tipped dartboards are prohibited.

Freestanding loft beds are permitted, as long as they conform to all safety specifications. Prior to installation or building, please contact the Residential Life & Housing office for current loft specifications.

Resident(s) will be charged for missing or damaged furniture within the resident's room or apartment, or in the lounge and common area spaces as outlined in the Damages/Maintenance of Premises policy.

## GUESTS

A "guest" is a non-resident, whose purpose is to visit for a short time with a resident. Residents are permitted to have guests in their rooms / apartments subject to the following conditions as outlined in the Student Housing Agreement.

- Overnight guests must have the approval of all residents of the room / apartment.
- Overnight guests may stay in a residential community for no more than three (3) consecutive days and no more than four (4) times each

semester/term. Under rare and extenuating circumstances, an exception may be granted in writing by the Executive Director of Residential Life & Housing or designee.

- Prior to arrival, a resident must register an overnight non-resident guest with the Residential Life & Housing office. Registration of non-resident guests can be completed through the web-form available on insidePacific.edu.
- No more than two (2) overnight guests may stay concurrently in each room or apartment at any given time.
- Residents are responsible for the conduct of all guest(s).
- Guests will adhere to the policies listed in Tiger Lore: Student Code of Conduct and all University Policies Code, and promptly comply with the directions of all University officials, including student staff members. Any guest found in violation of any policy may be removed from the residential community and denied further visiting privileges.
- Any resident who hosts a guest in violation of the Student Housing Agreement or other policies outlined in Tiger Lore is subject to student conduct sanctions, may be evicted, and may be liable for any charges.
- Pacific reserves the right to withdraw the guest privileges of any resident.

## KEYS / IDENTIFICATION

Residents are provided access to Housing Accommodations through a key and/or a PacificCard ID. In some circumstances, residents may also be provided a temporary access card. Residents are responsible for the key(s) and / or card(s) and must pay a replacement fee if either is lost or stolen. Lost keys must be immediately reported to the Residential Life and Housing Office; stolen keys/access cards must be reported immediately to Pacific OneCard Office, the Department of Public Safety, and the Residential Life and Housing Office. The installation of non-University locks is not permitted.

Keys/PacificCard or access cards may not be transferred, duplicated, or given/loaned to other persons. Use of another resident's key or card to gain entry to a building or room is prohibited. To help ensure the safety and security of residential communities, residents should not hold open doors or gates for persons not possessing the appropriate access.

Upon request of a Residential Life and Housing Office staff member or other University official, residents and guests must show University ID (or government issued ID), key and access card.

## LOUNGE AND COMMON AREA SPACES

Lounge and common area spaces located in residence halls, fraternity/sorority communities, and apartment communities are for the exclusive use of residents residing in the lounge/common area's respective building. Use of these areas for group activities is permitted if the group consists of invited guests of a resident of the community or with permission from the Residential Life & Housing office. The space may not be reserved and activities may not infringe on another resident's ability to use the space. Consequently, unless as part of a University or residential community-sponsored event, sleeping in a lounge or common area space is prohibited.

Individual residents and residents hosting guests will be responsible for returning all furniture to its original condition and for any cleaning or trash removal. Communities may be fined for damages occurring in lounges or common area spaces, as defined in the Damages/ Maintenance of Premises policy.

## MAILBOXES

Residents are assigned a mailbox in their respective residential communities and are responsible for checking their mailboxes regularly. Mail that is not deliverable will be returned to the Mailroom at the end of the semester or when the resident checks-out of University housing.

As mailboxes may be shared with a roommate, residents must be respectful of all mail in their mailboxes even if it does not belong to them. Tampering with mail from the mailbox that belongs to another resident is not permitted, this includes throwing away mail that does not belong to them or making it difficult for the intended recipient to retrieve their mail.

Mailbox keys are available in the Mailroom after the start of the academic term and must be returned at the time the resident checks-out of their assignment. The charge for replacement of the mailbox key is \$35 and will be charged to the student account.

## NOISE

As an academic institution, the University must provide an atmosphere in which study and learning may take place. Excessive noise, which interferes with that process, will not be permitted. Thus, residents are expected to abide by a 24-hour courtesy policy. Each member of the campus community is expected to reduce their noise level when asked.

In addition, there are specified Quiet Hours: Sunday through Thursday from 11:00 p.m. to 8:00 a.m. and Fridays and Saturdays from 1:00 a.m. to 8:00 a.m. At these times, noise must be at a level conducive to studying and sleeping. A special Quiet Hour policy goes into effect each semester during General

University and Pharmacy finals weeks. During this period, Quiet Hours are twenty-three (23) hours a day with a one-hour designated break from 9:00 p.m. to 10:00 p.m. each night (break time may vary for pharmacy students).

The University views the use of sound equipment (e.g. stereos, iPods, radios, televisions, amplifiers, subwoofers, surround sound, etc.) as a privilege, not a right. All individuals must take responsibility to ensure that the use of this equipment does not interfere with the normal activities of others (sleep, study, and conversation) or the normal functioning of the University (classes, conferences, and residential programs). Regardless of whether or not a complaint is registered, University officials reserve the right to determine when noise levels are excessive.

No one is permitted to practice/play musical instruments in the residential communities unless they can mute the sound produced by their instrument. Practice rooms are available on-campus for this purpose. In common area spaces with a piano, the piano may be played so long as playing is restricted to community-defined piano hours.

## PETS / ANIMALS

Residents may not possess or keep any animal or pet in on-campus housing except for tropical, nonpoisonous fish in a fish tank no larger than 5 gallons. In the event a resident possesses or keeps an animal or pet in on-campus housing in violation of the Student Housing Agreement, the resident agrees to immediately remove the animal or pet, pay a charge equal to the actual cost of cleaning their Housing Accommodation and a \$300 administrative fee per incident as liquidated damages. If a resident fails to remove the animal or pet immediately, Pacific will terminate the resident's Student Housing Agreement and the resident will forfeit housing fees for the remainder of the semester. Further, Pacific will deny the resident the opportunity to live in campus housing in the future.

Residents needing accommodations for a service or support animal must contact the Office of Services for Students with Disabilities. The office reviews all accommodation requests, in consultation with the Residential Life & Housing office, to determine what specific accommodations should be made. If an animal is approved to live in a residential facility, the resident must complete the additional Approved Animal Agreement with the Residential Life & Housing office before any animal is allowed within a building. Failure to have approval for any service or support animal, or bringing an animal to a building before finalizing the Approved Animal Agreement, will result in the resident charged with a violation of the University's policy on animals in residential facilities.

## POSTING IN RESIDENTIAL COMMUNITIES

All postings must be approved prior to posting in any residence hall, fraternity/sorority community, or apartment community. No one is permitted to place official materials on, at or under resident room doors without permission of the Residential Life & Housing office. Posting on windows, ceilings, floors, exterior doors, elevator doors, bulletin boards designed for specific use (e.g. Residential Life & Housing, RHA, or NRHH), or any non-bulletin board surface within the residential lounge or common area is prohibited, and will be promptly removed. Expired materials and/or materials that are not approved for posting will be taken down by Residential Life & Housing staff members. For University-wide posting policies, please refer to Tiger Lore policy on *Posting*.

## ROOMMATE AGREEMENT

Residents are encouraged to complete a roommate agreement with their immediate roommate and with other occupants residing in their assigned apartment. Residential Life staff will be available to help facilitate the roommate agreement; a copy of the completed Roommate Agreement will be kept with the Residence Director for the resident's respective community.

Residents should demonstrate a willingness to establish and maintain a reasonable level of respect with their roommate and other occupants residing in their assigned apartment. This includes addressing conflicts or violations of the roommate agreement with roommate(s) and/or working with Residential Life Student Staff to address any conflicts that may arise.

## ROOM ASSIGNMENTS

Pacific reserves the right to assign student rooms and apartments to make the most effective use of available space, to reassign residents at any time during the semester/term, to consolidate residents, and to use unoccupied space in any residence hall, apartment, or fraternity/sorority. The Student Housing Agreement is for a residential space and not a specific room.

Students may request room assignments with specific individuals when applying for housing. Students will be requested to complete a roommate(s) preference survey indicating their requests for specific individuals or interest. Students may not change assigned rooms without the express written permission of the Residential Life & Housing office. Generally, only residents with 56 or more units can reside in University-owned apartments, while students with less than 56 units must reside in the residence halls or an on-campus fraternity/sorority. All other requests and exceptions must be approved by the Residential Life & Housing office in writing.

Residents assigned to a double or triple room are only assigned to a single-bed-space within that residential space. As room changes and new room

assignments occur throughout the semester/term, shared rooms and apartments must be ready for a new resident to occupy the space at any time. Additionally, residents with an open space in their room/apartment are responsible for establishing a welcoming space for potential new roommates. This includes not assuming, occupying, or using other open space or furnishings in the room/apartment.

## SOLICITING

Door-to-door solicitation, including the distribution of printed materials, or publicizing an activity, organization, or issue, is not permitted in residential communities without approval from the Executive Director for Residential Life & Housing or designee.

## TECHNOLOGY

The use of wireless routers, other routers, and hubs connected to PacificNet are not permitted in rooms or apartments (see Tiger Lore: Student Code of Conduct and Tiger Lore: Stockton Campus Policies – Computer Use). Additionally, exterior antennas and satellite dishes are not permitted.

## UNAUTHORIZED ENTRY

Residents are not permitted to enter other rooms, residence halls, or apartments unless escorted by a resident assigned to that space/community.

## VACATION PERIODS

All residential facilities (residence halls, apartments, and fraternities/sororities) are open during Thanksgiving and Spring Break. The residence halls and fraternities/sororities are closed during Winter Break, while the apartment communities remain open. Residents will be unable to remain in or enter the residence halls and fraternities/sororities during the Winter Break. Residents are urged to take all valuables with them during vacation periods. The Residential Life & Housing office is not responsible for items left behind; or items that are stolen, lost or damaged.

The following are required prior to departing for Winter Break: unplug all electrical devices, remove all valuable items, lock all windows and doors, pull blinds up and open, remove all trash, and empty/defrost the refrigerator.

## WINDOWS/SCREENS

The removal or tampering with window screens, curtain rods, or other items affixed to any part of the housing facility is not permitted. Broken windows and bent or damaged screens will be assessed as damages as outlined in the Residential Life and Housing Damage/Maintenance of Premises policy.

For safety and security reasons, neither people nor objects are permitted to pass through windows. Dropping, throwing, suspending, or projecting any item from a window is prohibited. Posting or placing items on windows is prohibited.

For the most up-to-date version of the Student Code of Conduct always check [www.go.pacific.edu/TigerLore](http://www.go.pacific.edu/TigerLore)

For questions related to this documents, please contat the Student Conduct and Community Standards Office [studentconduct@pacific.edu](mailto:studentconduct@pacific.edu) or 209.946.2177