



SOUTHEASTERN LEGAL FOUNDATION
Rebuilding the American Republic®

March 12, 2021

VIA EMAIL

Mr. Gerald E. Stebbins
Vice President for Student Life
Bethany College
gstebbins@bethanywv.edu

Re: Violations of Bethany College Freedom of Expression Policies

Dear Mr. Stebbins:

We are writing to you on behalf of a concerned student regarding certain Bethany College policies and related actions. Our client wishes to form a student chapter of Turning Point USA (TPUSA), a national organization dedicated to educating and training students to promote freedom, free markets, and limited government. The College recently denied the request, thus denying the student and his peers access to the spaces and opportunities available to other registered student organizations. The College's actions violate both our nation's founding principles and its own written policies.

Southeastern Legal Foundation (SLF) is a nonprofit public interest law firm and policy center dedicated to advocating limited government, protecting American freedom, and defending individual liberties. Through our 1A Project, we educate the public about students' First Amendment rights on college campuses. This letter seeks to inform the University about the dangerous precedent it has set for the student body by stifling free speech and open inquiry.

Factual Background

Recently, our client and his peers went through the process of requesting formal recognition for a student chapter of TPUSA on Bethany's campus. As the first step, the group created a constitution and submitted their request to the College. As the next step, the students would have sought signatures from the student body in support of their petition to form an organization, and then present that petition to the final reviewing committee. However, upon receiving their request and constitution at step one, the College notified the students that their group would not be recognized, meaning the chapter cannot host meetings, recruit members, or table on campus. The College advised the students not to gather signatures in support of their petition because their application would not move forward.

The College reasoned that TPUSA has been affiliated with hate speech groups, and that Bethany students may likewise engage in hate speech.¹ The College also reasoned that TPUSA produces a “Professor Watchlist” which could be considered harassment. Additionally, In rejecting the students’ request, the College suggested that the students join a different organization, like College Republicans, Federalist Society, or College Libertarians.

Analysis

Since 1724, freedom of speech has famously been called the “great Bulwark of liberty[.]”² There is practically universal agreement that this founding principle applies most strongly to the free discussion of governmental affairs to provide a check on tyranny.³ More importantly, freedom of speech ensures the “unfettered interchange of ideas for the bringing about of political and social changes desired by the people.”⁴ Speech about public affairs is thus “the essence of self-government” because citizens must be well-informed.⁵ Public discussion is not merely a right; “[it] is a political duty.”⁶

The freedom to speak publicly on political issues and current events, especially on our country’s college and university campuses, is critical to both a functioning democracy and a well-rounded college experience. It is well-settled that a college campus is the “marketplace of ideas” where students are exposed “to that robust exchange of ideas which discovers truth.”⁷ Indeed, freedom of speech and academic inquiry are “vital” on college campuses, because only through thoughtful debate and discourse can real education occur.⁸

College students are in the unique position of being surrounded by diversity of thought, race, religion, and culture. For many, this is the first—and perhaps only—time they will be exposed to a “marketplace of ideas” that differ from their own. The college experience can significantly impact the leaders of tomorrow. College campuses should therefore encourage lively discussion to develop a well-informed student body and citizenry.

Although Bethany College is a private institution, it has committed itself to upholding “free and unfettered discussion of the *widest possible nature*, one which encourages expression of *all* points of view.”⁹ By denying a student organization an opportunity to even petition for signatures in support of its formation, the College reneges on that commitment. Likewise, the College goes

¹ The College also pointed to four other colleges that have rejected the student organization on campus. However, Bethany College incorrectly included Texas Christian University in its letter; that college *does* have an active TPUSA chapter on campus. <https://engage.tcu.edu/organization/turningpoint>. Moreover, within just a 100 mile radius of Bethany College, at least five private colleges and several high schools have active chapters on their campuses.

² 1 John Trenchard & William Gordon, *Cato’s Letters: Essays on Liberty, Civil and Religious* 99 (1724), reprinted in Jeffrey A. Smith, *Printers and Press Freedom: The Ideology of Early American Journalism* 25 (Oxford University Press 1988).

³ *Brown v. Hartlage*, 456 U.S. 45, 52 (1982) (quoting *Mills v. Alabama*, 384 U.S. 214, 218–19 (1966)).

⁴ *Roth v. United States*, 354 U.S. 476, 484 (1957).

⁵ *Garrison v. Louisiana*, 379 U.S. 64, 74–75 (1964).

⁶ *Whitney v. California*, 274 U.S. 357, 375 (1927) (Brandeis, J., concurring).

⁷ *Keyishian v. Board of Regents*, 385 U.S. 589, 603 (1967).

⁸ *Healy v. James*, 408 U.S. 169, 180 (1972).

⁹ Bethany Policy Manual Section 7.2.3., attached as Exhibit A (emphasis added).

on to say that its policies “do not restrict the rights and privileges of faculty, staff, students, and recognized campus organizations to express their opinions freely.”¹⁰ Here, however, it attempts to do exactly that—by refusing to recognize a group of students based on their shared views, it has effectively told students that they cannot adopt or express certain opinions and that they cannot associate with others who share those opinions. In these ways, the College has overtly violated its own policies and commitments to the Bethany community.

It appears the College did a quick Google search of TPUSA and relied on the Anti-Defamation League’s characterization of the group to deny it recognition. But if the College had researched the organization further, it would have found that attacks on the organization’s views are unfounded. TPUSA overwhelmingly denounces views and groups that espouse hateful rhetoric. And even if the organization did *not* denounce hate speech, one of the bedrock principles of the freedom of speech—included in Bethany College’s policies—is an openness to *all* points of view, even the most odious and offensive remarks. Thus, Bethany College cannot claim to value and encourage “free and unfettered discussion” without a willingness to give all speakers and ideas—even the most “hateful”—an opportunity to engage in discourse.

On more than one occasion, the U.S. Supreme Court has held that it is unreasonable to impute certain religious and political views to universities simply because the universities allow religious and political groups access to campus spaces or student activity fees. The same logic applies here: no reasonable person would assume Bethany College espouses the views of any single organization.¹¹ The College “reserves the right to support or oppose issues that affect its values.”¹² If the College fears such accusations, nothing prevents it from denouncing views with which it disagrees while still allowing open inquiry to proceed on campus through the formation of student organizations.

Finally, the College concluded that the TPUSA Professor Watchlist is a form of harassment. First, the College mischaracterizes harassment. A college may only discipline students for harassing other students when the harassment is “so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to an educational opportunity or benefit.”¹³ The clear disparity of authority between students and professors makes it that much less likely a student can *objectively* and *severely* offend a professor, such that the professor is unable to teach. More importantly, TPUSA’s Professor Watchlist is built on already-published, credible news stories about professors.¹⁴ TPUSA is careful to ensure that it supports every claim against professors with evidence. It is also worth noting that not a single Bethany College professor is on the Watchlist; it is unreasonable to conclude TPUSA is harassing any professors, let alone any professors for whom the College may be responsible.

¹⁰ *Id.* at Section 7.2.16.

¹¹ To be sure, TPUSA is a 501(c)(3) nonprofit that does not advocate for political parties or candidates. As such, there is no risk that the College will appear to support a political view by granting TPUSA access to campus spaces.

¹² Exhibit A at Section 7.2.16.

¹³ *Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629, 633 (1999).

¹⁴ <https://professorwatchlist.org/aboutus>. (“While we accept tips for new additions to the list, we only publish profiles on incidents that have been reported and published via a credible source.”)


Demand

Bethany College has not only denied students the opportunity to form a club, but it has even denied the opportunity to garner interest for the club. It is possible that the students would not have even received enough signatures in support of their petition, and thus would not have become an organization anyways. Or perhaps they would have received an overwhelming number of signatures in support of their petition because dozens of students on the Bethany campus wish to hear their views. Either way, it is not for the College to preclude that opportunity based on its perception of TPUSA. Students can never learn from one another if their speech is censored, monitored, and dictated for them based on paternalistic notions of their mental wellbeing. And, regardless of what the organization's views are, the College has explicitly committed itself to providing a forum for all views on campus.

Bethany College told our client and his peers that they are free to form and associate with other clubs on campus. But the College misses the point: the students do not *want* to be part of another organization. They share the views of *this* organization. They value the educational, social, and outreach opportunities of *this* organization. Suggesting they simply find another home for their ideas flies in the face of America's longstanding values. Our nation—the college campus in particular—*is* the home for their ideas.

It seems that Bethany College is simply choosing not to follow the policies it no doubt carefully considered and affirmed in writing. Surely the College understands the dangerous precedent it sets when an institution ignores its own laws. As such, SLF requests that either (1) the College remove the language in its policies ensuring the freedom of expression and clarifies that it will only give a platform to certain views on campus, or (2) the College permit the student and his peers to move forward with their organization, allowing open discourse to guide the student body in the pursuit of truth.

Yours in Freedom,



Kimberly S. Hermann
General Counsel
Southeastern Legal Foundation

CC: Sam Goodge (sgoodge@bethanywv.edu)
Mickey Ulrich (mulrich@bethanywv.edu)

EXHIBIT A

Bethany



OGLEBAY GATES
Bethany, West Virginia

Barbara Fiers Joyce

Policy Manual Volume VII Student Life Policies



Bethany

A Small College of National Distinction

POLICY MANUAL

VOLUME VII

Student Life Policies

*Approved by the Bethany College Board of Trustees
May 15, 2015*

Policy dictates that the Officers of Bethany College are:

**President of the College
Chief Academic Officer
Chief Financial Officer
Chief Advancement Officer**

Specific titles for the latter three may vary according to organizational structure. For the purpose of Bethany College policy documents for the 2015-16 academic year, the Chief Academic Officer is the Vice President for Academic Affairs and Dean of the Faculty; the Chief Financial Officer is the Vice President for Finance; and, the Chief Advancement Officer is the Senior Vice President. Titles for these three positions may change at the discretion of the President of the College.

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Volume VII Student Life Policies

7.0 Introduction

This Volume VII contains current information regarding Bethany College policies, regulations, student rights and responsibilities, due process, and other student life information. Academic policies appear in Volume VI of the Policy Manual. Bethany College reserves the right in its sole judgment to promulgate and change rules and regulations and to make any changes of any kind to its student life policies whenever it is deemed necessary or desirable.

7.1 General Student Information

7.1.1 Offices, Departments, and Other Student Services

7.1.1.1 Ambulance Services

The Bethany Volunteer Fire Department has EMT and Paramedic staffing. Ambulance service is obtained by calling 9-911. As with any other ambulance, there is a fee charged for services. The fee to the patient may vary based on services provided and individual insurance policy coverage.

Bethany College is not obligated to provide return transportation, but will make every effort to accommodate the student's return to campus. A college official may provide return transportation at their convenience or a transportation fee may be charged to the student.

7.1.1.2 Americans with Disabilities Act

The College complies with the Americans with Disabilities Act for its employees, students and campus visitors as required by law.

Those students needing special accommodations for housing, meals, classes, or other scholastic needs shall provide documentation from their primary care provider as to the specific nature of those needs, and how Bethany College can work with the student to provide the best possible accommodation. If a student does not disclose the need for special accommodations, the College is not responsible for those needs. The Office of Student Life will work with those students who disclose any special needs to the College to work through appropriate accommodations. Students who need accommodations should see the Registrar who serves as the 504 Coordinator for the College. The Registrar can be contacted at 304-829-7831 by phone.

7.1.1.3 Counseling Services

The purpose of the Counseling Services Office is to provide short-term counseling or referral services for Bethany College students who are experiencing emotional, psychological, or other non-academic problems which are affecting their lives and studies at the College. Students with concerns, stresses or other special needs may be provided with counseling and other support on

campus, when feasible and appropriate, at no cost to the student. When a student cannot be directly helped by the Counseling Services Office, the Office will provide referrals to appropriate help off campus. Students are responsible for the costs of any such off-campus help; that cost may be borne by the student or the student's parents and/or their health insurance. The Counseling Services Office aims to provide holistic (body, mind, and spirit) counseling services and other relevant support to all Bethany College students in need of its services in order to assist students in having a positive living and learning experience. Additionally, the Counseling Services Office seeks to promote emotional, psychological, mental and spiritual wellness and growth in the student body as a whole. In most cases, counseling is confidential. Appointments may be made by calling 304-829-7572. Crisis services are available 24 hours a day through the on-call staff member of the Office of Student Life. To contact the on-call staff member of the Office of Student Life, please contact a Resident Assistant or Security Officer and ask them to have the "On-Call Staff Person" call you.

FOR EMERGENCY SITUATIONS WHEN A STUDENT MIGHT POSSIBLY HURT THEMSELVES OR OTHERS, CALL CAMPUS SECURITY AT 304.830.3924 OR CALL AN EMERGENCY OPERATOR AT 9-911 FOR IMMEDIATE ASSISTANCE.

7.1.1.4 Insurance

All students are required to have some type of medical insurance. Bethany College offers a student medical insurance policy (at an applicable fee) to those who are not covered by their parents' or other insurance. Each year students will receive enrollment information with regard to the medical insurance plan. Students with medical insurance may opt out of the College offered plan. If they fail to take action to opt out by the specified date, they will be charged for the plan.

7.1.1.5 Immunization and Medical History

Bethany College requires anyone attending the College to document dates of immunizations. A physical examination and health and medical history form must be completed PRIOR to registration. Failure to comply may result in a denial of registration privileges until compliance is confirmed by the Wellness Center.

7.1.1.6 Lost and Found

Personal belongings lost on campus should be turned in to, and, may be recovered from, the Lost and Found areas located at the Office of Safety and Security in Cummins Community Center.

Any item that is not claimed within 90 days of being turned in, will become the property of Bethany College and will be disposed of accordingly by the Department of Campus Safety and Security

7.1.1.7 Vehicle Parking Registration and Violations Policy

Policies and procedures have been adopted by Bethany College to ensure the safety of all drivers on campus. These policies and procedures apply to all full and part-time students. The number of parking spaces available at Bethany College is sufficient for students, faculty and staff if all

cars are registered and the following regulations are obeyed. The Department of Safety and Security is responsible for the enforcement of these regulations.

Students are required to register any vehicle they choose to bring to campus. All vehicles parked on campus must display a valid Bethany College vehicle permit issued by the Department of Safety and Security. All drivers are expected to obey posted traffic and parking signs at all times. Some parking lots on campus are designated as “Faculty and Staff Only” parking between the hours of 7:30am and 4:30pm, Monday through Friday. All vehicles on campus are subject to the fines and disciplinary actions below:

1. **Fire Lane Violation** **\$100.00**
2. **Invalid or No Registration** **\$25.00**
3. **Failure to obey STOP sign** **\$25.00**
4. **Parking on Unpaved Surfaces** **\$50.00**
5. **Reckless driving** **\$50.00**
6. **Parking in an Unmarked Parking space** **\$25.00**
7. **Parking in restricted area** **\$25.00**
(This includes Yellow-lined areas, area behind Campbell Hall, Faculty/Staff lots, etc.)
8. **Handicapped Space Violation** **\$100.00**
9. **Wrong way on a One Way Street** **\$50.00**
(e.g. Campbell Village road, Richardson Hall road)
10. **Fraudulent Parking Permit** **\$100.00**

It is a violation of this policy to alter a registration permit or to display or allow the display of a registration permit not registered to a student’s vehicle. Permits are non-transferable. Students displaying fraudulent or “borrowed” permits will be fined and be referred to the Director of Student Engagement and Responsibility for resolution.

11. Bethany College will not compromise the safety of its campus community by permitting the unsafe operation of motor vehicles on campus, especially when such behavior is due to intoxication, or the influence of illicit substances. Violations of this provision will lead to the loss of registration, fine, and College disciplinary action. The College also reserves the right to refer students to the appropriate law enforcement authorities.
12. No student shall ride on the top of, or hang out of, any vehicle. Students are not permitted to ride in trunks or the rear of hatchback cars or sport utility vehicles. This is a *serious safety violation* and will result in a **\$50.00** fine to the driver and **\$25.00** fine to each passenger not properly seated. Riding in the bed of pick-up trucks is permitted, but passengers must be seated in the bed. Riding on side rails or fender wells *is not permitted* and is subject to the fines indicated above.

7.1.1.8 Other Violations

1. After three (3) violations, parking privileges will be suspended for the remainder of the school year. Subsequent violations will result in the offender's vehicle being towed from campus at the owner's expense including any storage fees incurred.
2. Fleeing or failure to yield to a Security officer will be considered reckless operation and the student will be subject to a fine of \$100 and/or the towing of the vehicle.
3. Parking in fire lanes or restricted areas is not permitted. Temporary parking using hazard/caution lights is not permitted. Vehicles will be booted or towed, and fined \$50.
4. Driving on foot- paths, sidewalks, and grass-covered areas is not permitted and will be considered reckless operation. The student will be subject to a fine of \$50 and/or towing of the vehicle and/or suspension from Bethany College.

Any violation mentioned above is subject to having the vehicle towed at the discretion of the College. Should a violation result in towing a vehicle, the student is financially responsible for the cost of towing and storage of the vehicle plus any property damage caused by improper parking.

7.1.1.9 Student ID

Each student, upon arrival at Bethany College, will be issued a photo ID. Replacement of a lost ID is \$10.00; replacement of a broken ID card is \$10 (broken ID cards must be turned in at the time of replacement). Replacement cards may be obtained at the Information Technology Help Desk. Student IDs are needed for access to Campbell Village and Cochran residence halls, meals in all Dining Services locations, and services at the library.

7.2 General College Policies and Procedures

7.2.1 Affirmative Action

Bethany College does not discriminate on the basis of race, religion, color, national origin, gender, sexual orientation, age, disability, disabled veteran status, or on any other basis that would be in violation of any applicable federal, state, or local law in the administration of its educational policies, admissions policies, and scholarship and loan programs. The College is committed to creating a community in which a diverse student population can live and work with tolerance and respect for the rights of each individual. Area Affirmative Action Officers (AAOs) are the administrative officers over each area of College life (President's Cabinet). Individuals who suspect improper actions by other members of the Bethany College community shall report these actions to the AAO of the relevant area. [Someone who suspects that an area AAO has acted improperly shall contact the Chief Affirmative Action Officer (Vice President for Finance).]

7.2.2 Alcohol and Illegal Drugs

Bethany College complies with federal, state, and local laws which regulate the possession, use, and sale of alcoholic beverages and controlled substances. The College also complies with the Drug Free Work Place Act of 1988 and the Drug Free Schools and Communities Act of 1998. The following activities, among others as detailed in the Bethany College Alcohol Policy, are prohibited on College premises or at College sponsored activities:

1. Distributing, possessing, or using any illegal drug or controlled substance
2. Providing alcoholic beverages to individuals under 21 years of age or possessing alcoholic beverages by individuals under 21 years of age, and
3. Illegally possessing an open container of alcoholic beverage, public intoxication, driving while intoxicated, or under the influence of illegal drugs or controlled substances, and drinking alcoholic beverages in an unlicensed public place

Every Bethany student must agree to abide by the policies and standards of the College as defined by the most current edition of the *Student Handbook* and *Code of Student Conduct*. Moreover, Bethany College and the Town of Bethany have policies that specify compliance with WV State Law. It is illegal for anyone under the age of 21 to possess or consume alcoholic beverages; it is illegal to knowingly provide alcoholic beverages to anyone under the age of 21; and it is illegal for anyone of any age to possess, use, or distribute illicit drugs.

Since the primary objective of Bethany College is to contribute to the growth and development of students, it strives to maintain an environment free from conditions that may hinder that development. The use or misuse of alcohol often inhibits a student from achieving optimal academic success, reduces productive participation in a wide variety of enriching activities, and increases factors creating risks to healthy living. Therefore, Bethany College has adopted strict alcohol use policies, as seen in the Code of Student Conduct.

7.2.2.1 Alcohol Policy

1. The possession or consumption of alcoholic beverages by any student under the age of 21 is strictly prohibited.
2. Knowingly providing alcoholic beverages to anyone under the age of 21 is prohibited.
3. The possession or consumption of alcoholic beverages in any public area is prohibited unless permission has been granted for a social event by the Office of Student Life, Department of Safety and Security and Director of Student Activities. Public areas include, but are not limited to, athletic facilities, campus grounds, academic buildings, and common lounge areas.
4. Use or possession of alcoholic beverages by any student, regardless of age, in any residential facility designated as alcohol free by the Dean of Students is prohibited; specifically those designated as housing freshman – including Campbell Village and Woolery.

5. Persons aged 21 and over are permitted to possess and consume alcoholic beverages in moderation and in the privacy of their individual rooms or apartments, if in buildings NOT designated as alcohol-free. Students may be permitted to have in their possession, a maximum amount of one six pack or less of beer or one bottle of unfortified wine per person for personal consumption.
6. The purchase or use of a bulk quantity of alcoholic beverages, except when purchased from, supplied and staffed by licensed third party vendors, is prohibited in any facility. Bulk quantity is defined as kegs, pony kegs, beer balls, or cases. Any quantity of beer or wine in excess of the amount stated in 5 above is considered a bulk quantity.
7. Excessive Drinking, on-campus or off-campus, is considered irresponsible use of alcohol and a violation of the College's alcohol policies. *Excessive drinking* includes, but is not limited to, intoxication, binge drinking, drinking games, and drinking to the point of physical illness or incapacitation.
8. Drinking games, including any activity that encourages the rapid ingestion of alcohol, are not permitted. Such games include, but are not limited to: Quarters, Beer Pong, Beirut, Power Hour, and Flip Cup. Paraphernalia identified as having been used in a drinking game, including tables, may be confiscated by College Officers and will become the property of the college.
9. Students are not permitted to display alcohol-related paraphernalia in plain view (empty bottles, funnels, beer bong, etc.) at any time. Alcoholic beverage containers of any kind should not be in view of the public. Violations of this regulation may result in disciplinary action to the housing unit and/or the individuals involved.
10. Serving, possessing, or consuming hard liquor or grain alcohol is strictly forbidden.
11. Alcoholic beverages (beer or wine only) may be served at social events, only through third party vendors, approved by the Office of Student Life. The officers of a student organization sponsoring a social event where alcoholic beverages are to be served are required to sign a statement accepting full responsibility for compliance with the laws of the State of West Virginia and with Bethany College policies. Registration forms for events and guidelines for parties are available in the Office of Student Life <http://www.bethanywv.edu/students/event-planning/>.
12. Students and student organizations are responsible for the conduct of their guests and for compliance with State law and College policy.
13. Violations of the alcohol policy will result in student disciplinary action and/or legal action.

7.2.2.2 Alcohol Amnesty Policy

Student health and safety are of primary concern at Bethany College. As such, in cases of intoxication, alcohol poisoning, or other drug-related medical emergencies, Bethany encourages individuals to seek medical assistance for themselves or others

1. Students who Seek emergency medical attention for themselves related to consumption of drugs or alcohol will not be charged with violations of the Bethany College Code of Student Conduct related to that consumption provided that the student subsequently completes an assessment and any recommended treatment from the Dean of Students, Director of Student Engagement and Responsibility and Educational Programs, The Counseling Services Office, or their designee within 15 business days. Failure to complete this assessment may result in charges being filed.
2. Students who seek emergency medical attention for someone else will not be charged with violations of the Bethany College Code of Student Conduct related to consumption of alcohol or drugs, provided that the student subsequently completes an educational task provided by Dean of Students, Director of Student Engagement and Responsibility and Educational Programs, The Counseling Services Office, or their designee within 15 business days. Failure to complete this task may result in charges being filed.

This Policy applies only to those students who seek emergency medical assistance in connection with an alcohol or drug-related medical emergency and does not apply to individuals experiencing an alcohol or drug-related medical emergency who are found by College officials (e.g., Campus Security, Residential Life Staff, and College Administrators).

This Medical Amnesty Policy does not excuse or protect students who repeatedly violate the College's Code of Student Conduct. In cases where repetitive violations of the College's Code of Student Conduct occur, Bethany College reserves the right to take judicial action on a case-by-case basis regardless of the manner in which the incident was reported. Additionally, the College reserves the right to adjudicate any case in which the violations are flagrant violations of the Code of Student Conduct.

The Dean of Students, Director of Student Engagement and Responsibility, or their designee reserves the right to contact any student to discuss an incident whether or not the Amnesty Policy is in effect.

Bethany College reserves the right to notify parents as per The Parental Notification Policy found in the Code of Student Conduct.

7.2.2.3 Illegal Drug Policy

1. It is illegal for anyone of any age to possess, use, or distribute illicit drugs.

2. Possession of prescription drugs by those other than the named prescription holder is prohibited.
3. Distribution of prescription drugs to anyone other than the named prescription holder is prohibited.
4. Possession of drug paraphernalia is prohibited and will result in student disciplinary action and/or legal action.
5. Violations of the Illegal Drug Policy will result in student disciplinary action and/or legal action.

7.2.3 Anti-Harassment Policy

The College is committed to upholding standards that promote respect and human dignity in an environment fostering learning and professionalism. It is the policy of the College to maintain an educational and work environment free from all types of discrimination and harassment, an open environment which values and protects individual dignity and the integrity of human relationships. Accordingly, all forms of discrimination against or harassment of any member of the College community, whether based on race, religion, color, national origin, gender, sexual orientation, age, disability, disabled veteran status, or on any other basis that would be in violation of any applicable federal, state, or local law, are prohibited.

The educational process at the College is based on mutual trust, freedom of inquiry, freedom of expression, and the absence of intimidation and exploitation. Such an atmosphere of respect and regard for individual dignity among members of the academic community is essential if the College is to function as a center of academic freedom and intellectual advancement. In addition, the College has a compelling interest in assuring the provision of an environment in which learning and work may thrive. Such an environment requires free and unfettered discussion of the widest possible nature, one which encourages expression of all points of view. The College recognizes that the academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. Assertions regarding any of the characteristics listed above, however, should be directly related to the exchange of ideas, ideologies or philosophies. Any such assertions in the teaching context that are persistent, pervasive, and not germane to the subject matter may constitute sexual or another form of harassment and will not be tolerated.

7.2.4 Demonstrations

Demonstrations shall, under normal circumstances, be registered twenty-four hours in advance with the Dean of Students. All demonstrations (and expression of any form) must be peaceful and orderly. Demonstrations may be organized and led only by members of the Bethany College community. Demonstrations or other forms of expression may not compromise the rights of other members of the College community, nor interfere materially with the general operation of

the College. Free speech is a cherished foundation of academia. Forms of expression, however, may not demean or degrade individuals on the basis of religion, national heritage, cultural background, sexual preference, gender, ability or disability, or any such grounds.

7.2.5 Dogs on Campus

There are significant health and safety hazards and nuisances created by unrestrained dogs on campus. Accordingly, the following guidelines shall be enforced:

1. Except as provided in #6 and #7 below, dogs and other animals are not permitted in College buildings, nor in College dormitories.
2. Dogs shall not be brought on campus unless they are under the complete control of the owner and present no hazard to people. An owner shall not regard the wearing of a muzzle by a dog as control.
3. Dogs may not be brought onto the campus except when they are secured to a leash, cord, chain, or similar direct physical control of a maximum length of six (6) feet, the other end of which is retained by a person; or securely confined in a vehicle, cage or similar restrictive conveyance.
4. Dogs may not be tethered on campus.
5. Dogs must have a valid license and tags as evidence of current rabies vaccinations.
6. Trained helping animals (sometimes referred to as service animals) such as guide dogs for the blind, as well as animals being trained as such, are permitted on the College campus and in College buildings for use by those employees, visitors and students with registered disabilities.
7. Animals used for approved research projects are permitted on the College campus and in certain College buildings.

7.2.6 Electronic Devices

Cellular phones, pagers, and other electronic devices shall not be used in a manner that causes disruption in the classroom, library, or within any College owned or College operated facility. Abuse of cellular devices with photographic capabilities, use of devices for purposes of photographing test questions, or other notes and materials is prohibited. Photographing individuals in secured areas such as bathrooms, locker rooms, or other areas where there is a reasonable expectation of privacy, and/or taking photographs of an individual against their will is strictly prohibited. Electronic transmission of photographs of any person without express permission is strictly prohibited.

7.2.7 Exposure to Blood Borne Pathogens

In accordance with the Occupational Safety and Health Administration's (OSHA) federal standard for Blood Borne Pathogens, those members of the campus community identified at high risk for the transmission of infectious disease include some department heads, members of the Athletic Department, the Wellness Center, the Department of Safety and Security, and Residence Life.

These members of the campus community must comply with all segments of this policy. Failure to do so may result in discipline leading up to and including dismissal.

Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

7.2.8 Response Procedure for Exposure to Blood Borne Pathogens

Employees having any direct exposure to blood or body fluids occurring at the College must be reported to the Director of Human Resources who is the infection control coordinator. Students having any direct exposure to blood or bodily fluids occurring at the College must report the incident immediately to the Department of Safety and Security.

1. High risk employees with cuts, scrapes, wounds, skin rashes, chapped skin, dermatitis, etc. must wear appropriate protective equipment (i.e., occlusive bandages, gloves, gowns, masks, etc.) when performing tasks that may involve exposure to another person's blood or body fluids.
2. All human blood or body fluids should be considered potentially infectious at all times.
3. Should a person be known to be infected with a contagious or infectious disease, employees must wear protective clothing when providing treatment to that person.
4. Should a skin exposure to blood or body fluids occur, the employee should:
 - a. Cease the procedure as soon as it is safe and/or practical to do so;
 - b. Wash the exposed area thoroughly with soap and running water;
 - c. Report the incident to the accident investigator; and
 - d. Fill out and complete an exposure report form.
5. If the skin exposure involves large amounts of blood or prolonged contact with blood, especially if the exposed skin is chapped or otherwise broken, use alcohol or peroxide as an antiseptic after thorough hand washing, if desired.
6. Should exposure to blood or body fluids occur to the eyes or mouth, the employee should:
 - a. Flush the exposed area immediately with water;
 - b. If desired, rinse the mouth with peroxide;
 - c. Report the incident to the accident investigator; and
 - d. Fill out and complete an exposure report form.
7. Should an exposure to blood/body fluids occur from a needle stick, cut from a sharp instrument, or contamination of an open wound or broken skin, the employee should:
 - a. Allow the wound to bleed freely;
 - b. Wash the exposed area with soap and water;
 - c. Apply antiseptic as desired;

- i. Isopropyl alcohol 70%; or
 - ii. Hydrogen peroxide 3%.
 - d. Report the incident to the accident investigator; and
 - e. Fill out and complete an exposure report form.
8. Required items to aid in cleaning up spills or splashes of blood or body fluids:
- a. Gloves;
 - b. Bleach or other approved cleaning solution;
 - c. Spray bottle;
 - d. Water;
 - e. Cloth or paper towels; and
 - f. Red plastic bag.

7.2.9 Family Educational Rights and Privacy Act (FERPA)

The Federal Educational Rights and Privacy Act of 1974, last amended on July 1, 2003, protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. The Higher Education Reauthorization Act of 1998 allows, but does not require, colleges and universities to contact the parents of students in disciplinary cases involving drugs and alcohol (please see the Parental Notification Policy in Volume VII, Subsection 7.2.16). The Family Education and Privacy Act was enacted by Congress to protect the privacy of student educational records. This privacy right is a right vested in the student.

Pursuant to FERPA, eligible students (those over 18 years of age) and parents¹ have the right to inspect and review their education records maintained by the school. Bethany College is not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Bethany College may charge a fee for copies.

There are some records to which the student has no right of access. These are:

1. Professional mental health treatment records to the extent necessary, in the judgment of the attending physician or professional counselor, to avoid detrimental effects to the mental health of the student or of others. These records may, however, be reviewed by a physician or other appropriate professional of the student's choice.

¹ According to the Buckley Amendment, information contained in the educational records of students who are eighteen years of age or older or enrolled in post-secondary institutions may be sent to the parents without the written consent of the student only if the student is a financial dependent of the parents. (The term dependent is defined in Section 152 of the Internal Revenue Code as an individual's son, daughter, stepson, or stepdaughter of a taxpayer who receives over half of the individual's support from the taxpayer during the given calendar year.)

2. Financial information furnished by the student's parents in support of an application for financial aid.
3. Confidential letters of recommendation that were placed in the student's file prior to January 1, 1975.
4. Confidential letters of recommendation concerning admission, employment, or honorary recognition, for which the student has waived access. (The College may not require a student to sign a waiver in order to obtain services, but a person writing a recommendation may insist on a waiver as a condition for writing it.).
5. Personal notes made by a faculty member or counselor that are accessible only to that person and are not shared with others.
6. Materials in any admissions files, until the student has been admitted to, and has attended the College.

Eligible students have the right to request that Bethany College correct records that they believe to be inaccurate or misleading. If the College decides not to amend the record, the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the student has the right to place a statement with the record setting forth the student's view about the contested information.

Bethany College is not required to consider requests for amendment under FERPA that:

1. Seek to change a grade or disciplinary decision; or
2. Seek to change the opinions or reflections of a school official or other person reflected in an education record.

Generally, schools must have written permission from the student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR §99.31):

1. School officials with legitimate educational interest;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;
4. Appropriate parties in connection with financial aid to a student or the result of a judicial or quasi-judicial hearing;
5. Organizations conducting certain studies for or on behalf of the school;
6. Accrediting organizations;
7. To comply with a judicial order or lawfully issued subpoena;
8. Appropriate officials in cases of health and safety emergencies; and
9. State and local authorities, within a juvenile justice system, pursuant to specific State law.

Bethany College may disclose, without consent, "directory" information. This includes: (1) name, (2) permanent and local address and telephone, (3) The division/department attended at the College, (4) class level, (5) major field, (6) dates of attendance at the College, (7) degree

received and date awarded, (8) honors and awards received, (9) participation in recognized activities, (10) previous school(s) attended, and (11) height and weight of members of intercollegiate athletic teams. The College may disclose directory information for any purpose, without the prior consent of a student, unless the student has forbidden its disclosure in writing. Students wishing to prevent disclosure of the designated directory information must file written notification to this effect with the Registrar's Office. In the event that such written notification is not filed, the College assumes that the student does not object to the release of the directory information.

At the College information about student rights and responsibilities under FERPA is available at the Office of the Registrar.

Students have the right to file a complaint with the Family Policy Compliance Office, Department of Education, 600 Independence Ave., SW, Washington, DC 20202-4605, concerning any alleged failure by the College to comply with FERPA.

7.2.10 Hazing Policy

Bethany College unconditionally opposes all forms of hazing. Incidents of hazing shall be reported immediately to the Dean of Students. Individuals in violation of Bethany's Anti-hazing Policy are subject to suspension, expulsion, or other disciplinary proceedings. Organizations in violation of this policy face having their affiliation with Bethany College terminated. West Virginia State Law defines hazing as follows:

“Hazing means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons or causes another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual or individuals, and includes any activity which would subject the individual or individuals to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual or individuals, or any willful destruction or removal of public or private property: Provided, that the implied or expressed consent or willingness of a person or persons to hazing shall not be a defense under this section. Institution of higher education or institution means any public or private institution as defined in section two, article one, chapter eighteen-b of this code.”²

West Virginia State Law also includes the following: *“Any person or persons who causes hazing is guilty of a misdemeanor, and, upon conviction thereof, shall be fined no less than one hundred dollars nor more than one thousand dollars, or confined in a county or regional jail, not more than nine months, or both fined and imprisoned: Provided, that if the act would otherwise be*

² West Virginia Code §18-16-2.

deemed a felony as defined in this code, the person committing such act may be found guilty of such felony and be subject to penalties provided for such felony.”³

Bethany College also considers hazing to be “any activity or action, whether on or off premises, which subtly, flagrantly, recklessly, or deliberately demeans, embarrasses, threatens, invites ridicule or draws inappropriate or negative attention to a member, affiliate, and/or group, and/or an attitude which implies one member or affiliate is superior to another or that membership in the group must be earned through personal services or meaningless activities”. This definition is intended to include “any actions which inhibit the proper fulfillment of obligations to College-sponsored groups or organizations, which are inconsistent with academic achievement, fraternal law, ritual, or policy; or contrary to the regulations and policies of the College, national or international organizations, or applicable state law.” Depriving a member or affiliate of the opportunity for sufficient sleep is prohibited; therefore, no activities required of affiliate members are to occur from 11:30 p.m. to 7:15 a.m., no activities required of affiliate members are to occur from 8:00 a.m. to 4:00 p.m. on Mondays through Fridays, and all affiliate members must be provided with two hours of free time between 4:00 p.m. and 11:30 p.m. for dinner, study, and personal time.

7.2.11 Indebtedness to the College

Financial responsibilities must be resolved before official transcripts are released or other requests for assistance are honored (e.g. Visa assistance). This includes unpaid fines or fees.

7.2.12 Information Technology Usage Policy

The Information Technology (“IT”) Usage Policy applies to the Bethany College community (e.g. faculty, staff, students, and others who from time to time may be granted use of the College’s computing and network resources – hereafter referred to as “user”).

To preserve the security, availability, and integrity of Bethany College computing resources, and to protect all users’ rights to an open exchange of ideas and information, this policy sets forth the users’ responsibilities in the use of these resources. This policy attempts to consolidate and formalize various policies, practices and activities dealing with the use of technology at Bethany College.

Users agree to comply with this and other applicable collegiate policies, as well as all federal, state, and local laws, and regulations. Violations of this policy may result in revocation of access, suspension of accounts, disciplinary action, or prosecution.

Individuals shall report problems, outages, or inappropriate technology uses to Student Life, the appropriate administrator, or to the Help Desk.

Access to computing resources at Bethany College may be granted to accepted students, active students, employees, trustees, and faculty emeritus based on their roles and responsibilities at the College. Temporary access may also be granted to vendors, such as food service employees.

The following guidelines set forth the standards of behavior expected of all users:

³ West Virginia Code §18-16-3.

1. User access is granted to an individual and may not be transferred to or shared with another user. This principle is intended to protect the integrity, security, and privacy of users' accounts. Sharing access with another individual undermines the security of users' accounts, leaving it vulnerable to abuse by others. By not sharing accounts, users protect against unauthorized activities on their account, for which they would be responsible.
 - a. The College reserves the right to regulate any activity that occurs on the campus network or on any other technology-based system owned by the College.
2. Users must not engage in activity outside the limits of access that have been authorized for them. This includes but is not limited to:
 - a. Performing an act that negatively impacts the operation of computers, peripherals or networks, or that impedes the ability of others to do their work. Examples include but are not limited to:
 - i) Tampering with any transmission medium or hardware device, or connecting any unauthorized device or computer to the College network;
 - ii) Intentionally propagating anything that damages hardware and/or software (virus, worm, spyware);
 - iii) Damaging or destroying data;
 - iv) Modifying any disk or software directory provided by the College for any type of special use;
 - v) Performing an act that places an unnecessary load on a shared computer or the College network.
 - b. Attempting to circumvent protection schemes for access to data or systems, or otherwise uncover security loopholes.
 - c. Gaining or granting unauthorized access to computers, devices, software, or data. This includes, but is not limited to:
 - i) Admitting someone into a locked facility, or unlocking any facility that is normally locked, without permission; and
 - ii) Permitting the use of any account, including one's own personal account, in a way that allows unauthorized access to resources.
3. Users must abide by all applicable laws or government regulations, and operate within the limits articulated by the College. Examples include but are not limited to:
 - a. Using any material in violation of any software licensing agreement or copyright law;
 - b. Using software or data that infringes on the rights of others. Examples include the production or propagation of material that is abusive, profane or sexually, racially or religiously offensive; or material that may injure or harass someone else, or lead to lawsuit or criminal charges;
 - c. Monitoring someone else's data communications, or otherwise reading, copying, changing, or deleting files or software without proper permission of the owner;

- d. Using College facilities for personal gain, or for the benefit of an organization other than the College or an approved organization.

Upon resignation or termination, a faculty or staff member's e-mail and related accounts will be terminated or redirected to an appropriate person at the College.

After graduation a student's e-mail and related accounts will be left open for one year before being terminated. If a student transfers or is dismissed, accounts will be deactivated after 30 days.

7.2.13 Legal Liability of the College

The College is not legally liable for damages or loss of personal property or failure or interruption of services due to weather or acts of God.

The College does not assume responsibility for lost, stolen, or damaged property. This policy covers not only personal possessions, but also those items in an individual's charge (e.g. keys to the residence hall room, residence hall furniture.)

Students are strongly encouraged to insure their personal property by the purchase of insurance against loss from theft and accidental damage.

7.2.14 Missing Students Policy

At the beginning of each academic year, Bethany College will request all on-campus residents to read, complete and sign the missing person policy and voluntarily provide a name and number of an emergency contact person in case a student is reported missing for more than 24 hours.

If a Bethany College residential student is suspected missing for more than 24 hours or missing under suspicion of unusual circumstances, please contact Bethany College Safety and Security at -304.830.3924 or any member of the Bethany College Student Life Staff at 304-829-7631. If a student is a commuter, please contact Bethany College Safety and Security at the number listed above.

All suspected missing persons will be investigated by Bethany College. If, after an investigation, it is suspected the student is missing, a *Missing Person Report* will be filed with the appropriate authorities and law enforcement agencies and a designated contact person or parent or guardian will be notified within 24 hours of the filed report.

7.2.15 Parental Notification Policy

The 1998 HEA amendments to the Federal Education Right to Privacy Act of 1974 added an exception that allows, but does not require, institutions of higher education to disclose to a parent or legal guardian information regarding a student's violation of any law or institutional rule or policy governing the use or possession of alcohol or a controlled substance if the student is under 21 and the institution determines that the student has committed a disciplinary violation with respect to the use or possession. In response to this permissive legislation and because Bethany College values its relationship and partnership with families and parents of students as it relates to drug and alcohol related behaviors, Bethany College reserves the right to notify parents of

alcohol or drug violations according to this policy. For the purpose of this document, the term “parent” will mean any natural parent, adoptive parent, or legal guardian of a student.

1. Parents may be notified of all alcohol violations involving students under the age of 21 and all drug violations.
2. Initial correspondence with a parent may be in the form of a letter sent by or via phone call from the Dean of Students or designee.
3. In most circumstances, only findings of disciplinary proceedings related to alcohol and drugs and the facts that supported them will be reported to a parent. Parents will not be informed of allegations, rumors, names of other students charged, or findings of cases against students other than the student of the parent.
4. In certain situations, when a student is refusing medical treatment, is combative, and/or determined (by emergency medical staff, law enforcement or other professional college staff) to be a threat to health or safety as a result of the consumption of alcohol and/or drugs, a parent may immediately be notified by the Dean of Students or designee.
5. In all cases of students being found responsible for a violation, students will be informed that parental notification is in process and will be encouraged to call parents prior to parental receipt of the notification letter.
6. In some special circumstances it may be in a student’s best interest that parents not be notified. Such cases will be handled on an individual basis.

7.2.16 Political Activities Policy

Bethany College supports open dialogue on political issues. The College reserves the right to support or oppose issues that affect its values, welfare, the College itself, and/or values and welfare of higher education. The College encourages its faculty, staff, trustees, students, and recognized campus organizations to participate actively in political activities on an individual basis. The policies of Bethany College do not restrict the rights and privileges of faculty, staff, students, and recognized campus organizations to express their opinions freely. The College is committed to preserving and encouraging a diversity of point of view and political opinion.

Political activities on campus must be conducted in a neutral and nonpartisan manner, and in furtherance of the organization’s legitimate exempt function (education).

To preserve the integrity of Bethany College and to protect the neutrality of the College in political contests, the following guidelines shall apply. The Vice President for Academic Affairs and Dean of the Faculty is responsible for monitoring the guidelines.

7.2.17 Postings

All posters, flyers, banners, or publications to be displayed or distributed on the Bethany College campus must bear the identification of the group or individual disseminating the information. The only requirement imposed on any student publication, poster, banner, or other printed or written matter is statements in them must not be untrue, libelous, demeaning, or obscene. Postings may only be displayed in appropriate areas, i.e., bulletin boards. Publicity may not be posted on the glass doors of buildings since this is a fire-safety hazard. Tape, pins, or tacks may

not be used to affix postings on wood paneling or painted surfaces. Electronic dissemination of events is highly encouraged. All postings on external businesses, organizations or individuals must be approved by the Office of Student Life.

7.2.18 Reservation of Facilities

Student Activities is responsible for reserving most (but not all) campus spaces for events. For a complete list of the spaces that can be reserved, see the [Bethany College Room Guide](#). Student Activities receives numerous requests for space and events every week. For this reason, we ask that you contact us at least five weeks in advance for room reservations. Please use the [Room Reservation Form](#) and allow three business days after you make your request to receive confirmation of your reservation. All events that take place on Campus must be registered and approved by the Student Activities Office. Once you receive a Room Reservation Confirmation number, your room reservation will be tentatively held for one week. At this time, you must complete the [Event Registration Form](#) to solidify your room reservation. When preparing to complete the Event Registration Form, be sure to have all of your event details and needs handy. Please allow three business days after you make your request to receive confirmation of your registration. Please remember, student organizations are not permitted to have alcohol at any event they have on campus without consent from Bethany College. In order to have alcohol at your event, a bartender must be present. Everyone being served at the event must be of legal age to consume alcohol. You must have a measure in place to make sure that all those drinking are at least 21 years of age. You are required to contract security or your organization's advisor must be present to have alcohol at your event. This alcohol must go through the on-campus food provider who will provide the alcohol as well as the bartender. The on-campus food provider has first right of refusal for any event that is held on campus that will have food served. If you have any more questions regarding the food and alcohol policy for student organizations, please stop in to the Student Life Office. All forms are available at <http://www.bethanywv.edu/students/event-planning/>.

7.2.19 Self-Destructive Behavior Policy

Bethany College values all of its students and is concerned with their personal safety and development, as well as the safety and security of the campus environment as a whole. Therefore, should the College become aware that a student is engaging in self-destructive behaviors, it will respond in a compassionate manner that serves the best interests of both the individual student and the greater campus community.

Examples of behaviors that may be considered self-destructive include, but are not limited to:

1. Inappropriate use of alcohol, including under-age drinking. The effects of alcohol do not relieve individuals of their responsibility to themselves or to the community
2. Use, possession, or distribution of narcotics or other controlled substances
3. Physical abuse, or harming oneself, or intentionally placing oneself in danger
4. Attempted or threatened suicide

Students who engage in self-destructive behaviors are encouraged to seek help from resources available within the college community and may be referred to Health Services, Student

Counseling, and/or a local hospital for evaluation and treatment recommendations. In the instance that an act of self-destructive behavior threatens serious harm to or significantly impacts the person engaging in the behavior and/or the campus community, it may be necessary to withdraw the student from the College with the possibility of conditional reinstatement, which may include a behavioral contract between the College and the student. Re-entry of the student will be approved at the earliest practicable date.

In addition, the College reserves the right to notify a student's parent, guardian, or appropriate relative in the case of an act of self-destructive behavior or an apparent threat of serious harm. In some special circumstances it may be in a student's best interest that parents not be notified. Such cases will be handled on an individual basis.

Bethany College is committed to maintaining a safe educational environment for all students and recognizes that self-destructive behavior can impact others in the residential community. Concerned residents are encouraged to utilize counseling resources provided to students free of charge. Residents are welcome to contact the Counseling Services Office at 304.829.7572

The aforementioned are illustrative rather than exhaustive. In the event that there arises some ambiguity, inconsistency or need for clarification of these statements, such definitions, interpretation or clarification will be determined by the Dean of Students, Director of Student Engagement and Responsibility, the College Counselor or their designee.

7.2.20 Title IX/Sex Discrimination Policy

1. **Introduction:** Bethany College, a small college of national distinction, is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex, which includes all forms of sexual misconduct. Sex discrimination violates an individual's civil rights and personal dignity, as well as the Christian values upon which Alexander Campbell founded the College in 1840. Teaching and learning form the mission of Bethany College, and sex discrimination fundamentally interferes with this mission. Therefore, Bethany College considers sex discrimination in all its forms to be a serious offense. This policy refers to all forms of sex discrimination, including but not limited to: sexual harassment, sexual assault, and sexual violence by employees, students, or third parties.
2. **Title IX Statement on Non-Discrimination:** Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. To ensure compliance with Title IX and other federal and state civil rights laws, the College has developed policies and procedures that prohibit sex discrimination in all of its forms. Bethany College does not discriminate on the basis of race, color, creed, age, gender, sex, sexual orientation, gender identity, religion, national origin, veteran status, physical or mental disability, genetic information or any other basis of prohibited discrimination in any of its programs and activities.

3. **Jurisdiction:** This policy applies to all members of the Bethany College community, including but not limited to faculty, staff, students, and visitors. Under this policy individuals are deemed to be students from the time they accept the College's offer of admission until one month after the end of the term in which they graduate, withdraw, or are dismissed. This policy will apply to on-campus and off-campus conduct of which the College is made aware. This policy extends to employment with and admission to the College.
4. **Campus Title IX Contact Information:** The following people have been designated to handle inquiries regarding the College's sex-based nondiscrimination policies:

Director of Student Engagement and Responsibility, Title IX Coordinator
Bethany College, 1 Main Street, Bethany, WV 26032
Office Location: Student Life – Bethany House
Phone: 304.829.7064

Director of Human Resources, Deputy Title IX Coordinator
Bethany College, 1 Main Street, Bethany, WV 26032
Office Location: Business Affairs – Cramblet Hall
Phone: 304.829.7131

5. **Definitions**

- a. **Sex Discrimination:** Behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex, sexual orientation, gender identity, status as a pregnant or lactating mother, or actual or perceived status in any sex-based category.
 - i. Examples of sex discrimination under Title IX include, but are not limited to, sexual harassment, sexual misconduct, failure to provide equal opportunity in education programs and co-curricular programs including athletics, discrimination based on pregnancy, and employment discrimination.
- b. **Sexual Harassment:** unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the College's learning or working programs and/or activities or creates an intimidating, hostile or offensive learning or working environment. Sexual harassment also includes unwelcome sexual conduct when submission to such conduct is made (explicitly or implicitly) a term or condition of an individual's employment or education; or submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual.
 - i. Sexual harassment can involve people of any sex being harassed by members of any sex. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.
 - ii. Sexual harassment can be physical, verbal and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if

one of the incidents considered separately would not rise to the level of harassment.

- iii. Examples of sexual harassment include, but are not limited to:
 - 1. Promising, directly or indirectly, any campus community member a reward, if the person complies with a sexually oriented request.
 - 2. Threatening, directly or indirectly, retaliation against a campus community member, if the student or employee refuses to comply with a sexually oriented request.
 - 3. Denying, directly or indirectly, any employment or education related opportunity, if the other party refuses to comply with a sexually oriented request.
 - 4. Engaging in sexually suggestive conversations or unwelcome physical contact or touching another campus community member.
 - 5. Displaying pornographic or sexually oriented materials.
 - 6. Engaging in indecent exposure.
 - 7. Making sexual or romantic advances toward a campus community member and persisting despite the other party's rejection of the advances.
 - 8. Physical conduct such as sexual assault, unwelcome touching, or blocking normal movement.
 - 9. Retaliation for making harassment reports or threatening to report harassment.
 - 10. An attempt to coerce an unwilling person into a sexual relationship; being repeatedly subject to unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; and gender-based bullying.

c. **Hostile Environment:** includes any situation in which there is harassing conduct of a sexual nature that is sufficiently severe, pervasive and objectively offensive. The determination of whether an environment is "hostile" must be based on all the circumstances. These circumstances could include, but are not limited to:

- i. the frequency of the conduct;
- ii. the nature and severity of the conduct;
- iii. whether the conduct was physically threatening;
- iv. whether the conduct was humiliating;
- v. the effect of the conduct on the alleged victim's mental or emotional state;
- vi. whether the conduct was directed at more than one person;
- vii. whether the conduct arose in the context of other discriminatory conduct;
- viii. whether the conduct unreasonably interfered with the alleged victim's educational or work performance;
- ix. whether the statement is a mere utterance or an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- x. whether the speech or conduct deserves the protections of academic freedom or the 1st Amendment.

d. **Sexual Misconduct** is a broad term encompassing any sexual behaviors that violate Bethany College's Code of Conduct and/or Title IX/Sex Discrimination Policy. In

general, any non-consensual physical contact of a sexual nature may constitute Sexual Misconduct. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for student conduct action under College policy. Prohibited conduct under this Sexual Misconduct Policy includes:

- i. **Non-Consensual Sexual Activity:** Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, without consent. Intercourse however slight, meaning vaginal penetration by a penis, object, mouth or finger; anal penetration by a penis, object, mouth, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), without consent.
- ii. **Non-Consensual Sexual Contact:** any intentional sexual touching, however slight with any object or body part, by a man or a woman upon a man or a woman, without consent.
- iii. **Non-Consensual Sexual Intercourse:** any sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a man or woman upon a man or a woman, without consent.
 1. **Forced Sexual Intercourse:** Unwilling or non-consensual sexual penetration (anal, vaginal or oral) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware. Forced sexual intercourse is a type of Non-Consensual Sexual Intercourse where some sort of physical or coercive mental force is used to subdue the victim.
 2. **Coercion:** Unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- iv. **Sexual Exploitation:**
 1. Occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.
 2. Examples of sexual exploitation include, but are not limited to: non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in voyeurism; knowingly transmitting an STD or HIV to another, invasion of sexual privacy, and exposing one's genitals in non-consensual circumstances.

- v. **Domestic Violence:** Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state.
- vi. **Dating Violence:** Dating violence is violence committed by a person who is or has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.
- vii. **Stalking:** defined as a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear for his or her safety or the safety of others; or to suffer substantial emotional distress. Stalking may take many forms, including persistent calling, texting, or posting on a social networking site, as well as physical stalking.
- viii. **Prostitution:** is defined as the business of engaging in sexual relations for payment or some other benefit. Prostitution of any member of the Bethany College community is in violation of this policy.
- ix. **Human Trafficking:** is the trade of humans most commonly for the purpose of forced labor, sexual slavery, or commercial sexual exploitation. Members of the Bethany College community shall not engage in human trafficking.
- x. **Threats:** Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person on the basis of their actual or perceived membership in a sex-based protected class.
- xi. **Intimidation:** defined as implied threats or acts that cause an unreasonable fear of harm in another of actual or perceived membership in a sex-based protected class.
- xii. **Hazing:** defined as any planned/executed action or activity by or against an active member, associate member, new member, pledge or potential member of an organization or group that inflicts physical or mental harm, distress, anxiety, or which may demean, degrade, embarrass or disgrace any person, regardless of location, consent or intention of participants, is prohibited. Examples of hazing include but are not limited to forced consumption of food, alcohol, drugs or any other substance, forced physical activity, deprivation of food or sleep, and physical acts such as hitting, branding or paddling. Students may not imply that a person be shunned, removed, or unable to join/participate in the maintenance, affiliation or initiation of membership for failing to partake in any form of a hazing activity. Any actions or situations that intentionally or unintentionally endanger a student who is attempting admission into or affiliating with any student organization is prohibited. Hazing is also prohibited under West Virginia law. Hazing that falls outside this policy (i.e., is not based on membership in a protected sex-based class) may nonetheless violate other College policies.
- xiii. **Bullying:** defined as repeated, severe, and/or aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person,

physically or mentally on the basis of actual or perceived membership in a sex-based protected class. Bullying that falls outside this policy (i.e., is not based on membership in a sex-based protected class) may nonetheless violate other College policies.

- e. **Retaliation:** is any action by any person that is perceived as: intimidating, hostile, harassing, retribution, or violent that occurred in connection with the making and investigation of the reported violation.
 - i. Bethany College strictly prohibits retaliation against any person for, in good faith, using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving alleged violations of this policy. Bethany will take steps to prevent retaliation and will also take strong responsive action if the College finds that retaliation has occurred, up to and including termination of employment or expulsion from school.
- f. **Effective Consent:** Effective consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of sexual misconduct. Effective consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter. Effective consent is active, not passive. Effective consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable.
 - i. **Silence and consent:** Silence, in and of itself, cannot be interpreted as consent. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
 - ii. **Transferability of consent:** Effective consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or consent do not imply consent to future sexual acts.
 - iii. **Consent and force:** Effective consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion
 - iv. **Inability to consent:** Effective consent cannot be given by minors, mentally disabled individuals or persons incapacitated as a result of drugs or alcohol. If you have sexual activity with someone you know to be--or should know to be--mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy. Incapacitation is a state where one cannot make a rational, reasonable decision because he or she lacks the ability to understand the “who”, “what”, “when”, “where”, “why” or “how” of his or her sexual interaction.
 - v. **Consent and drugs/alcohol:** This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called “date-rape” drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy. Administering alcohol to another person for the purpose of inducing incapacity, even if the person is of legal drinking age, is also a violation of this policy. Use of alcohol or drugs will never function as a

defense to a violation of this policy. The initiator of sexual activity is responsible for obtaining consent from his or her sexual partner(s), regardless of the initiator's own incapacity.

g. **Consensual Relationships** (*NOTE: currently Bethany Policy, section 2.1.3*)

The potential for abuse or the appearance of abuse and the inherent differential in authority prompt the College to prohibit any faculty member or employee of the College from engaging in a romantic and/or sexual relationship or in romantic and/or sexual conduct with any student of either gender currently enrolled at Bethany College

Likewise, the potential for abuse or the appearance of abuse and the inherent differential in authority prompt the College to prohibit any member of the College community from engaging in a romantic and/or sexual relationship or in romantic and/or sexual conduct with any employee of either gender who that person supervises or evaluates in any way.

It should be noted that exceptions to any of these prohibitions will be considered by the Vice President for Academic Affairs and Dean of the Faculty or the Vice President for Finance on a limited, case-by-case basis. If you have questions about the applications or effect of this policy to an existing or potential relationship, it is your duty to consult with the Vice President for Academic Affairs and Dean of the Faculty or the Vice President for Finance.

In keeping with this policy, if charges of sexual harassment are made, the existence of a consensual relationship in any of the contexts stated above shall not be a defense in any proceeding resulting from such charges.

Individuals who violate this provision are subject to the range of discipline listed in this policy.

This policy is in addition to existing College rules and regulations and does not alter or modify any existing policy.

- h. **Complainant:** the person or entity bringing the allegations that this policy has been violated.
- i. **Respondent:** the person or entity accused of violating this policy.
- j. **Mandated Reporter:** ALL Bethany College employees except the College Counselor, College Chaplain, and staff of Student Health. Student Health is defined as the doctors and nurses who work in the Robert C. Byrd Wellness Center.
- k. **Title IX Team:** Bethany College's Title IX Team consists of the Title IX Coordinator and all deputy Title IX Coordinators. The Title IX Coordinator may appoint a designated investigator for specific cases as needed so long as the investigator is appropriately trained.
- l. **Title IX Coordinator:** The designated College employee responsible for overseeing all aspects of Title IX compliance. Bethany College's Title IX Coordinator has authority to:

- i. Accept all complaints and referrals from all students, staff, faculty, and other members of the campus community;
- ii. Keep accurate records of Title IX complaints and referrals;
- iii. Conduct investigations to the level required under DOE regulations; or appoint an investigator with appropriate experience and training to conduct investigations with oversight from the Coordinator. The designated investigator does not have to be an employee of the College.
- iv. Make findings of fact;
- v. Identify specific corrective measures to stop, remediate, and prevent sex discrimination including sexual harassment and other sexual misconduct;
- vi. Make recommendations for corrective measures including training, counseling and/or discipline, when appropriate;
- vii. Refer any recommendation for discipline to Human Resources and the Office of Student Life for implementation in accordance with College policy;
- viii. Oversee implementation of corrective measures, which may include follow-up to ensure that appropriate action was taken to complete the recommended actions;
- ix. Require a College administrator responsible for taking corrective action who decides not to adopt a recommendation of the Title IX Coordinator to explain this decision in writing;
- x. If the Title IX Coordinator determines that the reasons offered by a College administrator for not adopting a recommendation for corrective and/or protective action are insufficient, he or she shall bring the matter to the attention of the Chief Advancement Officer. The Chief Advancement Officer, in consultation with the Title IX Coordinator and the General Counsel, and with the support of the President shall direct the administrator to take appropriate corrective measures to ensure that discrimination is prevented from recurring and its effects on the complainant and others are remedied.

6. Guidance on Taking Immediate Action

- a. Tell a trusted person about the incident. If it is an emergency situation please call 911. If the call is from an on-campus phone dial 9-911.
- b. Students, please be aware that most employees, including residence hall assistants, have a legal obligation to report any incidents of sexual misconduct to the Title IX Coordinator. To ensure campus safety, the Title IX Coordinator has a legal obligation to investigate all such reports unless a student asks that his/her name not be disclosed to the alleged perpetrator and/or that no investigation or disciplinary action be pursued to address the alleged sexual misconduct. In such cases, the Title IX Coordinator will inform the student that honoring the request may limit the

College's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. If a student still requests that his or her name not be disclosed to the alleged perpetrator or that the College not investigate or seek action against the alleged perpetrator, the Title IX Coordinator will determine whether or not the College can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the student who reported the incident of alleged sexual violence.

- c. On-campus phone numbers:
 - i. Campus Safety & Security: 304.829.7744
 - ii. Student Life On Call (staffed around the clock when classes are in session): 304.830.3933
 - iii. Title IX Coordinator 304.829.7064
 - iv. Deputy Title IX Coordinator 304.829.7131
 - v. Campus Health & Wellness Center: 304.829.7567
- d. Strictly confidential on-campus phone numbers:
 - i. Counseling Center: 304.829.7572
 - ii. College Chaplain Scott Thayer: 304.829.7137
 - iii. Student Health: 304.829.7567
- e. Off-campus phone numbers:
 - i. Emergencies: 911 (from an on-campus phone, dial 9-911)
- f. Strictly confidential off-campus phone numbers:
 - i. Sexual Assault Help Center (Wheeling, WV): 304.234.8519
 - ii. National Sexual Assault Hotline: 1.800.656.HOPE (1.800.656.4673)
- g. In the event that the incident was one of sexual violence, do everything possible to preserve evidence by making certain that the crime-scene is not disturbed. The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option for the future. Victims should not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they are bring all the original clothing to the hospital in a paper bag, as plastic bags may damage the evidence.
- h. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination. Some area hospitals include, but are not limited to:
 - i. Wheeling Hospital – 16.5 miles from Bethany College
1 Medical Park
Wheeling, WV 26003
304.243.3000
 - ii. Ohio Valley Medical Center – 17.5 miles from Bethany College
2000 Eoff Street
Wheeling, WV 26003
304.234.0123
 - iii. Weirton Medical Center – 20.5 miles from Bethany College
601 Colliers Way
Weirton, WV 26062
304.797.6000
 - iv. Washington Hospital – 22.5 miles from Bethany College
155 Wilson Ave

Washington, PA 15301
724.225.7000

- i. An advocate from the Sexual Assault Help Center, located in Wheeling, WV, can offer support at the hospital. However, survivors must ask for the advocate at the hospital. People under the age of eighteen should be aware that, as a minor, their parent(s) may have the right to obtain information from their medical records.
- j. Victims may choose whether or not to speak to the police at the hospital. If they do, the option to choose whether to file charges against the accused still exists.
- k. Private physicians are not required to notify the police. If a victim desires police involvement, they may request this contact. Also, with a private physician, victims may have to ask for a rape kit to be completed. Please keep in mind: having a rape exam does not mean that victims are mandated to press charges. This action only keeps the victim's options open.

7. Reporting

- a. **Guidance on Reporting:** Bethany College encourages those who have experienced any violation of this Policy to report the incident promptly, to seek all available assistance, and to pursue College conduct charges and criminal prosecution of the offender. The College takes complaints very seriously and will work with victims to ensure their safety and to remedy the situation.
- b. **Contact Information for Reporting:** The College encourages those who have experienced sex discrimination, sexual misconduct or other violations of this policy to report these offenses. People who wish to make a report or who are mandated reporters should contact one of the following:
 - i. Title IX Coordinator
Bethany College, 1 Main Street, Bethany, WV 26032
Office Location: Student Life – Bethany House
Phone: 304.829.7064
 - ii. Title IX Coordinator
Bethany College, 1 Main Street, Bethany, WV 26032
Office: Human Resources – Cramblet Hall, Third Floor
Phone: 304.829.7131
- c. **What to expect when you make a report:**
 - i. **Initial report:** The Title IX Coordinator can assist with all aspects of the reporting procedure and will conduct an investigation into a complaint. Employees of the College can also make an initial report to their immediate supervisor who must report it to a member of the Title IX Coordinator. The Title IX Coordinator can also assist victims with contacting law enforcement.
 - ii. **Alternate Reporting Options:** If for any reason the complainant is unable or unwilling to report the matter to a Title IX Coordinator member, he/she may report the matter to the Vice President for Academic Affairs, the Dean of Student Life, or the President of the College.
 - iii. **Violations On and Off Campus:** The Title IX Coordinator shall take action when the policy is violated on campus or off campus if the effect of the off

campus violation is pervasive to the point of affecting the on-campus educational environment.

- iv. **Title IX Coordinator Responsible for Oversight:** In some circumstances, investigation and disposition of complaints may be referred to other offices within the College, such as College Human Resources or the Office of Student Life. However, ultimate oversight remains with the Title IX Coordinator to coordinate and ensure the College's compliance with Title IX. To assure College-wide compliance with this policy and with federal and state law, the Title IX Coordinator must be advised of all reported incidents of discrimination or sexual misconduct and their resolution, regardless of where the complaint is brought, investigated, or resolved. The Title IX Coordinator will monitor and coordinate the resolution of complaints by other offices with concurrent jurisdiction over Title IX discrimination or sexual misconduct.

8. Confidentiality

- a. **Mandated Reporters:** Those who have experienced sex discrimination should know that all College employees (Resident Assistants, Campus Safety, faculty members, staff members, etc.) excluding licensed professionals from the College Counseling Center, the professionals in Campus Ministry, and staff of Student Health must report known violations of this policy to the Title IX Coordinator, either directly or through Campus Safety. Licensed professionals in Counseling, Student Health and Ministry are NOT mandated reporters and therefore are the only absolutely confidential resources. All other college employees are mandated reporters, and cannot keep your identity anonymous.
- b. **Commitment to Campus Safety:** In some cases, the Title IX Coordinator may not be able to honor a victim's request to not pursue student conduct charges against an alleged respondent. The Title IX Coordinator is responsible for determining if an ongoing threat to campus safety and security exists and if so the Coordinator may pursue charges against the alleged respondent without the cooperation or participation of the original complainant.
- c. **Anonymous Reporting:** If you would like to report an incident or speak to someone about an incident and you desire that details of the incident be kept strictly confidential, you should speak with staff members of the Counseling Center, Student Health, the Campus Chaplain, or off-campus rape crisis resources, who will maintain confidentiality to the extent permitted by law. Campus counselors are available to help you free of charge, and can be seen on an emergency basis. In addition, you may speak on and off campus with clergy and chaplains, who will also keep reports made to them confidential to the extent permitted by law.
- d. **Limited Response for Anonymous Reporting:** If a person wishes to make a complaint anonymously, the College's ability to respond will be limited. Additionally, if the victim does not wish to proceed, an investigation will not follow unless the Title IX Coordinator determines that the safety of the College community or legal compliance is jeopardized.
- e. **All Reports Treated with Discretion:** All inquiries, complaints, and investigations are treated with discretion. Information is revealed only as law and policy permit or

require. However, the identity of the complainant is usually revealed to the person(s) accused of such conduct and any witnesses with consent of the complainant. Publicizing information about alleged sex discrimination or retaliation is strictly prohibited and may be considered a violation of College policy. FERPA also protects student's records by restricting the amount of people who have access to Title IX investigative materials and/or records.

9. Complaint Intake

- a. **Gatekeeping:** The scope of the investigation will be at the discretion of the Title IX Coordinator or the Coordinator shall appoint an appropriately trained designee to handle the investigation. An investigation will be started within seven (7) calendar days of the initial reporting. The initial investigation will be in the form of an inquiry or review to determine if the complaint on its face alleges a policy violation, and if so, what policy violations should be alleged as part of the complaint. If the complaint does allege a possible violation, the complainant and respondent (if known) will be notified in writing of the next steps. If the complaint does not allege a policy violation, the case will be closed with no further action and the complainant and respondent (if known) will be notified in writing.

10. Interim Measures

- a. **Timing of interim measures:** At any time after receiving notice of a possible policy violation, the College reserves the right to impose interim measures intended to promote the safety and well-being of its campus community.
- b. **Interim measures for students:** When necessary to preserve a safe academic environment the College may provide certain protections or remedies for the parties. When the victim and the accused student participate in the same courses, reside in the same College residence or in proximity to one another, or participate in the same activities (i.e., sports teams) victims may request that a fair and immediate way to reassign and/or move one of the persons be decided upon by the Dean of Student Life or a designee. The Dean of Student Life will consult with the Vice President for Academic Affairs in making a determination regarding an alternative classroom assignment(s) for the accused student and/or the complainant. The Dean of Students will consult with the Director of Residence Life in making a determination regarding an alternative housing assignment. When a victim makes a report and the accused party works in the same department or area, alternative work assignments may be made by the appropriate administrator upon request by the employee filing the complaint.
- c. **Interim measures for employees:** At the recommendation of the Title IX Coordinator, the head of an employee's department shall consult with the Director of Human Resources to determine if any interim measures are necessary and if so, how they shall be implemented.
- d. **Interim suspension:** The College reserves the right to bar accused parties from campus pending a hearing.

11. Cooperation with Law Enforcement

- a. **Acceptable Delay:** The College will comply with law enforcement request for cooperation and such cooperation may require the College to temporarily suspend

the fact-finding aspect of a Title IX investigation while the law enforcement agency is in the process of gathering evidence. The College will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, which typically takes three (3) to ten (10) calendar days, although the delay in the College's investigation may be longer in certain instances.

- b. **Interim Protections during Law Enforcement Investigation:** The College will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the victim(s) and the campus community and for the avoidance of retaliation.

12. Investigatory Team

- a. **Composition of Investigatory Team:** The investigatory team for student, employee, faculty and visitor cases may include one or more of the members of the Title IX Team. Any real or perceived conflict of interest between an investigator and a party must be disclosed to the Title IX Coordinator and the Dean of Students if it is a student case, or the Vice President for Academic Affairs if it is an employee/faculty case. Whether an investigator with a real or perceived conflict of interest can nonetheless serve on an investigatory team will be assessed on a case-by-case basis.
- b. **Student Cases:** In cases where students are accused of a policy violation, the investigatory team is tasked with recommending whether and what further action by the student conduct system, including a hearing before a Conduct official, is warranted. The investigatory team creates the case file, which includes a written investigatory report, to be used by the Conduct official. Students will not be permitted to submit information (e.g. testimony, witness lists, physical evidence, etc.) to the Conduct official unless it was first presented to the investigatory team. The investigatory team determines, whether viewing the facts in a light most favorable to the complainant, probable cause exists to believe a policy has been violated. The investigatory team may dismiss cases at this gatekeeping stage if there is no probable cause.
- c. **Non-Student Cases:** In cases in which persons other than students (i.e. faculty, staff, visitors, etc.) are accused of a policy violation, the investigatory team serves as both the investigatory body and the finder of fact. It is tasked with investigating the complaint, preparing a written investigatory report, making findings of fact, determining if College policy has been violated and if so, recommending suitable action to appropriate College officials including the Vice President for Academic Affairs. Ultimately it is up to that respective official to determine if and how to implement the investigatory team's recommendation. Should a member of the Title IX Team be the subject of an investigation, another member of the Title IX Team shall be in charge of the investigation and the record retention. The Title IX Coordinator may also appoint an investigator not affiliated with the College so long as that investigator has appropriate experience and training.

13. Informal Procedure

- a. **Appropriate Applications of Informal Procedure:** Some complaints of sex discrimination can be resolved through informal mediation between the parties. Informal resolution procedures are optional and may be used with the agreement of

the involved parties when the College determines that it is appropriate. Informal procedures are never applied in cases involving violence or non-consensual sexual intercourse.

- b. **Initial Response Deadline:** Once a report of sex discrimination has been made, informal resolution procedures will be pursued within seven (7) calendar days of the initial report, if such informal resolution is appropriate and acceptable to the complainant(s) and respondent(s)
- c. **Mediation through Information Resolution:** Informal resolution is the mediation of the issue between the two parties conducted by the Dean of Students for Student Cases and the Vice President for Academic Affairs in all other cases. Each party will have the opportunity to attend the mediation to advocate for their desired outcome.
- d. **Prevention of Recurrence:** The College shall take reasonable steps to prevent the recurrence of sex discrimination in any form. If such reoccurrence takes place, those responsible for such behavior may be subject to actions in accordance with College policy.
- e. **Victim Sensitive Remedies:** The College will take all necessary steps to remedy the discriminatory effects on the victim(s) and others. Examples of such victim sensitive remedies may include: order of no contact, residence hall relocation, adjustment of schedule, etc. These remedies may be applied to one, both, or multiple parties involved.
- f. **Written Notice of Outcome Deadline:** Written notice of the outcome of this process shall be given to the parties involved by the Title IX Coordinator or designee within three (3) days of the outcome.
- g. **Right to Pursue Formal Procedure:** If either the complainant or respondent are unsatisfied at any time with the informal procedure, the formal resolution procedure may be pursued.

14. Formal Procedure

- a. **Initial Response Deadline:** Once a complaint of sex discrimination is made, an investigation of the report shall be pursued within seven (7) calendar days.
- b. **Investigation Format:** The investigation will include interviews with the parties and witnesses, if available.
- c. **Witnesses' Role:** Disclosure of facts to witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are encouraged to maintain confidentiality so as to protect the integrity of the investigation; however, this request is not meant to impinge on any legal rights they may have otherwise.
- d. **Written Notification of Charge:** The respondent shall be provided a copy of the written complaint or otherwise informed of the substance of the allegations. The complainant shall be provided with a copy of the written response provided by the respondent, if any, or otherwise informed of the substance of the response to the allegations.
- e. **Choice to Limit Participation:** A complainant or respondent may choose not to participate at all in the investigation or to provide a written statement in lieu of or in addition to any interview with investigators. However, it is important to note that any decision by a party to not participate or to limit participation in turn limits the

ability of the College to discover facts that may support his or her version of the key events.

- f. **Support Person:** Complainants and respondents may be accompanied by one support person during any meeting with investigators. The support person cannot be someone who may be called as a witness.
- g. **Submitting Evidence in Advance:** Complainants and respondents must submit any evidence they wish to be considered by the Conduct official within the timeframe requested by the designated investigator.
- h. **Preponderance of Evidence Standard:** The standard used for determining accountability will be the preponderance of evidence standard, which means whether it is more likely than not that the respondent has violated the policy.

15. Disposition

- a. **Final Report:** At the conclusion of the investigation, the investigatory team will prepare a report. The investigator shall meet with either the Dean of Students for student cases or the Vice President for Academic Affairs for faculty and staff cases and issue a recommendation based on the evidence and report. The report may be used at Conduct Hearing as evidence in student cases. It may also be used by the Vice President for Academic Affairs in determining disposition in all other cases.
- b. **Executive Summary:** The report will include a statement of the allegations and issues, a description of the applicable standards, and a summary of the information collected. Both complainant and respondent will have access to the executive summary section of the report upon request.
- c. **Student Case Disposition:** In student cases, the Dean of Students will hold a Conduct Hearing to determine whether a policy has been violated and if so what the remedy or sanction shall be. The Conduct Hearing shall be presided over by a single Conduct Officer, who will review the investigator's final report and meet with the victim and the accused before issuing a finding and sanctions. The Title IX Coordinator shall then inform both the victim and accused of the outcome of said hearing. These hearings differ from conduct panels offered for other conduct violations.
- d. **Non-Student Case Disposition:** In all other cases, the investigative team shall make a finding of fact to determine if a policy has been violated. Also, the investigative team will also make recommendations on possible remedies. However, the final decision will be made by the Dean of Students for student cases and the Vice President for Academic Affairs for all other cases
- e. **Alternative Testimony Options:** For student conduct complaints of a sensitive nature, whether the alleged victim is serving as the complainant or as a witness, alternative testimony options may be given, such as placing a privacy screen in the hearing room, or allowing the alleged victim to testify from another room via closed circuit. 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.
- f. **Limited Admissibility of Past Sexual History:** The past sexual history or sexual character of a party will not be admissible in hearings unless such information is determined to be highly relevant by the Conduct Officer. 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 by the investigating member of the Title IX Team. While previous conduct violations by the accused party are not generally admissible as information about the present alleged violation, it may be considered only if any of these conditions exist:

- i. The accused was previously found to be responsible for a policy violation.
 - ii. The previous incident was substantially similar to the present allegation;
 - iii. Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.
- g. **Written Notification of Finding and Sanction Deadline:** At the conclusion of the process, the College will provide written notification to the parties involved of the outcome within five (5) calendar days.
- h. **60-Day Deadline:** Barring special circumstances, all findings shall be rendered within sixty (60) days from the time the College was put on notice on an alleged violation of this policy.

16. Sanctions

- a. **Sanctions Will Match Offenses in Severity:** Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose differing sanctions, sanctions available per offense are listed below.
- b. **Sanction for Non-Consensual Sexual Intercourse:** Where the conduct is non-consensual sexual intercourse and the finding is responsible the only sanctions available are suspension or expulsion for students; for faculty and staff sanctions can include demotion, salary reduction, mandatory leave, and other options up to and including termination.
- c. **Sanction for Dating or Domestic Violence:** In student cases, where the conduct is dating or domestic violence and the finding is responsible, the sanctions available include disciplinary warning, disciplinary probation (including residence hall probation), behavior contract, residence hall removal or reassignment, restriction of privileges, no contact directive, suspension of group recognition, revocation of group recognition, restitution fines, restitution service, educational activity, conduct referrals, registration hold, interim suspension, interim residence hall suspension, suspension, and expulsion. In all other cases, including those involving faculty and staff, where the conduct is dating or domestic violence and the finding is responsible, available sanctions include disciplinary warning, demotion, salary reduction, conduct referral, mandatory leave, disciplinary suspension and or termination.
- d. **Sanction for Stalking:** In student cases, where the conduct is stalking and the finding is responsible, the sanctions available include disciplinary warning, disciplinary probation (including residence hall probation), behavior contract, residence hall removal or reassignment, restriction of privileges, no contact directive, suspension of group recognition, revocation of group recognition, restitution fines, restitution service, educational activity, conduct referrals, registration hold, interim suspension, interim residence hall suspension, suspension, and expulsion. In all other cases, including those involving faculty and staff, where the conduct is stalking and the finding is responsible, available sanctions include disciplinary warning, demotion,

salary reduction, conduct referral, mandatory leave, disciplinary suspension and or termination.

- e. **Sanction for Sexual Harassment:** In student cases, where the conduct is sexual harassment and the finding is responsible, the sanctions available include disciplinary warning, disciplinary probation (including residence hall probation), behavior contract, residence hall removal or reassignment, restriction of privileges, no contact directive, suspension of group recognition, revocation of group recognition, restitution fines, restitution service, educational activity, conduct referrals, registration hold, interim suspension, interim residence hall suspension, suspension, and expulsion. In all other cases, including those involving faculty and staff, where the conduct is sexual harassment and the finding is responsible, available sanctions include disciplinary warning, demotion, salary reduction, conduct referral, mandatory leave, disciplinary suspension and or termination.
- f. **Sanction for Other Forms of Sexual Misconduct:** In student cases, where the conduct is any other form of sexual misconduct and the finding is responsible, the sanctions available include disciplinary warning, disciplinary probation (including residence hall probation), behavior contract, residence hall removal or reassignment, restriction of privileges, no contact directive, suspension of group recognition, revocation of group recognition, restitution fines, restitution service, educational activity, conduct referrals, registration hold, interim suspension, interim residence hall suspension, suspension, and expulsion. In all other cases, including those involving faculty and staff, where the conduct is sexual misconduct and the finding is responsible, available sanctions include disciplinary warning, demotion, salary reduction, conduct referral, mandatory leave, disciplinary suspension and or termination.
- g. **Sanctions for Retaliation:** In student cases, where the conduct is any other form of retaliation and the finding is responsible, the sanctions available include disciplinary warning, disciplinary probation (including residence hall probation), behavior contract, residence hall removal or reassignment, restriction of privileges, no contact directive, suspension of group recognition, revocation of group recognition, restitution fines, restitution service, educational activity, conduct referrals, registration hold, interim suspension, interim residence hall suspension, suspension, and expulsion. In all other cases, including those involving faculty and staff, where the conduct is retaliation and the finding is responsible, available sanctions include disciplinary warning, demotion, salary reduction, conduct referral, mandatory leave, disciplinary suspension and or termination.

17. Appeals

- a. **Deadline for Appeals:** Once written notification of the resolution has been received, the parties involved will have the opportunity to appeal the findings. Appeals in all cases must be submitted forty-eight hours of being notified of the outcome. If one party appeals the other shall be notified within one (1) business day. The Title IX investigator shall also be informed within one (1) business day.
- b. **Types of Appeals:** Appeals in all cases will be limited to the appeal of the finding and the remedies or sanctions.
- c. **Appropriate Situations for Appeal:** Appeals can only be made if there is new information that was previously unknown or unknowable, or if there was a procedural error in the original investigation and resolution process.

- d. **Appeals Format:** Student appeals shall be heard by a three member panel consisting of the Vice President for Academic Affairs, a member of the Student Life staff, and a faculty member; for all other cases, including faculty and staff, appeals shall be heard by the Dean of Students, a staff member and a faculty member.

18. Statements of Rights

a. Rights of the Complainant:

- i. To be treated with respect by College officials.
- ii. To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate College official(s).
- iii. To receive written notification that the respondent has been officially notified of the allegation of violating the College's Nondiscrimination and Anti-Harassment Policy.
- iv. To be notified of the substance of respondent's response, if any, to the allegations.
- v. To take advantage of campus support resources (such as Campus Ministry, the College Health and Counseling Centers).
- vi. To experience a safe living, educational and work environment.
- vii. To have the College as well as other parties refrain from victim blaming.
- viii. To have a support person of his or her choosing, excluding witnesses.
- ix. To decline to participate in conflict resolution procedures as the means for resolving an allegation.
- x. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- xi. To be free from retaliation for complaints made, or otherwise participating in an investigation, in good faith.
- xii. To have complaints heard in substantial accordance with these procedures.
- xiii. To full participation in this process, whether the injured party is the actual party or the College has brought the complaint.
- xiv. To be informed in writing of the outcome/resolution of the complaint, sanctions where permissible and the rationale for the outcome where permissible.
- xv. The ability to refer to law enforcement and have assistance.
- xvi. For residential students, the ability to request housing and living accommodations, if appropriate.
- xvii. A "no contact order," if appropriate. A no contact order is an order from a College Official to have no contact with a particular person or persons. Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the College to be intimidating. The College may add to the terms of no contact within the context of the reported incident that preceded the order or concerns that have arisen during the investigation.

b. Rights of the Respondent:

- i. To be treated with respect by College officials.

- ii. To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate College official(s).
- iii. To receive written notification if officially accused of violating the Title IX/Sex Discrimination Policy.
- iv. To take advantage of campus support resources (such as Campus Ministry, the College Health and Counseling Centers).
- v. To experience a safe living, educational and work environment.
- vi. To have a support person of his or her choosing during this process, excluding witnesses.
- vii. To decline to participate in conflict resolution procedures as the means for resolving an allegation.
- viii. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- ix. To be free from retaliation for complaints made, or otherwise participating in an investigation, in good faith.
- x. To have complaints heard in substantial accordance with these procedures.
- xi. To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing.
- xii. The ability to refer to law enforcement and to have assistance.
- xiii. For residential students, the ability to request housing and living accommodations, if appropriate.
- xiv. A “no contact order,” if appropriate. A no contact order is an order from a College Official to have no contact with a particular person or persons. Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the College to be intimidating. The College may add to the terms of no contact within the context of the reported incident that preceded the order or concerns that have arisen during the investigation.

19. **Records and Revision:** The Title IX Coordinator shall keep records of all complaints, resolutions, investigations, and hearings. The Title IX Coordinator shall also be responsible for updating the Title IX policy and implementing any new procedures if necessary. Title IX records shall be kept separate and apart from all other institutional records.

20. Special Provisions

- a. **Attempted Violations:** In most circumstances, the College will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.
- b. **The College as Complainant:** As necessary, the College reserves the right to initiate a student conduct complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim or complainant. Bethany College may also serve as the complainant in employee circumstances as well.
- c. **False Reports:** The College will not tolerate intentional false reporting of incidents. It is a violation of Bethany College policy to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation

laws. Violations will result in sanctions, ranging from oral warning to expulsion, depending on the severity of the offense.

- d. **Immunity for Victims:** The College community encourages the reporting of sex discrimination and Code of Conduct violations. Sometimes, victims are hesitant to report to College officials because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of this community that as many victims as possible choose to report to College officials. To encourage reporting, the College pursues a policy of offering victims of sex discrimination and sexual misconduct limited immunity from being charged with policy violations related to the particular incident.
- e. **Good Samaritan/Bystander Policy:** The welfare of students in our community is of paramount importance. At times, students on and off-campus may need assistance. The College encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as student who has been drinking underage might hesitate to help take a victim of sexual misconduct to the Campus Security). The College pursues a policy of limited immunity for students who offer help to others in need.
- f. **Parental Notification:** The College reserves the right to notify parents/guardians of dependent students regarding any health or safety emergency, change in student status or conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the College will contact parents/guardians to inform them of situations in which there is a health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

21. Sex Offense Educational Programming and Training

- a. **Groups Who Receive Educational Programming:** Because Bethany College recognizes sex discrimination as an important issue, the College offers educational programming to a variety of groups such as: campus resources (Campus Safety, Residence Life, faculty, and staff); and incoming and continuing students.
- b. **Scope of Educational Programming:** Sex Discrimination educational programming may address matters such as: a definition of what constitutes sex discrimination, the causes of sex discrimination, myths involved with sex discrimination, the relationship between sex discrimination and alcohol use, what to do if you are assaulted, the nature of a rape examination, an explanation of the College sex discrimination policy, how to file charges within the College conduct system, and/or with the local police department, men's issues and sexual assault, and campus community resources to assist both the survivor and the accused.
- c. Campus community members will receive updated Title IX/Sex Discrimination training annually. The training will include information on reporting, procedures, and updated information regarding the current law and regulations.
- d. The College will also conduct climate surveys on an annual basis to ascertain the current climate regarding sexual discrimination and harassment. The entire campus

community will be asked to participate in the surveys. The results of the surveys will be housed in the Title IX Office.

22. **Clery Act Compliance:** Some Title IX policy violations are reportable offenses under the Jeanne Clery Act. In compliance with Clery, the College will report certain information such as the type and location of the offense. The report will not include names or identifying information.
23. **Discretion**
 - a. **Unique Circumstances:** Where an issue is encountered at any juncture of a case that is not addressed specifically by this Title IX/Sex Discrimination Policy, the College has the discretion to determine, in a good faith effort to comply with applicable legal requirements, how to address such an issue.
 - b. **Origin of this Policy:** Parts of this policy are based on the NCHERM Model Sexual Misconduct Policy, University of Dayton's Title IX Policy, Notre Dame College's Sexual Assault Policy, and Ohio University's Title IX Grievance Procedure, and they have been used with permission.
24. **Office of Civil Rights Contact Information:** Individuals with unresolved complaints of sex discrimination also have the right to file a formal complaint against Bethany College with the United States Department Education within 180 days of the alleged violation:

Office for Civil Rights (OCR)
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov

7.2.21 Sex Offenders

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a federal law that provides the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. It also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. Law enforcement agency information provided by the State of West Virginia can be obtained by visiting www.wvstatepolice.com. Once at this site, click on "sex offender" and then select Brooke County in the "county" section.

7.2.22 Tobacco Use Policy

The use of tobacco products including, but not limited to cigarettes, cigars, pipes, smokeless tobacco, electronic or e cigarettes, and vaporizers designed to administer nicotine is prohibited

inside any of the College's facilities or vehicles. The use of tobacco products is allowed in designated areas outside any facility. Appropriate signage will be placed at entrances to all buildings advising employees and visitors that Bethany College maintains a tobacco-free environment. Designated tobacco-use areas will be located at least 25 feet away from any building entry way or ventilation intake. This policy relates to all work areas at all times, including before and after normal working hours.

7.2.23 Social Events Policy

Any student organization wishing to sponsor a social event on campus must pick up, complete, and return a registration form at the Office of Student Life to obtain approval for the event. (<http://www.bethanywv.edu/students/event-planning/>) Members of the faculty and staff who serve as advisors to the organization are encouraged to be present for the duration of the event.

7.2.23.1 Purpose of Policies and Procedures

The purpose of these Policies is to serve as a substantive social policy guide for all student organizations at Bethany College whether on or off campus. Each organization should understand that this manual does not take the place of this Volume VI, the On-line Bethany Student Handbook or any existing College Policies and Procedures. As officers of a student organization working closely together, it is your responsibility to make sure that all College Policies and Procedures are made known to your members. The College will assume that all members of the Bethany College Community, including members of student organizations are aware of, and agree to abide by and uphold, all College Policies, as well as all local, state and federal laws. Questions should be immediately referred to the Director of Student Activities or Director of Security.

Note: Student organizations are an important element of the Bethany College social environment. Many of the more popular social events held each year are sponsored by student organizations, especially Fraternities and Sororities. The College understands the importance of a strong social component to the overall College experience, and seeks to support a safe and healthy social atmosphere.

7.2.23.2 Registration/Planning

1. All social events, whether on campus or off, whether alcohol will be present or not, must be registered with the following parties: Office of Student Life, Campus Security, and IFC or Pan-Hellenic President, if involving fraternities or sororities.

This registration can be completed by filling out the appropriate form. Forms must be completed and turned in to the Office of Student Life no later than noon of four business days prior to the event. If the event requires a security guard, the Department of Safety and Security may require the event to be registered earlier. In this case, organizations shall check with the Department of Safety and Security. Any of the above listed parties may refuse to approve a social event. No forms submitted after noon as specified above will be accepted. It is the responsibility of the hosting organization(s) to make sure that all paperwork is completed on time.

Organizations are not permitted to advertise for a social event by using any campus medium (The Tower or via flyers, for example). This excludes rush/recruitment activities.

All forms are available at <http://www.bethanywv.edu/students/event-planning/>

2. If alcohol is to be served, guests will only be permitted to attend if they have an invitation from persons of the organization. A member of the organization must be present at the entrance way to the function at all times checking the approved guest list. They are responsible for all guests permitted to enter. The hosts of the event reserve the right to turn away or remove any persons, invited or not.
3. All events involving alcohol are to be held at approved locations, including those with legal liquor license permits through Dining Services as a Third Party vendor, Greek chapter houses that permit alcohol on premise through the national organization, Renner Too, Bethany House, and other campus locations as pre-approved.
4. All events must be approved by the Dean of Students. The Dean of Students will have final authority as to whether an event will be permitted. Factors that may impact that decision include, but are not limited to, number of guests, other events scheduled for that date or weekend, whether alcohol will be present, and time of semester.
5. The Dean of Students and/or the Director of Safety and Security may require security officers to be hired for certain social events. This decision is made at the discretion of the Dean of Students and the Director of Safety and Security. Additional officers may be organized through the Director of Safety and Security.
6. Absolutely no social events will be permitted during the first week of the semester, the formal recruitment period, Finals week, or at any time when classes are not in session.
7. As a courtesy, copies of all approved Social Event Forms must be sent to the Director of the Physical Plant. The Physical Plant may impose restrictions to social events in extreme cases where they feel that the location or timing of the social event may prevent their staffs from preparing for previously scheduled events.
8. National Pan-Hellenic has ruled that no NPC member organization will cosponsor (provide funds or assistance) any on-premises (i.e. in a fraternity house) event with a fraternity in which alcohol is present. All of Bethany's female Chapters adhere to this rule and the College is fully compliant with this initiative.
9. The Office of Student Life reserves the right to add additional registration forms if deemed necessary (liability waivers, et.al.).

7.2.23.3 Conducting a Social Event

Upon approval of a registered social event, the officer or coordinating student representative will receive a set of guidelines for hosting the event from the Director of Student Activities. Students are expected to follow these guidelines.

7.2.23.4 After the Event

If the property used is your own, it must be cleaned and restored within one day of the event. If the property used is other than your own, the property must be cleaned and restored to its original condition as soon as the event has ended.

Note: The Office of Student Life has the right to sanction sponsoring organizations, as it deems fit, for failure to adhere to the above policies.

7.2.24 Solicitation Policy and Guidelines

Bethany College has established guidelines regarding solicitation of products or services on campus.

1. Fund-raising activities may not conflict with the College's own efforts to raise funds for the institution as a whole. Soliciting parents, alumnae, or others is strictly prohibited except with a special exemption from the Dean of Students and the Senior Vice President.
2. Door-to-door canvassing by outside vendors is prohibited on the College campus.
3. Alcoholic beverages may not be offered as prizes.
4. Bulletin boards may not be used to distribute any solicitation material for the purpose of advertising, promoting, or drawing attention to off-campus events that the Dean of Students has not sponsored or recognized.
5. Products being sold must be of good quality and from a reputable firm.
6. Potentially hazardous or dangerous items may not be sold.

7.2.25 Fund-raising on Campus for Non-profit Charities

1. Fund-raising efforts for non-profit charities must be sponsored or recognized by a club or organization, academic department, or administrative office.
2. Student clubs and organizations may raise funds for their own benefit, providing they observe the following provisions:
 - a. The Dean of Students must approve the schedule for the effort.
 - b. The effort must not conflict with previously scheduled fund-raising activities.

7.2.26 Student Dress and Decorum

Students are expected to dress appropriately and to present a general appearance of good taste and grooming, appropriate to the situation. Extreme modes of dress which interfere with health or academic work are not in keeping with the standards expected of Bethany College students and will subject a student to possible disciplinary action.

Students are expected to conduct themselves with the dignity, respect and propriety associated with the concept of ladies and gentlemen pursuing higher education on a College campus. Students are expected to conduct themselves in a civil manner that will not discredit themselves or the College.

7.2.27 Student Theft

Any student may call the Department of Safety and Security to report a theft and file an incident report. Should any student be involved in, charged with or convicted of theft, the College reserves the right to make a determination in each case as to the continuation of academic and resident status of the student. In a given situation involving theft, the College may inform law enforcement authorities.

7.2.28 Student Withdrawal

A student wishing to withdraw either during the semester or for the next semester should complete a Student Withdrawal form with the Office of Student Life. This form will be processed to the Registrar's Office, Vice President for Finance, and Office of Student Life. Upon withdrawal, the student must turn in their residence hall keys and student identification card. If these items are not returned, appropriate charges will be placed on the student's account prior to closing that account. Questions about student withdrawal should be directed to the Dean of Students at 304.829.7631.

7.2.29 Timely Warning Policy

In the event that a situation arises, either on or off campus, that, in the judgment of College Officials, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through, postings, the college supported e-mail system, and other means of communication deemed necessary by Bethany College.

7.2.30 Use of College Name, Seal, and Logo

Members of the campus community, either individually or collectively, shall not officially use the name, seal or logo of Bethany College in any activity outside of the regular work of the College. Violation of this rule is regarded as sufficient cause for dismissal or expulsion. Bethany College's name, seal, and logo are the exclusive property of the College and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Senior Vice President. Members of the campus community publish a considerable number of reports in the form of bulletins, circulars, scientific articles, monographs, and books, some of which are copyrighted and others of which are not. Material from such recognized publications is, of course, quotable, and proper recognition should be given to both the individual author and to Bethany College in connection with such quotations.

Official stationery may not be used in connection with "outside activities" except with respect to those academic and scholarly activities described above. No report or statement relating to outside activities may have the name of Bethany College attributed to it. The use of official Bethany College titles for personal gain or publicity is prohibited without the written approval of the Senior Vice President.

7.3 Residence Life: Expectations and Policies

The general philosophy of residence life at Bethany College is to create a community living experience contributing to the total education of the students. The staff of the Office of Student Life is committed to developing a residence hall environment which encourages and enhances the student's opportunity to achieve academic excellence. Such a climate can only be realized if mutual cooperation, respect, and effort are expressed by both students and staff members. Listed below are policies, procedures, and general information pertaining to the residence hall community. Please note that the Office of Student Life can and will enact policies during the course of the year, should it be deemed necessary to the operation and healthy living environment of the residential community. In such cases, any additional or revised policies will be disseminated via e-mail and posted in the residence halls.

Please read all resource documents to be fully informed of Bethany College policies, procedures and expectations. If you have any questions, please feel free to contact the Director of Residence Life at 304-829-7631.

7.3.1 Residence Life: Expectations and Policies

Community living, sharing your space with one, four, eight, or 100 people can be a stressful situation. This situation is made easier for everyone if basic respect is present. This respect includes respect for yourself, your roommate(s), those living around you, the building in which you live, the staff that takes care of that building, and the general surrounding community. The policies, expectations and guidelines outlined below should make the community in which you live a more positive environment.

7.3.1.1 Expectations for Residence Hall Living

7.3.1.1.1 Alteration of Residence Hall Rooms or Buildings

No students are permitted to alter their residences inside or outside without the express permission of the Director of Residence Life.

7.3.1.1.2 Care and Maintenance of Rooms and Living Areas

Students are expected to treat College property with respect. Students must maintain their rooms in as good a condition as when they moved into them. Students are equally responsible for the care and upkeep of common areas of their housing units. Common areas include halls, cubicles, suites, restrooms, lounges, kitchenettes, and exterior grounds. Damages and failure to maintain minimum levels of cleanliness will result in disciplinary action and/or group damage billing from the Director of Residence Life for the individuals responsible.

7.3.1.1.3 Check In/Check Out Forms

Each student will be asked to complete a "Check In/Check Out" Form to record the condition of the room when they move in. Anything more than normal wear and tear, or if a student fails to return the Check In/Check Out Form within 2 days of checking in, will result in charges for damage to the room or its furnishings. At the end of each year, each student shall complete the

checkout process, including the completion of the checkout portion of the “Check In/Check Out” Form initiated when they moved into that room, with a Office of Student Life staff member or designee. Failure to have a “Check Out” Form signed by the student and member of the residence life staff will result in forfeiture of an improper checkout fee of \$100 and damage. In addition, if a student does not checkout properly by the official close of the residence halls their belongings will be considered abandoned after 48 hours and the contents of the room will be disposed of properly.

7.3.1.1.4 Cohabitation and Taking up Residence

Residence hall space is for use by Bethany College students only. A student may not occupy any space that has not been assigned to that particular student. Cohabitation is defined as staying in a residence hall room, not assigned in your name, for a period longer than three nights consecutively; and/or more than ten days in a 30 day period.

7.3.1.1.5 Cooking Facilities and Kitchenettes

Kitchenette cooking facilities are available in common areas of some residence halls (with the exception of Campbell Village and Cochran Hall). These facilities are intended only for limited use. When a kitchenette area is abused in any manner, cooking privileges will be revoked.

7.3.1.1.6 Emergencies

In the event of any emergency a student shall contact the Resident Assistant, Campus Safety and Security 304.830.3924), or dial 9-911 for appropriate emergency services including fire, ambulance, or police services.

7.3.1.1.7 Entry of Rooms by College Personnel

Bethany College is dedicated to preserving students’ rights to study, to reflect, to have quiet time, and to rest in their rooms. However, the College reserves the right to enter and inspect any students’ room or vehicle at any time. Members of the staff of the Office of Student Life, College Administrators, staff members of the Department of Safety and Security, and Maintenance Personnel are authorized to enter a student’s room to determine occupancy, inspect its contents for health and safety reasons, provide for maintenance or make repairs, and for routine and random inspections. College staff may also enter rooms if there is reason to believe a violation of College policy or Code of Conduct is occurring or has occurred. Except in situations involving violation of policy, maintenance, or safety concerns which require immediate attention, the personal belongings of students are not disturbed. When emergency situations exist, College staff may enter rooms. College personnel are authorized to enter rooms with law enforcement officials to determine whether a violation of law has occurred. The evidence gathered from this entry may be used in College disciplinary proceedings and in a court of law.

7.3.1.1.8 Fire Drills

State law requires periodic fire drills. Fire drills will be planned during reasonable hours, within the first two weeks of each semester. All residents must leave the building any time a fire alarm sounds. Failure to follow directions for fire drills may result in disciplinary action under the Code of Student Conduct and of at least \$250.

7.3.1.1.9 Group Billing

The College makes every effort to identify the individuals who should be held financially responsible for non-regular housekeeping services, non-regular maintenance services, and vandalism or abuse of common areas in the residence halls. Residents, as members of a community, should be diligent in being aware of their surroundings and other students, and non-students, around them. Students witnessing vandalism or abuse of property shall report it to their RA, the Department of Safety and Security, or the Office of Student Life as soon as possible. If the person(s) responsible for these damages or additional housekeeping or maintenance issues are not discovered, the most directly related students will bear the costs of cleaning, repair, or replacement. The following is a schedule of responsibility for damages:

1. Bedroom - divided equally among occupants of room.
2. Cube, Suite, or Wing - divided equally among occupants of area.
3. Bathroom - divided equally among occupants of the area serviced.
4. Building, House Lounges, Hallways, and Common Areas - divided equally among all occupants of residence.
5. Exterior and Grounds - divided equally among all occupants of residence hall or building.

If an individual is found responsible for common area damages, sanctions for damages may include written warnings, fines, and loss of privileges, community restitution, suspension, or dismissal.

Periodically and at the end of each semester each residence area is checked by a member of the residence life staff or a designee for damages, alterations, and cleanliness.

7.3.1.1.10 Guests

It is a privilege for a student to entertain a guest, including a member of the opposite sex. Residence hall facilities are intended for the particular student who has been assigned that living space and specific room. Residence halls are not intended as living accommodations for transients, non-students, or students who are not assigned for housing or for students to use a room as a “second home” (i.e., staying in another student’s room on a regular basis). It is expected that a student seek approval from roommates prior to inviting a guest. The student and guest shall be considerate of a roommate’s right to sleep and study. For safety and security purposes, overnight guests must be registered with the Resident Assistant. A Guest Registration Form is available from the Resident Assistant, or at the Office of Student Life.

Students are expected to escort their guests at all times, to educate them on College policies, and to accept responsibility for their behavior and actions. The Office of Student Life retains the

authority to review and evaluate the Guest policy at any time. Furthermore, for health and safety reasons, the College reserves the right to limit the number and frequency of visits and to address those situations in which a visitor (whether student or non-student) is inappropriately using this privilege.

7.3.1.1.11 Health and Safety Inspections

Health and Safety inspections are conducted on a regular basis during the course of the academic year. These inspections are normally announced in advance but may take place without notification if deemed necessary by College staff. Staff conducting the search may consist of Office of Student Life Staff and/or Officers with the Department of Safety and Security. Staff members conducting the search will have the right to open drawers, refrigerators, and other closed containers if a violation is found that could threaten the health and/or safety of the individual, the living environment, or if it is a violation of state or federal law.

7.3.1.1.12 Housekeeping

The College provides housekeeping services for the cleaning only of the common areas of residence halls. Students are responsible for the cleanliness of their individual rooms or apartments. Limited cleaning equipment may be obtained from the Resident Assistant. Residents of Campbell Village are to assume individual and group responsibility of caring for the apartment in which they reside. These responsibilities include removal of personal and apartment trash to dumpsters and appropriate cleaning of common areas.

7.3.1.1.13 Keys

Students will be issued keys to access their building and room, and, when appropriate, their suite. A student who loses a key for a room, apartment, or outside door must contact the Office of Student Life for a replacement. If the lost key is not found within one week the lock is changed and the charges assessed to the student. The cost for replacing a key (which includes key cutting, replacement of the lock core, and labor) is as follows:

1. Campbell Village Apartment or Bedroom Door - \$100.
2. Campbell Village: Both keys - \$150.
3. All other Residence Halls: Room or Outside Key - \$100.
4. Phillips and Harlan: Both Keys - \$150

For reasons of safety and security, students shall not loan their keys out to others, nor shall keys be stolen or duplicated. Unauthorized reproduction or use of keys is subject to judicial referral.

7.3.1.1.14 Laundry

Laundry facilities are available in each residence hall 24 hours a day, 7 days a week. The equipment is provided only for the use of the residents of the particular building. A malfunctioning machine shall be reported to the providing company, Mac-Gray at 1-800-MACGRAY. Each residential student is charged a minimal fee each semester for unlimited use of the laundry facilities.

7.3.1.1.15 Liability/Property Damage, Theft, or Loss

Bethany College is not responsible for the loss, damage, or theft of any person's property or valuables for any reason. The Office of Student Life recommends that insurance coverage, such as renter's insurance, be contracted for by individual students.

7.3.1.1.16 Lock Out Policy

A Student locked out of an assigned residence hall room may call to sign out a temporary key at the Office of Student Life between the hours of 8:30 a.m. and 4:30 p.m. **This will be on a case by case basis and a \$50.00 deposit is required.** The Department of Safety and Security may also unlock doors in an emergency situation during these hours. At other times, the Department of Safety and Security will unlock a resident's door. Charges will be applied to a student's account for the lock out service provided by the Department of Safety and Security as follows: 1st offense, \$5.00; 2nd offense, \$10.00; 3rd offense, \$20.00. After the 3rd offense, the student will be charged \$150.00.

7.3.1.1.17 Lock-Up Policy

Residence hall entry doors, excluding those with meeting, office or classroom space, are locked twenty-four hours per day. Propping of doors is not permitted. Students found propping, prying, yanking, or forcefully pulling open any door will be subject to student disciplinary charges under the Code of Student Conduct.

7.3.1.1.18 Maintenance Requests

All maintenance problems in residence hall rooms or public areas are to be reported as soon as possible. Maintenance problems should be reported directly to the Physical Plant at 304.829.7511 to facilitate prompt repairs. Maintenance work must be done during the working day. Therefore, maintenance personnel will enter a room in order to make repairs whether or not a student is present.

7.3.1.1.18.1 Opening and Closing of Residence Halls

Residence halls open for incoming first-year students and other new students on the first day of the orientation period. Residence halls open for upperclassmen on registration day. Requests for early arrival must be made, in writing, to the Director of Residence Life or Dean of Students. Students who have employment with the College must have a written statement submitted by the faculty or staff person for whom they are to work. Students arriving early and not associated with an approved campus-related activity may be assessed a per day early arrival fee of \$50.00.

All residence halls remain open until fall and spring semester examinations are completed, except during Thanksgiving, Christmas, and spring vacations. The closing hours for these vacations are posted prior to the closing date. All students are expected to make arrangements to leave their rooms during these vacation periods

A student must have permission from the Director of Residence Life or Dean of Students to return early or remain on campus during scheduled breaks. Students arriving early will be assessed an early arrival daily fee of \$50.00.

7.3.1.1.19 Off-Campus Housing

Bethany College is a residential college and, as such, all students are required to live in College-owned housing or for members of Beta Theta Pi, and Sigma Nu in their privately-owned fraternity houses. Residential students are expected to be on a meal plan.

Exceptions may be made if one or more of the following conditions apply:

1. The student commutes from the address of parents or a legal guardian.
2. The student is a tenth semester senior or graduate student.
3. The student is engaged in student-teaching (only during the applicable semester).
4. The student is over 23 years-of-age.
5. The student is married.
6. The student has dependent children.
7. The student has serious medical concerns (validated by the Director of Health Center).
8. The student is registered on a part-time basis.

Requests for permission to live off-campus must be submitted to the Director of Residence Life at the time of housing registration (mid-April and mid-November). Requests that have not been received one month before the opening of a semester are given low priority.

7.3.1.1.20 Prohibited Items

Students found in possession of, or having in their residence hall room, any prohibited items may face student disciplinary charges under the Code of Student Conduct. Sanctions may include confiscation of the item(s), probation, fines, and educational sanctions, up to and/or including suspension or expulsion from the College for serious or repeat offenses.

1. **Air Conditioners:** Air conditioners are prohibited in those buildings that do not have central air conditioning. It is further recommended that residents, in buildings that are air conditioned, keep the temperature between 68-72 degrees. Setting temperatures outside of this range (especially below 68) can cause damage to the unit.
2. **Alcohol and Illegal Drugs:** Possession of alcohol and prescription drugs is permitted only as stated under state and federal law. Additionally, possession of alcohol by those over the age of 21 shall be limited according to the Bethany College Alcohol and Drug Policy. Student possession of illegal drugs, or prescription drugs other than within the law, on campus is prohibited.
3. **Appliances:** The use of personal electrical appliances is limited because of sanitation, safety, and electrical concerns. The following are prohibited in all residence hall rooms: air conditioners (without medical documentation), toasters, toaster ovens, hot plates, space heaters, sun-lamps, halogen lights, hot pots, propane, gasoline, and electrical stoves

or grills, ashtrays, oil lamps, any appliance with a heating coil, and extension cords. Refrigerators (not in excess of five cubic feet) are permitted. All approved appliances must bear the Underwriters Lab seal of approval.

4. Candles and Incense: Because of the danger of fire the use or possession of candles, incense, and incense holders or any open flame is prohibited in student rooms.
5. Contact Paper and Tape: The glue on contact paper is highly flammable and destructive to wood finishes; therefore, the use of contact paper in the residence halls is prohibited. Furthermore, the use of double sided tape, adhesives, nails, or screws to hang items is prohibited because of damage that these items cause to surfaces. Only Plastic-Tak or a similar product may be used.
6. Decorative Items: Students may personalize their rooms as they desire within policy and reason. Hanging fish nets, parachutes, flags, posters, tapestries or other items from the ceilings, sprinklers, heaters and room light coverings is not permitted. Posters or flags attached to walls must be flush with the wall. The Residence Life staff reserves the right to request that students remove any decorations that may be offensive (e.g. pornographic pictures). Residents of a room are responsible for damage to walls and doors caused by decorations. Furthermore, no lights are to lay against fabric due to the potential for a fire hazard.
7. Furniture: The College furnishes all bedrooms and common areas. Furniture issued to students is not to be removed from rooms and if removed, the student will be billed upon check out for items not in the room. Furniture items in rooms on campus are labeled with the room number, and occasionally the side of the room (“A” or “B”). Students may not “borrow” furniture from other rooms or from lounges and other common areas. Such “borrowing” is considered theft and is acted upon accordingly by the College. The College will not, at any time, remove College-owned furniture to accommodate furniture brought by a student. Students are permitted to bring one additional piece of furniture if it does not violate any health, safety, or fire laws. At the end of the academic year all furniture must be returned to its original location and arrangement. Students are charged a minimum of \$50 if furniture has to be moved, removed, or repaired. Greek housing units must make arrangements to store any “house” furniture.
8. Lofts: Students may not bring or construct personal loft bed units in their rooms.
9. Grills: Grills that use charcoal, lighter fluid, propane gas, or other flammable substances are prohibited.
10. Musical Instruments and Stereo Systems: Individuals or groups may not play stereos, amplified musical instruments, or other instruments that disturb others in the residence halls. Students who wish to play instruments at levels which may disturb others should seek space in designated areas on campus. Stereo speakers and stereos must not be directed out windows as that may be disruptive to the surrounding community.
11. Pets: Because of the health and sanitation problems involved in the maintenance of pets, the only animals allowed in rooms in residence halls are working service animals and fish in a small aquarium under ten gallons. For safety reasons, no piranha or other aquatic animals deemed dangerous by the Dean of Students are permitted.

12. Water Beds: The use of water beds in college residences is prohibited because of the potential for water damage and the added stress on building structures from their weight.
13. Weapons: Any object that could inflict injury or harm that is used in a threatening, aggressive, or careless manner will be considered a weapon. Items prohibited include, but are not limited to: all firearms, pellet guns, BB guns, swords, bows and arrows, balloon slingshots, martial arts weapons, extendable batons, and any knife, with the exclusion of small kitchen or small pocket knives. Questions regarding weapons or unnamed items shall be directed to the Director of Campus Safety and Security prior to bringing them on campus. Possession or use of weapons of any kind including, but not limited to: firearms, knives, bows and arrows, martial arts weaponry, explosives (including fireworks), flammable materials (lighter fluid, gas, etc.), or other dangerous weapons, chemicals or materials is prohibited.

7.3.1.1.21 Dependent Children and Spouses

Under no circumstances may dependent children or spouses live in residence halls.

7.3.1.1.22 Quiet Hours

As an academic community the College must protect each student's right to an environment conducive to study, reflection, and rest. Noise shall always be kept at a level acceptable to all residents of the hall. At no time shall noise from a room or residence hall interrupt classroom activities. Some degree of quiet is appropriate in all areas at all times. Each member of the community is expected to be respectful and considerate of others' needs.

Quiet Hours during the regular semester:

- Sunday through Thursday from 10:00 p.m. to 9:00 a.m.
- Friday through Saturday from 1:00 a.m. to 10:00 a.m.

Quiet Hours during finals week:

- 24-hour quiet hours are in effect.

Extended quiet hours are also implemented during Senior Comprehensive Examinations.

7.3.1.1.23 Removal from Housing

Vandalism, actual or threatened violence, possession of any weapon, repeated violations of the Code of Student Conduct, and other serious and inappropriate behaviors may result in judicial referral and removal from College housing. The Dean of Students or designee determines the appropriate sanctions for violations which may include removal from housing. A student removed from housing does not receive a refund of housing fees or forgiveness of housing fees yet due and is not excused from the residence requirement in subsequent semesters.

7.3.1.1.24 Restrooms

Restrooms are for use only by the gender specified. Use of a gender specified restroom by a member of the opposite sex is not acceptable and may result in student disciplinary charges under the Code of Student Conduct (Subsection 7.5).

7.3.1.1.25 Roof Use

Students are not permitted on the roofs of campus buildings because of the danger involved and the costs of roof repairs. If the need arises to retrieve an article, the Office of Student Life must be contacted for assistance.

7.3.1.1.26 Room Changes

Room changes will be a last resort for resolving conflict involving one's living situation. Exception is given to those with special circumstances (i.e. medical condition).

Prior to a room change being granted, a student must:

1. Meet with a member of the Resident Assistant staff to discuss the area of conflict, following which the Resident Assistant will either suggest mediation or have the student(s) complete a roommate agreement, or
2. Upon the recommendation of the RA, complete a room change request form, and schedule an appointment to discuss concerns with the Director of Residence Life or designee, or
3. Be granted permission by the Director of Residence Life, who makes the final decision on all room changes. If a change is granted, students will have 72 hours to complete the move and all conditions imposed by the Director of Residence Life. (NOTE: Failure to complete an approved move within the 72 hour window may result in loss of permission to change rooms.)

Room changes will not be made during the first or last two weeks of any semester. Additionally, students changing rooms without the written permission of the Director of Residence Life or designee, will be fined \$100 and may lose privileges for future moves, and be required to move back to their assigned space.

The Office of Student Life reserves the right to order a change in room assignment at any point during the academic year when deemed necessary. This could be as a result of a conduct hearing, a need to consolidate space, or if a move is deemed to be in the best interest of the student or the institution.

All personal items left in a room after three days shall be considered abandoned and will be disposed of by the College at the occupants expense.

7.3.1.1.27 Room Damage

Students living in the residence halls are responsible for the condition of their rooms upon move-out. The room should be in the original and clean condition in which it was upon student move-

in. Students will be billed for any charges resulting from damages to rooms, suites, and/or common areas.

7.3.1.1.28 Roommate Conflicts

It can be normal that conflict may arise between roommates. It is an expectation that, if a conflict does arise, the involved roommates make an effort to discuss and resolve the conflict. If the conflict cannot be resolved at this level, please contact a Resident Assistant to serve as a mediator. The Resident Assistant, in conjunction with the roommates, may develop a behavioral contract between the students. An administrative room change may be implemented in those rare occasions when a conflict cannot be resolved. Such a change is at the discretion of the Director of Residence Life and the Dean of Students.

7.3.1.1.29 Room Selection

Every attempt is made to assign housing to students based on their requests. However, the Office of Student Life reserves the right to make or change housing assignments.

During the Spring semester, the Office of Student Life conducts a room selection process for all currently-enrolled returning students. (A student participating in a Bethany study abroad program or in another Bethany off-campus program can participate by proxy.) Specific information regarding the lottery is distributed early in the spring semester. Greek housing units submit floor plans to the Office of Student Life. Although Greek organizations generally determine housing internally, the Office of Student Life reserves the right to assign or reallocate rooms based on needs of the campus. Freshmen and transfer students are housed according to information provided on their room reservation forms and the availability of residence hall rooms. Students returning from study abroad programs or absences from the College must coordinate their requests for rooms with the Director of Residence Life. Occasionally a student is assigned a double room on a single basis which has not been requested. When this situation occurs, the student involved must see the Director of Residence Life to arrange either to move into a room with another student or to pay the per semester charge for a single room. Students with single rooms pay an additional charge per semester, as well.

7.3.1.1.30 Screens

Residence hall window screens are not to be removed from windows for reasons of health and safety. Students removing screens from windows will be billed appropriately for repair, re-installation or replacement.

7.3.1.1.31 Storage

Bethany College does not provide storage for students' belongings. Between the fall and spring semesters students may leave personal belongings in their rooms. At the end of the academic year all students' belongings must be taken home or placed in off-campus storage facilities.

7.4 Student Safety and Security Policies

The Department of Safety and Security is located in the Cummins Community Center. The Department is open and provides protection and services, 24 hours a day, 365 days a year. The Department is staffed by both full-time and part-time officers. All of the officers are trained in general security practices, standard first aid, and CPR. The Department cooperates with and works closely with the Bethany Police Department and the Brooke County Sheriff's Department, and coordinates any necessary police responses or arrests on campus. All of the officers are radio equipped for an efficient response to community needs. The department has designated patrol vehicles.

7.4.1 Campus Safety Tips

1. Carry room and front door keys at all times and make certain that doors close and lock when entering or leaving buildings.
2. Do not admit uninvited guests or strangers into buildings without acceptable identification.
3. Report any suspicious persons or activity to the Department of Safety and Security (304.830.3924) or to a member of the Office of Student Life.
4. Students, not the College, are responsible for any property stolen or lost.
5. Do not prop doors open. Open doors are a leading cause of campus crime. Every member of the Bethany community must accept responsibility for keeping doors closed and locked at times when buildings are to be secured.
6. Walk in pairs during hours of darkness and use lighted walkways. When desired, students may request a vehicle escort from the Department of Safety and Security (Student Escort Services).

7.4.2 Fire Safety and Procedures

The best way to be protected in case of emergency is to be familiar with the environment. Be familiar with the emergency exits and be sure to know two ways out. Leave the building immediately when an alarm sounds. Inform the Department of Safety and Security if it is believed that someone has not evacuated the building.

1. Preventing Fires: The Fire Marshall has specified a number of items that are fire hazards and, therefore, prohibited in College residences. These items include extension cords, electric heaters, candles, incense, toaster ovens, hot plates, and electric burners. Students are prohibited from hanging anything from the ceiling; including tapestries or flags covering room lights. All prohibited items will be confiscated and the student subject to fines, judicial charges, or both. Specific regulations may be modified to reflect the diversity of residence hall wiring.

*Serious offenses, such as any tampering with fire equipment (alarm, extinguishers, sprinkler heads, etc.), may result in removal from College housing, restitution, and additional sanctions, should the student(s) be found responsible.

2. Responding to a Fire: Immediate Evacuation is Safest. Use a fire extinguisher if the fire is small and know how to use it. But be sure the fire department is called first. If the fire cannot be put out, leave immediately. If a fire is discovered or suspected, sound the building's fire alarm. Warn the other occupants by knocking on doors and shouting when leaving. Take your room key in case you are unable to leave the corridor and must return to your room. Leave the building and move to a designated meeting place away from the building and out of the path of the fire department. Stay outside the building until the fire department or College officials say it is safe to go in. Call the Department of Safety and Security to summon the Fire Department. The Department of Safety and Security may be notified by dialing extension 304.830.3924, and give the following information:
 - a) Name of Building;
 - b) Floor;
 - c) Room Number; and
 - d) Nature of the Situation.

If for some reason this department can not be reached, call 9-911 to reach the Brooke County Dispatcher.

3. Surviving a Fire: Crawl if there is smoke. If caught in smoke, get down and crawl. Cleaner, cooler air is near the floor. Cover your nose and mouth with a cloth. Get Low And Go! Before opening doors, feel the door. If it is warm, don't open it. If it is cool, brace yourself against the floor, open it slightly, and if heat or heavy smoke are present, close the door immediately and stay in the room. Go to the nearest exit or stairway: Always use an exit stair, not an elevator. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Stairway fire doors will keep out fire and smoke-if they are closed-and will protect you until you get outside. If the nearest exit is blocked by fire, heat, or smoke, go to another exit. Close as many doors as possible as you leave to help confine the fire.
4. If You Get Trapped: Keep the doors closed and seal cracks and vents if smoke comes in. If you become trapped in a room and there is no smoke outside, open the windows, from the top to let out the heat and smoke and from the bottom to let in fresh air. Signal for help: hang an object out the window (a bed sheet, jacket, shirt, etc.) to attract the fire department's attention. If there is a phone in the room, call the Department of Safety and Security and report that you are trapped. Be sure to specify your building and room number.
5. Sometimes it is safer to stay in one place: If all exits from a floor are blocked, go back to your room, close the door, seal any cracks, open the windows if safe, wave something out the window, and shout or phone for help. DON'T JUMP!
6. If you are on fire: If your clothes catch on fire, stop, drop, and roll. Rolling smothers the fire. Cool burns: Use cool tap water on burns immediately. Don't use ointments. If the skin is blistered, dead white, brown, or charred, go to the Health Services building or call the ambulance 9-911.

7. Preventing Fires: Smoke carefully and only in designated areas. If you smoke, don't smoke in bed or near flammable materials. Use large ashtrays and be sure ashes, matches, and cigarette ends are cold before you dump them. Don't smoke while intoxicated. Cook in approved areas or kitchens and use laboratory-tested appliances and stay nearby while appliances are being used. Remove grease and clean appliances as soon as possible. Don't overload outlets. Replace damaged wires.
8. If You Have a Disability: If you have a disability (even a temporary one), be certain to do the following:
 - a) Plan ahead for fire emergencies.
 - b) Be aware of your own capabilities and limitations.
 - c) Notify the College staff so that you can get assistance when needed.
 - d) Look for "areas of refuge" like stair enclosures or the safe side of corridor fire doors.
 - e) Do not use elevators or try to descend fire stairs in a wheelchair.
 - f) Sometimes it may be safer to stay in your room, and follow the advice for being trapped.
9. If You Use Alcohol or Drugs: You are especially vulnerable to smoke asphyxiation. Even healthy people may not be able to escape a fire if they are intoxicated. They may not hear the smoke alarm or be able to find an exit. Take special care of anyone who becomes intoxicated, particularly if the person is a smoker.
10. Report Damaged Fire Equipment: Report to the Department of Safety and Security any damaged fire equipment such as the following:
 - a) Fire Doors: Fire doors should close completely and automatically. Fire doors must be kept closed at all times.
 - b) Exit Doors: Two exits should be visible from all public areas.
 - c) Fire Alarms: Horns, bells, and pull stations should be accessible and operational.
 - d) Smoke Detectors: Smoke detectors should not be blocked or vandalized.
 - e) Fire Extinguishers: Fire Extinguishers should be functional. Report when they are empty, have been vandalized, or are missing.
11. Fire Alarms: If a fire alarm sounds, students should close the windows, leave the room, closing the door behind them, and leave the building immediately through the nearest safe exit. Failure to evacuate during a fire alarm is a serious safety issue and violation of the Code of Student Conduct and will be dealt with very seriously. Tampering with or disconnecting smoke detectors is illegal and results in severe sanctions. Students with information about the nature of a false alarm shall report the information to College officials when they arrive on the scene. If the false alarm is pulled intentionally, the responsible person(s) will be held accountable under the Code of Student Conduct. Serious offenses such as any tampering with fire

equipment (alarm, extinguishers, sprinkler heads, etc.) will result in disciplinary charges with possible sanctions including removal from College housing, restitution, and/or College suspension.

12. Insure Personal Possessions: Bethany College does NOT insure a student's personal property. Therefore, a student desiring insurance protection in the event of a fire must secure renter's insurance or make certain that parents' insurance covers personal property in Bethany. A student relying on parents' insurance should also make certain that coverage is adequate.
13. Report Fire-Related Crimes: Vandalism of fire extinguishers, exit signs, and fire alarms reduces fire protection, and is against the law. Any student found responsible for such vandalism will face disciplinary action with sanctions up to expulsion from the College and face criminal prosecution. A conviction could prevent a student from being admitted to graduate or professional school. Fires injure and kill people and destroy property. Therefore, anyone setting a fire shall be reported immediately.

7.4.3 Selected Ordinance of the Town of Bethany

Although you are a student at Bethany College, you are also considered a citizen of the Town of Bethany and are not exempt from its regulations. Common courtesy and a respect for the rights of all members of the Bethany community are expected by the Dean of Students and the Town Council. *Please refer to the link below for pertinent town ordinances and regulations.*

www.bethanywv.org

7.5 Student Code of Conduct Policies

On admission to Bethany College students accept unqualified commitment to conduct themselves at all times, both on and off campus, responsibly and in conformity with generally accepted standards of adult behavior. Students are expected to show courtesy and respect for the administrative officers, faculty, students, and employees with whom they interact. Students are expected to understand and accept the necessity for various College regulations and comply with the directives of those authorized to enforce the regulations. Students who conduct themselves in manners violating policies of the College are subject to such penalties as the circumstances justify, up to and including suspension or expulsion. All students are expected to read and follow the policies in this Volume VII of the Policy Manual, the *Bethany College Catalogue*, and this Code of Student Conduct.

7.5.1 Community Standards

As part of the larger community, Bethany College respects the federal, state, and local laws and ordinances and requires its students to adhere to them. While affording reasonable aid to its students having difficulties with the law, Bethany College provides no immunity from the consequences of illegal acts.

As an academic community, Bethany College has a special interest in the support of responsible actions and conduct and the prevention of certain modes of conduct that are in contrast with its

efforts to facilitate responsible inquiry and educational growth. Accordingly, any instances of conduct violating Bethany College policy, as stated in the Code of Student Conduct, the Student Handbook and the Bethany College Catalogue are to be subject to disciplinary action as stated in the Bethany College Judicial Policies.

A student may be disciplined, suspended or dismissed for, among other things:

1. Violation of written College Policy or regulations contained in any official publication or administrative announcement of Bethany College and/or failure to abide by the rules, regulations, policies and directions relating to on-campus housing or any other premises owned or operated by the College;
2. Students whose conduct manifests a lack of academic integrity (such as by practicing academic dishonesty, engaging in plagiarism, or disrupting class) or otherwise interferes with the instructional process may be dismissed from one or more classes and assigned “F” grades. Students who violate reasonably accepted standards of the College and community at large may be terminated from the College and can be assigned “F” grades.
3. Possession of or being under the influence of alcoholic beverages except as permitted by state law and College policy;
4. Use or possession of illegal drugs;
5. Possession of weapon(s), sexual assault and/or harassment;
6. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises; and/or unlawful entry, regardless of means of access, into College-owned property or College-leased property;
7. Misuse of or tampering with the fire alarm systems, fire extinguishers, or other security equipment;
8. The use of skate boards, roller skates, roller blades and human powered cycles (bicycles, unicycles etc.) within all buildings upon the campus. Use of these devices is permitted on walkways and paths as long as the right of way is granted to pedestrians. Riding such devices on walls, benches and the like is prohibited;
9. Possession of Hoverboards on the Bethany College campus. Due to safety concerns regarding fire safety and operator safety, Hoverboards are not permitted anywhere on campus. The term “Hoverboards” includes but is not limited to self-balancing scooters, battery or gas operated scooters, hands – free segways & electric powered skateboards;
10. Being present during an occurrence of a violation of Bethany College policy, local, state and federal laws;
11. Under other circumstances as determined by the College Administration;
12. Abuse of the College Judicial System, but not limited to:
 - a. Failure to obey the summons of a judicial body or College official;
 - b. Falsification, distortion, or misrepresentation of information before a Hearing Board;
 - c. Disruption or interference with the orderly conduct of a judicial proceeding;
 - d. Institution of judicial proceeding knowingly without cause;

- e. Attempt to discourage an individual's proper participation in or use of the judicial system;
- f. Attempting to influence the impartiality of a member of a judicial body prior to and/or during the course of the judicial proceeding;
- g. Harassment (verbal or physical) and/or intimidation of a member of a Hearing Board prior to, during, and/or after a judicial proceeding;
- h. Failure to comply with the sanctions(s) imposed under the Student Code.
- i. Influencing or attempting to influence another person to commit an abuse of the judicial system.

13. Off-Campus Student Conduct.

Bethany College students are both members of the College community and society. As citizens, students are responsible to the community, of which they are a part, and as students, they are responsible to the academic community of the College.

Students are expected to adhere to the Student Code of Conduct. They are expected to be good citizens and to engage in responsible behaviors that reflect well upon the College.

Further, the Student Code of Conduct applies to all students when violations take place with the surrounding neighborhoods, at any registered College event, including but not limited to break trips, Study Abroad Opportunities and Student Activity Sponsored Trips.

By enforcing its Code, the College neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the College will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action. Determinations made or sanctions imposed under the Code will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced or resolved in favor of the criminal law defendant.

7.5.2 Citizenship Rights and Responsibilities

Students are both members of the academic community and citizens of the greater community. As citizens students enjoy the same freedom of speech, right to peaceful assembly, and right of petition that other citizens enjoy. As members of the educational community they are subject to the obligations that accrue to them by virtue of this membership.

As members of the greater community, students are responsible to the laws of society and are treated in the same ways as are any other citizens of society should they become involved in a violation of civil law. Students who incur penalties prescribed by civil authorities may be subject to further discipline by the College judicial system in cases where a violation of College regulations also occurs when there are distinct and clear College community interests involved. The appropriate judicial body rules as to its jurisdiction in such cases. Conviction for a criminal offense, may be sufficient reason for terminating a student's attendance at the College or for denying a student admission or readmission to the College. The College community should not be considered by any of its citizens as an institution which provides its members with special immunity to the civil laws of the community.

7.5.3 Due Process

Any member of the College community may file charges against a student for misconduct. Charges shall be prepared in writing and directed to the Dean of Students, or designee. Any charges should be submitted as soon as possible after the event. The Dean of Students, or designee, shall conduct an investigation to determine if the charges have merit. Should the case merit charges under the Code of Student Conduct, the Dean of Students, or Director of Student Engagement and Responsibility, or designee shall be responsible for disposition of the case(s).

7.6 Disposition of Student Conduct Cases

7.6.1 Hearing by an Administrator (Administration Hearing)

A student may choose the option of having his/her case heard by the Dean of Students, or designee, rather than the Student Hearing Board. The Dean of Students, or designee, will protect the student's rights in carrying out his/her decision.

7.6.2 Hearing Boards

Designated Hearing Boards shall have jurisdiction over cases involving student behavior both on and off campus, including Code of Student Conduct violations and Residential Living Policies and Regulations violations. The Boards shall be composed of faculty, staff, and students as designated below, with the Director of Student Engagement and Responsibility serving as an advisor and/or ex officio non-voting member. The specified Board will handle those cases which have gone through previously mentioned channels and been referred to it by the Office of Student Life.

1. Hearing Board Option with Full hearing board (faculty/staff and students)
2. Hearing Board Option with Faculty/Staff hearing board

Hearing Board procedures will proceed as outlined below:

1. All charges shall be presented to the student in written form at the time of his/her official notification of the time and place of the initial meeting and any subsequent scheduled hearing.
2. Hearings are conducted in private. Admission of any person to the hearing shall be at the discretion of the Hearing Board and/or the Director of Student Engagement and Responsibility.
3. In hearings involving more than one accused student, the chair of the Hearing Board may, at his/her discretion, permit the hearings to be conducted separately or jointly.
4. The complainant and the accused have the right to be assisted by an advisor of their choosing, at their own expense. The complainant and/or accused is responsible for presenting the case and, therefore, advisors are not permitted to speak or participate directly in any hearing before a Hearing Board or at an Administrative Hearing.
5. The complainant and the accused shall have the privilege of presenting witnesses, subject to questioning by the Hearing Board. The names of the witnesses must be submitted to the Director of Student Engagement and Responsibility, or designee, no later than noon of the school day immediately preceding the hearing.

6. The Hearing Board, at the discretion of its chair, may accept pertinent records, exhibits and written statements as evidence for consideration.
7. All procedural questions are subject to the final decisions of the Chair of the Hearing Board.
8. After the hearing, the Hearing Board shall, by majority vote, determine whether the student has violated each section of the Code of Student Conduct with which the student has been charged.
9. The Hearing Board's determination shall be made on the basis of whether it is more likely than not the accused student violated the Code of Student Conduct.
10. When a student is found responsible for any violations of the Code of Student Conduct, the Board shall impose appropriate sanctions and report to the Director of Student Engagement and Responsibility the decision for action. Should a case involve a faculty member, the Board will not discipline a faculty member but will refer the matter to the Vice President for Academic Affairs and Dean of the Faculty and/or the President with or without their recommendations.
11. There shall be a single, verbatim record, such as a tape recording, of any hearings before the Hearing Board. The record shall be the property of the College.
12. Except in the case of a student charged with failing to obey the summons of the Hearing Board or Director of Student Engagement and Responsibility no student may be found to have violated the Code of Student Conduct solely because the student failed to appear. In all cases, the evidence in support of the charge shall be presented and considered.
13. Waiver: Students will have the option to waive their right to a hearing and accept responsibility for a violation of the Code of Student Conduct. In doing so, the student waives all rights to appeal. If a student waives the right to a hearing, the Dean of Students, the Director of Student Engagement and Responsibility, or their designee, will work with the student to determine appropriate sanctions.
14. Failure to Meet: Failure to respond to a second notification to schedule and/or maintain an appointment with the Director of Student Engagement and Responsibility or his/her designee regarding investigation of alleged violations of Community Standards is prohibited and may result in an upgrade from a minor to a major violation, fine, work program hours, key card access denied, meal access denied, etc.
15. Failure to Fulfill Sanction: Failure to comply with the sanction(s) imposed by the Director of Student Engagement and Responsibility, or his/her designee is prohibited and subject to further sanctions which may include but are not limited to upgrade from a minor to a major violation, denied access to register and participate in Room Selection, receive transcripts and/or diploma, work program hours, fine, card access denied, etc.
16. Appeals: All decisions and sanctions reached in a Hearing may be appealed within five (5) school days or if school is not in session, five (5) business days of the decision. Such appeals must be in writing and shall be delivered to the Dean of Students. All appeals will be heard initially by the Dean of Students or his/her designee.
 - a. Except as may be required in the discretion of the Dean of Students to explain the basis of new evidence, an appeal shall be limited to a review of the records of the

original hearing and all supporting documents. Appeals may be considered for one or more of the following reasons:

- i. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented.
 - ii. To determine whether the facts in the case were sufficient to establish that a violation of the Code of Student Conduct had occurred.
 - iii. To determine whether the sanctions imposed were appropriate for the violation of the Code of Student Conduct which the student was found to have committed.
 - iv. To consider new evidence, sufficient to alter the decision or other relevant facts not brought out in the original hearing, because the person appealing did not know the evidence/existed or it was unavailable at the time of the original hearing.
- b. The Dean of Students or his/her designee, as applicable, shall respond to the appeal, and deliver a decision thereon, within fourteen (14) days of the receipt of such appeal, except where adherence to such time period would be impracticable, in which case such time period may be extended as warranted by the particular circumstances.
 - c. If an appeal is not upheld by the Dean of Students the matter shall be considered final and binding upon all involved.

7.6.3 Hearing by the Vice President for Academic Affairs and Dean of the Faculty

In matters of purely academic concern, as opposed to those involving student behavior, the Vice President for Academic Affairs and Dean of the Faculty, or designee, will have jurisdiction. Such violations include, but are not limited to, third recorded or particularly egregious instances of academic cheating, plagiarism, or interference with the academic process (see Academic Standards and Expectations of Educational Integrity in the catalog). The Hearing Board shall consist of the Academic Standards Committee, which will follow the Hearing procedures outlined in section 7.6.2. Appeals will be heard by the Vice President for Academic Affairs and Dean of the Faculty or his/her designee.

The Hearings for matters related to Academic Integrity hearing board procedures will proceed as outlined below:

1. All charges shall be presented to the student in written form at the time of his/her official notification of time and place of the initial meeting and any subsequent scheduled hearing.
2. Hearings are conducted in private. Admission of any person to the hearing shall be at the discretion of the Hearing Board and/or the Vice President of Academic Affairs and Dean of the Faculty.
3. In hearings involving more than one accused student, the chair of the Hearing Board may, at his/her discretion, permit the hearings to be conducted separately or jointly.

4. The complainant and the accused have the right to be assisted by an advisor of their choosing, at their own expense. The complainant and/or accused is responsible for presenting the case and, therefore, advisors are not permitted to speak or participate directly in the hearing.
5. The complainant and the accused shall have the privilege of presenting witnesses, subject to question by the Hearing Board. The names of the witnesses must be submitted to the Chair of the Academic Standards Committee, or designee, no later than noon of the school day immediately preceding the hearing.
6. The Hearing Board, at the discretion of the chair, may accept pertinent records, exhibits and written statements as evidence for consideration.
7. All procedural questions are subject to the final decisions of the Chair of the Hearing Board.
8. After the hearing, the Hearing Board shall, by majority vote, determine whether the student committed the acts with which the student has been charged.
9. The Hearing Board's determination shall be made on the basis of whether it is more likely than not the accused student committed the acts as charged.
10. When a student is found responsible for violations of the Academic Integrity section of the Code of Student Conduct, the Board shall impose appropriate sanctions and report to the VPAA the decision for action.
11. There shall be a single, verbatim record, such as a tape recording, of any hearings before the Hearing Board. The record shall be the property of the College.
12. Waiver: Students will have the option to waive their right to a hearing and accept responsibility for a violation of the Academic Integrity section of the Code of Student Conduct. In doing so, the student waives all rights to appeal. If a student waives the right to a hearing, the Hearing Board will determine appropriate sanctions.
13. Appeals: All decisions and sanctions reached in a Hearing may be appealed within five (5) school days or if school is not in session five (5) business days of the decision. Such appeals must be in writing and shall be delivered to the Vice President of Academic Affairs and Dean of the Faculty. All appeals will be heard initially by the Vice President of Academic Affairs and Dean of the Faculty or his/her designee.
 1. Except as may be required is the discretion of the Vice President of Academic Affairs and Dean of the Faculty to explain the basis of new evidence, an appeal shall be limited to a review of the records of the original hearing and all supporting documents. Appeals may be considered for one or more of the following reasons:
 - i. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented.
 - ii. To determine whether the facts in the case were sufficient to establish that the accused student committed the acts as charged.
 - iii. To determine whether the sanctions imposed were appropriate for the offense which the student was found to have committed.
 - iv. To consider new evidence, sufficient to alter the decision or other relevant facts not brought out in the original hearing, because the

- person appealing did not know the evidence/existed or it was unavailable at the time of the original hearing.
2. The Vice President of Academic Affairs and Dean of the Faculty or his/her designee, as applicable, shall respond to the appeal, and deliver a decision thereon, within fourteen (14) days of the receipt of such appeal, except where adherence to such time period would be impracticable, in which case such time period may be extended as warranted by the particular circumstances.
 3. If an appeal is not upheld by the Vice President of Academic Affairs and Dean of the Faculty, the matter shall be considered final and binding upon all involved.

7.6.4 Sanctioning Guidelines and Information—General

Each student and each disciplinary case is treated individually and fairly as to both administration and sanctioning. Each student is entitled to a fair hearing conducted through the means of Due Process (please reference the Code of Student Conduct 7.5 et seq.). If a student is found responsible for a violation of the Code of Student Conduct, the student may be sanctioned within reasonable grounds for each violation. Some violations carry with them “Recommended Minimum Sanctions,” these are sanctions that are followed in the event the incident in question was a typical violation and there are no extenuating circumstances. Should there be extenuating circumstances, the recommended sanctions may be either too harsh or not strict enough. Each case and student will be dealt with appropriately and individually.

More than one sanction may be imposed for any single violation. Other than College expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s confidential record. Upon graduation, the student’s confidential record may be expunged of disciplinary action other than residence hall expulsion, College expulsion or suspension, upon application to the Dean of Students. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension or expulsion shall be expunged from the student’s confidential record within five years after the final disposition of the case.

7.6.5 Classifications of Student Conduct Code Violations and Sanctions

Minor: The following violations are considered Minor and will be heard by the Director of Student Engagement and Responsibility or his/her designee.

1. Disrespect of a College official, including members of the Residence Life Staff
2. Violation of Guest Registration Policies
3. Violation of Smoking Policy
4. Violation of Pet Policy
5. Violation of Residence Hall Policies

6. Climbing in/out of or sitting in windows of all College-owned buildings
7. Dropping/throwing objects out of windows off of balconies of buildings, or out of Vehicles
8. Being on a roof of a College building
9. Propping doors open as per State and Federal Fire Regulations
10. Improper use of an alarmed door
11. Theft (less than \$50.00)
12. Destruction or defacement of College property or property of members of the community (under \$50.00)
13. Disorderly Conduct such as public nudity, public urination, or public defecation
14. Interference with or failure to comply and/or cooperate with the student conduct process

Sanctions for Minor Violations: Sanctions are determined by the Director of Student Engagement and Responsibility or his/her designee. This list of sanctions is not exhaustive and sanctions may involve a combination of these options for any single violation. Other conditions or expectations may be added with any of these.

1. Warning - A notice in writing to the student that the student has violated a College regulation.
2. Assessment Requirements - A student may be required to complete a specified sanction relative to the violation committed. All assessment reports shall be submitted to the Dean of Students, the Director of Student Engagement and Responsibility or their designee.
3. Loss of Privileges - Denial of specific College privileges such as attendance at athletic functions, unrestricted library use, senior week activities or residence hall visitation for a designated period of time.
4. Fines - Appropriate fines may be imposed.
5. Restitution - Compensation for loss, damage, or injury. This may take the form of service and/or monetary or material replacement.
6. Work Program Hours – work assignments within the College or Community.
7. Discretionary Sanction - assignments, service to the College, or other related discretionary assignments.
8. Parental Notification for alcohol and drug offenses, see Parental Notification Policy.

Major: The following violations are more serious and are handled by the Director of Student Engagement and Responsibility, The Hearing Board, or their designee.

1. Repeated violations of Minor violations (three or more violations within 12 consecutive months). Summer sessions are considered part of the prior academic year.
2. Violations of the Physical Assault Policy
3. Violations of the Sexual Assault Policy
4. Psychological harassment of any member of the College community
5. Possession and/or Use of explosives, combustibles, firearms, or other dangerous materials or weapons on campus.
6. Fire regulation violations
7. Unauthorized use and/or entrance of College owned facilities
8. Unauthorized use of College owned keys, or ID cards. This includes the unauthorized copying of keys.
9. Destruction or defacement, including vandalism of College property or property of members of the community
10. Falsifying documents or deliberately rendering of false information to a College official or use of another person's ID card, or other document of identification.
11. Intimidation of witnesses or advisors involved with an investigation of a Student Conduct Board hearing.
12. Failure to comply with student conduct sanctions (s).
13. Failure to comply with written and/or verbal correspondence concerning student conduct cases.

Sanctions for Major Violations: Sanctions are determined by the Director of Student Engagement and Responsibility or the Hearing Board. This list of sanctions is not exhaustive and sanctions may involve a combination of these options for any single violation. Other conditions or expectations may be added with any of these.

1. Probation - A written reprimand for a violation of a specified regulation. Probation is for a designated period of time and includes the probability of more severe sanctions if the student is found to be violating any College regulation(s) during the probationary period.
2. Fines - Appropriate fine may be imposed.
3. Restitution - Compensation for loss, damage, or injury. This may take the form of service and/or monetary or material replacement.
4. Parental Notification for alcohol and drug offenses, see Parental Notification Policy.
5. Work Program Hours – work assignments within the College or Community
6. Discretionary Sanction - assignments, service to the College, or other related discretionary assignments.
7. Residence Hall Suspension - Separation of the student from the residence halls for a definite period, after which the student is eligible to return. Conditions for readmission may be specified.
8. Residence Hall Expulsion - Permanent separation of the student from the residence halls.

9. College Suspension - Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
10. College Expulsion - Permanent separation of the student from the College.
11. Interim Suspension - In certain circumstances, the Dean of Students, or a designee, may impose a College or residence hall suspension prior to the hearing before a judicial body. Interim suspension may be imposed only for one or more of the following reasons:
 - a. to insure the safety and well-being of members of the College community or preservation of College property;
 - b. to insure the student's own physical or emotional safety and well-being;
 - c. If the student poses a definite threat of disruption of or interference to normal operations of the College.
 - d. During the interim suspension, students shall be denied access to the residence halls and/or to the campus (including classes) and/or all other activities or privileges for which the student might otherwise be eligible, as the Dean of Students may determine to be appropriate
12. Weekend Suspension: The student is not permitted on campus starting Friday at 5:00 pm and will be allowed to return on campus Sunday at 5:00 pm.

The following sanctions may be imposed upon organizations:

1. Warning - A notice in writing to the organization that the organization has violated a College regulation.
2. Probation - A written reprimand for a violation of a specified regulation. Probation is for a designated period of time and includes the probability of more severe sanctions if the organization is found to be violating any College regulation(s) during the probationary period.
3. Loss of Privileges - Denial of specific College privileges such as attendance at athletic functions, unrestricted library use, or residence hall visitation for a designated period of time
4. Fine - Appropriate fine may be imposed.
5. Restitution - Compensation for loss, damage, or injury. This may take the form of service and/or monetary or material replacement.
6. Work Program Hours – work assignments within the College or Community to be completed by members of the organization
7. Discretionary Sanction – work or educational assignments, service to the College, or other related discretionary assignments.
8. Loss of Recognition - Loss of privileges, including College recognition, for a specified period of time.

The following guidelines suggest sanctions which may be imposed for alcohol or illegal drug policy violations:

Type of Offense	1 st offense	2 nd offense	3 rd offense
<ul style="list-style-type: none"> • Open Container • Possession/use of alcohol by underage student • Possession of unused drug paraphernalia, equipment or materials 	<ul style="list-style-type: none"> ✓ Meeting with Director of Student Engagement and Responsibility or designee ✓ Educational Sanction 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Educational Sanction ✓ \$50 fine ✓ Probation 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Parental Notification ✓ College suspension for one semester, must provide documentation of independent alcohol/drug assessment by licensed/certified provider at student's expense prior to reapplication
<ul style="list-style-type: none"> • Public intoxication • Disorderly conduct when alcohol is involved • Possessing bulk quantities of alcohol (cases, kegs, common source alcohol) • Possessing false identification • Violation of social event policy 	<ul style="list-style-type: none"> ✓ Meeting with Director of Student Engagement and Responsibility or designee ✓ Educational Sanction ✓ \$50 fine 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Educational Sanction ✓ \$150 fine ✓ Alcohol assessment by independent licensed/certified provider at student's expense ✓ Parental notification ✓ Possible removal from Campus residence ✓ Probation 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Parental Notification ✓ College suspension for one semester, must provide documentation of independent alcohol/drug assessment by licensed/certified provider at student's expense prior to reapplication

<ul style="list-style-type: none"> • Violation of drinking game, excessive consumption policy • Providing alcohol to someone under 21 	<ul style="list-style-type: none"> ✓ Meeting with Director of Student Engagement and Responsibility or designee ✓ Educational Sanction ✓ \$100 fine ✓ Probation 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Educational Sanction ✓ \$150 fine ✓ Alcohol assessment by independent licensed/certified provider at student's expense ✓ Parental notification ✓ Possible removal from Campus residence ✓ Probation 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Parental Notification ✓ College suspension for one semester, must provide documentation of independent alcohol/drug assessment by licensed/certified provider at student's expense prior to reapplication
<ul style="list-style-type: none"> • Manufacturing false identification 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ College suspension for one semester 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ College expulsion 	
<ul style="list-style-type: none"> • Possession of used drug paraphernalia, equipment or materials • First offense marijuana possession, quantity limited to under 15 grams 	<ul style="list-style-type: none"> ✓ Meeting with Director of Student Engagement and Responsibility or designee ✓ Educational Sanction ✓ \$100 Fine 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Parental Notification ✓ College suspension for one semester, must provide documentation of independent alcohol/drug assessment by licensed/certified provider at student's expense prior to reapplication 	<ul style="list-style-type: none"> ✓ College expulsion

<ul style="list-style-type: none"> • First offense marijuana possession, quantity over 15 grams • Distribution of illegal substances • Improper use, possession or distribution of a prescription drug or inhalant • First offense drug possession – narcotics other than marijuana 	<ul style="list-style-type: none"> ✓ Meeting with DoSER or designee ✓ Parental Notification <p>College suspension for one semester, must provide documentation of independent alcohol/drug assessment by licensed/certified provider at student's expense prior to reapplication</p>	<ul style="list-style-type: none"> ✓ College expulsion 	
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Special notes:

Alcohol intoxication violations resulting in a student's medical transport will be dealt with according to the Alcohol Amnesty Policy, 7.2.2.2.

All fines and educational sanctions imposed will be credited to an account to defray the costs of educational sanction programming, educational speakers, and alcohol-free programming.

A single incident may result in multiple violation charges and may result in multiple sanctions.

In certain cases, the hearing body may exercise discretion to increase or decrease the standard non-fine sanctions. The basis for any deviation from standard sanctions will be documented in each case.

Charges under the Bethany College Policy Manual, Student Handbook, and Student Code of Conduct do not preclude law enforcement and legal charges being filed against those involved in the violations.

The College complies with federal, state, and local laws which regulate the possession, use, and sale of alcoholic beverages and controlled substances.

7.6.6 Readmission Process for Students Dismissed for Student Conduct Purposes

- 1) When the student is dismissed, they are given clear requirements for consideration for re-admission within one week of suspension.
- 2) Where a student is sanctioned to therapy, counseling or substance abuse evaluation:
 - a. The College must approve counselor or therapy prior to the student engaging in counseling process. All therapists or counselors must hold a current certification from an accepted mental health services agency to provide therapy or counseling.
 - b. Students required to complete counseling or substance abuse evaluation and counseling must present evidence of completed sanction no later than 30 days prior to the beginning of the term in which the student is to return to the college.
- 3) Where a student is sanctioned to restitution or repayment all payments must be made 30 days prior to return to the college.
- 4) Where a student is required to complete volunteer hours while separated from the College
 - a. The College must approve the experience and service hours prior to the student engaging in the experience or service.
 - b. All hours must be completed no later than 30 days prior to the beginning of the term in which the student is to return to the college.
- 5) A student applying for readmission may be required to provide their driver's license or other government issued ID and submit to a background check as part of completion of the sanction and condition for readmission.
- 6) An independent panel, not related to the discipline process, would review materials, information, and documents for consideration of eligibility of readmission.
- 7) Once requirements have been met, the student will be instructed to apply for readmission by contacting the Office of Enrollment. The Office of Enrollment will contact all pertinent offices (including Student Life, Finance Office, Financial Aid, Registrar's Office) to learn if the student is able to return due to outstanding balance, academic record, financial aid issues, etc.
- 8) If sanctions include ongoing on campus requirements (ie. Meeting with the Counselor or meeting with the Dean of Students), the requirements would be included in the readmission letter and must be agreed to by the returning student.

7.7 Student Activities and Organizations

7.7.1 Student Government Association

The Student Government Association has a President and Vice President who are elected by the student body. The Cabinet is made up of the Vice President and the following appointed officers, approved by the SGA President: Secretary, Treasurer, Assistant Treasurer, Parliamentarian, Clubs/Committees Chair, Clubs/Committees Secretary, Director of Publicity. A listing of the officers is at the end of this description.

The President, Vice President, and the Cabinet make up the executive branch for the SGA. The judicial branch is made up of the Student Court, and the student body makes up the legislative branch. The SGA President meets with the President of the College, the Vice President for Academic Affairs and Dean of the Faculty, and the Dean of Students whenever necessary. Usually the SGA President meets with the Dean of Students every week to discuss student concerns and what can be done to address problems when they arise.

The Chief Justice of the student court and the SGA President appoint the justices of the student court and recommend same for approval by the student body. The Chief Justice of the Student Court is also appointed and approved by the student body. The President also has the power to approve and veto motions by the student body. The President does not vote in regular meetings except in the event of a tie. The student body is given representation in the SGA meeting through their housing units depending of the number of members in each unit.

Commuters are also given representation through a commuter representative when requested. Commuters must pay the SGA fee as they are a member of and represented by SGA. SGA meetings are governed by *Robert's Rules of Order*. The SGA President and Cabinet handle the petitions elections for SGA President/Vice President and Class Officers for the ensuing year. Once petitions are turned in, the petitions are handed over to the Student Court to conduct the elections for these positions.

Another major responsibility of SGA is to establish a budget allocating funds to the clubs/committees who are recognized by the Student Government Association. The clubs/committees use the money for trips, speakers, and materials for their clubs/committees. Budget hearings are held each semester to decide how much money should be given to each club for the semester.

Benefits of joining a student organization:

1. Making New Friends
2. Career Exploration
3. Career Information
4. Getting Involved
5. Gaining a Sense of Belonging at Bethany
6. A chance to Share Common Interests
7. Learning to Work in a Group
8. Learning to manage your time
9. An opportunity to learn and practice leadership skills
10. Learning to organize meetings, events and programs
11. Learning new skills
12. Recognition for achievement

Questions to ask before joining a student organization:

1. What am I looking for?
2. Can this group meet those needs?
3. How will the group meet my needs?
4. Does this group have values that are similar to mine?
5. Do the members of this group have interests that are similar to mine?
6. Is this a local group or are there other groups on college campuses elsewhere?

7. What is the relationship of this group to its state or national affiliate?
8. Are there any fees (monthly dues, initiation fees, etc.) that must be paid?
9. What kind of commitment am I willing to make to this group in terms of my time and energy?
10. What are my expectations of this organization?
11. What does this organization expect of me?

Bethany College sponsors numerous student clubs and organizations. Below is a list of the current organizations. A student who is interested in one or more of these organizations or who wishes to form an additional organization can obtain specific information by telephoning the Student Activities Office (ext. 7631).

If any of the Bethany organizations appeal to you, you can call the Office of Student Life (ext. 7631) and request the contact person's name and number for a particular group, look for fliers about upcoming events for this group, check the SGA clubs/committees report, or ask an upperclassman.

7.7.1.1 Student Government Association Clubs and Organizations

A current list of student clubs, service and philanthropy groups, and organizations is available from the Student Government Association.

7.7.1.2 Governing and Representative Organizations

Student Government Association (SGA)
 Interfraternal Council (IFC)
 Panhellenic Council
 Freshman Class Council (FCC)
 Independent Student Council (ISC)

7.7.1.3 Fraternities

Alpha Sigma Phi
 Beta Theta Pi
 Delta Tau Delta
 Phi Kappa Tau
 Sigma Nu

7.7.1.4 Sororities

Alpha Xi Delta
 Phi Mu
 Zeta Tau Alpha

7.7.2 Bethany Greek System Policies and Procedures

7.7.2.1 Mission of the Bethany Greek System

The object of the Bethany Greek System is to provide an environment which enriches the College experience and provides an opportunity to obtain the intangibles that can only be found outside of the classroom. The College's Greek system is to provide this by encouraging scholarship, fostering leadership, and allowing for experiences, such as philanthropies and community service, on a more accessible scale to the undergraduate student. The position of Bethany College is that the Greek System be an integral part of the Bethany community, and play a prideful role in the overall education of undergraduate students.

7.7.2.2 Greek Organizations at Bethany College

Bethany currently recognizes five fraternities and three sororities. The men's organizations are Alpha Sigma Phi, Beta Theta Pi, Delta Tau Delta, Phi Kappa Tau, and Sigma Nu. The women's organizations are Alpha Xi Delta, Phi Mu, and Zeta Tau Alpha. All of these organizations are nationally recognized Greek organizations.

7.7.2.3 Greek Life at Bethany College

Bethany is the home of eight (8) Greek social organizations. Greek life has been an integral part of student life at the college almost since its founding. Bethany College was founded in 1840, and the first fraternities appeared in 1858. Since that date, students involved in our Greek organizations have been distinguishing themselves as leaders in the college community.

7.7.2.4 Male Organizations

Alpha Sigma Phi

Beta Gamma Chapter

Founded at Bethany - 1930

Mission – “To better the men through the creation and perpetuation of brotherhood founded upon the values of character...Silence, Charity, Purity, Honor, Patriotism.”

Beta Theta Pi, Psi Chapter

Beta Theta Pi

Founded at Bethany - 1860

Mission Statement – “Beta Theta Pi is dedicated to building men of principle for a principled life. Our brotherhood aids the individual, builds the Fraternity and strengthens the host academic institution through lifelong devotion to intellectual excellence, high standards of moral conduct and responsible citizenship.”

Delta Tau Delta

Theta Chapter

Founded at Bethany - 1858

Mission – “Committed to Lives of Excellence”

Phi Kappa Tau

Phi Chapter

Founded at Bethany - 1923

Mission – “To provide each man that joins our fraternity with the spirit embodied in our cardinal principles, such that each man grows through a quality fraternity experience to be a credit to his fraternity, college/university, community and country.”

Sigma Nu

Epsilon Chapter

Founded at Bethany - 1883

Mission – “To believe in the life of Love, to walk in the way of Honor, to serve in the light of Truth - this is the Life, the Way, and the Light of Sigma Nu - this is the Creed of our Fraternity.”

7.7.2.5 Female Organizations

Alpha Xi Delta

Delta Chapter

Founded at Bethany - 1903

Mission – “Inspiring women to realize their potential.”

Phi Mu

Beta Nu Chapter

Founded at Bethany - 1939

Mission – “Founded in 1852, Phi Mu is a women's organization which provides personal and academic development, service to others, commitment to excellence and lifelong friendship through a shared tradition. Phi Mu promotes vibrant living, encouraging members to achieve their personal best. “

Zeta Tau Alpha

Theta Chapter

Founded at Bethany - 1905

Mission – “Seek the noblest.”

All on-campus Greek housing units are entrusted to be self-governed on a day-to-day basis, as long as they follow Bethany residence hall standards. Off-campus Greek housing units are expected to be upstanding residents of the community. Due to this housing situation, Bethany College considers these students to be full-time representatives of the College in the community, and as such are expected to act and present themselves in a manner consistent with high standards and ideals of Bethany College. In addition, the College allows all current Greek organizations to exist with the understanding that they uphold the ideals of the College.

7.7.2.6 Formal Recruitment

The Bethany College Greek system follows “deferred fall recruitment” policy. Bethany College is implementing an experimental three year fall recruitment process.

This means that freshman students are allowed to join a chapter if they meet the minimum grade point average of 2.0 (based on high school GPA) to be considered eligible.. Many of Bethany's Greek organizations have higher GPA requirements Upperclassmen are allowed to join a chapter either semester. In either case, students must be in good standing with the College in order to join a Fraternity or Sorority. . The Office of Student Life reserves the right to deny any student entrance to a chapter for academic or disciplinary reasons.

“Formal recruitment” takes place at the beginning of the November. Provided that they meet the requirements stated above, all independent men and women wishing to join a chapter may participate. The specific rules and procedures regarding recruitment are set by both the Interfraternity Council and the Panhellenic Council, respectively. These rules are on file with the Office of Student Life and are available to all students upon request. All students interested in joining a chapter are invited to bring any questions or concerns they may have to the Office of Student Life. Greek life at a residential college can enhance many opportunities to students who choose to become affiliated with Greek organizations. “Formal Recruitment” is a time when members of the Greek organization provide organized programs to explain and promote the benefits of Greek Life.

No new member processing would occur from Dec. 1 until the first week of February. Organizations may continue to “Open Bid” new members through January and during the spring semester.

Six of Bethany's Greek houses are located on campus property. With the exception of their day-to-day self-governance, they are residences run by the College. This means that all maintenance, safety, and security issues fall under the jurisdiction of Bethany College. In the eyes of the College, two key chapter members are considered as the primary contacts for housing issues: the Chapter President and the House Manager. The Chapter President is considered the official spokesperson for the house on all issues, with the exception of the House Manager, who is seen as the primary contact person for any housing or maintenance issues.

7.7.2.7 Off-Campus Housing

Two of Bethany's fraternities are located off campus. Each off-campus Greek housing unit is responsible for coordinating its maintenance and security issues with its individual housing corporation. The organizations are financially responsible for the maintenance and upkeep of their respective housing units. It should be noted that the Bethany considers these chapters College representatives in the community, and therefore, reserves the right to sanction them for poor upkeep, lack of cleanliness, or any other display that would not be considered in good taste in representing the College.

7.7.2.8 Contacting the Greek Life Office

If you have questions or concerns about Bethany College Greek Life, stop by the Office of Student Life in Bethany House or contact the Director of Student Activities at 304-829-7631.

7.8 Student Athletic Policies

Bethany College is a member of Division III of the National Collegiate Athletic Association and the Eastern College Athletic Conference. Varsity women's and men's teams participate in the

Presidents' Athletic Conference. Members of the Conference, in addition to Bethany, are Chatham, Geneva, Grove City, St. Vincent, Thiel, Thomas More, Washington & Jefferson, Waynesburg, and Westminster. Men's teams compete in baseball, basketball, cross country, football, golf, lacrosse, soccer, swimming, tennis, and indoor and outdoor track. Women's teams compete in basketball, soccer, softball, field hockey, tennis, volleyball, cross country, swimming, and indoor and outdoor track.

7.8.1 Intramurals and Club Sports

Bethany offers students several chances to participate in athletic competitions without playing intercollegiate athletics. In the past, intramural sports that have been offered include soccer – both indoor and outdoor – football, softball, volleyball, basketball, ultimate Frisbee, tennis and table tennis.

Club sports often offer students a similar atmosphere with a few key differences. The club sports are supported and recognized by the Student Government Association at Bethany College and must have the work of an executive body to meet SGA standards. Additionally, the organization itself sponsors the sport, meaning the students are responsible for the day-to-day operations associated with have a club team. For more information on what club sports are being offered at Bethany, contact the SGA office at 304-829-7773.

Men's club sports teams provide competition in baseball, equine, lacrosse, soccer, hockey, and volleyball. Women's teams on the club level participate in soccer, lacrosse, equine, volleyball, and softball. A popular Outdoor Club provides a variety of activities including hiking, skiing, camping, whitewater rafting, and skydiving for men and women.

A wide variety of sports is offered to the entire student body through Bethany's intramural program. Facilities for numerous individual or group athletic, health, and recreation activities are located on or nearby the campus. The Thomas Phillips Johnson Recreation Center provides facilities for excellent recreational activities, including a large gymnasium, fitness arena, a swimming pool, courts for racquet sports, a weight room, and an exercise area.

7.8.2 Athletic and Fitness Facilities

Facilities for numerous individual or group athletic, health, and recreation activities are located on or nearby the campus.

Thomas Phillips Johnson Recreation Center (1994) is located adjacent to the Hummel Field House. The Center includes the Knight Natatorium, racquetball courts, body building facilities, locker rooms, the Sandwen Arena which includes an indoor track, and a general purpose floor that accommodates a number of sports, including basketball, volleyball, and tennis. This building was designed to support general recreation and intramural athletics.

The Thomas Phillips Johnson Recreation Center provides facilities for excellent recreational activities, including a large gymnasium, a swimming pool, courts for racquet sports, a weight room, and an exercise area.

Hummel Field House (1990) provides physical education facilities for men and women. It is also used for concerts. Adjacent to the field house are football, soccer, and baseball fields, and a quarter-mile track. The baseball team plays at Bethany Park, which is a community park

adjacent to Town Hall. The Cummins Community Center houses a 24 hour student fitness center located adjacent to Campbell Village.