



# SAINT LOUIS UNIVERSITY MADRID

## Student Rights and Responsibilities and Community Standards

### Preamble

Saint Louis University is committed to the preservation of personal dignity and the safety of its community members. All members of the Saint Louis University - Madrid Campus (SLU-Madrid) community share responsibility for fostering this environment by adhering to standards of conduct. Those standards of conduct are articulated in this document. SLU-Madrid's Community Standards help create an educational climate of excellence that is rooted in the Catholic Jesuit tradition.

SLU-Madrid Students are expected to strive for excellence, to develop their talents through discovery and reflection, and to be concerned for the *cura personalis* (care of each individual). Students are expected to contribute to the development and sustainability of their campus community through word and action. Respect for the dignity of others and the pursuit of truth characterize the SLU-Madrid community.

In order to demonstrate respect for the dignity of others, Students must assume responsibility for their behavior and that of their guests. When Students and/or their guests negatively infringe on the rights of others, SLU-Madrid may intervene and take disciplinary action. Processes initiated in accordance with the Community Standards and other SLU-Madrid policies are integral to the educational mission of Saint Louis University and are administered in a manner consistent with the University's Catholic Jesuit identity. Disciplinary actions taken under the Community Standards are not intended to imitate or to serve as a substitute for civil or criminal proceedings, but rather have been created to maintain and preserve the educational nature of SLU-Madrid and ensure an inclusive community.

### Statement of Student Rights and Responsibilities

In joining the SLU community, Students are afforded certain rights and assume certain social responsibilities that are critical for Students to have access to a safe place for learning and living in community, reverence toward diversity, and security of the campus environment.

- The Right to Learn, which includes the right of access to diverse ideas, the right of access to facts, the right to express diverse ideas and opinions, and the right to discuss those ideas with others.
- The Right to Exist and Peaceful Coexistence, which includes the right to be free from violence, force, intimidation, threats, and abuse, allowing all Students to be who they are and move about freely.
- The Right to Free Speech, and Expression with Civility, consistent with Saint Louis University's Catholic Jesuit heritage, which includes a commitment to providing an environment wherein even the thorniest of matters can be explored openly and argued productively. Students, however, not only have a responsibility to assure that speech and expression do not infringe on the safety of others or impede institutional functions, but also have the opportunity to express their disagreement, provided that such expression neither impairs other, including differing, viewpoints or expressions nor interferes with normal functions of SLU-Madrid.
- The Right of Privacy, which includes the right to be free of unauthorized search of personal property. This right to privacy, however, does not supersede a Student's contractual agreement to follow SLU-Madrid Policy while attending SLU or when

living in Housing arranged by SLU-Madrid. In the interest of protecting SLU-Madrid's community persons and property, which includes the host families and student residences, there may be times when it is necessary for SLU-Madrid personnel to enter and/or search Students' rooms.

- The Right to Report, which empowers Students to be free to report any action that they believe unduly interferes with their rights and learning environment and the right to receive a reasonable response according to that report.

## **Notice of Non-Discrimination**

All SLU-Madrid programs and activities are open to all Students without regard to sex, gender, gender identity and expression, race, color, religion, national origin, ancestry, disability, age, sexual orientation, marital status, military status, veteran status, pregnancy, genetic information, or any other protected classification.

## **1 Definitions**

1.1 The term **"Accused"** refers to the Student, group of Students, or SLU-Madrid affiliated organization alleged to have committed a violation of SLU-Madrid's Community Standards.

1.2 The term **"Advisor"** refers to an individual provided by SLU-Madrid or selected by a Reporting Party or Accused Party, who is present at any meeting related to an investigation or disciplinary proceeding. An advisor of choice may include an attorney retained by a Party at their own expense. An advisor provided by SLU-Madrid will be trained in regard to SLU-Madrid policies, procedures, and resources. Advisors may participate in SLU-Madrid processes in an advisory capacity, but they may not take part directly in the investigation, meeting with the Hearing Officer, or appeal. If a party wishes to speak privately with their advisor, they may request a brief recess from the meeting or proceeding. SLU-Madrid has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

1.3 The term **"Campus"** includes all land, buildings, facilities and other property in the possession of, owned, used, or controlled by the SLU-Madrid, including adjacent streets and sidewalks.

1.4 The term **"Community Standards"** refers to SLU-Madrid policies and standards of conduct provided to create a safe learning and living environment that is grounded in our Catholic Jesuit identity.

1.5 The term **"Community Standards Appeal Board"** refers to an ad-hoc group of University officials authorized by SLU-Madrid to hear appeals of decisions implemented by a Hearing Officer.

1.6 The term **"Director of Student Responsibility and Community Standards, or designee"** (Director) refers to the SLU-Madrid official authorized to administer, enforce, and facilitate the rules and procedures set forth in the Community Standards and other SLU-Madrid policies, procedures, rules, and regulations. The Director, or designee, is authorized to serve as a Hearing Officer. In most cases, SLU-Madrid's Director of Student Life serves as the Director of Student Responsibility and Community Standards.

1.7 The term **"Hearing"** refers to the meeting in which a Student is provided the opportunity to meet with a Hearing Officer and either take responsibility or not take responsibility for the alleged Community Standard violation(s) as provided in their notification letter. For those Hearings concerning violations that could result in suspension or expulsion from SLU-Madrid, a Student may have an Advisor accompany them.

1.8 The term **"Hearing Officer"** refers to an individual authorized by SLU-Madrid to determine whether a student or organization has violated SLU-Madrid's Community Standards and the appropriate sanction(s).

1.9 The term **"Report"** refers to a written statement by the Reporting Party, identifying the Accused and setting forth information relative to the alleged Community Standards violation, which may include the dates, times, witnesses, and a brief description of the alleged misbehavior.

1.10 The term **“Reporting Party”** refers to any person or entity who submits a Complaint alleging that a Student violated the Community Standards.

1.11 The **“Student”** refers to any and all persons enrolled at or taking courses through SLU-Madrid in any capacity. Persons who withdraw after allegedly violating SLU-Madrid Community Standards, those persons not officially enrolled at SLU-Madrid, but who maintain a continuing relationship with SLU-Madrid, those persons who have been notified of their admitted status to SLU-Madrid, individuals living in SLU-Madrid owned/operated residential facilities, and those persons suspended from SLU-Madrid are also deemed **“Students”** under the Community Standards.

1.12 The term **“Student Organization”** refers to any number of persons who have complied with the formal requirements for SLU-Madrid recognition or registration as a SLU-Madrid chartered Student-led club or organization.

1.13 The term **“SLU-Madrid”** refers to Saint Louis University - Madrid Campus and all of its divisions, departments, and related entities, campus and controlled properties.

1.14 The term **“SLU-Madrid Activity”** refers to any on-campus or off-campus event or function conducted, approved, sponsored, or funded by SLU-Madrid or any SLU-Madrid chartered Student-led club or organization.

1.15 The term **“SLU-Madrid Appeal Board”** refers to an ad-hoc panel authorized by SLU-Madrid to hear appeals of decisions made by a Hearing Officer. Each ad-hoc Appeal Board will consist of a three-member panel selected from a trained pool of faculty, staff, and Student representatives. Every effort will be made to have Student representation on each Appeal Board; however, certain periods of the year make ensuring such representation difficult.

## **2 Policy Overview and Applicability**

The Community Standards apply to misbehavior that occurs on campus, at University housing, at SLU-Madrid events and activities, as well as to off-campus misbehavior, including Study Abroad, that may adversely affect the SLU-Madrid community or the pursuit of SLU-Madrid's objectives. Students are responsible for their conduct from the time of application for admission through the actual awarding of a degree. The Community Standards apply to a Student's misbehavior even if the Student withdraws from the SLU-Madrid while a disciplinary matter is pending. The Director of Student Life, or designee, along with the highest SLU-Madrid Campus authority have the right to amend or modify the procedural requirements of the Community Standards as appropriate and at their sole discretion.

SLU-Madrid reserves the right to initiate action and seek appropriate outcomes for misbehavior which is not specifically identified in the Community Standards or in other SLU-Madrid policies, rules, and regulations whenever in the judgment of the Director of Student Life, or their designee, it is determined to be in the best interest of the SLU-Madrid. This includes misbehavior that occurs off campus, regardless of whether it is named in the SLU-Madrid Community Standards.

## **3 Professional Standards**

All Students at SLU-Madrid are members of the SLU-Madrid Community. Because social behavior, professional behavior and discipline in certain professional groups may be closely related to professional suitability, the associate deans, chairs, program directors, careers office staff, and student life staff who work with volunteer, service learning programs, and outreach programs will have and may assume full authority and responsibility to handle incidents involving professional suitability. Standards of professional behavior and policies and procedures for handling such matters observed by the individual academic units may take precedence over the policies set forth in the Community Standards at the discretion of the Director of Student Life, or designee. A Student may be accused of and sanctioned for violating the Community Standards and for violating academic unit policies arising under the same facts, circumstances, and actions.

#### **4 Violation of Law and SLU-Madrid Community Standards**

Community Standard proceedings may be instituted against a Student charged with misbehavior that potentially violates both the criminal law and SLU-Madrid's Community Standards, without regard to cases that may also be pending criminal litigation. Proceedings under the Community Standards may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Director of Student Life or designee. Outcomes of criminal charges will have no bearing on the determination made or sanctions imposed under the Community Standards. When a Student is charged by national or local authorities with a violation of law, SLU-Madrid will not request or agree to special consideration for that individual because of their status as a Student. If the alleged offense is also being processed under SLU-Madrid's Community Standards, SLU-Madrid may advise off-campus authorities of the existence of the Community Standards matter and how such matters are typically handled within the SLU-Madrid community. SLU-Madrid will cooperate with law enforcement authorities and other agencies in the enforcement of criminal laws on campus and in the conditions imposed by criminal or civil courts for the rehabilitation of Student violators (provided the conditions do not conflict with SLU-Madrid rules or outcomes).

#### **5 Conduct Occurring Off Campus**

SLU-Madrid's Director of Student Responsibility and Community Standards, or designee, has ultimate discretion in determining whether or not off-campus incidents will be addressed under the Community Standards. Factors that are considered in determining whether or not an off-campus incident will be addressed under the Community Standards include but are not limited to:

- The extent to which the behavior significantly impairs, obstructs, or interferes with the mission, processes, or normal functions of SLU-Madrid;
- The impact of the behavior upon other members of SLU-Madrid;
- The potential positive impact that a resolution of the matter under the Community Standards would have on the SLU-Madrid community and the Student.

#### **6 Residence Hall/Host families arranged by SLU-Madrid Rules and Regulations**

Students and guests in the residence halls and in host family homestays are subject to the rules and policies appearing in their Residence Hall's, on the SLU-Madrid Host Family Agreement, and the Community Standards. These policies are established using the processes and criteria published by SLU-Madrid Housing and by each residence hall.

#### **7 Community Standards Violations**

##### **7.1 Abusive Behavior**

Any act, including verbal or written communications that intimidates, coerces, threatens, or significantly disrupts the health, safety, or well-being of any person. Abusive Behavior will be addressed under this Community Standards if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, is part of a course of conduct of Stalking, or is an act of Retaliation.

##### **7.2 Aiding or Facilitating**

The act by an individual or group to aid, facilitate, promote, collude, or encourage another to commit a violation under this Policy. Aiding or facilitating may also include failing to take action to prevent an imminent act when it is reasonably prudent and safe to do so. Aiding or facilitating includes gaining academic or personal advantage or privilege with negative impact on others or the community through violation of the Policy or any other community standards. Aiding or facilitating may also include bringing any guest onto campus or to a SLU-Madrid sponsored/related activity who the Student should reasonably know to be restricted from campus access.

### 7.3 Alcohol

Alcohol is not allowed in any area of campus unless it has been pre-approved for specific events. For additional information, see the [Alcohol on the SLU-Madrid Campus policy](#).

### 7.4 Alcohol - Public Intoxication

Under the influence of alcohol in public to the degree that they are a danger to themselves and/or others, or causing a significant disruption in the community.

### 7.5 Alcohol - Purchasing or Providing Alcohol to Minors

Buying alcohol for or providing alcohol to anyone under the age of 18. This includes, but is not limited to, providing alcohol at a party where underage Students are drinking.

### 7.6 Alcohol - Underage Drinking/Possession

Any unlawful use or possession of alcoholic beverages by any Student under the age of 18.

### 7.7 Assault

Intentionally committing physical harm against any person.

### 7.8 Complicity

7.8.a Complicity with or failure of any Student to take action to prevent or appropriately address known or obvious violations of any SLU-Madrid Policy or SLU-Madrid Community Standards.

7.8.b Complicity with or failure of any organized group or Student Organization to take action to prevent or appropriately address known or obvious violations of any SLU-Madrid Policy or SLU-Madrid Community Standards.

### 7.9 Destruction of Property

Attempted or actual damage to SLU-Madrid property or services, property belonging to a member of the SLU-Madrid community, or other personal or public property, on or off campus.

### 7.10 Dishonesty

Acts of dishonesty, including the following:

7.10.a Providing false and/or misleading information to a SLU-Madrid official, Faculty, an authorized SLU-Madrid agent, or other member of the SLU-Madrid community;

7.10.b Inappropriately manufacturing, altering, possessing in violation of SLU-Madrid Policy, or otherwise misusing any SLU-Madrid or legal document(s), record, or instrument of identification;

7.10.c Academic Dishonesty. Academic Dishonesty violations will be adjudicated under the SLU-Madrid's [Academic Integrity Policy](#).

### 7.11 Disorderly Conduct

Breach of peace; leading or inciting others to disrupt scheduled or normal activities. This may also include drunken and rowdy behavior.

## 7.12 Disruptive Behavior

Behaviors and expressive activities that disrupt, interfere with, obstruct, sabotage, or prevents classroom activities, studying and learning spaces across campus, including but not limited to housing, teaching, research, and academic advising, or other SLU-Madrid learning or scholarly activities, as well as normal SLU-Madrid functions, or that undermines the academic success of others.

## 7.13 Drugs

Use, possession, manufacturing, sale, purchase with the intent to distribute, or distribution of illicit drugs, controlled substances, or drug paraphernalia except as expressly permitted by law. This also includes legal substances that are used in a way not intended by the manufacturer. Factors such as odor, Student's physical appearance, and conditions within the room will be taken into consideration when determining whether a drug violation has occurred. Possession of marijuana is not permitted on campus, at homestays, or residences.

## 7.14 Failure to Comply

Failure to comply with a SLU-Madrid agreement, written or verbal instructions, a reasonable request of a SLU-Madrid staff member while acting within the appropriate performance of their duties, authorized SLU-Madrid agent, or law enforcement official and/or failure to properly identify oneself to these persons when requested to do so.

## 7.15 Failure to Evacuate

Failure to evacuate a SLU-Madrid-owned or controlled building during an emergency or when advised to do so by a SLU-Madrid official.

## 7.16 Fake ID

Using, possessing, or providing any identification with information inconsistent with information maintained by SLU-Madrid.

## 7.17 Fraud

Wrongfully deceiving a SLU-Madrid official, authorized agent, or member of the SLU-Madrid Community for the purpose of academic, financial, or personal gain.

## 7.18 Harassment

Any unwelcome, unsolicited, and offensive conduct that injures, degrades, shows hostility, or disrupts from the formation of an inclusive environment directed toward a person or group of people because of sex, gender, gender identity and expression, race, color, religion, national origin, ancestry, disability, age, sexual orientation, marital status, military status, veteran status, pregnancy, genetic information, or any other protected classification.

## 7.19 Hazing

Any act which has the ability to endanger the mental or physical health or safety of a Student, or fosters an environment for such acts, or which has the potential to humiliate a Student, for the purpose of or perceived purpose of initiation, admission, affiliation, or as a condition for continued membership in a group or organization. Participation by the Student being initiated is not a defense for the Accused. Apathy or acquiescence in the presence of hazing may be considered violations under these Community Standards.

## 7.20 Inappropriate Conduct

Behavior that fails to uphold SLU-Madrid's mission, values, objectives, and responsibilities; behavior that fails to model good citizenship.

### 7.21 Indecent Conduct

Sexually explicit, graphic, abusive, degrading, intimidating, or offensive jokes, comments, remarks, gestures, and acts. Engaging in sexual acts in a residence hall/apartment while others are present will be a violation under this community standard.

### 7.22 Intimate Partner Violence

Any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a romantic, sexual, dating, spousal, domestic, or other intimate relationship. Whether a dating relationship exists will depend on the length, type, and frequency of interaction. A domestic relationship also includes a current or former cohabitant, a person with whom a victim shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law. Intimate Partner Violence may include any form of Prohibited Conduct under this Policy, including Sexual Assault, Stalking, and Abusive Behavior.

### 7.23 Retaliation

Any harassment, threats, intimidation, or coercion, or attempts thereof that would discourage any person from reporting a violation of SLU-Madrid Policy, the Community Standards, or from participating in an investigation or hearing process.

### 7.24 Safety Violation

7.24.a Intentionally or recklessly starting a fire.

7.24.b Misusing fire safety equipment or elevators.

7.24.c Intentionally or recklessly endangering the welfare of any individual.

7.24.d Intentionally or recklessly obstructing fire, police, or emergency services.

7.24.e Using, possessing, or storing dangerous chemical, fireworks, or explosives on SLU-Madrid property, or illegally possessing dangerous chemicals, fireworks, or explosives on and off campus.

7.24.f Utilizing any instrument in a manner that endangers or tends to endanger any person.

7.24.g Obstructing the free flow of pedestrian or vehicular traffic on or adjacent to SLU-Madrid premises or at SLU-Madrid events.

7.24.h Failing to comply with the reasonable and lawful directions of SLU-Madrid officials and the Spanish police.

7.24.i Failure to evacuate a building in an emergency or when directed to do so by a SLU-Madrid Official.

### 7.25 Sexual Misbehavior

Refers to a wide range of behaviors and encompasses any sexual behavior that was committed without consent. Sexual Misbehavior may vary in severity and consist of behaviors including, but not limited to conduct that violates Community Standards as well as a person's rights, dignity, and integrity.

### 7.26 Sexual or Gender-Based Harassment

Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature if

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, living environment, employment, or participation in a SLU-Madrid-related activity or SLU-Madrid program;
- submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's education, living environment, employment, or participation in a SLU-Madrid-related activity; or

- such conduct has the purpose or effect of unreasonably interfering with an individual’s educational performance, i.e., it is sufficiently serious, persistent, or pervasive that it creates an intimidating, hostile, offensive, or abusive environment for that individual’s education, living environment, employment, or participation in a SLU-Madrid-related activity under both an objective and subjective standard.

Sexual harassment also includes harassment based on gender, gender identity, gender expression or sexual orientation, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

Conduct reported as sexual or gender-based harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the conduct at issue. Although repeated incidents generally create a stronger claim, a single incident, if sufficiently severe, may create a hostile environment. Sexual and gender-based harassment:

- May be committed by or against anyone, regardless of sex, gender, sexual orientation, gender expression/gender identity;
- May occur between people of the same sex or different sexes;
- Does not have to be “directed at” a specific person or persons to constitute harassment;
- May include both intentional conduct and conduct that results in negative effects, even if those negative effects were unintended;
- Often includes a power differential between the parties based on differences in age or educational, employment, or social status;
- May be committed by a stranger, an acquaintance, or someone with whom the Reporting Party has a current or previous relationship, including a romantic or sexual relationship;
- May occur in the classroom, in the workplace, in residential settings, or in any other setting; and
- May be committed in the presence of others, when the parties are alone together, or through remote communications, including email, text messages, or social media.

#### 7.27 Sexual Assault

Engaging or attempting to engage in any form of sexual contact or sexual intercourse with another without Effective Consent and/or by force.

Sexual Contact is:

- Any intentional contact with the breasts, buttocks, groin, genitals, or mouth with any object or body part, whether it is over or under clothing;
- Making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

Sexual Intercourse is:

- Vaginal penetration, however slight, by a penis, object, tongue, or finger;
- Anal penetration, however slight, by a penis, object, tongue, or finger; or
- Oral copulation (mouth to genital or anal contact or genital or anal to mouth contact).

#### 7.28 Sexual Exploitation

Non-consensual or abusive sexual advantage taken by an individual of another for their own advantage or benefit, or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute any other form of Prohibited Conduct. Examples of Sexual Exploitation include, but are not limited to:



- Invasion of sexual privacy, including observing or allowing another individual to observe another's nudity or sexual activity without the Effective Consent of all individuals involved;
- Prostituting another person;
- Non-consensual video or audio-taping of sexual activity;
- Engaging in voyeurism;
- Knowingly exposing other individuals to a sexually transmitted infection or virus without that individuals' knowledge of the exposure;
- Exposing or inducing another to expose their genitals without consent; or
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

### 7.29 Stalking

When a person engages in a course of conduct or repeatedly commits acts toward another individual under circumstances that would cause a reasonable person to fear for their or others' safety, or to suffer substantial emotional distress.

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

Stalking includes, but is not limited to, the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, online dating sites, cell phones, texts, or other similar devices or forms of contact are used.

Examples of stalking may include, but are not limited to:

- Unwelcome and repeated visual or physical proximity to a person;
- Repeated oral or written threats;
- Unwelcome/unsolicited written communication, including letters, cards, emails, instant messages, and messages on online bulletin boards;
- Unwelcome/unsolicited communications about a person, their family, friends, or co-workers; or
- Sending/posting unwelcome and/or unsolicited messages with another's username; or
- Implicitly threatening physical conduct or any combination of these behaviors directed toward an individual person.

### 7.30 Smoking

Tobacco use is regulated by the Spanish authorities and is forbidden on campus. "Tobacco" is defined to include, but not be limited to, any lit cigarette, cigar, pipe, bidis, clove cigarette, e-cigarettes, any other smoking product; smokeless or spit tobacco, also known as dip, chew, snuff, or snus in any form; and any other tobacco product or device not approved by the Spanish authorities for the strict purpose of tobacco cessation.

### 7.31 Theft

Removal, attempted removal, or possession of SLU-Madrid property (including residence hall property and host family property), another's personal property, or public property, on or off campus.

### 7.32 Threatening Behaviors

An expression of intention to cause physical or mental harm to any person.

### 7.33 Trespassing

Unauthorized entry into any room, building, structure, facility, or area on or off campus.

### 7.34 Unauthorized Access

Unauthorized possession, duplication, or use of keys or unauthorized access to any SLU-Madrid building or area on campus.

### 7.35 Unauthorized Use of Electronic Devices

Unauthorized use of electronic or other devices to make an audio or video record of any person without their prior knowledge, or without their Effective Consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another and includes the reproduction of pictures. SLU-Madrid reserves the right to use video recording on campus to maintain safety and security.

### 7.36 Unauthorized Use of Computers

Theft, unlawful use of or other abuse of computer facilities, files, software, and resources, including but not limited to:

- Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose;
- Unauthorized transfer of a file;
- Use of another individual's identification and/or password;
- Use of computing facilities and resources to interfere with the work of another Student, faculty member or SLU-Madrid official;
- Use of computing facilities and resources to send obscene or abusive messages;
- Use of computing facilities and resources to interfere with normal operation of the SLU-Madrid computing system;
- Use of computing facilities and resources in violation of copyright laws;

### 7.37 Violation of SLU-Madrid Policy

Violation of any SLU-Madrid Policy, rule, or regulation published in hard copy or available electronically on the SLU-Madrid website. This includes, but is not limited to, the violation of SLU-Madrid Housing Norms.

### 7.38 Weapons

Possessing, use or keeping of a firearm, weapon, explosive or incendiary device, dangerous chemicals, and toy gun on campus (including residence halls/Host families arranged by SLU-Madrid) or at a SLU-Madrid Activity or using any such item in a manner that harms, threatens, or causes fear to others. All Students residing whether in residences or homestays arranged by SLU-Madrid Housing are prohibited from keeping these items at their residence or homestays.

## 8 Hearing Procedures

8.1 The Director of Student Life, or designee, will serve as the coordinator for all Complaints arising under the policies contained in the Community Standards.

8.2 Any Member of the SLU-Madrid community may file a Complaint against any Student or SLU-Madrid chartered Student-led club or organization for misbehavior or a violation of the Community Standards or any other SLU-Madrid Policy. All Complaints should be submitted as soon as possible after the date of the alleged violation, preferably within 30 days and filed with the Student Life Office.

- The nature and violence of the conduct at issue;
- The impact of the conduct on the Reporting Party;
- The impact or implications of the conduct on the community or SLU-Madrid;
- Prior misbehavior by the Accused Party, including the Accused Party's relevant prior discipline history;
- Whether the Accused Party has accepted responsibility for the conduct;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the SLU-Madrid community; and,
- Any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

## 8.3 Hearing Procedures

### 8.3.1 Non-Suspendable Violations

The following outlines the process for a Student that has allegedly committed a non-suspendable offense.

1. The Director of Student Life, or designee, will investigate the violation.
2. Cases will be assigned to the Housing Coordinator for further action taking into consideration such things as whether the incident occurred in a residence hall or a host family home and/or whether the Student(s) involved resides in a residence hall/host family.
3. A Hearing Officer will be assigned to meet with the Student.
4. A hearing notification letter will be sent by the Hearing Officer to the Accused Student containing the alleged violation(s) and hearing details (time, day, location, etc.).
5. The Hearing Officer will meet with the Accused Student to discuss their rights as a Student, the incident, and review the alleged violations. A Student may take responsibility, be found responsible, or be found not responsible for violating the Community Standards.
6. If a Student takes responsibility or is found responsible, the Hearing Officer will assign appropriate sanctions. In determining whether a Student is responsible, a Hearing Officer will apply the preponderance of the evidence standard (more likely than not).
7. With the exception of suspension and expulsion, the Hearing Officer may impose any sanctions deemed appropriate under the circumstances and consistent with SLU-Madrid Policies. In determining the appropriate sanction(s), the Hearing Officer may consider the following factors:
  - a. The nature and violence of the conduct at issue;
  - b. The impact of the conduct on the Reporting Party;
  - c. The impact or implications of the conduct on the community or the University;
  - d. Prior misbehavior by the Accused Party, including the Accused Party's relevant prior discipline history;
  - e. Whether the Accused Party has accepted responsibility for the conduct;
  - f. Maintenance of a safe and respectful environment conducive to learning;
  - g. Protection of the University community; and,
  - h. Any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.
8. Students will be notified of the outcome of the hearing via email. The outcome letter will include:
  - a. The finding(s) (responsible/not responsible);
  - b. Sanctions, if appropriate; and
  - c. The appeal process.
9. The grounds for appeal may only be based upon the following:
  - a. There was a material deviation from the procedures set forth in the Community Standards that would significantly impact the outcome of the case or may have resulted in a different finding;
  - b. New or relevant information, not available at the time of the hearing, has arisen that would significantly impact the outcome of the case.
10. As a general rule, neither the sanctions resulting from a disciplinary decision nor any change in the status of a Student will be enforced until the appeal has been fully considered. However, each matter will be considered on a case-by-case basis, taking into account, among other things, the health and safety of individual community members and/or the

community as a whole.

11. All appeals must be submitted within three (3) business days from the date on the outcome letter using the [Community Standards Appeal Form](#). If an appeal is not received within three (3) business days, the Hearing Officer's determination is final.
12. Appeals for violations considered to be "non-suspendable" will be heard by ad-hoc Community Standards Appeal Board (see Section 1.5), unless school is not in session, in which case, the appeal may be heard by the SLU-Madrid Appeal Board, comprised of staff and/or faculty and/or Students. The decision by the Appeal Board is the final decision in the case.

### 8.3.2 Suspendable Violations (inc. Sexual Misbehavior)

The following outlines the process for a Student that has allegedly committed a suspendable offense. These procedures also apply to Sexual Misbehavior violations.

1. The Director of Student Life, or designee, will investigate the violation.
2. The Director, or designee, will be assigned as the Hearing Officer for the case.
3. Throughout the process, a Reporting Party or Accused Party may have an advisor provided by SLU-Madrid or an advisor of their choice present at any meeting related to the investigation or disciplinary proceeding. An advisor of choice may include an attorney of their choosing at the Party's own expense. An advisor provided by SLU-Madrid will be trained in regard to SLU-Madrid policies, procedures, and resources. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. Advisors can participate in the resolution process in an advisory capacity, but they may not take part directly in the hearing itself and must demonstrate appropriate behavior. SLU-Madrid has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. If a party wishes to speak privately with their advisor during the hearing, they may request a brief recess from the meeting or proceeding. The advisor may not be a fact witness or otherwise have any conflicting role in the process.
4. A hearing notification letter will be sent by the Hearing Officer to the Accused Student containing the alleged violation(s) and hearing details (time, day, location, etc.).
5. The Hearing Officer will meet with the Student to discuss their rights as a Student, the incident, and review the violations/charges. A Student may take responsibility, be found responsible, or be found not responsible for violating the Community Standards.  
If a Student takes responsibility or is found responsible, the Hearing Officer will assign appropriate sanctions and outline the Appeal Process. In determining whether a Student is responsible, a Hearing Officer will apply the preponderance of the evidence standard (more likely than not).
6. The Hearing Officer may impose any sanctions deemed appropriate under the circumstances and consistent with SLU-Madrid Policy. In determining the appropriate sanction(s), the Hearing Officer may consider the following factors:
7.
  - a. The nature and violence of the conduct at issue;
  - b. The impact of the conduct on the Reporting Party;
  - c. The impact or implications of the conduct on the community or the University;
  - d. Prior misbehavior by the Accused Party, including the Accused Party's relevant prior discipline history;
  - e. Whether the Accused Party has accepted responsibility for the conduct;
  - f. Maintenance of a safe and respectful environment conducive to learning;
  - g. Protection of the University community; and,

Any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case

8. Barring extenuating circumstances, Students will be notified of the outcome of the hearing via email within fourteen (14) business days. The outcome letter will include:

- a. The finding(s) (responsible/not responsible);
- b. Sanctions, if appropriate; and
- c. The appeal process.

9. The grounds for appeal may only be based upon the following:

- a. There was a material deviation from the procedures set forth in the Community Standards that would significantly impact the outcome of the case or may have resulted in a different finding;
- b. New or relevant information, not available at the time of the hearing, has arisen that would significantly impact the outcome of the case.

Dissatisfaction with the outcome of the investigation, and failure of a party or witness to attend or participate in the investigation or hearing process, are not grounds for appeal.

10. As a general rule, neither the sanctions resulting from a disciplinary decision nor any change in the status of a Student will be enforced until the appeal has been fully considered. However, each matter will be considered on a case-by-case basis, taking into account, among other things, the health and safety of individual community members and/or the community as a whole.
11. Appeals must be submitted within three (3) business days from the date on the outcome letter using the [Community Standards Appeal Form](#). If an appeal is not received within three (3) business days, the Hearing Officer's determination is final.
12. Appeals under this section will be heard by the ad-hoc SLU-Madrid Appeal Board (see Section 1.15). The decision by the Appeal Board is the final decision in the case.

#### 8.4 Retaliation

Retaliation against any Student, faculty member, or staff member as a result of reporting a violation of the Community Standards, participating in an investigation related to such a report, or participating in any hearing or appeal process related to a report is prohibited. Examples of retaliation include, but are not limited to, stalking, intimidation, threats, coercion, or discrimination because of a person's complaint or participation in an investigation, hearing, or appeal. Any allegations of retaliation or abuse of the conduct system should be reported to the Student Life Office and will be investigated to determine whether a violation of the Community Standards occurred.

#### 8.5 Interim Suspension

In certain circumstances, a Student may be suspended for an interim period pending the outcome of a hearing. An interim suspension may include restriction of a Student from SLU-Madrid to the minimum extent necessary when there is cause to believe the student has committed a serious violation of SLU-Madrid Policy, but is not limited to the following violations: arson, assault, sexual misbehavior, significant property damage, a significant bias incident, drug trafficking, relationship violence, threats of violence, or other disruptive behavior incompatible with the normal functions of SLU-Madrid.

The interim suspension may include the period of time required for SLU-Madrid to investigate the alleged violation(s) and may continue through the period of time in which the Hearing Officer's provides their determination. An interim suspension may include restriction from attending classes, attending SLU-Madrid activities, clubs, and functions, and/or participating in intercollegiate athletics. Violations of the Community Standards while on interim suspension may result in further charges being investigated and adjudicated. The Director of Student Life, or designee, may impose an interim suspension when they deem such action appropriate, including but not limited to, whenever such action is necessary to protect the safety and well-being of the SLU-Madrid Community, to protect the Accused Student's own physical or emotional safety and well-being, or if the Student poses a potential or significant threat of disruption or potential interference with the orderly functioning of SLU-Madrid.. In determining whether to impose an interim suspension, the Director of Student Life, or designee, will conduct an individualized risk analysis to assess immediate threats to the physical health or safety of any student due to the allegations. The interim suspension does not replace the regular hearing process

The Accused Student may appeal the interim suspension to Campus Director. Appeals must be submitted within three (3) business days from the date on the Interim Suspension letter using the [Community Standards Appeal Form](#). If an appeal is not received within three (3) business days, the Interim Suspension determination is final. The appeal shall consist of a plain, concise and complete written statement outlining the basis for appeal and all relevant information to substantiate the grounds.

## 8.6 Student-led Clubs and Organizations

All hearing procedures applicable to Accused Parties are also applicable to SLU-Madrid chartered Student-led Clubs and Organizations and will be held accountable for violations of SLU-Madrid Policies and Community Standards and are subject to any and all sanctions that may be imposed.

## 9 Sanctions

The following sanctions may be imposed individually or in combination upon a chartered Student or Student-led Club or Organization found to have violated the Community Standards or any other SLU-Madrid Policy. Other sanctions not listed may be imposed upon recommendation by the Hearing Officer or Appeal Body. The type and length of a sanction is at the discretion of the Hearing Officer. Students with outstanding sanctions may not be considered in "Good Standing" with SLU-Madrid. Students must complete their sanctions in the time period directed in order to remain in good standing.

### 9.1 Disciplinary Warning

A disciplinary warning is an official written notification that the Chartered Student-led club or organization's behavior is objectionable and violates the Community Standards; that the action or behavior must cease. Disciplinary warnings are put in place for one year. Students found responsible for further misbehavior within the same year, may be placed on Disciplinary Probation. A Disciplinary Warning is maintained in the Student's disciplinary file for one year and would serve as a basis for further sanctioning should subsequent violations occur. If there are no further violations within that one-year period, the warning will be removed from the permanent record.

### 9.2 SLU-Madrid Censure

A censure may be issued to any Student-led club or organization whose conduct violates SLU-Madrid rules. Censure provides notice that any further violation(s) will result in more serious disciplinary action and may be used as a basis for future sanctioning should further violation(s) of SLU-Madrid's Community Standards occur.

### 9.3 Disciplinary Probation

Disciplinary probation is a formal notice, affecting the non-academic status of the Student, that the Student's behavior is unacceptable within the SLU-Madrid community. Any Student or Student-led club or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon SLU-Madrid extracurricular activities and/or participation in intercollegiate athletics, or any other appropriate special condition(s). Continued enrollment of a Student or recognition of a Student-led club or organization on probation may be conditioned upon adherence to these policies. Any conduct that constitutes further violation of these policies while on probation status or the failure to comply with the terms of the probation may result in the imposition of further disciplinary action including suspension. Probationary status may impact a Student's scholarship, study abroad opportunities, Student-led club or organization leadership opportunities, on-campus employment, and other opportunities provided at SLU-Madrid.

### 9.4 Discretionary Sanctions

Discretionary Sanctions include, but are not limited to, restorative practices and actions to help ensure education and well-being, along with service to SLU-Madrid or community; letters of apology, reflection or restoration; active participation or completion of educational programs; assessment and counseling; evaluation or treatment by an appropriate health care or other licensed/approved professional; random drug testing; disqualification, for a specified period of time, from representing SLU-Madrid

in official capacities such as intercollegiate athletics or holding or seeking a Student officer position, or participating in SLU-Madrid events and programs; or other discretionary assignments deemed appropriate by the Hearing Officer.

#### 9.5 Restitution

Monetary compensation for loss, damage, or injury as determined by the Hearing Officer.

#### 9.6 Fees/Fines

The imposition of a monetary fee/fine appropriate under the circumstances. Fees are used to compensate for any damages caused by student's misbehavior at host families, residences, at school, at on-campus and off-campus events, etc. Based on the severity of the violation, fines are imposed to deter repeat behavior. A fine may be included as a sanction for any violation. A Student's disciplinary history is taken into consideration when determining the appropriate fine amount.

#### 9.7 Loss of Privileges

Denial of privileges to SLU-Madrid services and facilities and/or attendance or participation in activities, events, or programs.

#### 9.8 Restricted Access

Restriction or termination of a Student's access to a residence hall/host family or designated portion of a residence hall/ host family as a guest, or other SLU-Madrid facilities or a portion thereof.

#### 9.9 Housing Contract Review

The Housing Coordinator will review the Student's Community Standards violation(s). Based upon the review, the Student's housing contract may not be impacted, the Student may receive a housing re-assignment, or they may be expelled from housing.

#### 9.10 Degree and/or Transcript Withholding

SLU-Madrid may withhold awarding of a degree otherwise earned or an official SLU-Madrid transcript until the completion of the process set forth in the Community Standards, including without limitation, the completion of all sanctions imposed.

#### 9.11 Suspension

Separation of the Student from SLU-Madrid and Saint Louis University for a defined period of time, usually not to exceed 2 (two) years, after which the Student is eligible to return. Conditions of re-admission may be specified. Students who are suspended may forfeit all tuition and other fees paid or required to be paid for the academic year. Students who are suspended may not visit SLU-Madrid or attend SLU-Madrid activities and or functions during their period of suspension. Violations of the Community Standards while suspended, will go before a Hearing Officer and may result in increased suspension or possible expulsion. Failure to comply with the requirements stated in the Student's formal hearing outcome letter may result in an extension of a suspension.

#### 9.12 Expulsion

Permanent separation of the Student from SLU-Madrid and Saint Louis University. Any Student who has been expelled under the Community Standards may be re-admitted only with written approval of the Director of the Madrid Campus. Students who are expelled from SLU-Madrid may forfeit all tuition and other fees paid or required to be paid for the academic year. Students who are expelled may not visit SLU-Madrid or attend SLU-Madrid activities and or functions.

#### 9.13 Revocation of Admission and/or Degree

Admission to or a degree awarded from Saint Louis University may be revoked for fraud, misrepresentation, or other violation of standards in obtaining the degree, or for serious violations committed by a Student prior to graduation.

#### 9.14 Termination (Student-led Clubs and Organizations)

Permanent separation of a Student-led club or organization from SLU-Madrid and the forfeiture of any organizational funds in the possession of SLU-Madrid.

### 10 Disciplinary Records

Disciplinary records are considered a part of a Student's education record. A Student's disciplinary record consists of those incidents in which a Student was alleged to have violated a SLU-Madrid Policy and/or the SLU-Madrid Community Standards and either took responsibility or were found responsible for the violation(s).

Any charge for which a Student is found not responsible does not become part of a Student's disciplinary record. In situations involving both an Accused (or a Student-led Club or Organization) and a Student claiming to be the victim of another.

Student's actions, the records of the process and of the sanctions imposed, if any, will be considered to be the education records of both the Accused(s) and the Student(s) issuing the complaint because the educational career and chances of success in the academic community of each may be impacted.

To receive information in a Student's file, the Student must submit a signed request in-person or if in writing, along with a copy of a picture ID, to the Director of Student Life. The request should describe specifically what should be released and to whom. Students requesting a copy of their file for their own personal records may come to the Director of Student Life to review their disciplinary record. Students requesting a release of information to a third party (graduate school, employer, etc.) will only receive information from the file on incidents where the Student either accepted responsibility or was found responsible in a hearing/appeal process.

Disciplinary records for Students found responsible for violating SLU-Madrid Policies and/or Community Standards, with sanctions less than suspension or expulsion, will generally be maintained for five years from the date of an incident, after which they are destroyed.

Records of cases in which suspension or expulsion from the SLU-Madrid occur, are kept indefinitely. All disciplinary records are confidential and may not be disclosed in whole or in part except as provided by law or by the written authorization of the Student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the Student's academic record but are part of the Student's educational record.

### 11 Third-Party Notification

The purpose of SLU-Madrid's third-party notifications (family, legal guardian, and home institutions) notification Policy is to foster a healthy and safe campus community, while promoting the educational and professional success of Students. Consideration to notify parents demonstrates SLU-Madrid's commitment to *cura personalis* or a deep "care of the person" and our goal "to work toward the common good."

While SLU-Madrid's primary relationship is with its Students, SLU-Madrid also understands that the third parties mentioned above maintain an interest in their Student's experience and behavior while at college and can play positive role in their learning experience. Therefore, SLU-Madrid strives to foster a partnership with both Students, their families and their home institutions in which each has a unique responsibility to promote a healthy and productive learning experience. As part of its mission, SLU-Madrid expects Students to assume personal responsibility and accountability for their actions as they learn to live independently. SLU-Madrid also recognizes that the process of establishing appropriate levels of personal autonomy requires support and, at times, assistance or intervention. In the appropriate circumstances, notification of families or legal guardians can be a means of support in that transition.

Third-party notification is intended as a means to inform and encourage communication between a Student and the third party without compromising SLU-Madrid's primary relationship with the Student and their ability to assume responsibility for their



actions. Third parties are encouraged to use this information to assist their Student in fulfilling their educational goals through the use of open dialogue. After third-party notification has occurred, SLU-Madrid will continue to correspond and otherwise conduct business directly with the Student, and not through the family or legal guardian, or any other third party, along with encourage the Student to maintain healthy and regular communication with their primary support.

### 11.1 Third-Party Notification Policy

In accordance with the Family Educational Rights and Privacy Act Policy, SLU-Madrid has established the following guidelines for notifying family when there is:

- Concern for the welfare of a Student;
- The Student's behavior may jeopardize the welfare of others; or
- The Student is involved in violations of national or local law or SLU-Madrid policies related to the possession, use, or distribution of alcohol or a controlled substance (drugs) and is under the age of 18.

Specifically, SLU-Madrid grants to the Director of Student Life, or designee, the authority to appoint who may notify family and/or legal guardian, as well as to determine when and by what means they may do so.

The Director of Student Life, or designee, whenever possible will involve the Student in a discussion about the decision to notify their family and/or legal guardian and will inform the Student when notification has occurred. However, SLU-Madrid may disclose information to family and/or legal guardian, without written consent from the Students, when notification is determined to be necessary to protect the health or safety of the Student or others. Nothing in these proposed guidelines will prevent SLU-Madrid officials from notifying family and/or legal guardians of health or safety emergencies, regardless of the Student's conduct status.

### 11.2 Circumstances for Third-Party Notification

In general, notification of parents or legal guardians for a violation of national or local law or SLU-Madrid Policy may happen given the following circumstances:

- The Student receives treatment at a medical facility for a serious or life-threatening injury.
- The Student has threatened or caused harm to self or others.
- The Student has been found responsible or accepted responsibility for a conduct violation in which FERPA allows parental notification, or the sanctions imposed impinge on an aspect of a Student's education record for which a FERPA release has been signed, e.g. housing re-assignment that impacts a housing contract.
- SLU-Madrid is notified by police that a Student was arrested or taken into custody.
- The information regarding the Student is needed in connection with an emergency to protect the health or safety of the Student or other individuals.
- The Student and/or a Student's guest is 17 years of age or younger and alleged to have violated any national or local law, or any rule or Policy of SLU-Madrid.

SLU-Madrid retains the right in its discretion to notify parents and Home Institutions of any conduct or behavioral matter.

## 12 Interpretation and Revision

12.1 Any questions of interpretation or application of the Community Standards will be referred to the Director of Student Life, or designee, for final determination.

12.2 The Community Standards will be reviewed every year under the direction of the Campus Director, or designee.

Last review July 15, 2020