

Code of Conduct

The following Code of Conduct establishes specific behaviors that DO NOT meet the expectations of a student or of student organizations at the University of Dayton and are therefore prohibited. All violations are cumulative for the duration of an individual student's attendance at the University of Dayton. The Student Conduct Procedures can be found in detail on pages 19-43 (note the process is different for cases of sexual harassment and harassment/discrimination when the reported behavior falls under the university nondiscrimination and anti-harassment policy. Questions concerning the student conduct process or student conduct records should be addressed to the Office of Community Standards & Civility, 227 Gosiger Hall, (937) 229-4627, csc@udayton.edu.

1. Alcohol *(See Resource Guide C on page 65)*

Use and/or possession of alcoholic beverages under the legal drinking age, distribution of alcoholic beverages, drinking in public, public intoxication/open container, manufacturing alcohol, drinking and driving, possessing consumption devices and mass containers (kegs/mixed alcohol from a common source outside of its original packaging), abuse (requiring medical attention, passing out, vomiting, loss of memory or hospitalization) are not permitted. High risk drinking activities also constitute to abuse of alcohol. Such activities include but are not limited to drinking large quantities of alcohol, consuming alcohol at an accelerated pace (chugging), use of alcohol with medication or

Mitigating Circumstances

In order to encourage students to seek assistance for their fellow students who may be in medical danger, students who notify Public Safety or other urgent assistance agencies (e.g., a hospital, another police agency, etc.), will not be held responsible for the alcohol policy violation should they have been in violation when assisting. Additionally, the student in need of care will not be issued any monetary fines normally associated with the violation.

other controlled substances, participation in drinking games, use of beer bong, and/or any activity that promotes irresponsible drinking. Any item that is used to rapidly consume alcohol or used to facilitate high risk drinking may be confiscated and may not be returned. Additionally, the use of alcohol containers/packaging for decoration and/or signage is not permitted in residential areas where alcohol is prohibited. *Note: Students are responsible for all aspects of the Code of Conduct both on and off campus.*

2. Compliance

Failure to comply with directions of any University official (this includes resident assistants and/or law enforcement officers) acting in the performance of their duties is unacceptable behavior. This can include but is not limited to failure to identify oneself to these persons when requested to do so, failure to immediately comply with any verbal order issued by the police and/or university staff, failure to comply with any policy, rule, or regulation published by the University (for example, Fair and Responsible Use of Computing Resources policy, campus one card requirements, dining services policies, adherence to other university policies illustrated in Key Concepts & Notifications of the Student Handbook, pg. 82, housing and residence life contract, parking services agreements, and any policy published on the official policy website at www.udayton.edu/policies), failure to comply with the student conduct process at any stage, and/or failure to comply with any signed contract or agreement with the University. University of Dayton students are expected to abide by the rules and regulations of other institutions (public or private) when visiting those communities. *Note: Common policies and rules to be aware of include the requirement to carry ones University ID card at all times, prohibition on sharing network usernames and passwords, permitted household items/lawn items, registering events, etc.*

3. Disorderly Behavior

Conduct that is disruptive, lewd, indecent, causes a breach of the peace, and/or that presents a risk of harm to oneself or others is prohibited. Disorderly behavior includes throwing objects from windows, climbing out windows, inappropriate use of restrooms/locker rooms, public urination, unnecessarily extending a confrontation, and/or any behavior that creates or contributes to a community disturbance. *Note: See page 39 for a description of community disturbance in terms)*

Online/Electronic Invitations

Students sending mass electronic or online invitations to the campus area that result in large scale gatherings and that create a community disturbance can be held responsible for violation of the code of conduct

4. Drugs *(See Resource Guide C on page 65)*

Illegal use, possession, manufacturing or distribution (or participation in the sale of) of marijuana, heroin, narcotics, or other controlled substances and/or any use or possession of general products as intoxicants or "means to get high" is strictly prohibited. Additionally, driving while impaired by such drugs, improper use, possession or distribution of prescription drugs, and paraphernalia commonly used to consume drugs is not permitted. Paraphernalia includes but is not limited to pipes, bong, hookahs, and homemade smoking devices.

5. Environmental Disrespect

Excessive noise resulting from student parties, amplified sound, music or any other mechanism that produces noise that disrupts other students is prohibited. Any form of vandalism of personal or University property is unacceptable regardless of intent. Littering, unearthing plants, disturbing the aesthetics of the University and/or any other behavior that causes damage to the University grounds or facilities is not permitted. Furniture intended/built for indoor use is not permitted outside or on porches. *Note: The University of Dayton does not involve itself in personal disputes over the responsibility for restitution between parties.*

6. Fire Safety

Setting a fire, igniting any material inside a facility (including candles and incense), arson, false activation of fire alarms, tampering with fire equipment, contributing to a fire or failing to report a fire or someone involved in setting a fire are prohibited. Any student that fails to vacate a University building during a fire alarm or scheduled fire drill, or fails to vacate the general vicinity of a fire is in violation. Additionally, any behavior that places a facility or community at risk for fire is not permitted. Such behaviors include but are not limited to failing to property tend to cooking, the use of outdoor tiki torches in the campus area, burning materials in an open outdoor space in the campus area and/or unsuccessful extinguishing of tobacco products.

7. Gambling

The wagering of money, property or services (any material or service of value) is prohibited. Additionally, hosting activities such as poker tournaments, casino nights, and other events that utilize similar gaming themes are prohibited. *(See page 43 for details)*

8. Guests *(See Resource Guide D on page 68)*

A guest is defined as either an external visitor of a student and/or a student who is being hosted in the residence of a fellow student. Students must accompany their visitors in the campus area at all times and are responsible/accountable for the conduct of their guests. Students who advertise and/or issue mass invitations (online or actual) will be held responsible for the outcome of such an invitation. Guests (student or non-student) are not permitted to stay overnight if they are of the opposite sex from the students residing in the room/suite/apartment/house. Students are not permitted to have overnight guests (student or non-student) stay more than two consecutive nights or five nights in one month without written consent from roommates/living mates as well as the Housing & Residence Life Area Coordinator/Resident Director staff. Guests may not sleep in the unoccupied bed without prior written consent of the student who primarily uses that bed. Overnight guests are not permitted during orientation week, final examination weeks or dates when the housing facilities are closed. Those students living in University housing may be subject to additional guest registration requirements during specified times of the year. *Note: In cases where a guest's conduct puts students/faculty/staff at risk of harm, the consequences of hosting that guest can result in severe disciplinary action.*

9. Harassment and/or Discrimination

Any form of harassment and/or discrimination is not tolerated at the University of Dayton. Harassing and/or Discriminatory behaviors include but are not limited to verbal abuse, threats, intimidation, bias related harassment, bullying/harassment (any action that causes mental distress including but not limited to threats, intimidation, and/or communication that continues after being asked to discontinue contact), and/or coercion. Unauthorized recording or use of a recording (audio, video, or photographic) of another person without their knowledge and approval, when such a recording causes injury or distress, is prohibited. Any behavior that violates the University's nondiscrimination/anti-harassment policy will not be tolerated (go.udayton.edu/nondiscrimination) Additionally, cases of harassment and/or discrimination that meet the threshold under the nondiscrimination and anti-harassment policy will be afforded the same rights and process as those outlined in the sexual harassment guide found on 44.

10. Hazing *(See Procedures and Resource Guide B on page 62)*

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 (see terms) 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. *See Procedures and Resource Guide B, pg 63 for specific terms, definitions, procedures and information on how to report a violation.*

11. Laws & Statutes *(See page 43 for local ordinances)*

Violation of any local, state or federal law is not permitted.

12. Misrepresentation

Lying, misrepresenting of facts or giving false testimony to any University official is prohibited. This includes but is not limited to forging, transferring, altering, wrongfully obtaining or otherwise misusing documents including being in possession of an ID other than your own and/or a fake ID. Misrepresentation includes but is not limited to any misuse of University funds, using the University logo or name without appropriate permission and/or to falsely attribute an activity to the University. Representing oneself as the University of Dayton in signing a contract or agreement, falsification of any University record or use of any computer to gain unauthorized access to an existing University record is not permitted. *Note: All parties participating in the Student Conduct System are expected to be honest and forthright throughout the process.*

13. Physical Abuse

Physical abuse of any kind is not permitted. Physical abuse includes but it not limited to fighting, wrestling, pushing, hitting, grabbing, cutting, and/or slapping another person, regardless of intent.

Self Defense

Self-defense or responding to a physical attack with a counter physical response is not encouraged but may become necessary in a rare number of cases. Self-defense may be considered a University policy violation if the actions are not immediately followed by attempt by the student to remove themselves from the situation. In cases where both parties are claiming self-defense and an investigation lends no information to justify one claim over another, both students will be notified of possible violation.

14. Safety & Security

Any attempt to compromise University security systems, access an unauthorized area, replicate University keys, theft, attempted theft or possession of stolen property, use or possession of any object or weapon that could endanger a member of the community, and/or any behavior that is perceived to be a wide spread threat to the safety of others is prohibited. Possession and/or use of any item that could be perceived as a weapon which could include but is not limited to knives, explosives, dangerous chemicals, guns, pellet guns, bb guns and/or any item that could be perceived as a gun (i.e. replicas or the insinuation of a gun) is prohibited. Other safety and security restrictions include but are not limited to tampering with and/or propping entry/exit doors, failing to properly identify one-self when entering the residence halls, tampering with security cameras, accessing house basements or apartment utility rooms, accessing attics and roofs, and/or posting campus threats. *Note: As with all matters of student conduct the university reserves the right to determine what constitutes endangerment, or threat.*

15. Sexual Harassment *(See Procedures and Resource Guide A on page 44)*

Sexual harassment in any form is not permitted. Sexual harassment is a form of discriminatory harassment that can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including sexual assault. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Sexual harassment includes but it not limited to non-consensual sexual contact, non-consensual sexual intercourse, forcible sexual intercourse, sexual violence, sexual misconduct, coercion, intimidations, sexual exploitation, and/or any behavior that creates or contributes to a hostile environment as defined on page 47. Sexual behavior and/or behavior in pursuit of sexual contact that includes coercion and intimidation is prohibited. Students are responsible to abide by all aspects the Nondiscrimination and Anti-Harassment Policy. The Equity Complaint Quick Guide is on pages 82-86 and the policy is detailed online at go.udayton.edu/nondiscrimination. Additionally, retaliation for reporting sexual harassment and/or for participating in the University's processes for processing such complaints is a violation of the code.

16. Solicitation and Commercial Activity

Solicitation of members of the University community by a student for the sale or promotion of commercial products/services and hosting vendors for entertainment or other services is not permitted. Additionally, door to door sales, promotion, and/or collection of funds is not permitted without written permission from the housing and residence life unless the activity is considered part of the student's job in residence and is in pursuit of those job responsibilities. Student's operating a business on campus must gain prior approval through the chair of the management and marketing department in the School of Business and must be in compliance with all regulations and procedures indicated in that process. Student organizations are not permitted to sell any items without approval by the Center for Student Involvement.

Student Run Businesses

Without approval from the chair of management and marketing in the School of Business, students are not permitted to operate a business on University property or in the campus area (see terms). This means that students cannot use University resources to operate a private business. Resources include but are not limited to the use of University property, facilities, networks, utilities and/or equipment for the purpose of operating a business/making a profit.