



**C O K E R**  
UNIVERSITY

# 2020-2021 STUDENT HANDBOOK

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# Contact Information for Coker University



**300 East College Avenue**

**Hartsville, SC 29550**

**843-383-8000**

**[www.coker.edu](http://www.coker.edu)**



## Coker University Student Covenant

Coker University is a community dedicated to scholarship and community engagement. Those who join our circle of learning commit to a lifelong journey of intellectual & personal growth and service to others.

Inspired by the six pillars of Davidson Hall, I agree to uphold the following tenets of the Coker University Student Covenant. I will:



Conduct myself with **INTEGRITY** and be responsible for my actions and their consequences.



**RESPECT** the rights, property, culture, and beliefs of others.



Engage myself as an honorable **SCHOLAR** inside and outside of the classroom.



Hold myself and others accountable for the **SUSTAINABILITY** of our environment.



Offer my knowledge and creativity to **SERVE** my community.



**CONTRIBUTE** to the wider world through a continued pursuit of knowledge.

As Davidson Hall serves as the center landmark of our campus, so shall these six tenets serve as the foundation for my actions and decisions as a member of this community. By pledging to these tenets, I obligate myself to honor the principles that define Coker University.



# Students' Rights

## **NON-DISCRIMINATION**

Coker University, in compliance with all applicable state and federal laws, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 does not discriminate on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity and expression, age, marital status, veterans or military status, or against individuals with disabilities, or other legally protected classifications in the areas of employment, admissions, financial aid or access to educational or extracurricular programs, activities, or facilities.

## **RIGHT TO PROCEDURAL SAFEGUARDS UNDER THE COLLEGE CODE OF STUDENT CONDUCT**

If a student is accused of breaking the Coker University Student Covenant or University policy (academic or nonacademic), they have the right to procedural safeguards as outlined in the University Code of Student Conduct section of this handbook. If a violation of civil law occurs on campus and is also a violation of a published University regulation, the University may institute its own proceedings against the offender if the University interest is clearly distinct from that of the community outside the University.

## **RIGHT OF EXPRESSION & PEACEFUL ASSEMBLY**

The publications of Coker University, oral, written, and electronic, shall conform to journalistic ethics and to good practices of the profession. This includes the avoidance of libel and slander, indecency, undocumented allegations, attacks on personal integrity, and harassment and innuendo. With these standards, the publications of Coker University will be free from censorship, prior restraint, or advance approval of copy. The individual editors will employ their own discretion concerning editorial and news policy and will not be subject to arbitrary suspension or expulsion from the University because of editorial or news policy.

In the interest of academic freedom and the right of peaceful assembly, Coker University students are allowed to gather in any public area of the University, including corridors or other places set aside for public meetings, to support or protest any course of interest to them. All student gatherings or demonstrations must be orderly, must not interfere with the legitimate pursuits of other members or guests of the University, and must comply with the Code of Student Conduct. In an effort to protect this right and students' safety, all student gatherings or demonstrations must be registered with the Vice President of Student Services office at least 48 hours prior to the event.

The students of Coker University are encouraged to voice their opinions, but they should realize that they speak only for themselves and not for the student body or University community as a whole. Participation of students in demonstrations and protests off the campus is left to their own discretion, subject only to the section of this code outlining the relationship between University code and civil authority. The Coker University name is retained for officially recognized organizations and activities and may not otherwise be used without special permission.

## **RIGHT OF INQUIRY**

Students and student organizations are free to examine, to discuss, and to express opinions or questions of interest to them. An individual or campus organization wishing to bring an outside speaker to campus must obtain approval from the Office of Student Engagement or Vice President of Student Services Office or

designee for proper scheduling of facilities and preparation for the event. All persons should realize that sponsorship of outside speakers by the University does not imply approval or endorsement by the University of the views expressed. The University cannot shield from state or federal prosecution any speaker whose utterance at Coker University allegedly violated laws relating to reason, sedition, obscenity, nor will Coker University permit any such violation. The University reserves the right to remove from campus any person whose conduct is in violation of University standards or civil law.

### **RIGHT OF PRIVACY OF STUDENT RECORDS**

All student records will be released only under provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended. All records pertaining to non-academic student judicial cases shall be kept in the Office of Residence Life. All records pertaining to academic judicial cases shall be kept in the Office of the Provost.

The Office of Residence Life & Office of the Provost will retain judicial records (non-academic and academic, respectively) for penalties less than suspension, for 1 year after a student's graduation, or 5 years after a student withdraws from the University. For cases of suspension or expulsion, records shall be retained indefinitely.

### **Access to Student Records**

Each student who is attending, or has attended, Coker University is guaranteed access to his/her educational records as filed in the Office of Academic Records, the Student Solution Center, the Student Experience Office, or the Office of the Provost. Information contained in these files, including transcripts, will be communicated to persons or agencies specifically designated in writing by that student. A record of disclosure will be kept in the student's record. Health records may be utilized by University health officials or by a physician of the student's choosing upon written request by the student. Student credential files (if available) will be communicated to potential employers or graduate schools only upon written request of the student. Student access to these records is possible only if the student does not waive access at the time these records are compiled. The University may charge a reasonable fee for copying expenses. A student who wishes to review his/her record shall make such a request in writing to the appropriate office. The requisition shall be granted within a reasonable length of time, not to exceed forty-five (45) days.

The following exceptions are allowed under law and may be exercised by Coker University:

- Financial records of parents or guardians of the student or any information contained therein may not be reviewed by the student without written permission from the parent.
- Disclosure of a student's records without that student's permission is allowed as follows:
  - To appropriate University officials who have a legitimate educational interest.
  - To an appropriate person in connection with a health or safety emergency if such information is necessary to protect the health or safety of a student or other persons.
  - To certain federal and state officials for federal program purposes.
  - Under order of a federal or state court of law.
  - To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1954.
  - In accordance with federal or state legislation.

A student who believes that information contained in his/her education records is inaccurate or misleading, or violates the privacy or other rights of the student, may request that the record be amended.

## **Notification of Parents or Guardians**

Coker University recognizes that students are still developing independence and accountability. In order to foster this growth, we treat our students as adults who are responsible for their own actions and who must take ownership for the quality of their own educational experience through active participation in University life. Coker University also realizes that parents and guardians of young adults hold a deep concern for the well-being and happiness of their students while they are enrolled in college. In recognition of that interest from parents, Coker University expects students to initiate and maintain regular communication with parents about their academic and social progress.

## **What is FERPA?**

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, is a federal law that protects the privacy of student education records. The law applies to all educational agencies and institutions that receive funds under any program administered by the Department of Education. Additional information can be found by visiting the [U.S. Department of Education Family Policy Compliance Office](#) website. To allow access to your information or restrict access you must contact the Office of Academic Records.

## **When Do FERPA Rights Begin?**

When a student reaches 18 years of age or attends a postsecondary institution, they become an “eligible student,” and all rights under FERPA transfer from the student’s parents/guardians to the student. FERPA regulations define “student” as any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records. Attendance begins on the first day of class.

## **What Rights Do Students Have Under FERPA?**

In accordance with regulations issued under FERPA, Coker University provides an Annual Notification of FERPA rights to our enrolled students of their rights under FERPA; as well as an explanation of the exceptions under FERPA that allows the University to disclose information from the student’s education record without consent. Students have the right to:

- Inspect and review their education record within 45 days of the day the University receives a request for access to those records request an amendment to their education record
- Provide written consent before the University discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without student consent
- File a complaint with the [U.S. Department of Education Family Policy Compliance Office](#)

In accordance with regulations within the Family Educational Rights and Privacy Act (FERPA) of 1974 as amended, although Coker University is not obligated to do so, the University reserves the right to contact parents or guardians that can provide proof of the student’s dependency status as determined by annual tax returns under the following circumstances:

- When the student's enrollment is threatened by judicial action or poor academic performance;
- If the student is found responsible, through the University judicial process, for violating a local, state, or federal law, or institutional policy regarding alcohol or other controlled substances while on campus or otherwise representing the University.

Under FERPA, parents or guardians can be contacted under the following circumstances:

- When the student's whereabouts are unknown and there is concern for his/her safety and well-being; (see Missing Student Policy)
- When the student poses a threat to the safety or personal well-being of him/herself or others;
- When there is a health or safety emergency resulting in hospitalization.

### **What is Directory Information?**

The University may disclose directory information without the consent of a student. The primary purpose of disclosing directory information is to allow Coker to include student information in certain publications such as commencement programs, recognition of awards, and athletic associated content. Information that is not specifically stated as directory information is protected. Coker University designates the following information as directory information:

- Student's name
- Hometown, state, and/or country
- Coker email address
- Major or minor fields of study
- Classification (year of study)
- Eligibility for honor societies
- Date of admission
- Dates of attendance
- Athletic and student organization participation
- Athletic statistics and description, including weight, height, and position
- Enrollment status
- Degrees, awards, and honors received
- Photographic, video graphic, and electronic images
- Student employment (internship and work-study status)
- Relationship to University alumni

For additional information, please visit <https://www.coker.edu/offices-services/academic-records/ferpa/>

### **RIGHT TO BE FREE FROM SEXUAL HARASSMENT**

Coker University complies with Title IX of the Education Amendments of 1972, which prohibit discrimination based on sex (including sexual harassment, sexual misconduct, and sexual violence) in the University's educational programs and activities. Title IX also prohibits retaliation for asserting such claims of discrimination. The University has designated a Title IX Coordinator to coordinate the University's compliance with and respond to inquiries concerning Title IX.

It is a violation of Coker University policy to harass any member of the University community on the basis of race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity and expression, age, marital status, veterans or military status, or against individuals with disabilities, or other legally protected classifications.

Harassment is defined by the University as any verbal, written, or physical conduct that serves to intimidate, demean, or degrade an individual's or group's character, self-worth or dignity. Harassment is further defined

as conduct that has the effect of limiting or denying equal opportunity or treatment that is conducted in disregard for an individual's or group's human or civil rights and that may result in ridicule or harm, or serves to inflict mental, emotional or physical discomfort upon another individual. Hazing and sexual harassment / assault, as defined in this handbook, are also considered harassment. Offensive language or behavior that interferes with a person's employment, educational status or performance, or that otherwise creates a hostile environment shall fall within the meaning of harassment (i.e. hate speech, bullying, etc.).

Persons who believe they have been harassed or discriminated against, on the basis of sex or otherwise, should contact the Title IX Coordinator to discuss supportive measures and the option to file a formal complaint. The situation will be referred to the appropriate investigative authority and resolved through the appropriate process, which may include the Title IX Grievance Procedure or the regular University judicial procedures, Employee Manual, depending on the nature of the conduct at issue in the report/complaint.

For incidents in which the harassment is sexual in nature, the University sexual harassment policy will be followed (See the "Student Sexual Misconduct Policy and Procedures" section of this Handbook) unless the conduct is "Title IX Sexual Harassment" as defined in the Title IX Sexual Harassment Grievance Process section of this Handbook, in which case the Title IX Sexual Harassment Grievance Process will be followed. (See the Title IX Sexual Harassment Grievance Process section of this Handbook). Processing a report or complaint under the Title IX Sexual Harassment Grievance Process does not preclude processing some or all allegations of a report or complaint under other policies and procedures to the extent allowed by Title IX and other laws.

The University also absolutely prohibits retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

### **RIGHT TO A SAFE ACADEMIC COMMUNITY**

Coker University desires to maintain a living and learning environment that is free from threats, intimidation, or violent acts. All violations of the Coker University Student Covenant, will be processed through the Coker University Code of Student Conduct. The maximum penalty for these violations is expulsion from the University. If the alleged acts are violations of both University regulations and public law, the University is not precluded from taking judicial action independent of action by public authorities. Students who feel they have been subjected to these behaviors or are aware of the above should report this to the Vice President of Student Services.

*\*Section 16-23-405 of the South Carolina Criminal Law and Motor Vehicle Handbook defines a weapon as "...a firearm (rifle, shotgun, pistol, or similar device that propels a projectile through the energy of an explosive), a knife with a blade over two inches long, a blackjack, a metal pipe or pole, or any other type of device or object that may be used to inflict bodily injury or death." Misuse of other items may also be considered weapons.*



# General University Policies

## **ALCOHOL AND CONTROLLED SUBSTANCES POLICY**

It is the desire of the University to develop educated students for leadership and service in society. All members of the University community share in the responsibility to maintain an environment that promotes a quality educational experience. The illegal use or abuse of alcohol or a controlled substance by members of the community adversely affects our educational environment, our energy, and our focus, and in doing so, deteriorates the learning environment that makes Coker University such a special community. Because we are a close community, the behavior of one student has an effect on all others.

This policy also recognizes that punishment without education is an approach that does not fit the mission or philosophy of Coker University. Thus, educational strategies are one of the major approaches to addressing violations. However, as a community, we will not permit one person's illegal or irresponsible use of alcohol or a controlled substance to diminish our community or threaten the educational environment of the University. We further recognize that some persons may need more assistance than the University can provide, and for this reason, suspension and expulsion are included as sanctions.

The purpose of the Coker University Alcohol and Controlled Substances Policy is to encourage responsible behavior; regulate the use of alcohol and controlled substances on Coker University property; support state and local laws; provide a program of intervention, education, and support; and establish appropriate judicial sanctions for those who violate the policy.

Coker University prohibits the manufacturing, distribution, dispensing, possession or use of controlled substances on the campus of the University or in any area under the temporary or permanent control of the University.

Violators of the Coker University Alcohol and Controlled Substances Policy will face sanctions ranging from a written warning to expulsion from the University. Please see the "Code of Conduct" section of the *Student Handbook* for details regarding these violations and sanctions.

## **Health and/or Developmental Risks of Alcohol and Drug Use**

Academic research and professional experience demonstrate that the decision to abuse alcohol or use drugs has significant negative effects on a college student's career. Harvard's School of Public Health found binge drinking of alcohol to negatively impact a student's academic performance, their social relationships, and their health. Numerous studies have associated drug use with lower grades, increased likelihood of withdrawing from college, missing classes, depression and anxiety, trouble finding a sense of purpose, and high-risk sexual activity.

Alcohol is a depressant that is absorbed into the bloodstream and transmitted to all systems in the body. Even light to moderate doses reduce physical coordination and mental alertness, making activities such as sports and driving dangerous. A moderate dose of alcohol causes staggering, slurred speech, double vision, mood swings and unconsciousness. Persistent impotence and loss of libido as well as hepatitis, esophagitis and pancreatitis may occur with heavy alcohol use. Long-term alcohol use increases the risk of liver disease, heart

disease, peptic ulcers, certain types of cancer, complicated pregnancies, birth defects, and brain damage. Heavy or binge drinking may even result in respiratory depression and death. Alcohol use can also cause mood changes and loss of inhibitions as well as violent or self-destructive behavior. Alcohol may produce a strong psychological dependence and can create a physiological addiction that is dangerous. Alcohol is a contributing factor in many accidents and tragedies.

Marijuana can cause the user to have relaxed inhibitions, increased appetite, euphoria, and disoriented behavior. Overdose symptoms may include paranoia, fatigue, and possibly even psychosis. Withdrawal from marijuana can lead to decreased appetite, insomnia, or hyperactivity.

Narcotics (e.g. opium, morphine, heroin) can cause drowsiness, euphoria, respirator depression, constricted pupils, and nausea. Someone overdosing on narcotics may exhibit shallow breathing patterns, convulsions, clammy skin, coma, and possibly even death. An individual withdrawing from a narcotics addiction can experience watery eyes, loss of appetite, irritability, panic, nausea, and more.

Depressants (e.g. Quaaludes, barbiturates) can cause slurred speech, slowed reaction time, and drunken behavior. Overdosing on a depressant can lead to shallow breathing patterns, dilated pupils, a weak pulse, coma, and possibly even death. Withdrawal from a depressant can include symptoms like anxiety, insomnia, convulsions, or even death.

Stimulants (e.g. cocaine, crack) may lead to an increase in heart rate or blood pressure, heightened alertness, insomnia, or euphoria. An individual overdosing on a stimulant may result in agitation, heightened body temperature, convulsions, hallucinations, or possibly even death. Withdrawal from a stimulant may lead to symptoms of depression, irritability, long periods of sleep, and disorientation.

Hallucinogens (e.g. LSD, amphetamines, DMT) can cause hallucinations, inaccurate perceptions of time and distance, delusions, and paranoia. A hallucinogen overdose can lead to psychosis and possible death.

### **Laws Associated with Alcohol and Drug Use**

In compliance with the Drug-Free Schools and Communities Act, the following laws and criminal sanctions are provided to help students understand the risks of alcohol/drug consumption, possession, and distribution. This list of regulations may not be exhaustive, and students are encouraged to conduct additional research on substance usage, both on their own and via the mandated AlcoholEDU program that all Coker students are required to participate in.

Coker University is committed to creating an environment in compliance with local, state, and federal laws.

State and Local Law requires: (Local laws are consistent with state laws except where noted.)

- Anyone possessing or consuming an alcoholic beverage must be 21 years of age or older.
- No one under the age of 21 is allowed to purchase or attempt to purchase alcoholic beverages.
- No one over the lawful age is allowed to purchase for or serve an alcoholic beverage to a person under the age of 21.
- No one may use identification fraudulently or allow another person to use one's own identification fraudulently to obtain alcoholic beverages.
- Persons convicted of the unlawful possession, use or distribution of illicit drugs and alcohol can be fined and imprisoned for up to 15 years for the first offense, and as many as 30 years for subsequent

offenses. Depending upon the offense, the fines and imprisonment vary but are within the limits noted. Descriptions of offenses and punishments are contained in South Carolina Code Annotated Sections 44-53-40, Sections 163 to 297.

Federal Law prohibits the following drug trafficking acts and prescribes the following penalties:

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual. <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual. <b>2 or More Prior Offenses:</b> Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
<b>PENALTIES</b>				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Less than 30 mgs	<b>First Offense:</b> Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All Schedule V drugs	Any amount		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.	

DRUG	QUANTITY	1 <sup>st</sup> OFFENSE	2 <sup>nd</sup> OFFENSE
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Marijuana	1,000 kg or more mixture; or 1,000 or more plants	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 20 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$8 million if an individual, \$20 million if other than an individual</li> </ul>
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	<ul style="list-style-type: none"> <li>• Not less than 5 years, not more than 40 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine not more than \$2 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not less than 10 years, not more than life</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine not more than \$4 million if an individual, \$10 million if other than an individual</li> </ul>
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	<ul style="list-style-type: none"> <li>• Not more than 20 years</li> <li>• If death or serious injury, not less than 20 years, not more than life</li> <li>• Fine \$1 million if an individual, \$5 million if other than an individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 30 years</li> <li>• If death or serious injury, mandatory life</li> <li>• Fine \$2 million if an individual, \$10 million if other than individual</li> </ul>
Marijuana	1 to 49 plants; less than 50 kg mixture	<ul style="list-style-type: none"> <li>• Not more than 5 years</li> <li>• Fine not more than \$250,000, \$1 million other than individual</li> </ul>	<ul style="list-style-type: none"> <li>• Not more than 10 years</li> <li>• Fine \$500,000 if an individual, \$2 million if other than individual</li> </ul>

### Guidelines for selling and/or providing alcoholic beverages on campus

- No alcoholic beverages may be sold on Coker University property, except at special events, approved in advance. Such events must be approved by the Vice President of Student Services.
- No student organization may sell or otherwise provide alcoholic beverages to individuals at any function, either on or off campus.

### Guidelines for possession and consumption of alcoholic beverages by students

- Individuals must be in accordance with state and local laws and university policy to possess or consume alcoholic beverages on university property. Alcoholic beverages may be consumed only in the following locations, as approved by the Vice President of Student Services:
  - Designated residence hall rooms/apartments/suites where all of the assigned occupants are 21 years of age or older. In the event a student enters the room/apartment/suite that is under the age of 21, the room/apartment/suite automatically becomes a dry room/apartment/suite. Residents of the room/apartment/suite are required to put away any alcoholic beverages. If any underage student is discovered in a “wet” room/apartment/suite, the student, and the residents of the room/apartment/suite will be held responsible;
  - The Dining Hall, on the occasion of dances or other special events;
  - The Drengaalen House, on the occasion of special events;
  - Other locations, during special events, with prior written approval of the Vice President of Student Services.

- Public consumption of alcoholic beverages by students is prohibited. The following areas are considered public: any area of the residence halls outside one's private room; outdoors, the Clubhouse/Boathouse area; and campus buildings (with the exception of the above).

### **Guidelines for Parties and Events**

All University activities must be properly scheduled, whether or not alcohol is to be served. Sponsoring organizations, offices or individuals must submit a request and have it approved by the appropriate campus authority. For the use of all University owned facilities, a Scheduling Request Form must be submitted to the appropriate room scheduler and approval granted prior to the event.

Hosts of approved parties or events are responsible for the safety and well-being of their guests and will be held responsible for assuring those consuming alcohol are of the legal age. If alcohol is being consumed, the host(s) must take the following steps:

- Arrange an age-verification procedure to ensure all consumers are of legal age;
- Provide for the sale or distribution of non-salty foods and non-alcoholic beverages;
- Arrange for security personnel; and
- Clean the area within 24 hours or sooner if necessary and be responsible for any related damages if violator(s) cannot be identified. All empty containers must be placed in recycling bins, as appropriate.

### **Education, Treatment, & Assistance**

Coker University incorporates information about alcohol and drug abuse in its formal educational curriculum and in its out-of-class activities. Certain courses in psychology, sociology, physical education, and Coker University 101 address these topics. In addition, such information is covered in orientation programs and in periodic workshops and seminars. The Health Services and Counseling Services Offices distributes brochures & pamphlets and maintains a library of such information.

Primary Prevention and Awareness Efforts for Drug and Alcohol Include:

1. Coker University has partnered with EVERFI, whose mission is to help students address critical life skills such as alcohol abuse prevention, sexual assault prevention, and financial literacy in higher education institutions across the country. Each year over 5 million students and employees complete these courses. As part of our comprehensive prevention program for students, Coker expects new first-year student to complete AlcoholEdu & Sexual Assault Prevention for Undergraduates. This online education will empower students to make well-informed decisions about issues that affect a student's years at Coker College and beyond. The online course uses an engaging, thought approach to provide students with the tools needed to navigate the risks of life in college.
2. Integrated into the Cobra Quest new student orientation program, the Life at Coker skits are performed by the Coker University Commissioners (first-year mentors) and is a required session for all new incoming students. These skits cover various sensitive issues that students may encounter during their first-year of college (sexual assault, underage drinking, consent, and inclusion).

Ongoing Prevention and Awareness Efforts for Drug and Alcohol Include:

1. Annual notification of the student drug and alcohol policy and available resources.

2. Annual orientation for all new and returning student-athletes prior to the start of each academic year on prevention, awareness, and treatment options.

When education fails to elicit appropriate behavior, the University attempts to appropriately combine judicial, legal sanctions, treatment and referral as a response to substance abuse. The policies concerning sanctions address treatment and referral in general terms.

Counseling is provided for students through a number of sources. Any student of the University is able to receive preliminary counseling free of charge, either on a voluntary or referral basis through the Coker University Counseling Center. The University Counselor may provide referrals to local psychologists or other health professionals for individuals who are in need of long-term or specialized assistance. Additional counseling is available through any member of the Student Success staff, certain faculty members, or Darlington County Mental Health Center (332-4141). University students who voluntarily avail themselves of services can be assured that all professional standards of confidentiality will be observed. The status of any student or University employee will not be jeopardized for seeking early assistance for a substance abuse program.

Treatment or counseling referrals and additional information can be obtained through the Office of Student Success, or from any of the following sources:

Coker University Counseling Center	(843) 383-8040
Coker University Health Services	(843) 383-8040
South Carolina Vocational Rehabilitation	1-800-832-7526
Federal Substance Abuse & Mental Health Services	1-800-729-6686
Alcoholics Anonymous	(843) 669-6345
Narcotics Anonymous	1-888-476-2482
American Council on Alcoholism Hotline	1-800-527-5344
Rubicon Addictions Services	(843) 332-4156
National Institute on Drug Abuse Hotline	1-800-662-HELP (4357)
S.C. Dept. of Alcohol & Other Drug Abuse Services	1-888-727-7383

### **ANIMALS ON CAMPUS POLICY**

Coker University strives to promote a safe and healthy living, learning, and working environment. Consequently, animals, except for fish in a 10 gal tank or less, are prohibited from all University-owned buildings and athletic practice/competition areas. Exceptions to this policy are animals used in the service of a person with a disability, used in classroom instruction, or those described below.

Students, employees, or guests may walk leashed animals on University property under the following conditions: the animal does not have a history of aggression; the animal is accompanied by an adult at all times; and the adult cleans up after the animal. Any student, employee, or guest of the University assumes full legal responsibility for the animal in their possession while on University property, including damage to property or injury to persons.

### **TECHNOLOGY USAGE POLICY**

Students should comply with all federal, South Carolina, and other applicable laws, college rules and policies, and all applicable contracts and licenses. Examples of such laws include the laws of libel, privacy, copyright, trademark, obscenity and child pornography (including the sharing of photos/videos), the Electronic Communications Privacy Act, the Computer Fraud and Abuse Act, and HIPAA. Students should not use equipment or software for any illegal or unlawful purposes. If a student violates basic standards of conduct with regard to computer/network usage or violates applicable laws, rules or policies, the student's computer privileges may be revoked, including suspension of all University computer accounts. Depending on the severity and type of the violations, additional judicial or legal action may be taken by the University according to the University Judicial Procedures outlined in this handbook.

**Social Media:** Wise use of social networking promotes healthy communication. Students may be held accountable for information shared in the public arena that might be in violation of University policy, indicate illegal activity, or libelous information regarding a member or policy of the University. Social media posts and other content specifically added by administrators of the University's social media accounts are official Coker University content. Opinions expressed by other social media users do not necessarily reflect the opinion of the University. User provided content is not screened or evaluated during the submission process. The University is not responsible for content posted on individual faculty, staff, or student social media accounts. Further, users are expected to abide by applicable laws, regulations, rules, and policies including the Coker University *Student Handbook/Covenant*, the Coker University Faculty/Staff Manual/Handbook, the University's sexual harassment policy, and other regulations and policies (e.g. Office of Athletics' social media policy, etc.) concerning public communications. The University reserves the right to remove content from its page and encourages users to report content that violates the social media company's code of conduct.

#### **E-MAIL POLICY**

All Coker University students are assigned an electronic mail (e-mail) user name and password upon enrollment. **This e-mail address is considered an official means of communication between the University and the student. Students are expected to maintain log-in information and e-mail accounts.** Additionally, students are responsible for information sent to their Coker e-mail address (i.e. assignments, account balances/statements/policy updates/university communications/residence life mandates/bills, judicial notices, etc.). Questions concerning e-mail accounts should be directed to the Department of Information Technology.

#### **FINANCIAL AID SATISFACTORY ACADEMIC PROGRESS POLICY**

In accordance with federal regulations, students must maintain satisfactory academic progress in order to receive Federal Title IV funding and state aid. The Financial Aid Satisfactory Academic Guidelines can be found on the Coker University Financial Aid website at <https://sites.google.com/a/coker.edu/financial-aid/financial-aid-eligibility>.

#### **GUEST / VISITATION POLICY**

Visitation policies are in place for the safety of the campus community. The following policy is intended for the general campus population. See the "Guide to Residence Life" for guest and visitation policies specific to residential students.

**Guests Visiting the Residence Halls:** At this time, guests are prohibited in the residence halls. This includes non-student and student guests.

*\*Amendments subject to change per notification from Residence Life*

**Residential Students Visiting Other Residential Students:** Residential students visiting other residential students are also expected to limit overnight visits to two consecutive nights, and to separate overnight visits by 10 days. Permission for overnight stays should always be obtained from the roommate(s). Those living in suite-style rooms should also inform their suitemates when guests are staying.

*\*Amendments subject to change per notification from Residence Life*

### **INSPECTION & SEARCH POLICY**

Residence hall rooms may be entered by maintenance personnel or other University officials for the purpose of repairs, renovations, health inspections, safety inspections, and for the purpose of controlling behavior.

During periods when the campus is closed for breaks, the Residence Hall staff will make health & safety checks of each residence hall room. Evidence of violations of the Coker University Student Covenant or University policy found in open sight during these safety inspections or during routine repairs may be referred to appropriate University authorities for judicial action. Residence Life staff will also check refrigerators and freezers during inspections.

The President of the University, the Vice President of Student Services, or his/her designee may authorize the search of any University facility or personal vehicles of University students located on the University campus or other University premises. The authorization will identify the room(s) or vehicle to be searched and the nature of the material for which the search is being conducted.

The authorizations will only be issued under the following circumstances:

- There is evidence of a violation from outside the room or area (such as seeing a student entering or leaving a room while committing a violation, detecting the odor of marijuana, if evidence of a violation is visible through an open door, etc.).
- There is reasonable suspicion to believe that a room search will reveal a violation of the Coker University Student Covenant or University policy.
- When civil authorities, under appropriate local, state, or federal laws, produce appropriate warrants and documentation to search University facilities, University-owned vehicles, or personal vehicles located on campus or property owned by or under the control of the University.

The search must be conducted by at least two Coker University or Campus Safety staff members. Should the search reveal a violation other than the one for which the search is conducted, the evidence may be confiscated and judicial action initiated. A search may include any locked closet or container in the room. The lock may be cut or otherwise removed if necessary.

All buildings are under the jurisdiction of Hartsville Police Department and may be searched at any time by the law enforcement agency.

### **HAZING POLICY**

Coker University is opposed to any and all forms of hazing under whatever name or form it may occur. It is a misdemeanor under South Carolina law to engage in hazing or to fail to report any incidents. Any person convicted of hazing will face severe Coker University judicial and legal actions. Decisive action will be taken if hazing is discovered in keeping with the following policy:



Any student group (including registered student organizations, athletics team, etc.) sanctioned by Coker University may have its right to represent Coker University revoked if hazing occurs. Similarly, an individual found responsible of hazing may be separated from the athletics department and/or university.

1. Definition - An act of hazing will include all conditions described by South Carolina statutes or any knowing, intentional or reckless act or behavior for the purpose of pledging, being initiated into, affiliating with, holding office in or maintaining membership to any athletic team, whether such behavior is on campus or off campus, or by one person or in concert with others, which, regardless of intent or consent of the participants:

- A. produces or is reasonably likely to produce, bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, stress, humiliation, ridicule, fear of ostracism, or otherwise compromises the dignity of an individual;
- B. compels an individual to participate in any activity which is unlawful and/or contrary to the rules, policies and regulations of the University; or
- C. will, unreasonably or unusually, impair an individual's academic efforts.

2. Behavioral Concerns- The following illustrative, but not exhaustive, list of "traditional" pledging activities are deemed to be inappropriate by Coker University [and may well be illegal]. If you are uncertain, you should not engage in the activity without consulting in advance with your program advisor:

- A. Paddling in any form, shoving or otherwise striking individuals, or corporal punishment of any kind, or creating a fear of similar behavior;
- B. Compelling physically demanding activity of any kind including, but not limited to, calisthenics, running, or other types of required strenuous activity;
- C. Compelling an individual to be shaved, branded, tattooed, pierced, etc.;
- D. Compelling physical acts, such as walking backwards or confinement in a small space, which create the potential for physical or mental injury;
- E. Compelling individuals to engage in sexual behaviors, sexual or racial harassment or slurs, or exhibitionism;
- F. "Line-ups" in which individuals are verbally harassed, intimidated, or abused;
- G. Compelling an individual to forego opportunity for sufficient sleep, consumption of decent edible meals or access to or use of personal hygiene;
- H. Excluding an individual from social contact for prolonged periods of time;
- I. Compelling individuals to consume alcohol or drugs or any other substances (e.g. undue amounts or odd preparations of food or drink);
- J. Having substances thrown at, poured on or otherwise applied to the bodies of individuals;
- K. Transporting individuals against their will, abandoning individuals at distant locations, or conducting any "kidnap," "ditch" or "road trip" that may in any way endanger or compromise the health, safety or comfort of any individual;

3. Consent Is No Defense - Any of the activities described or reasonably related to above, upon which the initiation or admission into, or affiliation with, or continued membership in an athletics team, is directly conditioned, will be presumed to be "compelled activities," the willingness of an individual to participate notwithstanding.

4. Applicability of Community Standards - The terms and concepts cited in this policy will be interpreted by University boards or officials in relation to acceptable and applicable community standards.

## **MISSING STUDENT POLICY**

Anytime a student is suspected to be missing and reasonable attempts to contact him or her have failed, a missing student report must be immediately filed with the Office of Campus Safety. If a university official outside the Office of Campus Safety is notified first, they must ensure the filing of the report with the Office of Campus Safety. The supervising officer on duty can immediately begin an investigation (in conjunction with Residence Life for residential students) and make proper notifications ensuring university resources can be identified and utilized as quickly as possible.

It is University policy to report a missing student to the Hartsville Police Department immediately. (The exact amount of time taken to make this report will depend on the Police Department's policies regarding accepting such reports and will allow time for the Office of Campus Safety investigation to provide information on the student's possible whereabouts or other circumstances regarding the incident.) Students may designate a contact person or persons who will also be notified of results of the investigation.

The university is required to contact custodial parents or guardians of any students reported missing who are under the age of 18 and are not emancipated. This will be in addition to any contact person(s) designated by the student.

Any contact information provided by the student will be registered confidentially.

## **POSTING POLICY**

Approved fliers, banners, handbills, posters, etc. must be authorized throughout the campus to inform the campus community of upcoming events or services. Those representing a University department may post on any bulletin board. Those representing a Campus approved organization must have postings approved by Residence Life.

Approved postings (i.e. signs, advertisements and banners) may be posted on the Bulletin Boards available in each building across campus. Posters / banners should be attached to bulletin boards with staples or thumb tacks. Never use tape, nails, or glue. Special Purpose Bulletin Boards can be identified by the office/ department name in the bottom right corner of the bulletin board or case.

No printed material may be on, attached to, or written on: any structure or natural feature of the University facility such as the sides, doors, windows of buildings, the surface of light posts, sculptures, waste receptacles, trees, rocks, benches, free standing signs or statues. No printed materials may be placed on vehicles except by members of the Campus Safety staff for official notices.

Fliers and banners may be posted up to two weeks (14 days) before the event. Persons posting notices are responsible for removing them once the message is outdated. Notices should be removed no later than 48 hours after the notice becomes outdated.

All individuals NOT representing a university organization or department must receive permission to post from the Vice President of Student Services or his/her designee.

No commercial or non-profit material may be posted unless it is affiliated with a university organization or department. Any department or organization that endorses a commercial or non-profit posting must have the notice approved, prior to posting, by the Vice President of Student Services. Any department or organization

that endorses a commercial or non-profit group assumes responsibility for the content and removal of the notices.

University staff may remove any sign, poster, or banner deemed to be inappropriate or offensive or found to violate the posting policy. Notices of extreme emergency or importance from University departments or officials, will be granted exceptions to these policies.

### **RESIDENTIAL REQUIREMENT POLICY**

Coker University provides residential facilities for the housing needs of our traditional-aged, undergraduate, Day students. All full-time, undergraduate, degree-seeking, unmarried, day students are eligible to live in campus housing (without children residing with them). Coker University requires all full-time, undergraduate day students with fewer than 90 credit hours by the start of the fall semester to live in campus housing unless Student: 1) has completed 90+ credit hours by the start of the fall semester; 2) is 22 years of age or over by the first day of Fall classes; or 3) lives with parents, legal guardians, grandparents, or spouse residing within 30 miles of the Hartsville Campus. Coker University reserves the right to deny a student residency if housing facilities are not available or the administration determines that conditions are not favorable for either the student or the University. Students entering their first semester at Coker University who are 23 or older by prior to the first day of Fall classes are not eligible for campus housing. The University will allow current residential students in their last semester to live on-campus as a part-time student if the student is on track to his/her degree and requires only a part-time load to complete all remaining graduation requirements. The University will also allow a current residential student to continue living on-campus as a graduate student if the student transitions directly from the Coker University undergraduate program to a Coker University graduate program, and if available space allows. Graduate students that meet Coker's age requirements may be allowed to live in campus housing as space permits when given approval by the Director of Residence Life.

### **TOBACCO-FREE CAMPUS POLICY**

In recognition of the health, safety and comfort benefits of smoke-free air and the responsibility to provide and maintain an optimally healthy and safe working environment, Coker University is a tobacco-free campus. For purposes of this policy, "smoking" means inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products, including electronic cigarettes that emit smoke.

Tobacco is prohibited at all times, and at all locations of Coker University's campus, including university-owned facilities, properties, and grounds. This includes but is not limited to the following:

- a. all interior space on the Coker campus and property owned or leased by Coker University, including all off-site locations on which courses are offered;
- b. all outside property or grounds of property owned or leased by Coker University, including areas such as walkways, breezeways, parking lots, and patios;
- c. all vehicles leased or owned by Coker University; and
- d. all indoor and outdoor athletic facilities.

Advertising, sale, or distribution of tobacco is prohibited on campus.

Tobacco industry and related company sponsorship of campus groups, events, individuals, and departments is

prohibited. This includes scholarships, sponsorship of faculty positions, and recruiting for employment. Tobacco industry and related company sponsorship of athletic events and athletes is prohibited.

Littering any university property, whether owned or leased, with the remains of tobacco products is prohibited.

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and sporting events using Coker facilities are required to abide by the tobacco-free Campus Policy. Organizers of such events are responsible for communicating and enforcing this policy to attendees.

**Exceptions:**

The following activities may be conducted as exceptions to the policy subject to advance approval as indicated. All research, educational, cultural ceremonies, and/or artistic purposes that involve the use of tobacco on property owned or leased by Coker University must be approved in advance by the President or his/her designee. Such use must be preceded by reasonable advance notice to the public. Nothing in this policy is intended to prohibit research on tobacco companies or tobacco products.

**THREAT TO / HARM OF SELF POLICY**

Coker University is committed to the success of all students, including those with depression or other mental health conditions. The University also has a responsibility to provide for the safety of those on its campus and to maintain a positive academic environment. If a student engages in any self-injurious behavior that is deemed to be a direct threat to self by University officials, that student may be subject to interim suspension from the University. If a student or an employee of the University believes that a student has engaged, or threatened to engage, in the behavior specified above, he/she should report it to the Vice President of Student Services.

In the event a University official determines the student presents a direct threat to him/herself, the following actions will be taken:

- The student will be notified of the University's determination and be given an opportunity to meet with the Vice President of Student Services or his/her designee as soon as practicable, generally within 72 hours.
- The student is not eligible to attend class until meeting with the Vice President of Student Services or his/her designee. If the student was hospitalized, he/she will be temporarily placed on interim suspension, pending a hearing as described below.
- The student's parents may be contacted, if appropriate.

After the initial meeting with the student, if the Vice President of Student Services or his/her designee determines the student still presents a direct threat to him/herself, the student's eligibility for continued enrollment will be decided by the Vice President of Student Services, in consultation with the Behavior Intervention Team (BIT). This team may consist of some or all of the following: Vice President of Student Services, Chief Academic Officer/Provost, Dean of Student Success, Director of Learning Support Services, Director of Residence Life, and Director of Safety and Security. The BIT shall consider any accommodations

that would allow the student to remain enrolled at the University without posing a direct threat to him/herself or others.

If the Vice President of Student Services, BIT, or designee decides to administratively withdraw the student, the student will be provided with a written statement of the reasons for such action. Refunds of any fees and status of course work will be determined based on the situation.

If the Vice President of Student Services determines that the student shall be placed on interim suspension, the student shall be given an opportunity to appeal this decision. The appeal should be made in writing to the Vice President of Student Services within 48 hours of receipt of the withdrawal decision.

In the event the student is placed on interim suspension, and wishes to continue at the University, the student must comply with the following requirements:

- The student must seek medical treatment from a physician and request referral to a mental health professional at the student's expense.
- The student must provide consent for communication between the mental health professional, the University Counselor(s), the Vice President of Student Services or designee for the limited purpose of determining the student's progress and appropriateness of continued enrollment.

If at any time the student is unable to comply with any part of the protocols, he/she may choose to withdraw from the University. A student that cannot or will not comply with the established protocols will be administratively withdrawn.

A student who has been required to withdraw under this policy may be considered for readmission to Coker University upon presentation of a written evaluation by a mental health professional stating that the student no longer poses a threat to him/herself and/or to others.

#### **Outcomes for Students Who Comply with the Behavioral Requirements:**

In the event a student complies with the requirements for evaluation/treatment, the Vice President of Student Services, the Behavior Intervention Team, or designee, will choose between one of the following actions based upon the results of the evaluation:

- The student may be allowed to remain enrolled at the University with no treatment but may be required to agree to a behavioral contract with the University Counselor(s) outlining expected future behavior and compliance with University policies.
- The student may be allowed to remain enrolled at the University with treatment and be allowed to remain in the residence halls.
- The student may be allowed to remain enrolled at the University with treatment but not be allowed to live in the residence halls and may be restricted from other areas of the campus, as appropriate.
- The student may be withdrawn from the University involuntarily.

#### **Refusal of Medical Transport:**

If a faculty or staff member calls EMS because he/she determines that the health and well-being of the student is such that the student needs to be transported to a hospital and the student refuses to be transported, the student will automatically be placed on interim suspension.

## **THREAT TO / HARM OF OTHERS**

The University has a responsibility to provide for the safety of those on its campus and to maintain a positive academic environment. If a student engages in any behavior that is deemed to be a direct threat to the health and/or safety of others by University officials, that student may be subject to interim suspension from the University. If a student or an employee of the University believes that a student has engaged, or threatened to engage, in the behavior specified above, he/she should report it to the Vice President of Student Services.

In the event a University official determines the student presents a direct threat to others, the following actions will be taken:

- The student will be administratively withdrawn from the University and will be removed from the campus community as soon as possible.
- The student will be notified of the University's determination and be given an opportunity to meet with the Vice President of Student Services or designee as soon as practicable, generally within 72 hours.
- The student's parents may be contacted, if appropriate.

A student who has been required to withdraw under this policy may be considered for readmission to Coker University upon presentation of a written evaluation by a mental health professional stating that the student no longer poses a threat to him/herself and/or to others.

## **INCLEMENT WEATHER POLICY**

The effects of a winter storm can result in cancellation or delay of scheduled classes. In addition to faculty and student delays, employee work hours and various campus activities may also be affected by inclement weather. If there is an alteration to Coker's normal operations, the University has a number of options that can be utilized. The communication of such scheduled changes will be accomplished utilizing the following media:

TV Stations: WPDE; WBTW; WMBF  
Recorded phone numbers: 843-383-8000, 843-383-8010, 843-383-8012, 843-383-8017  
Web site: [www.coker.edu](http://www.coker.edu)  
Text message notification: <https://coker.edu/alerts> to sign up.  
Coker University e-mail notification: <http://mail.coker.edu>

**Day Classes are Cancelled:** An announcement will be made generally by 6:00 a.m. concerning the cancellation of all Day classes. The only employees who should report to work are those in the areas of facility services, campus safety, Residence Life, and Vice Presidents. On days that classes are cancelled, campus activities will also be suspended unless specific notification is made by the campus activities supervisor.

**Evening Classes are Cancelled:** Notification concerning the cancellation of evening classes on the Hartsville site will be accomplished using the same media as our day procedure. Sites in Hartsville, Florence, and Marion will receive notification via the Site Coordinators. Notification of cancellation for evening classes generally occur by 3:00 p.m. on days when inclement weather appears to be a factor.

**Opening Delays:** Some days may require a delay in the opening of campus. The normal delay schedule will be:

- Monday, Wednesday, and Friday classes will begin at 10:00a.m.
- Tuesday and Thursday classes will begin at 12:00noon.

As a general policy, evening classes will not be delayed. Individual departmental policy or unique circumstances may require some employees to be present on days when campus is closed.

# Code of Student Conduct

## INTRODUCTION

Coker University (hereafter referred to as the University) is committed to the health, safety and well-being of students by providing an educational, just, and consistent student conduct process. The *Code of Student Conduct* promotes and protects the mission of the Student Experience and the University by holding students accountable for their actions, educating students on the six tenets of the Coker University Student Covenant, and empowering students to positively develop within the university community. The University's conduct system protects the university community and does not replace nor replicate the legal system.

Students at the University are advised of the *Code of Student Conduct* annually and the Code is accessible via the University Website. Students are responsible for reading and abiding by the provisions of the *Code of Student Conduct*. Updates may occur at the discretion of the university.

The conduct proceedings of the University are administrative in nature and are distinguished from public law enforcement both in terms of procedures and sanctions. If alleged acts are violations of both University policies and public law, the University is not precluded from taking disciplinary action independent of action by public authorities (*see jurisdiction on page 2*).

The University reserves the right to direct the withdrawal of students from the residence halls who are already on academic or disciplinary probation and/or whose attitude or behavior is not in accord with the ideals and standards of the University. Such cases will be handled by the Vice President of Student Services or his/her designee outside of the *Code of Student Conduct*; specific charges will not be necessary. Please see Academic Program, Expectations, & Policies.

The process and procedures described below will be applied to all students whose behavior is alleged to be in violation of the Coker University Student Covenant or University policies.

## **COKER UNIVERSITY STUDENT COVENANT**

Coker University is a community dedicated to scholarship and community engagement. Those who join our circle of learning commit to a lifelong journey of intellectual & personal growth and service to others.

Inspired by the six pillars of Davidson Hall, students agree to uphold the following tenets of the Coker University Student Covenant. Students will:

- Conduct myself with integrity and be responsible for my actions and their consequences.
- Respect the rights, property, culture, and beliefs of others.
- Engage myself as an honorable scholar inside and outside of the classroom.
- Hold myself and others accountable for the sustainability of our environment.
- Offer my knowledge and creativity to serve my community.
- Contribute to the wider world through a continued pursuit of knowledge.

As Davidson Hall serves as the center landmark of our campus, so shall these six tenets serve as the foundation for my actions and decisions as a member of this community. By pledging to these tenets, students obligate themselves to honor the principles that define Coker University.



## JURISDICTION

The *Code of Student Conduct* applies to the conduct of individual students, both undergraduate and graduate, including online students and all University affiliated student organizations. For the purposes of student conduct, the University considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student is enrolled at the University.

The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll, obtain official transcripts, and/or graduate and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

The *Code of Student Conduct* applies to behaviors that take place on campus, at University-sponsored events and may also apply off-campus when the Vice President of Student Services or designee determines that off-campus conduct affects a substantial University interest. A substantial University interest is defined to include but is not limited to:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

The *Code of Student Conduct* may be applied to behavior conducted online, via email, or other electronic mediums. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. However, most online speech by students not involving University networks or technology will be protected as free expression and not subject to this Code. Exceptions to protected speech include but are not limited to:

- A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals";
- Speech posted online about the University or its community members that causes a significant on-campus disruption.
- Hate or discriminatory speech.

The *Code of Student Conduct* applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campus and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements. Visitors to and guests of the University may seek resolution of violations of the *Code of Student Conduct* committed against them by members of the University community.

There is no time limit on reporting violations of the *Code of Student Conduct*; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information \to make determinations regarding alleged violations.

Though anonymous complainants are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Vice President of Student Services, Campus Safety, or the Office of Residence Life.

A responding student facing an alleged violation of the *Code of Student Conduct* is not permitted to withdraw from the University until all allegations are resolved.

University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their University email address.

## **VIOLATIONS OF THE LAW**

Alleged violations of federal, state and local laws may be investigated and addressed under the *Code of Student Conduct*. When an offense occurs over which the University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

The University reserves the right to exercise its authority of **interim suspension or administrative withdrawal** upon notification that a student is facing criminal **investigation and/or complaints** (*additional grounds for interim suspension are outlined in the handbook*). Interim suspension is imposed until a hearing can be held, typically within two weeks. The interim suspension may be continued if a danger to the community is posed and the University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will normally be no longer than two weeks from notice of incident unless a longer delay is requested in writing by the complaining victim to allow the criminal investigation to proceed before the University process.

Students accused of crimes may request to take a leave from the University until the criminal charges are resolved. In such situations, the University procedures for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigation efforts that will not prejudice their defense in the criminal trial; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

If a currently enrolled student is **charged** with a crime that would also be a violation of University regulations, the student may be **administratively withdrawn or temporarily suspended** until the case has been resolved by the court system. Upon final resolution of the charges, the submission of an application for readmission, and presentation of final evidence of the court's ruling, the Academic Standards Committee will review all

information. The Academic Standards Committee reserves the right to accept or deny the application for readmission. Please see the Administrative Withdrawal policy below.

## **AUTHORITY & INTERPRETATION**

Responsibility to enforce and interpret the Coker University Student Covenant and University policies is vested in the President of the University through the Vice President of Student Services and the Chief Academic Officer/Provost. Normally the Vice President of Student Services is responsible for non-academic matters; the Chief Academic Officer/Provost is responsible for academic matters.

Any questions of interpretation regarding academic matters of the *Student Code of Conduct* are referred to the Chief Academic Officer/Provost. Any questions of interpretation regarding non-academic matters are referred to the Vice President of Student Services.

## **GENERAL PROCEDURES FOR CODE OF STUDENT CONDUCT VIOLATIONS**

### **REPORTING SUSPECTED VIOLATIONS OR FORMAL COMPLAINTS**

The *Code of Student Conduct* does not replace or relieve any requirement of civil or criminal law. This means that members of the Coker community may bring complaints to the appropriate University official and also file criminal or civil complaints.

Coker University is committed to the safety and well-being of all its community members. The University strives to create an environment that is free of acts of violence, sexual misconduct, harassment, and infringement of rights of privacy and property. The Division of Student Services is committed to assisting students, whether a respondent or complainant of an alleged incident, in identifying resources which, based on personal needs, will further support them throughout the student conduct process.

A **complainant** of an alleged incident does not have to be a member of the University community. If an alleged incident occurs off campus, even if the person involved is not a member of the University community, they may have the right to file a complaint with the Office of Residence Life and/or Campus Safety. This is possible when the behavior is considered to have a substantial University interest, or in other words, the respondent is likely to endanger others, repeat the behavior, or interfere with the educational process and operation of the University.

Any member of the University community who has a complaint against a Coker University **student** or believes that another student has violated the Coker University Student Covenant or University policies should bring the complaint to the attention of the Office of Residence Life and/or Campus Safety.

Any member of the Coker University student body who has a complaint against a **faculty or staff** member at the University may bring that complaint to the Administrative Officer who oversees that person's work at the University. If a student wishes to bring a complaint against a faculty or staff member, the student may request the assistance of the Vice President of Student Services or another member of the University faculty or staff as an advocate in proceeding with the complaint.

Reports may be received by any faculty or staff member. Persons receiving a report of an alleged violation shall forward pertinent information in a timely manner to the person responsible for processing that

complaint. In the case of Academic Dishonesty, see the Chief Academic Officer/Provost; for other incidents, see the Vice President of Student Services.

## **WITNESSING VIOLATIONS**

Students who witness serious violations of the *Code of Student Conduct* that are potentially harmful to the safety and well-being of other students or are a violation of local, state, or federal law may be charged with a violation or violations if they fail to remove themselves from such situations and/or report the incident to proper authorities.

## **STUDENT'S RIGHTS & RESPONSIBILITIES PER THE CODE OF STUDENT CONDUCT**

Both **respondents** (*students responding to charges of Code of Conduct violations*) and **complainants** (*students or the University issuing complaints regarding violations of the Code of Student Conduct*) have the following rights throughout the student conduct process:

- The right to be treated with dignity and respect.
- The right to receive nondiscriminatory treatment without regard to race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, political affiliation, or any other category protected by applicable state or federal law.
- The right to have case information kept private by Hearing Officers and members of Student Conduct Hearing panels.
- The right to written notice of the charges against him/her including charge(s), date, time, and place of his/her hearing.
- The right to have all case information kept private by the University and shared only with those that have a legitimate right to know (if/as applicable).
- The right to have a support person from within Coker's faculty/staff/student community to be present during the hearing process. Parents/guardians and attorneys are excluded.
- Complainants may be informed of the outcome of the hearing and rationale for the outcome as permitted by federal and state laws, including but not limited to the Student Right-to-Know, Campus Security Act of 1990 and FERPA.
- The responsibility to know his/her rights and the policies and procedures of the University.
- The responsibility to respect the rights of every other student.
- The responsibility to support the right of Coker University to establish institutional standards designed to achieve its purpose and goals.

## **FREE SPEECH AND EXPRESSION POLICY**

University property is primarily dedicated to academic, student life and administrative functions. But it also represents the "marketplace of ideas," and especially for students, many areas of campus represent a public forum for speech and other expressive activities. Coker may place restrictions on expressive activities that interrupt academic instruction, university operations or pose a safety hazard. Outdoor areas of campus remain venues for free expression, including speeches, demonstrations, and the distribution of literature. Indoors or outdoors, Coker will not interfere with the rights of individuals and groups to the free expression of their views or impermissibly regulate their speech based on content or viewpoint. Coker may establish reasonable

time and place restrictions on expressive activity which are narrowly tailored to serve a significant governmental interest, and allow ample alternative channels for communication of the information. The Vice President of Student Services, in coordination with the Director of Campus Safety and Security, will be responsible for determining if any reasonable restrictions are necessary. The University President, Vice President for Student Services and/or Provost shall have ultimate authority on which indoor/outdoor areas to designate for possible use of Expressive Activities. No event or expressive activity shall be permitted to violate or hinder the rights of others within the campus community or substantially disrupt normal University operations. The use of University Property for the purpose of expressive activity does not imply Coker University's endorsement of any organization, nor its activity, cause, or position. Requests for use of University Property for Expressive Activity will be considered on a content-neutral and viewpoint-neutral basis. The University reserves the right to terminate any use of University Property in the event that a participant or participants engage in conduct that violates any law or University policies. If unauthorized conduct continues after being directed to bring the conduct in compliance with the law or University policy participants will be subject to conduct or lawful charges.

### **Definitions**

**University Property:** Any land, building or other property that is owned, leased or under the control of Coker University.

**Expressive Activity** includes:

- A. Meetings and other group activities of students and student organizations;
- B. Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and visitors;
- C. Distributions of literature, such as leaflets and pamphlets; and
- D. Any other expression protected by the First Amendment to the U.S. Constitution.

**Prohibited Speech** includes speech that is not protected by the First Amendment:

- A. speech which is considered to incite imminent lawless action
- B. obscenity,
- C. defamation,
- D. harassment,
- E. true threats,
- F. child pornography,
- G. fighting words (words indicating a willingness to fight),
- H. hate speech

**Visitor:** outside groups that are not directly associated with the University or its recognized student organizations, but who are invited by student organizations.

### **PARTICIPANTS IN THE STUDENT CONDUCT PROCESS & THEIR RESPONSIBILITIES**

Depending on the nature and severity of the complaint, the Vice President of Student Services or the Chief Academic Officer/Provost will assign a hearing officer to determine responsibility. Any of the following hearing officers may impose sanctions that range from a written warning to separation from the University.

**The Academic Hearing Panel** shall be composed of members serving on the academic standards or student development committees of the faculty. The panel will be chaired by the Committee chair unless he/she is unavailable for service on the panel. In that case, the Chief Academic Officer/Provost will designate one of the faculty members serving on the panel as its chair. The Academic Hearing Panel is responsible for investigating allegations of academic misconduct; interviewing witnesses, victims, and the accused; determining responsibility; and issuing appropriate sanctions against responsible parties. See “Grade Appeals Protocol” under the “Academic Program, Expectations, & Policies” section of this Handbook.

**An Administrative Hearing Officer** is responsible for investigating allegations of misconduct; interviewing witnesses, victims, and the accused; determining if a student (or students) is (are) responsible or not responsible; and issuing appropriate sanctions against responsible parties. For undergraduate students, Residence Life Coordinators (RLCs) hear most first and second violations (except where noted below), and the Director of Residence Life hears third violations. For all students, a fourth violation and beyond is heard by the Vice President of Student Services. The Vice President of Student Services or his/her designee reserves final authority for determining which Administrative Hearing Officer(s) adjudicates an incident.

**The Vice President of Student Services** is the final point of appeal in non-academic matters. Additionally, the Vice President of Student Services is the primary appeal for decisions that result in suspension or expulsion. He/she is the final point of appeal on all non-academic conduct matters.

**Chief Academic Officer/Provost** and his/her staff are responsible for forwarding student conduct matters and appropriate documentation to the Academic Hearing Panel for dispensation. Appeals of academic student conduct decisions made by an Academic Hearing Panel will be heard by the Chief Academic Officer/Provost or designee. The decision of the Chief Academic Officer/Provost in such appeals is final.

## **RESOLUTION PROCESS FOR STUDENT CODE OF CONDUCT VIOLATIONS**

**Incident Report:** In the majority of cases, an incident report is filed indicating an alleged violation of the *Student Code of Conduct*. Alleged violations of the academic portion of the Code of Student Conduct are referred to the Chief Academic Officer/Provost or his/her designee. Alleged violations of non-academic matters of the *Code of Student Conduct* are referred to the Office of Residence Life.

**Investigation:** Once the report is filed, it is reviewed by the Hearing Officer to determine if further investigation is necessary. The responsibility for the investigative work necessary to substantiate a charge begins with the person reporting the alleged violation(s), and is continued in cooperation with the Vice President of Student Services, Residence Life, Campus Safety and/or others as appropriate.

**Notification:** Once it is determined that a violation of the *Student Code of Conduct* has likely occurred, a Notice of Charge letter will be sent to a student’s Coker email. Charge letters will include the following:

- The Hearing Officer assigned to the hearing
- A description of the charges
- A hearing time, date, and location or deadline by which a hearing must be scheduled

**Witnesses:** The Hearing Officer may request that any witnesses provide testimony during a conduct hearing. A witness is any individual who has personal knowledge of the case being resolved (i.e. student, roommate,

teammate, Resident Assistant, police officer, etc.). **Character witnesses are not permitted.** A support person may not serve as a witness.

Both complainants and respondents have the right to provide the Administrative Hearing Officer with a list of witnesses that they propose appear during the hearing and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute no later than 24 hours prior to the hearing. During the hearing, the Hearing Officer will have the opportunity to question all witnesses who appear. A complainant may also assume the role of witness during a hearing.

**Support Person:** Students have the right to have a support person from within Coker's faculty/staff/student community be present during the hearing process. Parents/guardians and attorneys are excluded. The support role is intended to comfort the complainant or respondent throughout the conduct hearing. A support person may communicate with the respondent privately, but he or she may not address the Hearing Officer, question witnesses, or have any other speaking role. It is not assumed that the support person either believes or disbelieves the respondent's perspective on the incident. A support person may contact the Vice President of Student Services or his/her designee prior to the hearing to discuss the resolution process. A support person must maintain confidentiality regarding any and all communications related to the case.

**Presentation of Testimony and Evidence:** During a hearing, the student may present any evidence or review any evidence against him/her. All evidence must be submitted to the Hearing Officer at least 48 business hours prior to the scheduled hearing. Students may not have an attorney or persons who are not faculty, students, or staff members at the University present.

**Determination of Responsibility:** After all testimony and evidence has been presented, the Hearing Officer will determine responsibility for each charge. At Coker University, the standard used to determine whether or not a student is responsible for a policy violation is "preponderance of evidence." This means that according to the hearing officer, the alleged actions more likely occurred than not. This is different than the criminal justice system where the standard of proof is "beyond a reasonable doubt".

**Sanctioning:** If a student is found responsible for one or more violations, the Hearing Officer will assign sanctions accordingly. Sanctions range from a written warning to expulsion.

**Notification of Outcome:** The respondent will receive a Notice of Hearing Outcome letter at their Coker email address generally within 72 business hours of the completion of the hearing. The outcome letter will include the finding, any subsequent sanctions and instructions on the appeal process.

**Access to Hearing Proceedings:** All hearings are normally closed to persons other than those specified as follows: Hearing Officer(s), the respondent, and one support person invited by the respondent. The Hearing Officer shall decide whether witnesses or others may be present at times other than when testifying. Under extenuating circumstances, the Hearing Officer may choose to allow other persons to be present for the evidentiary portions of the hearing (i.e. translators, grief counselors, law enforcement, etc.).

**Abbreviated Procedures:** The provisions described above are available under most circumstances. However, the Chief Academic Officer/Provost, or the Vice President of Student Services may authorize variances if normal procedures present a threat to the University environment. Abbreviated procedures may be used

during the first and last weeks of the semester and during summer terms, or during any time when time limitations or other constraints present an obstacle to completing the proceedings.

**Failure to Appear for Hearing:** Any accused student who fails to appear for his/her conduct hearing will forfeit his/her right to dispute the charges, and a hearing will be conducted in his/her absence. Responsibility will be decided based on the information available to the Hearing Officer.

**Withdrawal Prior to Hearing:** Any accused student who withdraws from the University after the time of the alleged violation and before the time of the hearing must appear for a hearing prior to being re-admitted to the University.

## **SANCTIONS**

Any student found responsible for a violation of the *Code of Student Conduct* will receive no less than a written warning. In this case, a written record of the hearing results will be placed in the student's disciplinary file.

All sanctions shall be completed by their respective due dates. Students who fail to complete sanctions by their due dates will have a hold placed on their account and may be placed on disciplinary probation and will receive new due dates. Students who fail to complete sanctions while on disciplinary probation will be suspended from the University.

The outcome of a student conduct hearing typically encompasses sanctioning that is:

### **1. Educational**

- *Content knowledge* - the sanction is designed to help the student to increase knowledge of content regarding a specific topic or special issue.
- *Self-reflective* - the sanction is designed to help the student to increase self-awareness of their behavior, meaning the appropriateness or inappropriateness.
- *Impact on personal well-being* - the sanction is designed to help the student to increase their self-awareness of the potential physical or psychological impact of their behavior.
- *Impact on personal future* - the sanction is designed to help the student to increase their self-awareness of the potential impact their behavior may have on relationships with others, academic major or course of study, or future career.

**2. Restorative** - the sanction is designed to help the student to increase their understanding of how their behavior impacted or potentially could have impacted others. In addition, the sanction may be designed to help the student to increase understanding of community and/or societal standards, the reasons for them, and how their actions may adversely affect their successful interaction within the community and/or society. The sanction is also intended to reestablish balance and order to the affected community.

**3. Consequential** - the sanction is designed as a strong deterrent to prevent subsequent violations of the *Code of Student Conduct* or other University standards. In some cases, the sanction may be designed to separate a student from the institution.

Consideration will be given to the following when determining the appropriate sanction(s):

- The seriousness of the violation;
- Precedence from the past and/or similar cases;



- Whether or not the respondent was cooperative and honest;
- The specific circumstances surrounding the violation; and
- Whether or not the student has a prior conduct record(s), especially for similar offenses or for a pattern of behaviors inconsistent with the *Code of Student Conduct*.

The possible sanctions listed below will be used by a hearing officer as a guideline for determining the consequences for an offense and will vary according to the severity of the behavior/action. **This list should not be considered inclusive of all possible sanctions, but is simply a sample of sanctions that may apply in a given case.**

**Academic Sanction:** The assignment of a grade on a test, assignment, or course as a result of academic misconduct.

**Administrative Withdrawal:** Occasionally a student is disruptive to the community or educational process of the University. This may occur if the student is deemed to be a danger to himself/herself, other University community members, University property, and/or there is a reasonable doubt whether or not the student can benefit from the educational programs at the University. In such cases, the Vice President of Student Services, or his/her designee, may impose an administrative withdrawal from the University. A student withdrawn under this procedure may not be re-enrolled in the University without approval of the Vice President of Student Services, or his/her designee. Prior to approval for re-admittance, the Vice President of Student Services, or designee, may outline certain requirements to be completed by the student.

Administrative withdrawal will become effective immediately and without prior notice when University officials or the Behavior Intervention Team feel that the continued presence of the student on campus will pose a threat to himself/herself, to others, or to the stability or continuance of normal University functions. Specific behaviors which may constitute grounds for administrative withdrawal may include, but are not limited to, alcohol poisoning; drug overdose/abuse; refusal of medical transport; criminal charges; and concerns expressed by community members regarding extreme behavior.

If a currently enrolled student is charged with a crime that would also be a violation of University regulations, the student may be administratively withdrawn until the case has been resolved by the court system. Upon final resolution of the charges, the submission of an application for readmission, and presentation of final evidence of the court's ruling, the Academic Standards Committee will review all information. The Academic Standards Committee reserves the right to accept or deny the application for readmission.

**Community Service:** An assignment that provides unpaid service to a group or organization either on or off campus.

**Confiscation:** Prohibited items removed from one's possession by University personnel or law enforcement agencies. May or may not include disposal.

**Educational Assignment:** A writing and/or research assignment which discusses fact and theory about a topic related to the violation committed.

**Expulsion:** Permanent removal from the University. This sanction is designed for serious violations or repeat offenses which jeopardize the University community to the degree that a student's permanent separation

from the University is necessary. This sanction includes a ban from all residence halls, all buildings and property of the University including the Boathouse, athletic fields, Kalmia Gardens, Library, Student Center, and any event sponsored by the University.

**Involuntary Relocation:** A required move from one's current residence hall room to a new location.

**Monetary Fine:** A financial sanction.

**Notice of No Contact:** Prohibition of direct or indirect physical, verbal, and/or written contact between students. Direct contact includes phone calls, letters, and/or intentionally going within sight of the listed person(s). Non-physical contact includes, but is not limited to, telephone calls, mail, e-mail, fax, text messages, social media, and written notes. Indirect contact includes messages through a third person or via social media at the direction of the respondent. Coker University reserves the right to rearrange academic schedules and / or housing assignments to prohibit / reduce contact. Failure to comply with this notice will result in judicial sanctioning and could result in suspension/expulsion from the University.

**Parental Notification:** A student's parents may be notified as a result of certain judicial actions. See "Notification of Parents or Guardians" under "Right of Privacy of Student Records" in the "Students' Rights" section of this Handbook.

**Disciplinary Probation:** Designed for serious or repeat violations. The next violation, regardless of the type of offense, may result in residential suspension, suspension from the University, or expulsion. The duration of probation is determined by the party issuing the sanctions.

**Removal/Suspension from Campus Housing:** Designed for serious violations or repeat offenses. It is the loss of residential status and the privileges that accompany living in the residence halls, including a ban from the residence halls. The duration of the removal from the residence halls is determined by the party issuing the sanction.

**Removal of Privileges:** Students may be restricted from representing the University or attending campus events. The duration of the removal of privileges is determined by the party issuing the sanction.

**Restitution:** Payment for damages, cleanup, or replacement necessary as a result of the violation.

**Suspension:** Temporary removal from the University. This sanction is designed for serious violations or repeat offenses. This includes a ban from all residence halls, all buildings and property of the University including the Boathouse, athletic fields, Kalmia Gardens, Library, Student Center, and any event sponsored by the University. The duration of the suspension is determined by the party issuing the sanction.

**Interim Suspension:** In cases where a student is believed to pose an immediate threat to him / herself, to others, or to property on the campus, the President of the University, the Chief Academic Officer/Provost, the Vice President of Student Services or his/her designee may issue an interim suspension to that student. If a student is issued an interim suspension, he/she will be granted a hearing in accordance with the Code of Student Conduct as soon as such a hearing can be reasonably and safely completed. Students who are placed on interim suspension must leave the campus immediately following that order, and are not allowed to return

without the written permission of the President of the University, the Chief Academic Officer/Provost, or the Vice President of Student Services.

**Written Warning:** A formal reprimand that one's behavior is in violation of University standards.

## **APPEAL OF DISCIPLINARY FINDINGS & SANCTIONS**

A student who is found responsible for a violation of University policy may appeal the decision in writing within 48 hours of being notified of the written hearing results. All appeals should be sent to the Director of Residence Life and will only be accepted if based on one or more of the following:

**New Evidence:** The student may claim that new evidence is available. The party or parties hearing the appeal must determine whether the new evidence is pertinent to the outcome of the case, whether it was reasonably available to the student at the time of the initial hearing, and whether the evidence might have led to a different outcome in the hearing.

**Improper Procedures:** The student may claim that improper procedures were used in the hearing, that such improprieties were not approved beforehand by the student, and that they affected the fundamental fairness of the hearing.

**Bias:** The student may claim that the hearing officer or panel was biased, showed malice toward the student, or displayed conflicts of interests.

**Arbitrary Sanction:** The student may claim that the sanction imposed was too severe to fit the circumstances for the case.

## **NON-ACADEMIC VIOLATION APPEAL STRUCTURE**

After the Director of Residence Life receives an appeal, he/she will direct the appeal to the appropriate hearing officer or hear the appeal himself/herself. Appeals are assigned as follows:

- The Vice President of Student Services is the final point of appeal for non-academic conduct decisions that do not result in suspension or expulsion.
- All appeals of decisions that include suspension or expulsion will be heard by the Vice President for Student Services or his/her designee.

## **DISCIPLINARY RECORDS**

Disciplinary records will remain on file and active until graduation or withdrawal. At that time, any written warnings will be expunged; any sanctions more severe than a written warning will remain in the conduct file for 7 years after graduation or withdrawal. Any sanctions involving suspension, expulsion or dismissal will be kept on file permanently.

## **STUDENT CODE OF CONDUCT VIOLATIONS**

The University considers the behavior described below as inappropriate for the University community and in opposition to the core values set forth in this document. These expectations and rules apply to all students, whether undergraduate or graduate. The University encourages community members to report to University Officials all incidents that involved the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to sanctioning. Notwithstanding the recommended sanctions for the incidents or violations contained in the table below, the University reserves the right to

Suspension/Expulsion for any incident or violation depending on the egregiousness of the occurrence or infraction.

Coker University looks at a student’s conduct record in its totality. This is because more than one incident demonstrates an inability or unwillingness to uphold our community’s expectations. Because of this, the table below should be read as overall number of incidents, not the number of incidents per type of violation. For example, if a student violates the Fire Safety policy in September and the Failure to Comply policy in October, the Failure to Comply violation will be heard as a second incident.

<b>TIER 1</b> <i>RECOMMENDED MINIMUM SANCTION(S)</i> <i>(Meet with RLC)</i>	<b>TIER 2</b> <i>RECOMMENDED MINIMUM SANCTION(S)</i> <i>(Meet with RLC)</i>	<b>TIER 3</b> <i>RECOMMENDED MINIMUM SANCTION(S)</i> <i>(Meet with DRL)</i>
<b>Falsification:</b> Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments.		
Written Warning Confiscation (if document or ID)	\$25 Fine Confiscation (if document or ID) Educational Assignment	\$50 Fine Confiscation (if document or ID) Disciplinary Probation
<b>Academic Dishonesty:</b> Acts of academic dishonesty as outlined in the Academic Programs, Expectations, and Policies section of this handbook.		
See the <i>Academic Programs, Expectations, and Policies</i> section of this handbook		
<b>Unauthorized Access/Entry:</b> Unauthorized access to any University building (i.e. keys, cards, etc.) or unauthorized possession, duplication, or use of means of access to any university building or failing to timely report a lost University identification card or key; Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University building.		
Written Warning	\$25 fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Election Tampering:</b> Tampering with the election of any University-recognized student organization (minor election code violations are addressed by the SGA).		
Written Warning	\$25 fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Theft:</b> Intentional and unauthorized taking of University property or their personal property of another, including goods, services and other valuables; Knowingly taking or maintaining possession of stolen property.		
Written Warning Restitution or Confiscation	Disciplinary Probation Restitution or Confiscation Educational Assignment or Community Service	Suspension/Expulsion

<b>Disruptive Behavior &amp; Rioting:</b> Substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities which occur on campus; Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property.		
Written Warning	\$25 Fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Trademark:</b> Unauthorized use (including misuse) of University or organization names and images.		
Written Warning Restitution or Confiscation	\$25 fine Restitution or Confiscation Educational Assignment	\$50 Fine Disciplinary Probation
<b>Damage, Destruction, &amp; Vandalism:</b> Intentional, reckless and/or unauthorized damage to or destruction of University property or the personal property of another.		
Written Warning Restitution	Restitution Community Service Educational Assignment	Restitution Community Service Disciplinary Probation
<b>IT and Acceptable Use:</b> Violating the University Computer Usage found in the General University Policies section of this handbook.		
Written Warning	\$25 fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Gambling:</b> Gambling as prohibited by the laws of the State of South Carolina. (Gambling may include raffles, lotteries, sports pools and online bettering activities.)		
Written Warning	\$25 fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Weapons:</b> Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nunchucks, throwing stars, or knives with a blade of longer than 2 inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on University property.		
Written Warning Confiscation	Disciplinary Probation Confiscation Educational Assignment or Community Service	Suspension/Expulsion
<b>Tobacco Use:</b> Smoking or tobacco use in any area of campus. See the Smoking/Tobacco Policy found in the General University Policies section of this handbook		
\$200 fine Confiscation	\$200 fine Confiscation Educational Assignment	\$300 fine Disciplinary Probation

**Fire Safety:** Violation of local, state, federal or campus fire policies including, but not limited to:

- Intentionally or recklessly causing a fire which damages University or personal property or which causes injury; or
  - Failure to evacuate a University-controlled building during a fire alarm;
  - Improper use of University fire safety equipment; or
  - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property.
- Such action may result in a local fine in addition to University sanctions.

\$200 fine  
Confiscation

\$200 fine  
Confiscation  
Educational Assignment or Community  
Service

\$300 Fine  
Disciplinary Probation

**Ineligible Association:** Associating with a student organization without having met eligibility requirements established by the University.

Written Warning

\$25 fine  
Educational Assignment

\$50 Fine  
Removal of Privileges to Associate

**Animals:** Animals, with the exception of animals that provide assistance (e.g. seeing-eye dogs), and pets as outlined in the Residence Life Handbook, are not permitted on campus except as permitted by law.

\$150 fine  
Confiscation/Restitution

\$250 fine  
Confiscation/Restitution  
Educational Assignment

Disciplinary Probation  
Confiscation/Restitution  
Suspension/Expulsion

**Wheeled devices:** Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside University buildings, residence halls, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to University property caused by these activities.

Written Warning

Educational Assignment

\$50 Fine  
Disciplinary Probation

**Discrimination:** Any act or failure to act that is based upon an individual's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University's educational program or activities.

Educational Assignment  
Community Service

*\*Meet with DRL*  
Educational Assignment  
Community Service  
Disciplinary Probation/Suspension

Educational Assignment or Community  
Service  
Suspension/Expulsion

**Harassment:** Any unwelcome conduct based on actual or perceived status including sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status. Any unwelcome conduct should be reported to campus officials who will act to remedy and resolve reported incidents on behalf of the victim and community. For any harassment related to sexual misconduct, see the Sexual Misconduct Policy & Procedures section of this handbook.

Educational Assignment Community Service Disciplinary Probation	<i>*Meet with DRL</i> Educational Assignment Community Service Disciplinary Probation/Suspension	Educational Assignment or Community Service Suspension/Expulsion
<b>Abuse of Conduct Process:</b> Abuse or interference with, or failure to comply in, University processes including conduct and academic integrity hearings including but not limited to: 1) Falsification, distortion, or misrepresentation of information; 2) Failure to provide, destroying or concealing information during an investigation of an alleged policy violation; 3) Attempting to discourage an individual's proper participation in, or use of, the campus conduct system; 4) Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus proceeding; 5) Failure to comply with the sanctions imposed by the campus conduct system; 6) Influencing, or attempting to influence, another person to commit an abuse of campus conduct system. 7) Collusion with another to violate the code of student conduct; 8) Complicity with or failure of any student/group to (appropriately) address known or obvious violations of the code of student conduct or law.		
Written Warning	\$25 Fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Threats or Harm:</b> Intentionally or recklessly causing or threatening physical harm or endangering the health or safety of any person. Can include written or verbal conduct, implied threats, or acts that cause a reasonable fear of harm.		
Educational Assignment Disciplinary Probation	<i>*Meet with DRL</i> \$25 Fine Educational Assignment Disciplinary Probation/Suspension	Educational Assignment Suspension/Expulsion
<b>Bullying/Cyberbullying:</b> Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.		
Written Warning	\$25 Fine Educational Assignment	\$50 Fine Disciplinary Probation
<b>Hazing:</b> An act that endangers the mental or physical safety or health of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership into a group or organization. Participation or cooperation by the person's being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy.		
\$25 Fine Written Warning Educational Assignment	\$50 Fine Educational Assignment Disciplinary Probation	\$100 Fine Suspension/Expulsion
<b>Sexual Misconduct.</b> Includes, but is not limited to, sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, and/or sexual exploitation. Can also include intimate partner/relationship violence (violence or abuse by a person in an intimate relationship with another) or stalking (a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear). See the Sexual Harassment and Non-Discrimination policy in this handbook. Any Sexual Misconduct that does not rise to the level of Title IX will be handled through the Student Conduct Process.		
Educational Assignment Community Service Disciplinary Probation	Educational Assignment Community Service Disciplinary Probation/Suspension	Educational Assignment Suspension/Expulsion



<p><b>Public Exposure:</b> Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.</p>		
<p>Written Warning Educational Assignment</p>	<p>\$25 Fine Educational Assignment or Community Service</p>	<p>\$50 Fine Disciplinary Probation</p>
<p><b>Alcohol (Category A):</b> Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's alcohol policy found in General University Policies section of this handbook. Category A violations include underage possession or consumption; intoxication; possessing /consuming alcohol in an unapproved area; open container in a public area; possession of funnel or other paraphernalia.</p>		
<p>Alcohol Education Program Parental Notification Educational Assignment</p>	<p>On-campus Behavioral Alcohol Education Program Parental Notification Educational Assignment Disciplinary Probation</p>	<p>Payment for &amp; Completion of an Off-campus Alcohol Education Program Parental Notification Suspension/Expulsion</p>
<p><b>Alcohol (Category B):</b> Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's alcohol policy found in General University Policies section of this handbook. Category B violations include providing alcohol to a minor; use of funnels or other paraphernalia; possession or use of a common source of alcohol (kegs, etc.); gross intoxication.</p>		
<p>On-campus Behavioral Alcohol Education Program Parental Notification Educational Assignment Disciplinary Probation</p>	<p>Payment for &amp; Completion of an Off-campus Alcohol Education Program Parental Notification Suspension/Expulsion</p>	
<p><b>Drugs (Category A):</b> Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University's drug policy found in the General University Policies section of this handbook. This policy includes abuse, misuse, sale, or distribution of prescription or over-the-counter medications. Category A violations include possession or consumption of illegal drugs or illegally obtained prescription drugs; possession of drug paraphernalia; failure to appear for a University mandated drug test.</p>		
<p>Completion of a Drug Education Program Educational Assignment Parental Notification Disciplinary Probation</p>	<p>Parental Notification Suspension/Expulsion</p>	
<p><b>Drugs (Category B):</b> Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University's drug policy found in the General University Policies section of this handbook. This policy includes abuse, misuse, sale, or distribution of prescription or over-the-counter medications. Category B violations include sale or distribution of controlled substances.</p>		
<p>Suspension/Expulsion</p>		

**Failure to Comply:** Failure to comply with the reasonable directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so.

Written Warning	\$25 Fine Educational Assignment or Community Service	\$50 Fine Disciplinary Probation
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**Financial Responsibilities:** Failure to promptly meet financial responsibilities to the institution including, but not limited to; knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity.

Written Warning	Educational Assignment	\$50 Fine Disciplinary Probation
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**Arrest:** Failure of any student to accurately report an off-campus arrest by any law enforcement agency for any crime (including non-custodial or field arrests) to the Office of Residence Life within 72 hours of release.

Written Warning	<i>*Meet with DRL</i> Educational Assignment	Suspension/Expulsion
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**Violations of Law:** Evidence of violation of local, state, or federal laws, when substantiated through the University conduct process.

Written Warning	<i>*Meet with DRL</i> Educational Assignment	Disciplinary Probation Suspension/Expulsion
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**Health and Safety:** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, not wearing Coker issued ID properly, not wearing appropriate face covering properly, etc).

Written Warning	Educational Assignment Disciplinary Probation Suspension/Expulsion	\$50 Fine Disciplinary Probation Suspension/Expulsion
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**Posting:** Posting fliers on campus properties that are not approved, in undesignated areas, or in any way out of compliance with the full Posting Policy found in the General University Policies section of this handbook.

Written Warning	Educational Assignment Removal of Posting Privileges	\$50 Fine Removal of Posting Privileges Disciplinary Probation
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**Guests & Visitation:** Failure to comply with the full Guests & Visitation policy as outlined in the Guide to Residence Life section of this handbook.

Written Warning	Educational Assignment Loss of Guest Privileges	\$50 Fine Loss of Guest Privileges Disciplinary Probation
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**Other Policies:** Violating other Published University policies or rules, including all Residence Hall policies.

Written Warning	\$25 Fine Educational Assignment or Community Service	\$50 Fine Disciplinary Probation
<b>Student Covenant Violation:</b> Any action or inaction that is not in accordance with the six pillars of the Coker University Student Covenant, as outlined in the Student Covenant section of this handbook.		
Written Warning	\$25 Fine Educational Assignment or Community Service	\$50 Fine Disciplinary Probation

# Student Sexual Misconduct Policy and Procedures and Title IX Sexual Harassment Grievance Process

## I. SUMMARY OF POLICIES

Coker University (“University”) prohibits gender discrimination in any educational program or activity as prohibited by state and/or federal law, including but not limited to Title IX of the Education Amendments of 1972. The University is committed to maintaining and strengthening an educational community founded on civility and mutual respect in an educational and employment environment free from gender discrimination, sexual harassment, and sexual misconduct. Gender discrimination violates an individual’s right to personal dignity and interferes with the University’s goals. Sexual misconduct and sexual harassment, as defined in this Policy, constitute gender discrimination prohibited by Title IX and are incompatible with the safe, healthy environment that the University community expects and deserves. Sexual harassment, sexual violence, retaliation and other behavior prohibited by this Policy will not be tolerated. The University promotes prompt reporting of all types of gender discrimination, sexual misconduct, and sexual harassment and the timely and fair resolution of gender discrimination, harassment, and sexual misconduct complaints.

## II. APPLICABILITY AND PROHIBITION

### **(A) Effective Date of Policy.**

Effective this [August 14, 2020], this Policy replaces and supersedes any and all other Coker University Student Sexual Misconduct Policies and Procedures.

### **(B) Gender Discrimination and Sexual Harassment or Misconduct are Prohibited.**

The University prohibits discrimination based on sex (including gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation) in any of its educational programs or activities. Sexual harassment, including sexual assault, sexual violence, and other kinds of sexual misconduct, is a form of gender discrimination, violates this Policy, and is prohibited.

### **(C) Policy Coverage**

A complaint may be filed by or against a University student, at any time that the reporting party, victim (if not the reporting party), or the responding party is enrolled or employed at the University, regardless of the time elapsing between the alleged gender discrimination, sexual harassment, and/or sexual misconduct and the filing of the complaint. However, the University strongly encourages individuals to file complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a complaint may compromise any subsequent investigation.

In addition, students may file complaints under this Policy against an individual, who is neither a student nor faculty member/employee of the University, if the conduct complained of relates to the University's academic, educational, athletic, or extracurricular programs or activities. If the University's disciplinary authority extends to such third party, the third party may be permanently barred from the University or subjected to other restrictions for failing to comply with this Policy. Even if the University has no means to discipline a third party, the University may provide a reporting party with support services and, if appropriate, conduct an investigation of the incident to ensure that it does not represent a pattern of sexual misconduct occurring at the University.

This Policy applies to conduct that occurs on University property and, in certain circumstances, off University property. This Policy applies to conduct that: (1) occurs off campus when the conduct is associated with a University-sponsored program or activity, such as travel, study, research, or internship programs; (2) utilizes University owned or provided technology resources; or (3) may have a nexus to campus, such as a continuing adverse effect or creation of a hostile environment on campus. Members of the University community have a responsibility to adhere to the University's policies and to federal, state, and local law. In addition, they are responsible for their own actions and behavior, both on campus and in other locations.

Although there is no geographical limitation to invoking this Policy, sexual misconduct alleged to have occurred at a distance from the University may be more difficult for the University to investigate.

#### **(D) Retaliation is Prohibited**

Retaliation against any person for filing, supporting, or providing information in connection with a complaint filed under or pursuant to this Policy is strictly prohibited. Any individual subjected to such retaliation should report it immediately to the Title IX Coordinator.

### III. TITLE IX

If you have questions about Title IX or this Policy, please contact the University's Title IX Coordinator. The University's Title IX Coordinator is Michael Williamson. His contact information is:

*Coker Campus Location:*

Michael Williamson  
Student Center – Second Floor  
300 East Home Avenue  
Hartsville, South Carolina 29550  
843-383-8194  
mwilliamson@coker.edu

*Mailing Address:*

Michael Williamson, Title IX Coordinator  
Coker University – Student Center  
300 East College Avenue  
Hartsville, South Carolina 29550

#### **(A) Mandatory Reporting.**

Title IX Coordinator shall be responsible for overseeing the investigation and resolution of complaints filed under this Policy. All faculty members and employees, whether full-time or part-time, are “responsible employees,” who are mandated to report when they know of or suspect an incident of gender discrimination, sexual harassment, and/or sexual misconduct. Only health-care professionals, pastoral professionals, or other individuals, who by their licensure are statutorily barred from reporting, are exempt from the mandate to report. Make reports under this Policy to the Title IX, Michael Williamson, mwilliamson@coker.edu, (843) 383-8194.

Faculty members or employees, who fail to report known or suspected incidents of gender discrimination, sexual harassment, and/or sexual misconduct immediately, may be subject to disciplinary action up to, and including, termination from employment. No member of the University community may discourage an individual from reporting alleged incidents of gender discrimination, sexual harassment, and/or sexual misconduct. No faculty member or employee has authority to investigate or resolve complaints, made pursuant to or subject to this Policy, without the Title IX Coordinator’s involvement. If you are unsure about reporting, have questions about this Policy, or would like to request a training, contact the Title IX Coordinator. Individuals with questions about Title IX may also contact the United States Department of Education.

## **(B) Confidentiality**

The University shall make a reasonable effort to keep the identities of the parties involved in a sexual misconduct proceeding confidential unless otherwise required by law (see Title IX Grievance Process, below). Unless otherwise required by law, their identities will be revealed only to those, who need to know their names to allow the complaint to be investigated and/or adjudicated or to provide for interim or supportive measures. In addition, as information regarding alleged sexual misconduct must be handled in accordance with applicable state and federal laws, the University may be required to inform the community of the incident(s) of sexual misconduct to protect other campus community members. Finally, the University cannot control confidentiality violations by third parties.

Reporting parties, alleged victims (if not the reporting party/“Complainants” under Title IX), and responding parties may request that the University treat information regarding alleged sexual misconduct as confidential. The University takes such requests seriously, but those requests may limit the University’s ability to investigate and take reasonable action in response to a complaint even if they can be granted. The University will evaluate the request(s) that a complaint remain confidential in the context of the University’s adherence to state and federal law and commitment to provide a respectful, safe, and non-discriminatory environment. The Title IX Coordinator will inform the person requesting confidentiality, in writing, if the University cannot ensure confidentiality.

Factors weighing against the University affording requested confidentiality include, but are not limited to:

- The seriousness of the alleged sexual misconduct;
- Other complaints or incidents of sexual misconduct made against the responding party;
- Allegations involving multiple perpetrators;
- Arrest(s) of the responding party;
- A history of violence by the responding party;
- Potential targeting of a particular group by the responding party;
- The responding party's right to information about the allegations; and/or
- Laws mandating disclosure.

Even if the University cannot take disciplinary action against the responding party as a result of the reporting party's or the victim's request for confidentiality, to the extent possible and necessary, the University will take prompt and effective action to limit the effects of the alleged sexual misconduct and to prevent its recurrence.

**(C) Limited Immunity for Alcohol and/or Drug Use in Sexual Violence Cases.**

The health and safety of every student at Coker University is of utmost importance. Coker recognizes that students, who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that a sexual violence incident occurs, may be hesitant to report the incident for fear of potential consequences related to drinking or using drugs. While Coker does not condone illegal drug use or underage drinking, a bystander or victim, making a good faith report of sexual violence to Coker officials or law enforcement, will not be subject to a campus conduct action for violations of Coker's alcohol and drug policies occurring at or near the time of the sexual violence.

**TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCESS**

This Title IX Sexual Harassment Grievance Process will be used to process any report or complaint of "Title IX Sexual Harassment," as defined in this Title IX Sexual Harassment Grievance Process. Any person may report Title IX Sexual Harassment under this process, whether or not the reporting party is the person alleged to be the victim of the conduct. Reports of Title IX Sexual Harassment may be made in person, by mail, by telephone, or by electronic mail at any time (including during non-business hours) directed to the Title IX Coordinator using the contact information contained in this Student Handbook. If an Official With Authority, as defined in this Title IX Sexual Harassment Grievance Process, receives a report or otherwise has knowledge of a report or incident of Title IX Sexual Harassment, the Official With Authority must promptly report such information to the Title IX Coordinator.

Processing a report or complaint under this Title IX Sexual Harassment Grievance Process does not preclude processing some or all allegations of a report or complaint under other policies and procedures, to the extent allowed by Title IX and other laws.

This grievance process complies with all requirements of Title IX and its implementing regulations and provides required notice of the procedure used to respond to complaints of Title IX Sexual Harassment for necessary stakeholders.

If the regulations implementing Title IX at 85 Fed. Reg. 30026, 30026-30579, are enjoined or invalidated by a Federal Court with jurisdiction over Coker University or reversed or replaced by any agency with sufficient authority, this Title IX Sexual Harassment Grievance Process will immediately cease to apply to reports and complaints of sexual harassment and sexual misconduct, including Title IX Sexual Harassment, unless and until any such injunction, invalidation, reversal, or replacement is overturned or reversed.

### **Title IX Sexual Harassment Definitions**

The following terms have the following definitions as used in this Title IX Sexual Harassment Grievance Process:

“Actual Knowledge”—Notice of Title IX Sexual Harassment or allegations of Title IX Sexual Harassment to Coker University’s Title IX Coordinator or to any Official With Authority, as defined herein. Assumption of knowledge based solely on Coker University’s status as an employer or other presumption under law does not constitute Actual Knowledge. This standard is not met when the only official of Coker University with Actual Knowledge is the Title IX Respondent. “Notice” as used here includes, but is not limited to, a report or complaint of Title IX Sexual Harassment to the Title IX Coordinator or any Official With Authority in person, by mail, by telephone, or by email using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator or Coker University employee receiving the person’s verbal or written report.

“Business Days”—Days on which Coker University main office is open.

“Consent”— Informed, freely and actively given, mutually understandable words or actions that indicate a willingness to participate in a mutually agreed upon sexual activity. A person can withdraw consent at any time. There is no consent when there is force, threats, intimidation, or duress. A person’s lack of verbal or physical resistance or manner of dress do not constitute consent. Consent to past sexual activity with another person does not constitute consent to future sexual activity with that person. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. A person cannot consent to sexual activity if the person is unable to understand the nature, fact, or extent of the activity or give knowing consent due to circumstances including without limitation the following:

1. the person is incapacitated due to the use or influence of alcohol or other drugs;
2. the person is asleep or unconscious;
3. the person is under the legal age to provide consent; or
4. the person has a disability that prevents such person from having the ability or capacity to give consent.

“Education Program or Activity”—Locations, events, or circumstances in the United States over which Coker University exercises substantial control over both the Title IX Respondent and the context in which Title IX Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Coker University. Depending on the facts, this phrase may extend to off-campus Title IX Sexual Harassment incidents.

“Officials With Authority”—Includes any official designated by Coker University to have authority to institute corrective measures on behalf of the institution, specifically:



President of the University, Provost, Vice President of Student Services

“Title IX Appellate Decisionmaker”—One or more individuals designated to conduct an appeal required by Title IX and this Title IX Sexual Harassment Grievance Process. The Title IX Decisionmaker cannot be the Title IX Coordinator or the Title IX Investigator or Decisionmaker assigned to the same Formal Complaint, must be free from conflicts of interest or bias against complainants and respondents generally and against an individual Title IX Complainant or Respondent, and must be trained to properly implement this Title IX Sexual Harassment Grievance Process and to serve impartially.

“Title IX Complainant”—An individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment.

“Title IX Formal Complaint”—A document filed by a Title IX Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Title IX Respondent and requesting that Coker University investigate the allegation. At the time of filing a Formal Title IX Complaint, a Title IX Complainant must be participating in or attempting to participate in Coker University’s Education Program or Activity within which the Formal Title IX Complaint is filed. A Formal Title IX Complaint may be filed with the Title IX Coordinator in person, by mail, or by email, by using the contact information required to be listed for the Title IX Coordinator in Coker University’s Nondiscrimination Policy and included in this Student Handbook. As used here, the phrase “document filed by a Title IX Complainant” means a document or electronic submission (such as by email or paper or electronic form provided for this purpose by Coker University) that contains the Title IX Complainant’s physical or digital signature, or otherwise indicates that the Title IX Complainant is the person filing the Formal Title IX Complaint. Where the Title IX Coordinator signs a Formal Title IX Complaint, the Title IX Coordinator is not a complainant or otherwise a party under this Title IX Sexual Harassment Grievance Process.

“Title IX Investigator”—An individual designated to investigate a Formal Title IX Complaint according to this Title IX Sexual Harassment Grievance Process. The Title IX Investigator cannot be the Title IX Decisionmaker or the Title IX Appellate Decisionmaker assigned to the same Formal Complaint, must be free from conflicts of interest or bias against complainants and respondents generally and against an individual Title IX Complainant or Respondent, and must be trained to properly implement this Title IX Sexual Harassment Grievance Process and to serve impartially.

“Title IX Respondent”—An individual who has been reported to be the perpetrator of conduct that could constitute Title IX Sexual Harassment.

“Title IX Sexual Harassment”—Conduct on the basis of sex that satisfies one or more of the following:

An [Institution] employee conditions the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct; or

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Coker University’s education program or activity; or

*Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(10), *domestic violence* as defined in 34 U.S.C. §12291(a)(8), or *stalking* as defined in 34 U.S.C. §12291(a)(30).

- o *Sexual assault* means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system (UCR Program) of the Federal Bureau of Investigation (FBI). 20 U.S.C. §1092(f)(6)(A)(v). For more information regarding the FBI UCR Program, see [www.fbi.gov/services/cjis/ucr/](http://www.fbi.gov/services/cjis/ucr/).
- o *Dating violence* means violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. 34 U.S.C. §12291(a)(10).
- o *Domestic violence* includes any 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 C.F.R. §12291(a)(8).
- o *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for his or her safety or the safety of others, or (2) suffer substantial emotional distress. 34 C.F.R. §12291(a)(30).

"Title IX Supportive Measures"—Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Title IX Complainant or Respondent before or after the filing of a Formal Title IX Complaint or where no Formal Title IX Complaint has been filed. Such measures are designed to restore or preserve equal access to Coker University's Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Coker University's educational environment and deter sexual harassment. Title IX Supportive Measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

"Title IX Team"—The group of individuals responsible for addressing reports and complaints of Title IX Sexual Harassment, including the Title IX Coordinator or designee, Title IX Investigators, Title IX Decisionmakers, Title IX Appellate Decisionmakers, and Title IX Informal Resolution Facilitators.

"Title IX Decisionmaker"—An individual designated by the Title IX Coordinator or designee to reach a determination regarding responsibility in a Formal Title IX Complaint by applying the preponderance of the evidence standard of proof. The Title IX Decisionmaker cannot be the Title IX Coordinator or the Title IX Investigator or Appellate Decisionmaker assigned to the same Formal Complaint, must be free from conflicts of interest or bias against complainants and respondents generally and against an individual Title IX  
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Complainant or Respondent, and must be trained to properly implement this Title IX Sexual Harassment Grievance Process and to serve impartially.

#### Title IX Sexual Harassment Investigation Process

If Coker University has Actual Knowledge of Title IX Sexual Harassment, the institution shall respond in a manner that is not clearly unreasonable in light of the known circumstances by using this Title IX Sexual Harassment Grievance Process. No person designated or serving as a Title IX Coordinator or designee, Title IX Investigator, Title IX Decisionmaker, Title IX Appellate Decisionmaker or Title IX Informal Resolution Facilitator will have a conflict of interest or bias for or against Title IX complainants or respondents generally or against an individual Title IX Complainant or Title IX Respondent. The institution's response will include, at a minimum, the following:

**Whether or not a formal complaint alleging Title IX Sexual Harassment is filed**, at a minimum, the Title IX Coordinator or designee will comply with the following:

**Initial Meeting with the Complainant:** The Title IX Coordinator or designee must promptly contact the Title IX Complainant to:

Discuss the availability of Supportive Measures;

Inquire about and consider the Title IX Complainant's wishes with respect to Supportive Measures;

Inform the Title IX Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint; and

Explain to the Title IX Complainant the process for filing a Formal Complaint as set forth in this Title IX Sexual Harassment Grievance Process.

**Supportive Measures:** Coker University will maintain as confidential any supportive measures provided to the Title IX Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of Coker University to provide the Supportive Measures. Coker University may not impose any disciplinary sanctions or other actions that are not Supportive Measures against a Title IX Respondent unless a Formal Complaint has been filed and a finding of responsibility has been issued against the Title IX Respondent under this Title IX Sexual Harassment Grievance Process.

**Emergency Removals/Leaves of Absence:** Coker University may, however, remove a student-Title IX Respondent from its education program or activity on an emergency basis, provided that Coker University makes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Title IX Respondent with notice and an opportunity to challenge the decision immediately following the removal. Coker University also may place a non-student employee Title IX Respondent on paid administrative leave during the pendency of this Title IX Sexual Harassment Grievance Process. Such emergency removals/leaves of absence must comply with any other relevant laws, policies, administrative procedures, and agreements governing removals of students and/or employees from the institution's program or activity.

**If a Formal Complaint alleging Title IX Sexual Harassment is filed or initiated**, the Title IX Coordinator or designee will, at a minimum:

**Notice of Allegations:** Provide written notice to any known Title IX Complainants and Title IX Respondents including:

A copy or link to this Title IX Sexual Harassment Grievance Process

Notice of the allegations of Title IX Sexual Harassment in the formal complaint, including the identities of all known parties involved in the incident(s), the conduct allegedly constituting Title IX Sexual Harassment, the date and location of the alleged incident, and any other details necessary to prepare a response; such notice must be provided with sufficient time for the parties to prepare a response before any interview, which in no case shall be less than 24 hours

A statement that the Title IX Respondent is presumed not responsible for the alleged conduct

A statement that a determination regarding responsibility is made at the conclusion of the grievance process

Notice to the parties that they may have an advisor of choice who may be, but is not required to be, an attorney

Notice to the parties that they may inspect and review evidence obtained during the investigation

Notice of any provision of Coker University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process

If at any time during the course of the investigation additional allegations of Title IX Sexual Harassment arise that will be investigated and that were not included in the written notice, the Title IX Coordinator or designee will, within 5 Business Days of the decision to add the allegations to the investigation, provide notice of the additional allegations as described above to the parties whose identities are then known.

**Mandatory Dismissals:** Within 5 Business Days of receiving a formal complaint filed by a Complainant, dismiss under this Title IX Sexual Harassment Grievance Process any allegation in the Formal Complaint that would not constitute Title IX Sexual Harassment, even if true; that did not occur in Coker University's education program or activity; or that did not occur against a person in the United States. Nothing precludes action on any dismissed allegations under another policy, procedure, or rule of Coker University or school. Upon such dismissal, the Title IX Coordinator or designee will send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

**Identification of Investigator:** Identify and document one or more qualified Title IX Investigator(s) who will investigate the Formal Complaint. The Title IX Investigator(s) will investigate the allegations of Title IX Sexual Harassment in a Formal Complaint.

**Informal Resolution:** Unless the Formal Complaint involves an allegation of sexual misconduct by a Coker University employee against a student, the Title IX Investigator will, within 5 Business Days of assignment to the Formal Complaint, notify the Title IX Complainant and the Title IX Respondent of the option to complete informal resolution. Coker University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of Title IX Sexual Harassment consistent with this policy. Coker University also will not require parties to participate in an informal resolution process under this policy and may not offer an informal resolution process unless a Formal Complaint is filed. However, at any time prior to reaching a determination regarding responsibility, Coker University may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that Coker University:

Provides to the parties a written notice disclosing:

the allegations;

the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint; and

any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Obtains the parties' voluntary, written consent to the informal resolution process, and

Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

If informal resolution is undertaken, the Title IX Coordinator or designee will assign an Informal Resolution Facilitator who will attempt to informally resolve the matter between the parties. During the informal resolution process, all timeframes under this Title IX Sexual Harassment Grievance Process will be tolled. If no resolution is reached within 20 Business Days of commencement of the informal resolution, unless such 20-day time period is extended by agreement of the parties, or if the parties do not elect to engage in informal resolution, the Title IX Investigator(s) will recommence the investigation and the timeframes under this Title IX Sexual Harassment Grievance Process will recommence.

**During the investigation of a Formal Complaint and throughout this Title IX Sexual Harassment Grievance Process**, the Title IX Team must:

**Burdens:** Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Coker University and not on the parties, provided that Coker University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity,

and which are made and maintained in connection with the provision of treatment to the party, unless Coker University obtains the voluntary, written consent to do so from that party.

**Equal Treatment – Evidence Presentation:** Provide an equal opportunity for the parties to present any inculpatory or exculpatory evidence, including fact and expert witnesses. Coker University will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

**Equal Treatment – Advisors:** Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of an advisor for either the Title IX Complainant or Title IX Respondent in any meeting or grievance proceeding; however, Coker University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, if at all, as long as the restrictions apply equally to both parties.

**Written Notice of Meetings:** Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews and other meetings, with sufficient time for the party to prepare to participate.

**Equal Opportunity – Evidence Review:** Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which Coker University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the Title IX Investigator(s) must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the Title IX Investigator(s) will consider prior to completion of the investigative report.

**Investigative Report:** Within 60 Business Days of receipt of the Formal Complaint, the Title IX Investigator will create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a live hearing or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

**The process used to investigate and resolve a Formal Complaint will also meet the following additional requirements:**

The process used must treat Title IX Complainants and Title IX Respondents equitably in all manners, including by providing remedies to a Title IX Complainant where a determination of responsibility for Title IX Sexual Harassment has been made against the Title IX Respondent, and by following this Grievance Process before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures against a Title IX Respondent.

No evidence that constitutes or seeks disclosure of information protected under a legally recognized privilege will be required, allowed, or relied on unless the person holding such privilege has waived the privilege.

The Title IX Investigator and the Title IX Decisionmaker will objectively review all relevant evidence, including both inculpatory and exculpatory evidence, and credibility determinations will not be based on a person's status as a Title IX Complainant, Title IX Respondent, or Witness.

All members of the Title IX Team will operate under a presumption that the Title IX Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of this Title IX Sexual Harassment Grievance Process.

Remedies may include, but are not limited to, the same individualized services described as Supportive Measures in this policy but need not be non-disciplinary or non-punitive and need not avoid burdening the Title IX Respondent. Student discipline can involve a range of consequences, which may include, but are not limited to, Supportive Measures, a warning, recommendation for suspension and expulsion, depending on the severity of the action and circumstances of the student(s) involved. The full range of applicable sanctions is listed in [Institution] Policy [#], [Policy Name]. Discipline for employees also includes a range of options, including, but not limited to, a letter of reprimand, reassignment, suspension with or without pay, discharge or recommendation for discharge, notifying appropriate legal authorities and/or taking legal action against the employee.

The Title IX Coordinator or designee may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Title IX Respondent, or by more than one Title IX Complainant against one or more Title IX Respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances.

**After the investigation of a Formal Complaint**, the Title IX Coordinator or designee and the Title IX Decisionmaker will comply with the following:

**Designation of Decisionmaker:** The Title IX Coordinator or designee will identify one or more Title IX Decisionmakers for the Formal Complaint, which cannot include the Title IX Coordinator or designee or the Title IX Investigator assigned to the Formal Complaint.

**Live Hearing:** A live hearing will be provided as part of the grievance process. The live hearing will comply with the following requirements:

The live hearing may, upon the request of either party, be held virtually, with parties located in separate rooms with technology enabling the Title IX Decisionmaker(s) and parties to simultaneously see and hear the party or witness answering questions. Unless the live hearing is conducted virtually, all parties must be physically present in the same geographic location.

All hearings will be documented through audio recording, audiovisual recording, or transcript, at the institution's discretion, and will be made available to the parties for inspection or review.

At the hearing, the Title IX Decisionmaker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those

challenges credibility. Only relevant cross-examination and other questions may be asked of a party or witness. With respect to cross-examination:

Questions and evidence about the Title IX Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Title IX Complainant's prior sexual behavior are offered to prove that someone other than the Title IX Respondent committed the conduct alleged by the Title IX Complainant, or if the questions and evidence concern specific incidents of the Title IX Complainant's prior sexual behavior with respect to the Title IX Respondent and are offered to prove Consent.

The Title IX Decisionmaker must explain to the party proposing the questions any decision to exclude a question as not relevant. Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by the party personally.

Cross-examination must be conducted by the party's advisor, and never by the party. If a party does not have an advisor present at the live hearing, the Institution will provide an advisor of the Institution's choice, without charge to the party, who may be, but is not required to be, an attorney to conduct cross-examination on behalf of the party.

If a party or witness does not submit to cross-examination at the live hearing, the Title IX Decisionmaker(s) cannot rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Decisionmaker(s) cannot draw an inference about the determination regarding responsibility based solely on the party or witness's absence or refusal to answer cross-examination or other questions.

**Written Determination:** Within 20 Business Days of receipt of the final written responses and evidence from the parties, the Title IX Decisionmaker(s) must issue a written determination regarding responsibility. To reach this decision, the Title IX Decisionmaker(s) must apply the preponderance of the evidence standard, regardless of whether the Title IX Respondent is a student or an employee. The written determination must include:

Identification of the allegations potentially constituting Title IX Sexual Harassment

A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held

Findings of fact supporting the determination

Conclusions regarding the application of this Title IX Sexual Harassment Grievance Process to the facts

A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions Coker University will impose on the Title IX Respondent, and whether remedies designed to restore or preserve equal access to Coker



University's Education Program or Activity will be provided by Coker University to the Title IX Complainant, and

Coker University's procedures and permissible bases for the Title IX Complainant and Title IX Respondent to appeal.

**Notice of Written Determination:** The Title IX Decisionmaker(s) or a designee must provide the written determination to the parties simultaneously.

**Appeal:** Both parties may appeal from either a determination regarding responsibility or from Coker University's dismissal of a Formal Complaint or any allegations therein, on the following bases:

Procedural irregularity or error that affected the outcome of the matter

New evidence or information that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter, and

Claims that the Title IX Coordinator or designee, Investigator(s), or Decisionmaker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual Title IX Complainant or Title IX Respondent that affected the outcome of the matter.

The sanction is disproportionate with the violation (applicable only to complaints of sexual violence, domestic violence, dating violence and stalking).<sup>1[2]</sup>

A Title IX Complainant or Title IX Respondent who wishes to appeal must submit a notice of appeal to the Title IX Coordinator within 5 calendar days of the date of the Title IX Decisionmaker(s)' decision. An appeal may be filed by email, mail, or hand delivery to the Title IX Coordinator. If delivered by mail, the notice of appeal must be postmarked by the 5th calendar day after the date of the Title IX Decisionmaker(s)' decision.

**Upon receipt of an appeal,** the Title IX Coordinator or designee must do the following:

**Notice of Appeal:** Within 5 Business Days of receipt of the appeal, notify the other party in writing that an appeal was filed

**Equal Treatment – Appeal:** Implement appeal procedures equally for both parties

**Different Title IX Appellate Decisionmaker:** Ensure that the Appellate Decisionmaker(s) are not the same person(s) as the Title IX Decisionmaker(s) that reached the determination regarding responsibility or dismissal, the Title IX Investigator(s) assigned to the formal complaint, or the Title IX Coordinator or designee.

**Appeal Standards Met:** Ensure that the Title IX Appellate Decisionmaker(s) complies/comply with the standards set forth in this policy for appeals

**Upon receipt of an appeal,** the Title IX Appellate Decisionmaker(s) must do the following:

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<sup>1[2]</sup> This is required by the Illinois Preventing Sexual Violence in Higher Education Act.

**Equal Treatment – Written Statement:** Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

**Written Appeal Decision:** Issue a written decision describing the result of the appeal and the rationale for the result within 30 Business Days of receipt of the notice of appeal, and

**Notice of Written Appeal Decision:** Provide the written decision on appeal simultaneously to both parties.

If an appeal is successful, the Title IX Coordinator or designee will remand the matter back to the appropriate member of the Title IX Team to remedy the concern. A determination regarding responsibility becomes final on the date that (1) if an appeal is filed, the Title IX Appellate Decisionmaker or designee provides the parties with the written determination of the result of the appeal upholding the determination; or (2) if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator or designee is responsible for effective implementation of any remedies.

**After the conclusion of the Title IX Sexual Harassment Grievance Process**, Coker University or the parties may exercise any rights ancillary to this Title IX process as necessary, e.g. disciplinary processes for suspensions or expulsions of students; tenured faculty dismissal proceedings; any other pre-remedy process required by any applicable law, agreement, policy, or contract; etc.

#### Required Title IX Training

Any person serving as a Title IX Coordinator or designee, Title IX Investigator, Title IX Decisionmaker, Title IX Appellate Decisionmaker, or Title IX Informal Resolution Facilitator, as those terms are defined by this Title IX Sexual Harassment Grievance Process, will be trained regarding the definition of Title IX Sexual Harassment, the scope of Coker University's Education Program or Activity, how to conduct this Title IX Sexual Harassment Grievance Process, including appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Any person serving as a Title IX Appellate Decisionmaker or Title IX Appellate Decisionmaker under this Title IX Sexual Harassment Grievance Process will receive training on the issues of relevance of questions and evidence, including when questions and evidence about the Title IX Complainant's sexual predisposition or prior sexual behavior are not relevant.

Any person serving as a Title IX Investigator under this Title IX Sexual Harassment Grievance Process will receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, their designees, Title IX Investigators, Title IX Decisionmakers, Title IX Appellate Decisionmakers, and Title IX Informal Resolution Facilitators must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Complaints of Title IX Sexual Harassment. Coker University will make all materials used to train Title IX Team members publicly available on its website.

#### Required Title IX Recordkeeping

The Title IX Coordinator or designee will maintain, for a period of at least 7 years, records of:

Any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of Title IX Sexual Harassment. In each instance, the Title IX Coordinator or designee must document the basis for the conclusion that Coker University's response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to Coker University's Education Program or Activity. If no Supportive Measures are provided to the Title IX Complainant, then the Title IX Coordinator or designee must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit Coker University in the future from providing additional explanations or detailing additional measures taken,

Each Title IX Sexual Harassment investigation, including any determination regarding responsibility and any disciplinary sanctions imposed on the Title IX Respondent, and any remedies provided to the Title IX Complainant designed to restore or preserve equal access to Coker University's Education Program or Activity,

Any appeal and the result therefrom,

Any informal resolution and the result therefrom, and

All materials used to train Title IX Coordinators, their designees, Title IX Investigators, Title IX Decisionmakers, Title IX Appellate Decisionmakers, and Title IX Informal Resolution Facilitators.

### Confidentiality

Coker University must keep confidential the identity of any individual who has made a report or complaint of sexual discrimination, including Title IX Sexual Harassment; any person who has filed a Formal Complaint of sexual harassment; any Title IX Complainant; any individual who has been reported to be the perpetrator of sex discrimination; any Title IX Respondent; and any witness, except as may be permitted or required by law or to conduct any investigation, hearing, or judicial proceeding arising under this Title IX Sexual Harassment Grievance Process.

### Retaliation Prohibited

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the State or federal Constitution, State or federal statute, Coker University policy, this Title IX Sexual Harassment Grievance Process, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Title IX Sexual Harassment Grievance Process.

Charging an individual with a code of conduct violation for knowingly making a materially false statement or knowingly providing false information in the course of an investigation under this Title IX Sexual Harassment Grievance Process is not prohibited retaliation; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or knowingly provided false information. Complaints alleging retaliation may be filed under Student Code of Conduct Violations.

### Right to Pursue Other Remedies Not Impaired

The right of a person to resolution of a report or complaint under this policy shall not be impaired by the person's pursuit of other remedies, such as criminal complaints, civil actions, etc. Use of this policy and the grievance processes herein are not a prerequisite to the pursuit of other remedies and may not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, Coker University will conduct its own investigation, although in some cases delays due to another process may be warranted or required.

### Deadlines

All timeframes under this Title IX Sexual Harassment Grievance Process may be temporarily extended for good cause by Title IX Coordinator or a designee. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disability; and other circumstances outside of the institution's control. The Title IX Coordinator or a designee shall notify the parties in writing when a timeframe is extended.

### Additional Information

Inquiries about this Title IX Sexual Harassment Grievance Process may be directed to the Title IX Coordinator or the United States Office for Civil Rights (contact information available online at: <https://www2.ed.gov/about/offices/list/ocr/addresses.html>).

### Other Procedures

To the extent that they do not conflict with any requirements of this Title IX Sexual Harassment Grievance Process and are implemented equally and fairly as to the parties, the Title IX Team may use processes from Coker University sexual harassment and sexual misconduct processes outlined in this Student Handbook when processing Title IX Sexual Harassment reports and complaints. If Coker University intends to use any such processes in addressing Title IX Sexual Harassment reports or complaints, the Title IX Coordinator or designee will make available written administrative procedures supplementing this Title IX Sexual Harassment Grievance Process and detailing the additional procedures to be used.

## **GRIEVANCE PROCEDURES FOR HARASSMENT OTHER THAN TITLE IX SEXUAL HARASSMENT**

### **IV. FILING A COMPLAINT**

A University Title IX proceeding is not a substitute for a legal action. Because sexual misconduct may violate both University policy and the criminal law, the University encourages individuals to report alleged sexual misconduct promptly to campus officials and to law enforcement authorities. If, however, an individual elects not to report alleged sexual misconduct to University officials and/or law enforcement authorities, the University will respect and support the individual's decision. Nevertheless, if the University learns of the sexual misconduct, it may notify appropriate law enforcement authorities if required by law or warranted by the nature of the allegations at issue.

**(A) Filing a Complaint with Legal Authorities.**

Individuals may file a complaint directly with government law enforcement authorities by dialing 911. Individuals may discuss a matter involving sexual misconduct with a law enforcement officer without making a formal criminal complaint and/or without making a complaint to the University.

In addition, individuals may contact the Office of Campus Safety, twenty-four (24) hours a day, seven (7) days a week. The Office of Campus Safety is located at 311 East Carolina Avenue, Hartsville, South Carolina, telephone: 843-383-8140. The Office of Campus Safety will document the complaint and facilitate contact with a local government law enforcement agency.

If an individual chooses to report to government law enforcement and to the University, simultaneously, an ensuing criminal investigation will not preclude the University from conducting its own investigation. Additionally, a criminal investigation outcome is not determinative of whether sexual misconduct occurred under the terms of this Policy. If the University's investigation is temporarily delayed while criminal investigators gather evidence, the University may take interim measures, including disciplinary measures, to protect the reporting party (or victim, if not the reporting party) and/or the University community.

**(B) Filing a Sexual Harassment Complaint Other Than for Title IX Sexual Harassment.**

Any Coker University student may file a Complaint against another University student, staff employee, and/or faculty member. Any Coker University student may also file a complaint against a third party, who is not enrolled at or employed by the University, if the conduct, giving rise to the complaint, relates to the University's academic, educational, or extracurricular programs or activities.

Students may choose to decline to report alleged sexual misconduct to campus officials. The University respects students, who decides not to report. However, if information about sexual misconduct comes to the University's attention, it may: (1) start an investigation even in the absence of a filed complaint; and/or (2) notify appropriate law enforcement authorities if required by law or warranted by the nature of the information available to the University.

Anyone wishing to report under this Policy should contact the University's Title IX Coordinator, NAME, Second Floor, Administration Building, 213 East Home Avenue, Hartsville, South Carolina 29550, EMAIL@coker.edu, 843-383-8007.

A reporting party may determine, after filing a complaint under this Policy, that he or she does not wish to pursue the complaint to resolution. The University will respect such decisions to the extent possible. However, such requests may limit the University's ability to take action in response to a complaint.

Moreover, Title IX requires the University to evaluate a request not to adjudicate a complaint within the

context of the University's obligation to provide a reasonably safe and non-discriminatory environment. Thus, the Title IX Coordinator or Title IX investigator may continue with an investigation into the alleged sexual misconduct and weigh the request not to pursue the complaint to resolution against the following:

- The seriousness of the alleged sexual misconduct;
- Other complaints or incidents of sexual misconduct made against the responding party;
- Allegations involving multiple perpetrators;
- Arrest(s) of the responding party;
- A history of violence by the responding party;
- Potential targeting of a particular group by the responding party;
- The responding party's right to information about the allegations; and/or
- Laws mandating disclosure.

If a request not to pursue an investigation interferes with the University's ability to impose disciplinary sanctions against the responding party, the University may still investigate and take reasonable action to protect the University community in response to the information known to it. The complaint may also be subject to Clery Act reporting.

If during the course of a Title IX proceeding, the Title IX Coordinator reasonably believes that a party: (1) poses a substantial threat of harm to the campus community; (2) poses a substantial threat of harm to campus property; or (3) disrupts the stability and continuance of normal campus operations and functions, the party may be subject to disciplinary action. If a student, the individual may be subject to summary suspension or administrative withdrawal. If an employee or faculty member, the individual may be subject to a leave of absence or termination from employment.

### **(C) Procedures Followed After the University Receives a Complaint.**

*Initial Review of Complaint* – Within two (2) business days after the Title IX Coordinator receives a complaint under this Policy, the Title IX Coordinator will schedule a meeting with the reporting party. At the initial meeting with the reporting party, the Title IX Coordinator will review and provide to the reporting party, in writing, the University's Title IX policies and procedures; resources available to all parties, e.g., counseling, mental health, victim advocacy, legal, visa/immigration, financial aid, or other services available at Coker or in the local community; and interim measures or accommodations available to a party depending upon the facts and circumstances of the sexual misconduct proceeding. If an investigation begins, then within five (5) days of opening an investigation, the Title IX Coordinator will schedule a meeting with the responding party to review and provide to the responding, in writing, the University's Title IX policies and procedures; resources available to all parties, e.g., counseling, mental health, victim advocacy, legal, visa/immigration, financial aid, or other services available at Coker or in the local community; and interim measures or

accommodations available to a party depending upon the facts and circumstances of the sexual misconduct proceeding.

Throughout a Title IX proceeding, during any meetings or hearings, all parties are entitled to have an advisor of their choice present with them. An advisor may communicate privately with the party being represented but may not question an interviewer, a hearing panel member, or a witness during a hearing.

*Interim Measures* -- Interim measures are those support services, accommodations, and other forms of assistance implemented through the University after it receives a report of sexual harassment, relationship violence, stalking, or other sexual misconduct but before any final determination. Interim measures may be both remedial (designed to address safety, well-being, and continued access to educational opportunities) or protective (involving interim action against a student or employee). The University will notify both the reporting party and the responding party, in writing, that interim measures and accommodations are available during a Title IX proceeding. The Title IX Coordinator, in conjunction with the Vice President for Student Services, Provost, and/or Director of Human Resources, will arrange for, coordinate, and facilitate any reasonably available interim measures deemed appropriate and necessary during a Title IX proceeding. The Title IX Coordinator will maintain oversight of interim measures, accommodations, and University support services and has the discretion to ensure the appropriateness of any continuing interim measures, accommodations, or support services based on all available information. Further, any party may request a meeting with the Title IX Coordinator at any time during a Title IX proceeding to address any concerns about the provision of interim measures and accommodations.

If a student chooses not to report or proceed with a Title IX complaint, and instead reports only to confidential sources, Coker University's Center for Health and Wellness will coordinate appropriate, reasonable, and necessary interim measures, accommodations, and/or University support services consistent with the factors and circumstances listed below.

When reviewing requests for interim measures and accommodations, the Title IX Coordinator (or Center for Health and Wellness) will consider appropriate factors based upon the circumstances presented, which may include, but are not limited to:

- A specific need expressed by a party;
- The number of parties or potential parties involved in the matter;
- The severity or pervasiveness of the alleged sexual misconduct;
- Other incidents or complaints involving the responding party;
- Arrest(s) of the responding party;
- History of violence by the responding party;
- The status of the reporting party and the status of the responding party, including if the responding party is in a position of authority or influence;
- Any continuing effects on a party;
- If a party is under the age of 18;
- Reported use of force, violence, or use/display of weapons;
- The likelihood that parties will encounter each other in different settings (*e.g.*, class, residence halls, dining hall, extracurricular activities, employment, transportation, etc.); and/or

- The existence of other judicial measures. More specifically, if a reporting party has obtained an order of protection, civil no-contact order, restraining order, or similar order from a criminal, civil, or tribal court against the responding party, the reporting party may provide such information to the Title IX Coordinator. If provided, the Title IX Coordinator, in conjunction with Coker University Campus Safety and other University officials, as needed, will take all reasonable and legal action to implement the order.

Interim measures or accommodations will be consistent with University policies and may include, but are not limited to:

- Academic assistance, including discrete professor notification regarding absences, schedule changes, course load reductions, withdrawals without penalty, course retake, assignment extensions, and/or referrals for academic support services;
- Alternative housing placement;
- Protective measures, including a “no contact order” between the reporting party or victim (if not the reporting party) and the responding party. A “no contact order” may also limit an individual’s or organization’s access to certain University facilities or activities pending resolution of the matter. The University may also impose an interim disciplinary suspension, suspension from employment, or other remedies tailored to the involved parties to achieve the goals of this Policy. Other protective measures may include removal of directory information, removal of one or more parties from campus, and/or Campus Safety officer escorts;
- Alternative work schedules/locations;
- Voluntary leave of absence; and/or
- Referrals to on- and off-campus services, including counseling, medical, and/or law enforcement services.

Interim measures are available regardless of the manner of resolution under this Policy and regardless of whether a report is made to law enforcement. The University will also facilitate reasonable, necessary, and appropriate interim measures when the University has temporarily deferred its investigation at the request of law enforcement. The provision of interim measures, under this Policy, does not limit the authority of other units on campus from taking responsive action if policies, under their authority, have been violated. An interim measure will be kept confidential to the extent that the University is legally able to do so and to the extent confidentiality will not impair the ability to provide the interim measure. Interim measures may be maintained until the end of any review or appeal process or may be extended permanently as appropriate.

Report violations of interim measures, such as no contact orders and access restrictions, to the Title IX Coordinator. The Title IX Coordinator will promptly address reported violations of interim measures in conjunction with the Vice President of Student Services if the violator is a student, with the Director of Human Resources if the violator is an employee, or with the Provost if the violator is a faculty member. Students may face disciplinary action, up to and including expulsion, for the violation of any interim measure. Faculty and staff employees may face disciplinary action, up to and including dismissal, for the violation of any interim measure.

*Investigation and Investigative Report* – The University will make a reasonable effort to timely investigate and resolve a complaint. The University’s initial investigation and fact finding (not including a hearing, if applicable, and/or an appeal, if applicable) will generally be completed within 60 to 90 business days after receipt of the complaint, absent extenuating circumstances. The actual time required will depend on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct. The Title IX Coordinator may extend the timeframe past 90 business days for good cause. The Title IX Coordinator will notify the parties, simultaneously and in writing, of the reason for any extension and the projected new timeline. Once an investigation is completed, the Title IX investigator, assigned to the matter, shall issue a report summarizing the findings, reasoning, and conclusions drawn from the investigation (“Investigative Report”). If the Title IX Investigator may reach a final conclusion and determine



appropriate sanctions, the Investigative Report will set forth the conclusion and sanctions, if any. If making a final determination requires assessing witness credibility or the potential sanctioning is severe, the Investigative Report shall advise that a hearing will be convened. The Title IX Investigator shall distribute the Investigative Report to all parties, simultaneously, through their Coker University e-mail accounts.

*Hearing* – A hearing officer shall coordinate hearings under this Policy. A hearing shall take place within a reasonable time after an investigation concludes. A hearing panel composed of three University staff employees and/or faculty members shall preside at a hearing.

**Presentation of Evidence:** Each party shall have the right to provide the hearing officer with a list of witnesses, who the party proposes appear and testify during a hearing together with a brief description of each listed witness’s knowledge of the disputed matter. Each party must submit their witness list to the hearing officer no later than ten (10) business days before the hearing. During a hearing, a party may present any relevant, timely, properly disclosed, and admissible evidence. Presentation of evidence is subject to objection by the opposing party and/or the hearing officer. While a party’s chosen advisor may attend a hearing and consult privately with the party, all speaking objections, presentation of evidence, and questioning of witnesses must be done by the party, not the party’s advisor.

**Witnesses:** The hearing panel, through the hearing officer, may request testimony from witnesses. A witness is an individual with personal knowledge of any relevant fact. Witnesses may include, but are not limited to, classmates, roommates, teammates, resident assistants, University employees and faculty members, or police officers. The hearing panel may request that a party testify as a witness. An advisor to any party, during any portion of a Title IX proceeding, may not serve as a witness. During the hearing, all hearing panel members and parties shall have an opportunity to question any witnesses who appear.

**Determination of Responsibility:** At the conclusion of the hearing, the hearing panel shall determine responsibility for each alleged Title IX Policy violation. The standard used to determine if a student is responsible for a Title IX Policy violation is “preponderance of the evidence.” This standard differs from the criminal justice system’s “beyond a reasonable doubt” standard.

**Sanctioning:** If a student is found responsible for one or more violation, the hearing panel will assign sanctions accordingly. Sanctions range from a written warning to expulsion.

**Final Outcome Letter:** The hearing panel’s reasoning, findings specific to responsibility, and sanctions imposed, if any, shall be set forth in a Title IX Final Outcome Letter. The Title IX Coordinator shall distribute the Final Outcome Letter to all parties, simultaneously, through their individual Coker University e-mail accounts within ten (10) business days following the hearing.

**Failure of a Party to Cooperate or to Appear:** If a party fails to cooperate with or participate in an investigation or fails to appear before a hearing panel, the party shall forfeit the right to be heard. The investigation and/or the hearing will be conducted in the party's absence.

**Withdrawal Prior to Hearing:** Any responding student party, who withdraws from the University after the time of the alleged violation and before the time of the hearing, must appear for a hearing before being re-admitted to the University.

*Appeal* – If the Investigative Report sets forth a conclusion and/or sanctions, each party's right to appeal the Report begins to run when the Title IX Investigator sends the Investigative Report to their University e-mail account. A party must submit an appeal, in writing, to the Vice President of Student Services (or his/her designee), within ten (10) business days of the date that the Investigative Report is sent to the party's University e-mail account. At the time that an appealing party submits an appeal, the party must also provide a copy of the appeal to the Title IX Coordinator. If the Investigative Report advises that a hearing shall be convened, then no appeal may be taken until a Title IX Final Outcome Letter is issued following the hearing.

The grounds for appealing an Investigative Report are limited to:

**New Evidence:** An appellant may argue as a basis for appeal that new evidence is available. The new evidence must: (1) be pertinent to the outcome of the case; (2) have been unavailable to the appellant at the time of the investigation; and (3) be such that it would have led to a different outcome by the Title IX investigator.

**Material Deviation from Policy or Procedures:** An appellant may argue as a basis for appeal that proper policy was not followed or that an improper procedure was used during the investigation. The appellant may not have approved the alleged deviation from policy or procedure beforehand. In addition, the challenged deviation from policy or procedure must have affected the fundamental fairness of the investigation to such an extent that it impacted the final outcome.

**Demonstrated Bias:** An appellant may argue as a basis for appeal that the Title IX investigator was biased, showed malice toward the appellant, or had a conflict of interest that prevented the Title IX investigator from making a fair and impartial determination.

**Arbitrary Sanction:** An appellant may argue as a basis for appeal that the sanction(s) imposed was too severe for the offense, even when considered in conjunction with the appellant's cumulative conduct record.

If a hearing convenes, then each party's right to appeal the hearing panel's Title IX Final Outcome Letter begins to run upon the Title IX Final Outcome Letter being sent to the party's University e-mail account.

The appeal must be submitted in writing, to the Vice President of Student Services (or his/her designee), within ten (10) business days of the Title IX Final Outcome Letter being sent to the appealing party's University email account. When an appeal is submitted, the appealing party shall also provide a copy of the appeal to the Title IX Coordinator.

The grounds for appeal following a hearing are limited to:

**New Evidence:** An appellant may argue as a basis for appeal that that new evidence is available. The new evidence must: (1) be pertinent to the outcome of the case; (2) have been unavailable to the appellant at the time of the hearing; and (3) be such that it would have led to a different outcome by the hearing panel.

**Material Deviation from Policy or Procedures:** An appellant may argue as a basis for appeal that proper policy was not followed or that improper procedure was used during the investigation and/or hearing. The appellant may not have approved the alleged deviation from policy or procedure beforehand. In addition, the challenged deviation from policy or procedure must have affected the fundamental fairness of the investigation and/or hearing to such an extent that it impacted the final outcome.

**Demonstrated Bias:** An appellant may argue as a basis for appeal that the hearing panel (or a member of the hearing panel) was biased, showed malice toward the appellant, or had a conflict of interest that prevented the hearing panel (or a member of the hearing panel) from making a fair and impartial determination.

**Arbitrary Sanction:** An appellant may argue as a basis for appeal that the sanction(s) imposed was too severe for the offense, even when considered in conjunction with the appellant's cumulative conduct record.

Upon receiving notice that an appeal has been submitted, the Title IX Coordinator shall promptly and simultaneously inform all other parties of the appeal. The Title IX Coordinator's notice of the appeal to the other parties shall be in writing and sent to their University e-mail accounts. Any party wishing to respond to an appeal must do so within five (5) business days from the date that the Title IX Coordinator gives notice, through the party's University e-mail account, that an appeal has been submitted. A response to an appeal must be made in writing to the University official deciding the appeal. When the response to an appeal is submitted, the responding party must also provide a copy of the response to the Title IX Coordinator.

The Vice President of Student Services (or his/her designee) shall decide if: (1) the matter requires further hearing; (2) different remedial action is necessary; (3) the decision being appealed should be reversed, in whole or in part; or (4) the decision being appealed should stand unchanged. The decision on the appeal shall be in writing and distributed by the University official deciding the appeal to all parties,

simultaneously, through their University e-mail accounts, within ten (10) business days following the appellant submitting the appeal.

*Sanctions* -- All sanctions become effective immediately upon notice to a student or employee through their University e-mail account and will not be stayed during any period of appeal. The following factors are considered when determining the appropriate sanction(s):

- Mitigating, aggravating, and compounding factors;
- The level of severity or egregiousness of the sanctioned misconduct;
- Cumulative violations by the responding party;
- The responding party's prior history of misconduct, if any; and
- The University's legal obligation to prevent the sanctioned activity from recurring.

Generally, the outcome of a Title IX proceeding will encompass sanctioning designed to be educational, restorative, and/or consequential as explained more fully below:

#### **Educational** -

- *Content knowledge* - the sanction is designed to educate the student on a specific topic or issue.
- *Self-reflective* - the sanction is designed to increase the student's awareness of the appropriateness or inappropriateness of their behavior.
- *Impact on personal well-being* - the sanction is designed to increase the student's awareness of the potential physical or psychological impact of their behavior.
- *Impact on personal future* - the sanction is designed to increase the student's awareness of the potential impact that their behavior may have on their relationships, academic course of study, and/or career.

**Restorative** – the sanction is designed to increase the student's understanding of how their behavior impacted or could have impacted others. In addition, the sanction may be designed to increase the student's understanding of community and/or societal standards, the reasons for the standards, and how their actions may adversely affect their successful interaction within the community and/or society. The sanction is also intended to re-establish balance and order to the affected community.

**Consequential** – the sanction is designed as a strong deterrent to prevent subsequent violations of University policy and standards. In some cases, the sanction may be designed to separate a student from the institution.

All sanctions requiring actions by a student shall be completed by their designated due dates. Students, who fail to complete sanctions by their due dates, shall have a hold placed on their account, may be placed on disciplinary probation, and will receive new due dates. Students, who fail to complete sanctions while on disciplinary probation, shall be suspended from the University.

The descriptions of possible sanctions follow:

**Administrative Withdrawal:** Occasionally a student disrupts the University community and the normal University functioning and/or educational process. If the Title IX Coordinator reasonably believes that a student: (1) poses a danger to self or others in the community; (2) is likely to damage University property; and/or (3) is no longer benefiting from the University's educational programs, the Title IX Coordinator, in conjunction with other University officials, may administratively withdraw the student, effective immediately and without prior notice. Specific behaviors, which may constitute grounds for administrative withdrawal include, but are not limited to, suicide gestures or attempts, infliction of bodily harm, alcohol poisoning, drug overdose/abuse, refusal of medical transport, criminal charges, and/or extreme behaviors that result in concerns being expressed by community members.

**Community Service:** An assignment that provides unpaid service to a group or organization either on or off campus.

**Confiscation:** Prohibited items removed from one's possession by University personnel or law enforcement agencies (may or may not include disposal).

**Educational Assignment:** An assignment that involves a writing and/or research project focusing on a topic related to the violation committed and/or a mandatory attendance at a training or educational presentation.

**Expulsion:** Permanent removal from the University, including a ban from all University property, including, but not limited to, the entirety of the main campus location in Hartsville, South Carolina; Kalmia Gardens; the University's boat house and surrounding University property on or near Prestwood Lake; and all evening programs. In addition, an expelled individual may no longer attend or participate in any events offered or sponsored by the University, regardless of location. This sanction is designed for serious violations or repeat offenses.

**Involuntary Relocation:** A required move from the student's current residence hall room to a new location. If the student is moved to a less expensive residential location on campus, the University will refund no monies paid previously by the student (or on the student's behalf) for campus housing costs and charges. If the student is moved to a more expensive residential location on campus, the student shall pay all added campus housing costs and charges on a *pro rata* basis.

**Monetary Fine:** A financial sanction.

**No Contact Order:** A ban on contact between a reporting party and a responding party. The ban on contact may apply both directly and indirectly and both to physical and non-physical contact. Direct contact includes, but is not limited to, face-to-face contact, telephone calls, voicemail messages, texts, or writings of any kind or nature. Indirect contact includes, but is not limited to, messaging through a third person, such as mutual friends; hanging around classrooms; blogging; or posting to social networks. Non-physical contact includes, but is not limited to, telephone calls, voicemail messages, United States Post Office mailings, electronic mail, social media messaging, and/or writings of any kind or nature. In addition, this sanction may limit an individual's or an organization's access to certain University facilities or activities. A no contact order may be imposed as an interim measure, pending the resolution of a matter, or on a continuing and permanent basis.

**Probation (Disciplinary):** Designed for serious or repeat violations. The next violation, regardless of the type of offense, may result in residential suspension, suspension from the University, or expulsion. A hearing panel shall decide the length of a probationary period.

**Removal/Suspension from Campus Housing:** Designed for serious violations or repeat offenses, this sanction involves the loss of residential status and the privileges that accompany living in the residence halls, including, but not limited to, a ban from the dining hall and from all residence hall facilities. The University will refund no monies paid previously by the student (or on the student's behalf) for campus housing costs and charges. A hearing panel shall decide the duration of the removal from the residence halls/campus housing.

**Removal of Privileges:** Restriction of a student from: (1) representing the University in any activities or events regardless of location; or (2) attending any University-sponsored activities or events regardless of location.

**Restitution:** Payment for damages, cleanup, or replacement necessitated by the violation.

**Suspension:** Designed for serious violations or repeat offenses, this sanction involves the temporary removal of the student from the University. The sanction includes a ban from all University property, including, but not limited to, the entirety of the main campus location in Hartsville, South Carolina; Kalmia Gardens; the University's boat house and surrounding University property on or near Prestwood Lake; and all evening program sites. In addition, a suspended student may no longer attend or participate in any events offered or sponsored by the University, regardless of location. A hearing panel shall decide the length of a suspension.

**Written Warning:** A formal, written reprimand that one's behavior has violated University standards.

## V. SUGGESTED ACTIONS AND ASSISTANCE FOR VICTIMS

If you are the victim of sexual misconduct, the University's first priority is your safety, medical needs, and emotional well-being. Please seek help and assistance immediately regardless of whether you have decided to report to legal authorities or to University officials.

### **(A) Ensure Your Physical Safety.**

For immediate help from local law enforcement agencies or emergency services dial 911 or contact the University's Office of Campus Safety, 311 East Carolina Avenue, Hartsville, South Carolina, telephone: 843-383-8140. The University's Office of Campus Safety can assist you with contacting local law enforcement and can help you obtain transportation to the local law enforcement office. Security personnel are on duty 24 hours a day, seven days a week.

You may apply at the Darlington County Courthouse (1 Public Square, Darlington, South Carolina, 29540) for an Injunction for Protection (a protective order), Monday through Friday, 8:30 a.m. until 5:00 p.m. Information regarding an Injunction for Protection is available at [www.darcosc.com](http://www.darcosc.com). You may apply for emergency protection after hours with the Darlington County Sheriff's Department.

### **(B) Seek Medical Assistance and Treatment.**

Medical care is available on campus at Coker University Health Services, 843-383-8141, [healthservices@coker.edu](mailto:healthservices@coker.edu). In the local Hartsville community, Carolina Pines Regional Medical Center ("Medical Center") provides medical services. The Medical Center is located at 1304 West Bobo Newsom Highway, Hartsville, South Carolina. Contact the Medical Center by telephone at 843-339-2100. Obtain medical attention as soon as possible after a sexual assault to: (1) obtain treatment for any physical injury; (2) to prevent or obtain treatment for sexually transmitted disease(s); and (3) prevent pregnancy. Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

If you want an evidence collection kit ("rape kit") completed, you must act within 72 hours of an assault. Even if you have not decided to file criminal charges or a complaint to a University official, it is advisable to have the evidence collection kit completed in order to preserve the options of obtaining an Injunction for Protection and/or filing charges at a later date. The Medical Center administers evidence collection kits. Individuals may go directly to the Medical Center or get a referral to the Medical Center from Coker University Health Services. To best preserve evidence for an evidence collection kit, do not shower, bathe, go to the bathroom, or brush your teeth before the kit is completed. However, be advised that an evidence collection kit may still be completed even after you shower, bathe, use bathroom facilities, and/or brush your teeth. Finally, for purposes of obtaining an evidence collection kit, wear (or take with you in a paper – not plastic – bag) the same clothing to the Medical Center that you were wearing during the assault.

A friend or other support person may accompany you to the Medical Center. At the Medical Center, a physician will briefly screen you. A forensic nurse, trained in evidence collection procedures, will conduct an examination and collect hair, fluid, and tissue samples. If you obtain an evidence collection kit, you will have the option of filing a police report immediately or having a “Jane Doe” kit collected. A “Jane Doe” kit preserves the evidence but allows it to remain anonymous until you choose to make a police report.

**(C) Obtain Emotional Support and Assistance.**

Coker University Counseling Center (843-383-8040) provides crisis intervention on a short-term, emergency basis. The Counseling Center also provides referral services to outside health care providers and law enforcement. The Counseling Center’s services are free to all Coker students. In limited instances, the law may require the disclosure of information shared by a student with a counselor(s). However, absent a legal mandate, counseling services: (i) are confidential; (ii) do not become a part of the student’s record with the University; and (iii) are not reported to other University personnel. The Counseling Center may also assist a student with selecting an advisor to help the student through a Title IX proceeding.

**VI. RESOURCES AND ASSISTANCE FOR RESPONDING PARTIES AND OTHERS**

Coker University Counseling Center (843-383-8040) is available to any party, witness, or University student. The Counseling Center provides crisis intervention on a short-term, emergency basis. The Counseling Center also provides referral services to outside health care providers and law enforcement. The Counseling Center’s services are free to all Coker students. In limited instances, the law may require the disclosure of information shared by a student with a counselor(s). However, absent a legal mandate, counseling services: (i) are confidential; (ii) do not become a part of the student’s record with the University; and (iii) are will not reported to other University personnel. The Counseling Center may also assist a responding party with selecting an advisor to help the student through a Title IX proceeding.

Similarly, services provided by Coker University Health Services, 843-383-8141, [healthservices@coker.edu](mailto:healthservices@coker.edu), are available to any party, witness, or University student. In addition, services provided by the University’s Office of Campus Safety, 311 East Carolina Avenue, Hartsville, South Carolina, telephone: 843-383-8140, are available to any party, witness, or University student.



## VII. POLICY TERMS AND DEFINITIONS

**(i) Clery Act.** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) is a federal statute, codified at 20 U.S.C. § 1092(f), with implementing regulations at 34 C.F.R. 668.46 *et al.* The Clery Act requires all universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.

**(ii) Complaint.** A “Complaint” is a report of allegations of Sexual Misconduct asserted against another party and reported to or filed with the University.

**(iii) Consent.** “Consent” is informed, freely and actively given, and mutually understandable words or actions, which indicate a willingness to participate in mutually-agreed-upon sexual activity. Consent is mutually understandable if a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent may not be gained by ignoring or acting in spite of another’s objection.

Consent may not be inferred from:

1. Silence, passivity, acceptance, or lack of resistance alone;
2. A current or previous dating or sexual relationship (or the existence of such a relationship with anyone else);
3. Attire;
4. The buying of dinner or the spending of money on a date; or
5. Consent previously given, i.e., consenting to one sexual act does not imply consent to another sexual act.

Consent is not effective if obtained through physical force, violence, duress, intimidation, coercion, or an express or implied threat of bodily injury. The reasonable person standard will be used to determine if a party used intimidation or coercion in an effort to force consent.

Consent may never be given by:

- A. Minors, even if the other participant did not know the minor’s age;
- B. Mentally disabled persons, if their disability was reasonably knowable to a sexual partner who is not mentally disabled;
- C. Persons, who are incapacitated (whether as a result of drugs, alcohol or otherwise), unconscious, asleep, or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not negate one’s responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Misconduct under this Policy.

If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue and the other's capacity to consent. Neither party should make assumptions about the other's willingness to continue.

**(iv) Dating Violence.** "Dating Violence" means the use, attempted use, or threatened use of physical force against a victim by a person:

- a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- b. where the existence of such a relationship shall be determined based on: (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the persons involved in the relationship.

**(v) Day.** A "day" is a business day, unless otherwise specified.

**(vi) Domestic Violence.** "Domestic Violence" means the use, attempted use, or threatened use of physical force against a person: (1) by a current or former spouse; (2) by an individual with whom that person shares a child in common; or (3) by a person, who is cohabiting with, or has cohabited with, that person as an intimate partner, spouse, or someone similarly situated to a spouse and protected by the domestic or family violence laws of the State of South Carolina.

**(vii) FERPA.** The Family Educational Rights and Privacy Act ("FERPA") is a federal statute, codified at 20 U.S.C. § 1232g, with implementing regulations at 34 CFR Part 99. FERPA protects the privacy of student education records. FERPA grants to parents or eligible students the right to access, inspect, and review education records; the right to challenge the content of education records; and the right to consent to the disclosure of education records.

**(viii) Investigator.** An "Investigator" is a neutral fact-finder, designated by the Title IX Coordinator to investigate a Complaint. Typically, an Investigator will be a University safety officer or a member of University administration. Investigators are trained annually on: (1) reasonable and appropriate investigative techniques; (2) issues related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking; and (3) how to conduct an investigation.

**(ix) Reporting Party.** A "Reporting Party" is an individual, who reports or files a Complaint. The "Reporting Party" may be someone other than the person subjected to Sexual Misconduct.

**(x) Responding Party.** A "Responding Party" is an individual against whom a formal or informal Complaint of Sexual Misconduct has been reported.

**(xi) Retaliation.** “Retaliation” means any adverse action threatened or taken against a person, because he or she has filed, supported, or provided information in connection with a Title IX proceeding, including, but not limited to, intimidation, threats, and harassment.

**(xii) Sexual Assault.** “Sexual Assault” means any actual, attempted, or threatened sexual act with another person without that person’s Consent. A Sexual Assault may include, but is not limited to:

1. Sexual Battery and attempted Sexual Battery;
2. Intentional and unwelcomed touching (including disrobing or exposure), however slight, with any body part or object, of the breasts, buttocks, groin, or genitals (or clothing covering such areas), of another individual without the effective Consent of that other individual;
3. Coercing, forcing, or attempting to coerce or force another to touch, however slight, with any body part or object, your, their, or a third person’s buttocks, groin, or genitals (or clothing covering such areas) when such touching would be reasonably and objectively offensive;
4. Any sexual act perpetrated when the victim is unable to give Consent; and
5. Sexual intimidation, which includes but is not limited to:
  - A. Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her Consent;
  - B. Stalking or cyberstalking, and
  - C. Engaging in indecent exposure.

**(xiii) Sexual Battery.** “Sexual Battery” means the non-Consensual oral, anal, or vaginal penetration of another, however slight, by any body part or object.

**(xiv) Sexual Exploitation.** “Sexual Exploitation” means any act of taking non-Consensual, unjust, or abusive sexual advantage of another person for one’s own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:

1. Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over that person;
2. Prostituting another person, i.e., personally gaining money, privilege, or power from the sexual activities of another;
3. Non-Consensual videotaping, photographing, or audiotaping of sexual activity and/or distribution of such materials via media, including, but not limited to, the Internet;
4. Exceeding the boundaries of Consent, e.g., allowing another person to observe Consensual sex without the knowledge of or Consent from all participants;
5. Voyeurism; and

6. Knowingly or recklessly transmitting a sexually transmitted disease (including, but not limited to, HIV) to another individual.

**(xv) Sexual Harassment.** “Sexual Harassment” is any unwelcome verbal, non-verbal, written, electronically-generated, or physical conduct of a sexual nature. Sexual Harassment includes, but is not limited to, instances in which:

1) Submission or consent to the unwelcomed behavior is reasonably believed to carry consequences for the individual’s education, employment, on-campus living environment, or participation in a University activity. Examples may include, but are not limited to:

- a) pressuring an individual to engage in sexual behavior for an educational or employment benefit; or
- b) making a real or perceived threat that rejecting sexual behavior will carry a negative educational or employment consequence.

2) The behavior is so severe or pervasive that it substantially interferes with an individual’s work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a University activity. Examples of this type of sexual harassment include, but are not limited to:

- a) one or more instance of Sexual Assault;
- b) persistent, unwelcome efforts to develop a romantic or sexual relationship;
- c) unwelcome sexual advances or requests for sexual favors;
- d) unwelcome commentary about an individual’s body or sexual activities;
- e) repeated, unwelcome sexually-oriented teasing, joking, or flirting; and/or
- f) verbal abuse of a sexual nature.

Sexual harassment also includes acts of intimidation, bullying, aggression, or hostility, based on gender or gender stereotyping, even if the acts do not involve conduct of a sexual nature.

**(xvi) Sexual Misconduct.** “Sexual Misconduct” means any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. The

University encourages reporting of all Sexual Misconduct. Sexual Misconduct includes, but is not limited to:

- 1) Dating Violence;
- 2) Domestic Violence;
- 3) Non-forcible sex acts, which are unlawful sexual acts where Consent is not relevant, such as sexual contact with a minor, as defined by State law, or between persons related to each other within degrees such that marriage is prohibited by law;
- 4) Sexual Assault;
- 5) Sexual Exploitation;
- 6) Sexual Harassment; and/or
- 7) Stalking.

**(xvii) Stalking.** “Stalking” is a course of conduct, directed at a specific person, and that would cause a reasonable person to:

- 1) fear for his or her safety or the safety of another; or
- 2) suffer substantial emotional distress.

**(xviii) Student of the University.** A “Student of the University” is any person, registered to be enrolled or currently enrolled at the University at the time that a report under this Policy is made. An employee of the University may not be a “Student of the University” for purposes of this Policy. Solely for this Policy and definition, the term “employee of the University” does not include an individual employed by the University through a work-study or similar program.

**(xix) Title IX Coordinator.** The Title IX Coordinator oversees the handling of Title IX proceedings. The Title IX Coordinator meets with individuals, who are involved in Title IX proceedings or who have questions about the University’s Title IX policies, procedures, and processes. All allegations of Sexual Misconduct should be reported to the Title IX Coordinator.

# Academic Program, Expectations, & Policies

## ACADEMIC PROGRAM

The academic program of the University includes all persons and activities related directly to registration, the program of instruction, and the recording and reporting of grades. Details concerning academic requirements and procedures are contained in the *Academic Catalog*. Information in this part of this handbook is designed to be explanatory in nature and should not be used as a substitute for your *Academic Catalog*.

## REGISTRATION FOR CLASSES IN THE DAY PROGRAM

Course schedules for the Day program are generally available in October and March. Students should schedule appointments with the advisor to select courses for registration. Registration opens in early November and early April and remains open for approximately three weeks. Registration is prioritized by class level with seniors having the first opportunity to register, then juniors, then sophomores, and then freshmen.

Classes offered in the evening are held for students enrolled in the Evening/Online/Bridge Programs until 30 days prior to the start of the term.

**REGISTRATION FOR CLASSES IN THE EVENING/ONLINE/BRIDGE and GRADUATE PROGRAMS** Students enrolled in the Evening/Online/Bridge Programs and Graduate Programs should consult their advisor for the class registration process for their specific program.

## ADDING, DROPPING, OR WITHDRAWING FROM A COURSE

Students may make changes to their current academic schedule during the specified DROP/ADD period. Students are not permitted to add classes after this date but may withdraw from courses in progress up to the published withdrawal date.

When making changes to schedules, students should always be aware of the number of hours in which they are registered, as changes in full-time/part-time status or overload fees may affect financial aid, residential, or athletic eligibility status.

## ACADEMIC ADVISING & SUPPORT SERVICES

Each student is assigned a faculty advisor prior to initial registration. The advisor assists the student in all matters related to academics, including selection of a major, which courses to take, and academic requirements for graduation.

Students are encouraged to stay in contact with their faculty advisor concerning academic performance. The University provides several support services to aid students in their academic endeavors. The Writer's Studio, the Quantitative Literacy Center, and the Peer Assisted Study Support Center provide tutoring in various subjects. Information on these services can be obtained from your advisor or the Director of Learning Support Services. Other people who can be of help are the Residence Life staff, Student Success Coaches, and the University Counselor(s).

## ACADEMIC EXPECTATIONS

Intellectual honesty and integrity are the cornerstones of Coker University's educational mission. Student academic work is expected to represent unquestionably the student's own thoughts and words. Students must thoroughly and appropriately acknowledge sources for words or ideas that have been generated by others. It is each student's responsibility to be familiar with appropriate citation techniques and to acknowledge the intellectual and creative contributions of others in all academic work done at the University.

Academic dishonesty includes cheating, plagiarism, or failing to appropriately cite sources. Any form of academic dishonesty is wholly incompatible with the Coker University Student Covenant, the Mission of the University, and generally understood standards of ethical academic behavior. Academic dishonesty is among the most serious of violations that might be committed at the University; for that reason, penalties for academic dishonesty may include:

- penalties assessed to the assignment, or
- penalties assessed to the course grade, or
- suspension or expulsion from the University

In cases of academic dishonesty, the instructor may elect to take direct action or refer the matter to the Office of the Provost to arrange review by an academic hearing panel composed of members serving on the Student Development Committee of the Faculty Senate. Should an instructor choose to take direct action, he/she should inform both the student and the Office of the Provost. The Office of the Provost maintains a record of all reported academic dishonesty cases and multiple offenses may result in additional penalties. A student who believes a penalty has been unduly or unfairly assessed may appeal by way of the grade appeal process articulated in this section.

**Cheating:** A student is guilty of cheating when he/she wrongfully gives, takes, or receives unauthorized assistance or information in the preparation of academic work to be submitted for course credit, or in fulfillment of a University requirement, including re-purposing material from another assignment or course without providing proper attribution by citing the original content.

**Plagiarism:** A student is guilty of plagiarism when he/she submits work purporting to be his/her own, but which in fact, borrows ideas, organization, wording, or anything else from other sources — a published article, a chapter of a book, a friend's paper, etc. — without appropriate source acknowledgement. Plagiarism, as a form of cheating, also includes employing or allowing another person to alter or revise the academic work the student submits as his/her own. Students may generally discuss assignments among themselves or with an instructor or tutor, but the actual work must be done by the student alone. When an assignment involves research with outside sources of information, the student must carefully acknowledge exactly what they are, and where and how he/she has employed them.

**Source Acknowledgement:** All members of the Coker University community are expected to adhere to the strictest standards regarding acknowledgement of the use of another person's words, ideas, opinions or theories. Individual instructors and disciplines may employ different methods of citation and acceptable sources (e.g., Sources taken from the Internet may not be acceptable in some classes). It is the student's responsibility to be familiar with the guidelines for citation in their various courses.

- Direct Quotation. All verbatim quotations, regardless of length, must be appropriately footnoted or otherwise attributed to the original source.

- Paraphrase. To avoid using extremely long quotations, paraphrasing is recommended. Any paraphrased ideas or phrases must be appropriately footnoted or otherwise cited.
- General Acknowledgement. If a piece of academic work has been generally or specifically influenced by the words or ideas of another person, that source must be cited, even if quotation or paraphrasing of text is not employed.
- Collaboration. Only when permitted by the instructor are students allowed to collaborate with others in their work. If collaboration is permitted, the use of another student's ideas or work must be properly cited.

Students should contact their instructors for the specific standards and methods that might apply to individual academic assignments or courses. The information above should serve only as a general guideline for acknowledgment of sources at the University.

**Intellectual Property:** A faculty member who creates any form of intellectual property shall be the sole owner of that property, except when the faculty member and Coker University enter into a specific agreement to share ownership of a specific intellectual property or when the University provides unusual funds, facilities or other support for the creation of the property.

In the case of intellectual property created by a student, the student shall be the sole owner of the property unless that property was created under contract to the University or the University provided unusual funds, facilities or other support for the creation of the property. In such cases, specific agreements between the University and the student will determine the nature of ownership of the property.

In the case of intellectual property created by a staff member, the ownership of the property will be held by Coker University when that property was created as part of the contractual obligations of the staff member. In cases where the property was created as a result of activities external to the contract or when the University has provided unusual funds, facilities or other support for the creation of the property for activities external to the contract, ownership of the property shall be determined by specific agreement between the staff member and the University.

### **FINAL GRADE APPEAL(S) PROTOCOL**

Occasionally there are serious misunderstandings between the student and the instructor as to the grade awarded to the student. For those unusual situations the following procedure should be followed.

#### **Procedural Steps of Grade Appeal:**

- Within two weeks of the posting date of the grade report, the student must make a reasonable effort to discuss the problem with the instructor. If that is not possible\*, or if the issue is still not settled as a result of the discussion, then the student should submit a written appeal\*\* to the Dean of that School/College. This appeal must be submitted within thirty days of the posting date of the grade report. It is the prerogative of the Office of the Provost to extend this deadline.
  - \*For example, the instructor has moved or is on leave or is incapacitated or refuses to meet with the student.
  - \*\* The appeal should be made on a form supplied by the Office of the Provost and should specify the student's reasons for requesting a review of the grade. *Any supporting documents should be attached.* The appeal should also include an authorization to record personal testimony and to permit the School/College Dean, and potentially the Academic Hearing Panel



and the Provost, to gain access to the student's records pertinent to the appeal process. If the appeal comes before the Academic Hearing Panel, all records pertinent to the appeal will be kept on file in the Office of the Provost.

- The Dean will contact the instructor of the course in question for any written rationale and documentation he/she would like to provide. Upon review of all submitted documents, the School/College Dean may A) attempt to mediate between the involved parties, B) render the appeal to the Academic Hearing Panel, or C) elect to render a decision by direct action.

#### **Policies of the Grade Appeal Process at the Committee Phase:**

- The Academic Hearing Panel shall be composed of members serving on the Student Development Committee of the Faculty Senate. See “Participants in the Judicial System & their Responsibilities” under “The University Judicial Process & Policies” section of this Handbook for more information. The Academic Hearing Panel will serve as an unbiased board of review for grade appeals. Its decision may be to confirm, to raise, or to lower the appeal grade.
- If a faculty member whose grade is being appealed is an Academic Hearing Panel member, he/she will recuse him/herself from further deliberations on the appeal. If a student who is appealing a grade is a member of the Panel, he/she will recuse him/herself from further deliberations on the appeal. A replacement member may be appointed at the discretion of the Provost. The Panel will have access to any relevant official records of the University and from the instructor as deemed necessary for its review. The Panel may request expert opinions from other faculty members and other university officials.
- The review by the Panel shall normally be based on written documents. The Panel shall reserve the right to request that the student or the instructor be present for the hearing. In the event that the student or instructor is asked to be present at the review, the other party shall have the right to attend as well. In all other cases, the Panel shall make its review based on those written documents submitted. Therefore, both the student and the instructor should be sure to submit any documents they believe to be relevant to the review. The Panel should normally render a decision within 30 working days of receipt of all documents, exclusive of days in which the University is not in regular fall or spring semester session.
- The Panel will not consider the appeal unless a quorum is present. If a quorum is present, a majority vote of those present will constitute official action by the Panel. The Panel Chair will inform the Dean of its decision regarding the appeal.
- The Panel’s decision will constitute a recommendation for action by the Dean, who shall either implement the Panel's decision or demur, and will accordingly inform the student, the instructor, and the Office of Academic Records.
- The decision of the Panel and/or the Dean is subject to appeal to the Provost of the University, who may review for direct action or may appoint a panel of no fewer than three faculty members not previously involved in the review to make a recommendation for action on the appeal. The decision rendered at this stage shall be final.

#### **Timeline for Student Final Grade Appeal(s) Process:**

- Student makes reasonable effort to discuss problem with instructor.
- If issues are not resolved, student should contact the Dean and explain the situation.
- If issues are still not resolved, student should submit a written appeal (refer to **Grade Appeal Form**) within 30 days of the posting date of the grade report. The appeal should include student

authorization for the Dean and the Office of the Provost to record personal testimony and to access to student's records pertinent to the appeal.

- The Dean and the Office of the Provost shall facilitate the remainder of the appeal's process.

### **WITHDRAWAL POLICY**

Withdrawing from the University (i.e., ceasing to be enrolled in any class) can have serious academic and financial consequences if not handled properly. A student should never simply stop attending class with no official notice to the University. When a student is considering withdrawal or transfer to another institution, the matter should be discussed with the student's advisor, another faculty member, and/or a member of the University staff. Once the student makes a decision to withdraw, he/she should obtain a withdrawal form from the Office of Academic Records. Residential students will need to vacate their room in the residence halls on the same day as their withdrawal.

If a student withdraws from classes after the drop/add date, but before the withdrawal date, a grade of "W" will be recorded. If the student wishes to request a withdrawal after the deadline due to extenuating circumstances (e.g. for medical reasons), he/she must furnish a written letter & proper documentation to the Office of the Provost outlining the circumstances under which he/she makes this request.

### **WITHDRAWAL - MANDATORY/ADMINISTRATIVE**

Occasionally a student is disruptive to the community or educational process of the University. This may occur if the student is deemed to be a danger to himself/herself, other University community members, University property, and/or there is a reasonable doubt whether or not the student can benefit from the educational programs at the University. In such cases, the Vice President of Student Services, or his/her designee, may impose an administrative withdrawal from the University. A student withdrawn under this procedure may not be re-enrolled in the University without approval of the Vice President of Student Services, or his/her designee. Prior to approval for re-admittance, the Vice President of Student Services, or designee, may outline certain requirements to be completed by the student.

Administrative withdrawal will become effective immediately and without prior notice when University officials or the Administrative Response Team feel that the continued presence of the student on campus will pose a threat to himself/herself, to others, or to the stability or continuance of normal University functions. Specific behaviors which may constitute grounds for administrative withdrawal may include, but are not limited to, suicide gestures or attempts; infliction of bodily harm; alcohol poisoning; drug overdose/abuse; refusal of medical transport; criminal charges; and concerns expressed by community members regarding extreme behavior.

If a currently enrolled student is charged with a crime that would also be a violation of University regulations, the student may be administratively withdrawn until the case has been resolved by the court system. Upon final resolution of the charges, the submission of an application for readmission, and presentation of final evidence of the court's ruling, the Academic Standards Committee will review all information. The Academic Standards Committee reserves the right to accept or deny the application for readmission.

### **LEAVE OF ABSENCE**

A student may request an official leave of absence not to exceed one year. When a student anticipates being out of school beyond one semester, the student should complete a "Leave of Absence Request" form found under "Student Forms" in Webadvisor. When official leave of absence is granted, it will not be necessary for

the student to go through the process of readmission to the University if the student returns in the semester or term designated in the request and if the student informs the Office of Academic Records of his/her intention to return two weeks prior to the enrollment period. A student who has been on leave of absence may return under the requirements of the catalog when he/she was first admitted.

### **REFUND POLICY**

The refund policy applies to all students enrolled at Coker University. Refunds will be administered under the policy in place at the beginning of the enrollment period. Students may find a copy of the refund policy in the current *Academic Catalog*, or it may be obtained from the Coker University Student Solution Center.

### **STUDENTS ON SUSPENSION FROM THE UNIVERSITY**

Students on academic or judicial suspension from Coker University may not use any Coker University facilities nor participate in any of the activities, services, or programs of Coker University without special permission from the Vice President of Student Success. When the term(s) of suspension has/have been served, application for readmission may be made to the Office of Admissions.

### **ABSENCE FROM CLASSES FOR PERSONAL REASONS**

If you experience an emergency or situation that requires you to miss classes, your responsibilities are to:

- Contact your professors to inform them of your absence. Individual professors employ different policies on student attendance. It is recommended that you contact them by both telephone and e-mail. Concerns about absence policies and exceptions should be addressed to the Office of the Provost.
- In the event communication cannot be made with the instructor, students should contact the Dean of Student Success (843-383-8035). For emergencies that happen at night, contact Campus Safety (843-383-8140).

If you must leave a message regarding your absence, remember to include the following information: name, phone number where you can be reached, length of expected absence, and nature of emergency.

You should be aware that even in cases of legitimate emergency, there may be negative academic consequences from your missing classes or exams.

# Emergency Procedures

Members of the campus community should follow the guidelines listed below in the case of an emergency. Students in the residence halls should consult the “*Emergency Procedures for Residential Students*” section of this Handbook for more specific instructions.

## **INCLEMENT WEATHER**

See Inclement Weather Policy in the General College Policies section of this handbook.

## **FIRE**

The nearest fire alarm should be activated, and the affected building immediately evacuated. If on campus, call Campus Safety at 843-383-8140. The Hartsville Fire Department should then be called (911 or 843-383-3000).

## **TORNADO**

If a tornado warning is broadcast over radio or television, or if a tornado is spotted nearby, protect yourself in a basement, interior hallway or other structure away from windows. Move to the lowest floor in any building and do not stay in an automobile.

## **HURRICANES**

Because of the distance inland of the College facilities, we will have abundant notice if landfall is predicted along the South Carolina coast. Instructions, including evacuation plans, will be made available to the campus community via email, text messaging, and/or website / social media presence.

## **NUCLEAR ACCIDENT**

The following is a summary of the procedures that are recommended if you are on campus during an emergency.

Tune radio or TV to an Emergency Alert Station (EAS) for the information:

### **FM**

105.5 WDAR

103.3 WJMX

### **Local Cable**

Channel 13 WBTW-TV Florence

Channel 21 WPDE-TV Florence

State and county officials will decide whether we are to evacuate or seek shelter and will instruct College officials as to whether Potassium Iodide pills should be distributed to faculty, staff and students.

### **If told to seek shelter**

- Go indoors and close all windows and doors.
- Turn off fans, heating and air conditioning that require outside air. Close any other air intakes.
- Do not use the telephone unless absolutely necessary.
- **Stay indoors until a local radio or television EAS reports it is safe to go outside.**
- If you must go outside, place a cloth over your nose and mouth.

### **If instructed to evacuate**

- Prepare to go to the assigned primary shelter for our area which is the Florence Convention Center or to anyplace more than 10 miles from the Robinson Plant.

- If possible take with you:
  - The Progress Energy Safety Brochure if available
  - Two sets of clothing, two blankets or a sleeping bag, toiletries, bath towels, identification, car registration, credit cards, checkbook, cash, portable radio, flashlight, batteries.
- When traveling:
  - Close car windows & vents. Do not run air conditioner or heater.
  - Follow published evacuation routes or instructions from law enforcement officers.
  - As you drive, stay tuned to a local radio station for more information.
- If you go to the assigned shelter:
  - You will be registered, can locate relatives, and can be checked for radiation if necessary.
  - You will be assigned a safe place to stay.
  - If you go somewhere other than the shelter, it may be difficult to locate friends and relatives or to let them know where you are. EAS will inform you when it is safe to return home.

**Potassium Iodide Pills:** Coker College has been supplied with Potassium Iodide (KI) pills. KI pills are designed to be absorbed by the thyroid gland and would help prevent the absorption of nuclear radiation. Should the College be instructed to distribute KI pills, they will be distributed on the 1<sup>st</sup> floor of the Student Center to any faculty, staff or student who would like them. Each person must sign a form indicating they had received a KI pill. Persons with Iodide allergies should not take a KI pill.

## **SEXUAL HARASSMENT**

See “Student Sexual Misconduct Policy and Procedures” section of this Handbook

Below is a list of on and off-campus resources for reporting and seeking help for victims of sexual assault / misconduct. More information can be obtained from the Office of Residence Life (843-383-8360).

- Campus Title IX Coordinator - Michael Williamson (843-383-8194 or mwilliamson@coker.edu)
- Office of Residence Life – 843-383-8630
- College Nurse – 843-383-8140
- College Counselor(s) – (843-383-8040)
- Campus Safety – 843-383-8140
- Hartsville Police Department – 843-383-3014
- Pee Dee Coalition Against Sexual Assault – 24 Hour Crisis Line – 1-800-273-1820
- Hartsville Extension of Pee Dee Coalition – 843-383-0240
- South Carolina Coalition Against Domestic Violence & Sexual Assault – 803-256-2900
- Carolina Pines Regional Medical Center – 843-339-2100
- National Domestic Violence Hotline – 1-800-799-SAFE (7233)
- National Sexual Assault Hotline – 1-800-656-HOPE (4673)

# The Guide to Residence Life Policies & Procedures

The guidelines, suggestions and policies presented here have been established to maximize the contribution of residence life to the educational process. Throughout the year, changes or additional policies may be published. If you have any suggestions for improvement, please talk to a member of the Residence Life staff.

Failure to abide by any of the Residence Life Policies will result in judicial action according to the procedures outlined in the “Code of Student Conduct” section of the Student Handbook.

## THE RESIDENCE HALL STAFF

The Office of Residence Life (ORL) is staffed with full-time, para-professional, and student staff members to manage the Coker students’ residential experience. In addition to providing facility management, the ORL administers a comprehensive educational programming curriculum designed to assist students in their personal and academic development. Members of the ORL include:

**Director of Residence Life (DRL):** Manages the daily operation and staffing of the Residence Life office; coordinates hall opening and closing procedures; facilitates building maintenance requests; develops and implements a comprehensive residential programming curriculum; serves as the primary University judicial officer.

**Residence Life Coordinators (RLCs):** Supervise Resident Assistants; oversee the daily functions of the residence halls; assist the Director of Residence Life with daily operation of the department; serve as University judicial officers.

**Assistant Residence Life Coordinators (ARLCs):** Senior-level student employees who assist the Director of Residence Life and Residence Life Coordinators with daily operation of the department; maintain up to date and accurate records of all residential students; provide customer service for all residential students and assist with managing Resident Assistants.

**Resident Assistants:** Coker University students who have been trained and employed by the University to assist residents in making an effective adjustment to residential living and who contribute leadership and supervision to the residence halls. Primary responsibilities include: serving as a community builder to encourage a cooperative, considerate, respectful, engaged group living environment; fostering campus community by organizing activities and programs; serving as a resource for information about Coker University.

**Commissioners:** Coker University students in their sophomore year of college who are directly responsible for a group of freshmen students called a “family.” Commissioners also live on the same halls as the freshmen students. Primary responsibilities include: helping with the personal and academic concerns of freshmen students; assisting freshmen students with adjusting to university life; co-instructing a section of Coker University 101.

**Junior Advisor:** The Junior Advisor serves as an assistant to the Director of First Year Experience and assists with Orientation and the Commissioner programs.

**Auxiliary Staff:** There are other staff members who are very important in maintaining a pleasant living environment in the residence halls. Housekeepers work each weekday to keep the porches, halls, and lounges clean. Maintenance personnel work to improve and repair the residence halls.



## **ALCOHOL (see Alcohol Policy in the General University Policies Section of this Handbook)**

Alcohol is not permitted in any building hallways, stairwells, study areas, lounges, and other areas designated as alcohol free by the University.

Alcohol may only be possessed and consumed by persons 21 and older in alcohol permissible rooms, apartments, and/or suites if all assigned occupants are 21 years of age, but may not be displayed or consumed in any public area (defined as any area outside of your room/suite). (For example, if 3 of the assigned occupants of a Grannis Hall Suite are 21 years of age and 1 is not, then the entire space is alcohol free.)

Any guests in a wet room must be 21 or older to consume alcohol in that room. If a guest under 21 enters a wet room, residents must discontinue the use of and store the alcohol.

The use or possession of a bulk quantity of alcohol (kegs, party ball, etc.), beer bong, beer funnels, or any other container or apparatus that encourages mass consumption of alcohol are not permitted in any residence hall, regardless of location.

Possession, consumption, or displays of alcohol or alcohol containers by any person, regardless of age, is not permitted in any area designated as alcohol-free. Examples include: alcohol bottles, alcohol cans, alcohol boxes, or specialized alcohol glasses (shot glasses, pint glasses, wine glasses, margarita glasses, etc. even for decorative purposes.)

Drinking games of all types, no matter the liquid being consumed, are not permitted on University property. This includes, but is not limited to, beer/water/juice/soda pong, flip cup, quarters, card games, etc.

## **ANTENNAS**

Exterior antennas or satellite dishes are not permitted

## **BULLETIN BOARDS (see Posting policy in the “General University Policies” Section of this Handbook)**

Bulletin Boards are located throughout the residence halls for purpose of communicating among hall members or between the University and the students. Informational pieces that are improperly posted (e.g. bare walls, columns, windows) or are not approved will be removed. If you have something to post, please consult the Posting Policy in this handbook for the proper procedures. Alcohol may not be advertised on any flyers. Destruction of bulletin board materials will be considered vandalism and may result in judicial action.

## **CAMPUS FURNISHINGS**

Each residence hall room is equipped with provided furniture. Under no circumstances should any of this furniture be altered or removed from the room. Students who remove furniture from their rooms will be billed to a minimum of \$150.00 to have it replaced as well as any damages to the furniture. The furnishings in the residence hall lounges should remain in the lounges at all times and should not be removed for any reason. Furniture that is removed from common rooms will be charged back to the floor or hall for replacement.

## **CARE & CLEANING**

Cleaning of individual rooms is the responsibility of each occupant. Students living in suite or apartment style rooms are responsible for cleaning the bathrooms and other common spaces. Scheduled health and safety inspections are conducted throughout the semester. If rooms are found in extremely unsanitary conditions,



or if rooms are not cleaned to specification during the check-out process, residents will be charged through the campus judicial system & will be responsible for the cost of cleaning the room.

### **CHANGING ROOMMATES**

Please speak with your RA about any problems you and your roommate may have difficulty solving. If a reasonable solution cannot be arranged, a room change may be available through the Office of Residence Life. A \$50.00 fine will be levied against students moving out of, into, or within University housing without having written authorization from the Office of Residence Life. Only one room change per semester will be permitted unless otherwise authorized by the Director of Residence Life.

### **COMPUTER CONNECTION POLICY**

Wireless internet is provided by the University to all residence halls and buildings. Personal wireless routers or any equipment that negatively impacts network performance (e.g. wireless printers) is not allowed and may be blocked from accessing the network.

Information Technology has developed a robust network and data storage infrastructure that enables faculty, staff, and students to store and access critical data in secure and protected network directories. Information Technology reserves the right to suspend e-mail and network data storage access if illegal data is stored in these locations. Storage of illegal or copyrighted materials outside of individual ownership or academic fair use is prohibited.

### **DAMAGE POLICY**

A \$150 housing deposit is required. When students move into or out of a room, the room condition inventory is checked by a member of the Residence Life staff. Occupants will be financially responsible for any damage noted beyond what is normal wear and tear. Failure to follow checkout procedures will result in a \$50 fine. Damage or loss in common areas, such as hallways, stairwells, lobbies and study areas is the responsibility of all students. You are expected to care for such areas and to report any person responsible for the damage. When damage occurs to a common area, students residing in the hall may be billed as a group if no individual(s) has/have been identified as responsible for the damage.

### **DOOR PROPPING**

For your safety and security, as well as for the safety of all the students in the residence hall complex, students should never prop open any exterior building doors. Door propping is considered a major violation of the Coker University Student Covenant and violators will be subject to judicial sanctioning.

### **ELECTRICAL EQUIPMENT**

Residents may not alter or repair any electrical equipment or fixture provided by the University. Defects in electrical equipment or wiring should be reported to Facilities and/or the Office of Residence Life. If more than two appliances or two appliances with a cumulative wattage of more than 1500 watts are plugged into a single wall outlet, a U.L. approved power strip must be used. Two-pronged extension cords are not permitted. (See "Items Not Prohibited in the Residence Halls")

### **EMERGENCY PROCEDURES**

See the "Emergency Procedures" section of this handbook.

### **ENERGY CONSERVATION**

Energy conservation is the responsibility of each student. Our responsible use of energy affects the future of our nation as well as housing costs for next year. We ask that you do your part by turning off lights and appliances when they are not in use.

### **ENTRY INTO ROOMS**

The University reserves the right to enter a student's room when there is reason to believe an emergency exists, for health and safety inspections, if the well-being of the occupant or others students is at stake, or for purposes of maintenance. In the case of suspected criminal violations, searches will be conducted as outlined in the "Inspection and Search" policy in the "General University Policies" section of this Handbook.

### **FIREARMS, WEAPONS\*, EXPLOSIVES, FIREWORKS, & FLAMMABLES**

(See "Right to a Safe Academic Community" and "Items Prohibited from Residence Halls")

The possession or use of firearms, knives with a blade over two inches long, bows and arrows, paint-ball guns, air-soft guns, aerosol guns, slingshots, explosives, fireworks, candles, halogen or lava lamps, gas grills, incense, inflammable fluids, dangerous chemical mixtures, propelled missiles, or any other item as identified by the University is strictly prohibited and can result in eviction from University housing and/or suspension from the University.

*\*Section 16-23-405 of the South Carolina Criminal Law and Motor Vehicle Handbook defines a weapon as "...a firearm (rifle, shotgun, pistol, or similar device that propels a projectile through the energy of an explosive), a knife with a blade over two inches long, a blackjack, a metal pipe or pole, or any other type of device or object that may be used to inflict bodily injury or death." Misuse of other items may also be considered weapons.*

### **FIRE SAFETY**

Fire extinguishers, fire hoses, pull stations, and smoke detectors are all fire safety devices found in the residence halls. Tampering with fire safety equipment is strictly prohibited. Tampering with fire safety equipment includes, but is not limited to, improperly or inappropriately expelling a fire extinguisher, removing or covering a smoke detector, or inappropriately activating a fire alarm. Students in violation may be subject to criminal charges as well.

Fire drills will be conducted in the residence halls on an annual basis. Students are required to evacuate the residence halls when a fire alarm is triggered. Failure to do so will result in judicial action under the *Code of Student Conduct*.

### **GUESTS & VISITATION**

At this time, there will be no visitation or overnight guests permitted in the residence halls until further notice.

### **HALL MEETINGS**

At certain times throughout the academic year, RAs will post notices about mandatory floor meetings. These meetings are usually brief and pertain to upcoming events, policies and procedures, and hall programming. As a Coker University resident student you are expected to attend these meetings and are held responsible for the information covered.

### **HEALTH & SAFETY INSPECTIONS**

Periodically, the Residence Life staff will conduct scheduled maintenance and safety inspections. Their purpose is to discover and repair problems while they are small and to prevent hazards from developing. During these inspections, staff will enter your room and complete a cursory inspection, including opening up

refrigerators and freezers. Safety inspections are held monthly, and advance notice will be given by the Residence Life staff.

## **HEALTH SERVICES**

The University provides a Health and Wellness Center, staffed by a licensed nurse. Hours of availability are posted on the University Website. Appointments are not necessary. The nurse provides routine health care for minor injuries and illnesses, and dispenses certain over the counter medications such as acetaminophen and cough drops. The University also maintains a contract with several local physicians, but students must be screened first by the university nurse, who will refer the student as necessary. Carolina Pines Emergency room is located at 1304 Bobo Newsom Highway and is open 24 hours a day. In the event that a student needs emergency treatment, he/she should make every effort to contact a member of the Residence Life staff.

## **HOUSING ASSIGNMENTS**

All housing assignments are made by the Office of Residence Life. Room assignments for returning students are made in the spring through a room selection process. Details are published in advance. The Office of Residence Life reserves the right to assign overflow housing if the need arises, as well as make necessary changes to assignments after room selection. They will make all attempts to contact you when such changes must be made (i.e. roommate withdrawals, etc.). If you have a concern about your housing assignment, you should contact the Office of Residence Life. New freshmen and transfer room assignments are made using information submitted to Residence Life by the student via the housing application and roommate matching program.

## **INCIDENT REPORTS**

Any member of the Coker community may report violations of the Code of Student Conduct via the Office of Student Rights and Responsibilities website. Violations of University Housing policies may be dealt with administratively or through the Code of Student Conduct.

## **ITEMS NOT PERMITTED IN THE RESIDENCE HALLS**

Most items that are not permitted in the residence halls are fire safety hazards in a residence hall setting. This list of fire safety hazards includes candles of any kind; incense; any appliance with a visible heating element (i.e. hot plates, toasters, toaster ovens, etc.); George Foreman grills or similar appliances; ceramic or space heaters; two-pronged extension cords; halogen lamps; lava lamps; excessive use of decorative lights; black lights; hookahs (regardless of use / decoration), etc. Other items not permitted in the residence halls include: water-filled furniture, curtains, street signs, regardless of how they have been obtained; weapons of any kind; hoverboards; wireless routers, and any pet (other than fish in a 10 gallon or less aquarium). Students found in possession of any of the above items will be charged through the campus judicial system, which may include fines.

## **KEYS**

Keys are issued at check-in by the Residence Life. Keys must be returned when occupancy is terminated. If a key is lost or not returned when occupancy is terminated, or if a temporary key is not returned within the stated time, the lock will be re-cored and new keys will be made. The cost for this service is \$150 regardless of residence hall and will be charged to the resident(s) responsible. These charges are subject to change. Improper use and/or abuse of temporary key/lockout policy may result in judicial action. All keys are property of the University. Unauthorized duplication of keys will result in judicial action.

## **LAUNDRY ROOMS**

Laundry rooms are located in each residence hall. Use of the laundry facilities is free to all residential students. To avoid problems with the washers and dryers, students should use the recommended amount of soap, should not overload the machines, and should clean the lint tray before using the dryers. Problems with equipment should be reported by utilizing the information posted on the machines.

## **LOCKOUTS**

The Office of Residence Life will offer a “lockout” service for students who have locked themselves out of their rooms. Contact the Office of Residence Life or the Resident Assistant on duty. Students will be charged \$5 for each lockout.

## **PERSONAL PROPERTY**

Coker University is not responsible for lost, stolen, or damaged property. Any items found in or near the residence halls should be turned in to a Residence Life staff member, who will attempt to locate the owner. Students who have lost items should check with Campus Safety. Students should also file a stolen/missing property report with Campus Safety for valuable items.

Coker assumes no legal or financial responsibility for, and does not insure against the loss, theft, damage or destruction of, any of Student's personal property. Students or their parents are encouraged to carry personal property or renter's insurance to cover such losses.

## **MAINTENANCE REQUESTS**

The Coker University Facilities Office uses maintenance request software to report, address, and track maintenance requests. See your RA for information. Timely requests may prevent charges for damages when the breakage is the result of normal wear and tear. Emergency, after hours and weekend maintenance requests should be referred to the RA on Duty.

## **MEDICAL EMERGENCIES**

If you or another student requires immediate emergency care, call 911. After emergency services are on their way, contact Campus Safety at 843-383-8140 to inform them of the situation. If transported for medical care, proof of adequate insurance should always be taken to the Emergency Room with a student. If the hospital staff is not satisfied that the student has adequate coverage, a fee for Emergency Room services and the doctor's services may be charged at the time of a visit.

## **MOVING OUT OF THE RESIDENCE HALLS**

If for some reason you must leave the University or move out of the residence halls during a semester, please check out with a Resident Assistant or a member of the Residence Life staff. Failure to do so will result in improper check-out charges (\$50) and the loss of the opportunity to contest any damage charges. Keys should never be left with anyone other than a Residence Life staff member. Students considering moving out of the halls are reminded of the stipulations of the Residency Requirement policy and the Housing Contract.

## **PEST CONTROL**

The University periodically sprays for pests. Please be aware that there are measures you may take to eliminate pest problems. Be sure to keep food covered, wash cups and dishes after use, and check the back of refrigerators before moving them into the residence halls. If you do have pest problems, please contact your Resident Assistant.

## **PETS**

The only pets permitted in University housing are fish. Aquariums are limited to a ten-gallon capacity. Those violating this provision will be charged \$150.00, required to immediately remove the pet, and may face judicial action. Additional charges for any required cleaning and/or pest extermination related to a pet violation will be charged to the resident(s).

## **PROGRAMMING**

Various social and developmental programs are offered throughout the year by the Resident Assistant and Commissioner staffs. Please let your RA and/or Commissioner know what type of programs interest you.

## **QUIET HOURS / 24 HOUR QUIET HOURS**

Each resident has the right to read, study, and sleep in her/his room free from undue interference. Thus, a uniform noise policy was developed to insure that students know what is expected of them concerning noise:

Quiet Hours are from 11 pm - 9 am Sunday through Thursday, and 12 am - 10 am on Friday and Saturday.

All other hours are “courtesy hours,” during which time a reasonable amount of quiet is expected to allow residents to sleep and study.

Residents are encouraged to talk with one another to directly address any concerns about noise. Staff can assist residents by discussing principles of assertiveness and confrontation with them prior to the development of any noise problems. Residents may also consult a staff member when their efforts have not produced the desired results.

During final exam periods, quiet hours are extended to 24 hour/day schedules. These special quiet hours are in effect through the time students leave for break.

## **RECREATIONAL EQUIPMENT**

The use of recreation equipment such as water guns, soccer balls, basketballs, frisbees, scooters and other sports equipment which is normally intended for use outdoors or in a gymnasium is prohibited in residence halls. This policy is set to prevent unnecessary noise, accidents and damages from occurring.

## **RESIDENCE HALL ACCESS**

Coker University limits resident’s Residence Hall Access. Residents will have 24 hour access to the hall in which they reside. For the safety and security of our students, residents only have access to their own hall.

Students will only have access to the residence halls when in-person classes are in session. Specific dates will be provided to students in the Academic Calendar and in communications from the Office of Residence Life. Exceptions for early move-in or late move-out will only be granted under extenuating circumstances at the discretion of the Office of Residence Life.

## **ROOM IMPROVEMENTS**

No permanent modifications of any kind may be made to the residence halls. No nails, screws, or tacks may be put into any residence hall wall, ceiling, floor, or furniture. When attaching posters to the walls, maximum care should be taken to ensure that the walls are not damaged. We recommend using 3M products for

anything hung on the walls. Students are not allowed to repaint walls, ceiling, furniture, floor, etc., in the room.

### **ROOM INVENTORY**

When you arrive in the Fall, a Resident Assistant will fill out a Room Inventory Form for your room. He/she will mark the condition of each item, taking special notes of any damages already there. It is your responsibility to review the room inventory upon check-in. Students have a two-week period after their check-in date to request an inspection of the form, which may be done by visiting the Office of Residence Life. Anything not already listed on the form at check-out will be considered as happening during your stay. When you move out of a room, the RA will check the room again. You will be charged for any item which is missing or has been damaged since you moved in, unless it can be determined that another individual was responsible. Students who do not go through the proper check out process will be assessed a \$50 improper check-out fee and surrender their right to appeal room damage charges.

### **SCREENS**

Screens are placed in each window for your safety and for the safety of those walking below your window. They should not be removed for any reason. If your screen is noticed missing, facilities staff will be asked to replace it, and you will be charged \$65 (\$40 for the missing screen and a \$25 fine).

### **SAFETY OFFICERS**

Campus Safety is available 24 hours a day / seven days a week at 843-383-8140. The Campus Safety Office is located at 311 East Carolina Avenue. If you need assistance, please stay calm and give the safety officer clear and complete information. If you have been harassed in any manner, please see the policy regarding harassment under the Right to be Free from Harassment in this Handbook.

### **SEXUAL HARASSMENT**

See the "Title IX Policies and Procedures" section of this Handbook.

### **SOLICITATION**

Solicitation (approaching individuals with the intent to sell or promote something) is not allowed in University housing unless approved in writing from the Vice President of Student Services or his/her designee. As a resident, you have a right to ask such an individual for the written approval. If someone approaches you and does not have permission to be conducting their business, you should immediately report the situation to Campus Safety so that they may escort the individual off campus, as well as learn the purpose of the visit.

### **THEFT**

Coker University is not responsible for lost or stolen items. It is the resident student's responsibility to lock her/his room door. Should personal or University property be believed to have been taken from a student's room, he/she should report the incident to a Residence Life staff member and/or Campus Safety immediately.

Should stolen goods be found in a room, the occupants of that room can be assumed to have known the goods were in the room (and assuming they took no action to return the goods), the occupants of the room will be held liable for possession of stolen goods. If a student believes that allegedly stolen property can be found in a specific room, the individual should arrange to have a Campus Safety staff member or other University official present when he/she goes to the room to identify the stolen article. One of the residents of

the room should be present when the article is recovered by University personnel. Theft of property will result in disciplinary and/or legal action.

### **THROWING OBJECTS FROM WINDOWS**

Personal and property damage may result if an object is thrown from a window or from the balcony. Therefore, this act is considered dangerous and a serious violation of residence hall regulations.

### **VACATION / BREAK HOUSING POLICY**

Residence halls will be closed during official school holidays and breaks. These dates and times are posted yearly on the Coker web site. You will receive information from the Office of Residence Life regarding closing procedures. Students are encouraged to make travel plans accordingly and vacate premises and living quarters as directed by Residence Life. Unauthorized occupancy within Residence Halls will not be permitted.

### **VANDALISM**

Strict enforcement of disciplinary or civil procedures can be expected in cases of vandalism to University property. Violators are subject to suspension or expulsion in addition to paying for repairs. When fire safety equipment is vandalized, violators are subject to civil prosecution and University disciplinary action. When vandalism occurs within the residence halls, monetary charges to cover the cost of repairs may be levied against all residents of the floor or building where the damage occurred if those responsible cannot be identified.

### **VENDING MACHINES**

Soft drinks and snack vending machines are located on Dunbar Porch, in the RTC laundry room, and on the first floor landing of Grannis Hall. If a machine is found to be out of order, please call the Coker University Bookstore to report. Theft or vandalism of vending machines and their contents will result in disciplinary action of the students involved.

### **WASTE DISPOSAL**

All waste paper and other trash must be deposited in dumpsters located on campus. Dumpsters can be found behind RTC, in the Grannis parking lot, in the Sullivan parking lot, and in the Flats parking lot. Littering or improper disposal of trash is not permitted. Students found littering in and around the residence halls will be subject to disciplinary action.

### **WATER-FILLED FURNITURE**

Waterbeds and other water-filled furniture are not permitted in any University housing facility.

### **WINDOW TREATMENTS**

Window-blinds are provided by the University. Curtains are not permitted.

### **OTHER POLICIES**

The University reserves the right to prohibit any item or activity deemed by the University to be harmful, unadvisable, or not in the best interest of the University or its students. Residents are required to know and comply with all policies and regulations contained within the Student Handbook, and other Residence Life and/or University publications.

# Emergency Procedures for Residential Students

## FIRE

*If you discover a fire:*

- Pull the closest fire alarm. If there is no immediate threat, a fire extinguisher or hose should be used to extinguish the blaze.
- Try to notify the Hartsville Fire Department (911) and a Campus Safety officer at 843-383-8140. **Do not put yourself in danger!** Be prepared to give an exact location and your name.
- If you are unable to reach a fire alarm pull station, locate a phone in a safe building and report the emergency to the Fire Department and Campus Safety.
- Alert others in the area.

*If you hear a fire alarm:*

- Evacuate the building immediately. Leave all personal items behind.
- Close your doors and windows if time permits. This helps to suffocate the fire.
- Follow your assigned evacuation plan. Do not run.
- Once outside the building, report to your check in station so that you may be accounted for.

*What to do if a fire prohibits you from evacuating:*

- Close the door securely and attempt to seal any openings through which smoke or gas could enter.
- Open exterior windows and crouch close to the floor at the open window.
- Alert those outside that you are unable to get out. Do not panic. Fire Department procedures require that rescue operations take precedence over other emergency activities.

## MEDICAL EMERGENCIES

Consult the College Nurse (843-383-8141). If after Health Services hours or the Nurse cannot be reached, contact Campus Safety (843-383-8140).

If none of the above steps are practical, go to the Emergency Room at Carolina Pines Regional Medical Center (843-339-2100) and notify them that the student will be brought to the Emergency Room. Assist the patient to the ER; if possible, ensure that proof of insurance is available. If the patient cannot be moved, call the Emergency Medical Service 911 and request an ambulance.

### Emergency phone numbers:

Campus Safety. . . . .	843-383-8140	Fire/Police / EMS.....	911
Student Health Services.....	843-383-8141	EMS (alt).....	843-339-2100

## TORNADOES

If the National Weather Service issues a TORNADO WATCH, this means that tornadoes and severe thunderstorms are possible. If they issue a TORNADO WARNING, this means that a tornado has been sighted. During a tornado warning, **take shelter immediately. Stay away from windows, doors and outside walls.**

- If you are in the residence hall, go to the designated shelter area (see areas listed below). Use stairs **only**.
- Lie face down on the floor with your knees up under you and back of your head covered by your hands.



- If you are outside, go to the nearest sturdy structure or lie flat in the nearest ditch, ravine or culvert with your hands shielding your head.

#### **Designated Tornado Shelter Areas:**

- **Grannis** - First and second floor hallways (on Coker end), away from all windows and doors. **DO NOT** use elevator
- **Coker** - Basement and hallway, away from all doors and windows
- **Belk** - Center of first floor hallway, away from all doors and windows
- **Memorial**--Center of first floor hallway, away from all windows and doors
- **RTC** - Internal stairwell between the first and second floors
- **JLC** - Interior Lobbies
- **The Flats** - Interior hallways
- **The Village at Byerly Place** - Stairwells and Interior bathrooms
- **Classrooms** - Lowest floor, center of building, away from exterior windows and doors.
- **Other buildings** - Off-campus locations will have designated areas posted.

#### **HURRICANES**

Official advisories normally allow ample time to plan. Emergency instructions will be given based upon these official advisories.

#### **BOMB THREATS**

Notify Campus Safety at 843-383-8140. They will notify the police, who will initiate investigation procedures.

#### **NUCLEAR ACCIDENT**

In the event of an accident at the HB Robinson Plant, those that live within a 10 mile radius (Coker College is within this radius) will be directed to seek shelter at specific places in the Florence area. Tune in to WPDE TV Channel 9 or WBTW Channel 13.

\*Refer to “Emergency Procedures” section of this handbook.

#### **PERSONAL CRISIS**

For emotional distress or suggestion of suicide, contact your RA or the RA on duty (843-307-7375). You may also contact Counseling Services directly for intervention 843-383-8040. If there is a suicide attempt, call 911 immediately then report to the RA or RA on duty. For other personal crises, contact the Office of Residence Life at 843-383-8360.

#### **SEXUAL HARASSMENT**

See the “Student Sexual Misconduct Policy and Procedures” section of this Handbook.