

Rules and Regulations of Student Conduct

Students are temporary residents of the state of Illinois and, as such, are subject to the laws of the state and to the ordinances of the cities of Evanston and Chicago. In addition, every student is required to comply with all rules and regulations enacted and published by the University or under the delegated authority of the University.

University Statutes, Article V, Section I

University-enacted rules and regulations are found in several sources, including but not limited to the *Undergraduate Catalog*, the *Graduate School Bulletin*, the undergraduate and graduate housing bulletins, notices disseminated from time to time by the University or its schools and departments — and this handbook.

Particular reference is made to the appendix to this section of the handbook, which contains excerpts from the University Statutes; descriptions of the University Hearing and Appeals System, the Sexual Assault Hearing and Appeals System, and Grievance Procedures for Students with Disabilities; Guidelines for Access to Student Records; Drug Abuse Policy Statement; Trustee Statement on Disruption; President's Statement on Sexual Harassment and Sexual Assault; and other information.

A student or student organization found to have violated any of the University's rules or regulations shall be subject to appropriate disciplinary action as provided by the University Hearing and Appeals System or the Sexual Assault Hearing and Appeals System, as applicable.

The following material includes those rules and regulations believed to be of broadest interest and most general application. When questions arise as to more particular areas — housing, athletics, social affairs, and the like — students are urged to contact the assistant to the vice president for student affairs for

direction to the most appropriate source of information.

The exercise of individual rights by students and other members of the Northwestern community may not abridge the following rights.

1. The right of a faculty or staff member to exclude from a classroom or other University premises, during the progress of a class or other University sponsored program or activity, persons not enrolled in the class or other unauthorized persons.
2. The right to privacy of a student or faculty or staff member in his or her office or other work area or lodging.
3. The right of the University to take actions reasonably determined to secure the rights in 1. and 2. and to assure that students, faculty, and staff may pursue their legitimate goals on University premises or at University functions without interference.

POLICY STATEMENT ON STUDENT RIGHTS AND RESPONSIBILITIES

Drafted by the students, faculty, and staff, this statement first appeared in the 1969–70 Student Handbook.

At Northwestern University, life outside the classroom is an integral part of the educational process. The exercise of responsibility is an important part of the development of the full potential of the student as an individual and as a citizen. The student's awareness of the extent of his or her rights and responsibilities is necessary to the exercise of responsibility within the University community. To further these objectives and in recognition of students as members of the Northwestern University community, the University has adopted the following statement of policy.

This policy statement has been formulated in a spirit of cooperation and community by

representatives of students, faculty, and administration. It is a living document and thus is subject to change through participation of representatives of the same groups who participated in the original formulation.

1. An applicant will be considered for admission to the University and for financial aid without regard for race, color, national origin, religion, sex, handicap, or political belief.
2. The student has freedom of research, of legitimate classroom discussion, and of the advocacy of alternative opinions to those presented in the classroom.
3. The student will be evaluated on knowledge and academic performance for purposes of granting academic credit and not on the basis of personal or political beliefs.
4. The teacher-student relationship within the classroom is confidential and disclosures of a student's personal or political beliefs expressed in connection with course work will not be made public without explicit permission of the student. It is understood that the teacher may undertake the usual evaluation of knowledge and academic performance.
5. Students' records may be released to persons outside the University only on request of the student or through compliance with applicable laws.
6. Information on rules, rates, and regulations deriving from contractual agreements with the University will be made available to students on request.
7. The University will not act in derogation of the rights of students to be secure in their possessions. Students will be secure against invasion of privacy and unreasonable search and seizure.
8. Students will be free from censorship in the publication and dissemination of their views

as long as these are not represented as the views of Northwestern University.

9. Student publications are free from any official action controlling editorial policy. Publications shall not bear the name of the University or purport to issue from it without University approval.
10. Students are free to form, join, and participate in any group for intellectual, religious, social, economic, political, or cultural purposes.
11. A student is free, individually or in association with other individuals, to engage in all campus activities, exercising the right of a citizen of the community, state, and nation, provided he or she does not in any way purport to represent the University.
12. Students are free to use campus facilities for meetings of student-chartered campus organizations, subject to regulations as to time and manner governing the facility.
13. Students may invite and hear speakers of their choice on subjects of their choice, and approval will not be withheld by University officers for the purpose of censorship.
14. Students will have their views and welfare considered in the formation of University policy and will be consulted by or represented on University committees that affect students as members of the University community.
15. Students are free to assemble, to demonstrate, to communicate, and to protest, recognizing that freedom requires order, discipline, and responsibility and further recognizing the right of all faculty and students to pursue their legitimate goals without interference. (See the Trustee Statement on Disruption, Section IV.)
16. Students will be exempt from disciplinary action or dismissal from the University except for academic failure, failure to pay

a University debt, or violation of a student or University rule or regulation. Rules and regulations shall be fully and clearly promulgated in advance of the supposed violation. The University has no legal authority over a student when outside University property, except where the student is on the property of a University-affiliated institution, where the student is engaged in a project, seminar, or class for academic credit, or as otherwise provided in University rules, regulations, and procedures. A student is subject to local, state, and federal statutes.

17. A student is free to be present on campus and to attend classes pending action on criminal or civil charges, except for reasons relating to his or her physical or emotional safety and well-being or for reasons relating to the safety and well-being of students, faculty, staff, or University property.
18. It is recognized that every member of the community has the responsibility to conduct oneself in a manner that does not violate the rights and freedoms of others and has the responsibility to recognize the principles within this statement of policy.

RIGHTS AND RESPONSIBILITIES OF STUDENTS AND AUTHORITY AND RESPONSIBILITY OF UNIVERSITY POLICE

A civil, open, and interactive community is an essential characteristic of a vital university. It is fundamental to the free exchange of ideas that is at the core of an environment that cultivates learning and discovery. Yet universities throughout the nation are experiencing serious challenges to achieving this desired, indeed necessary, sense of community. At Northwestern University we must vigorously pursue an academic, work, and social environment that is

civil, fair, and founded upon mutual respect and trust. All individuals within the broad University community should share this aspiration and its attendant responsibilities, which prominently include civility and respect in interacting with all individuals in our community.

Student Rights and Responsibilities

The University's Policy Statement on Student Rights and Responsibilities first appeared in the 1969–70 *Student Handbook*. That statement guides the relationship between the University and the student body. (The complete statement can be found on page 109.)

Student status at Northwestern is a privilege earned by meeting standards of academic performance and adherence to regulations governing conduct. As a private institution, Northwestern University has created policies and regulations defining, among other things, who may be a part of or visit the University and who may have access to the property and facilities of the institution.

The University also expects students to follow federal, state, and local laws. Within this framework, students have guaranteed rights, but the exercise of those rights may not interfere with the rights of others in the University community.

Student Rights

The rights of individual students include

1. The right to pursue academic and other goals without being subject to discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status;
2. Protection against unlawful searches and seizures;
3. Freedom to communicate, assemble, and peaceably demonstrate;
4. Freedom to join organizations, to speak

freely, and to exercise the civil rights to which any citizen of the United States is entitled, as long as the student does not claim to represent the institution;

5. The right to a fair and impartial hearing, either through administrative procedures or through the University Hearing and Appeals System/Sexual Assault Hearing and Appeals System, regarding allegations of violations of institutional rules.

In the exercise of these rights, students may file reports of incidents with the University Police with the expectation that such reports will be investigated in a timely and thorough manner. Similarly, students may initiate formal complaints about University Police conduct or services as provided below.

Student Responsibilities

The responsibilities of individual students include

1. Compliance with University regulations as set forth in the *Student Handbook*, other official University publications, and federal, state, and local laws. These regulations and laws include, but are not limited to, assaults, theft, damage to personal or University property, sexual assault, sexual harassment, rape, alcohol offenses, drug-related offenses, gambling, motor vehicle violations, unauthorized access to buildings or property of the University, and resisting or obstructing a police officer in the performance of his or her duties.
2. Cooperation with University officials, including University police officers, acting in their official capacity within established guidelines. While retaining their rights against self-incrimination, students are required to provide identification when

asked and surrender, upon request, their University identification card until the incident under investigation is resolved.

Authority of University Police

Under state law (Illinois Compiled Statutes, chapter 110, section 1020/1) and through the authority conferred by the Board of Trustees of the University, University police officers have the authority while enforcing state and local laws both on and off University property, to

1. Investigate alleged violations of the law;
2. Detain or arrest individuals alleged to have violated such statutes;
3. Establish the legitimacy of a person's actions or presence on University property through requests for identification;
4. Issue criminal trespass warnings and escort individuals from the campus who do not have a legitimate reason to be on the property;
5. Use the appropriate force, while acting in an official capacity, that is reasonable and necessary, under established guidelines, to enforce the law.

As University officials, University police officers also have the authority to

1. Ensure compliance with University regulations, including reporting alleged violations to the appropriate administrator for action;
2. Refer students to the Division of Student Affairs for disposition of alleged minor legal infractions or alleged violations of University rules or regulations.

Responsibilities of University Police

The University Police Department is responsible for crime prevention, law enforcement, parking control, enforcement of University regulations, special-event security, and emergency-incident

management. All University police officers are expected to carry out their duties in a professional and courteous manner.

Questions regarding the University Police Department may be answered at the following locations and or by calling one of the telephone numbers:

Evanston campus

1819 Hinman Avenue

847/491-3254

Chicago campus

211 East Superior Street

312/503-8314

REGULATIONS DERIVED FROM FEDERAL, STATE, AND MUNICIPAL LAWS

To aid students in awareness of their responsibilities as part of the Northwestern community, here are some guidelines derived from various sources, including federal, state, and local laws. The following examples are intended to be illustrative rather than comprehensive.

Alcoholic Beverages

Students are subject to Illinois law, which prohibits the sale of alcoholic liquor to any person under the age of 21 years and the possession of liquor by any person under 21.

Illinois law also provides penalties for any person who sells, gives, or furnishes to any person under the age of 21 years any false or fraudulent written, printed, or photostatic evidence of the age and identity of such person or who sells, gives, or furnishes to any person under the age of 21 years evidence of age and identification of any other person. There is also a penalty for any person under the age of 21 years who presents or offers to any licensee, his agent, or employee any written, printed, or photostatic evidence of age and identity that is

false, fraudulent, or not actually his own for the purpose of ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure the serving of any alcoholic beverage or who has in his possession any false or fraudulent written, printed, or photostatic evidence of age and identity.

In addition, there are other penalties for individuals who rent hotel or motel rooms for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic beverages by persons under the age of 21 years.

Students may use alcohol in private rooms, provided that the state law is recognized. Dining rooms, lounges, game rooms, and similar areas operated by the University are not areas in which the living units can exercise these powers with regard to alcohol and must comply with current policy.

Use of alcoholic beverages on the Evanston campus in outdoor areas is restricted to functions sponsored by living units or recognized campus organizations. These campus organizations are responsible for complying with federal, state, and local laws as well as University regulations. The Campus Reservations Office at Norris University Center is responsible for processing applications for use of alcoholic beverages in outdoor areas.

The University is licensed by the state of Illinois and the city of Evanston to sell alcoholic beverages at two locations on the Evanston campus — Norris University Center and the James L. Allen Center, the conference facility for the Kellogg Graduate School of Management. Sale of alcohol elsewhere on campus is a violation of law and may jeopardize the University's licenses. In particular, alcoholic beverages may not be sold at any dormitory, fraternity, sorority, or elsewhere on

campus. Under limited circumstances, a one-day Evanston liquor license may be secured by the University for an organization wishing to sell alcoholic beverages in connection with a specific function. The Campus Reservations Office is responsible for processing applications.

Alcohol-Drug Abuse

Students are subject to criminal laws regarding the sale, use, and possession of cannabis or other controlled substances. See the Drug Abuse Policy Statement in the appendix to this section.

The misuse of alcohol and the illegal use of narcotics or other controlled substances are serious threats to the health of the user and to the well-being and safety of members of our community. Students involved in alcohol- or drug-related incidents may face legal and disciplinary actions and will be required to undergo evaluation by a substance-abuse counselor and, if appropriate, a mandatory program of education and/or treatment. Students who engage in repeated such incidents or who fail to follow prescribed treatment shall face further disciplinary sanctions.

Bicycles



The University has 2.5 miles of bicycle paths on the Evanston campus, connected to Evanston's bicycle right-of-ways. Bicycle riding is prohibited on the following streets:

- Sheridan Road, between Chicago Avenue and Isabella Street
- Green Bay Road, north from Emerson Street to the Evanston city limits
- Ridge Avenue, between Howard and Emerson Streets
- Main Street, between Chicago and Ashland Avenues

Bicycle riding is not allowed on the sidewalks in the Evanston business district.

Bicycles stored on campus must be regis-

tered with the University Police Department and kept in designated areas, which include bicycle racks and bicycle storage rooms.

Bicycles that are locked to railings, stairwells, or handicapped-access ramps or are in hallways, doorways, or rooms in residence halls or academic buildings create a safety hazard in the event of fire and are subject to removal at the owner's expense. The University will not reimburse individuals for locks that have been cut to remove bicycles not parked in bicycle racks or storage rooms. Students who have had an illegally parked bicycle removed should contact Facilities Management, 491-5807, to identify and claim it. Bicycles will be stored in the University storage area for a minimum of 30 days. After 30 days the impounded bicycle will be turned over to the city of Evanston for disposal under city policies and procedures. The University shall not be responsible for any bicycles illegally secured in campus buildings or on campus property or abandoned on University property.

After the bicycle has been identified and claimed, a citation will be issued to the owner. A fine of \$25 must be paid before the bicycle will be released to the owner. In addition, when bicycles have been removed from areas that are defined as a "means of egress or access," the violators will be referred to the Division of Student Affairs for further disciplinary action.

Firearms and Explosives

The possession or use of firearms, ammunition, BB guns, air rifles, firecrackers, explosives, slingshots, or other weapons of any description, for any purpose, is prohibited.

Fire Safety

University regulations and local ordinances prohibit smoking in classrooms and other designated areas. Further, state and local ordinances

provide penalties for any intentional damage of or destruction to property by fire or explosives.

Gambling

Illinois law prohibits gambling in any form, the sponsoring of lotteries and the sale of lottery tickets, except lotteries and raffles conducted in accordance with state and local law. All raffles in the city of Evanston by University organizations must have an Evanston raffle license.

Applications for raffle licenses may be obtained from the director of Norris Center. Students involved in gambling-related incidents may face legal and disciplinary actions.

Hate Crime

Illinois law provides for criminal and civil penalties against an individual or individuals who assault, trespass upon, or cause damage to the property of or injure physically or emotionally another person or persons because of such person's race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin. Students involved in hate crime related incidents may face legal and disciplinary actions.

Hitchhiking

Pedestrians are prohibited from standing on any part of the roadway to ask for a ride from the driver of a vehicle.

Motor Vehicles



Regulations regarding the possession, operation, and parking of motor vehicles on the campus and in the University area bounded by Davis and Central Streets, Sherman Avenue, and Lake Michigan are explained in the parking regulations available at the Parking Office, 1819 Hinman Avenue. Under most circumstances, first- and second-year undergraduate students may not have motor vehicles while living on

campus. A limited number of parking permits for juniors living on campus are available through a lottery. Exceptions to these rules may be granted only by the Parking Office. Motor vehicles must be registered and display a permit on the rear bumper or rear window. Commuting students who live in the area bounded by Lake and Central Streets, Ridge Avenue, and Lake Michigan are prohibited from purchasing parking permits.

Noise

Evanston City Ordinance prohibits the playing of loudspeakers, sound amplifiers, radios, phonographs, musical instruments, or other such devices in such a way that the volume disturbs the neighboring area. The operation of any such device between the hours of 11 p.m. and 7 a.m., whereby sounds are plainly audible at a distance of 50 feet from the location of such a device, is prima facie evidence of a violation of the ordinance.

UNIVERSITY REGULATIONS

Access to Student Records

An individual who is or has been in attendance at the University may inspect and review his or her education records. For complete information concerning the procedures, refer to the Release of Student Information Policy and to the Guidelines for Access to Student Records in the appendix to this section. These guidelines are based upon the Family Educational Rights and Privacy Act (FERPA) of 1974.

Students have the right to

- Inspect and review their educational records at Northwestern University;
- Request an amendment of their records to ensure they are not inaccurate, misleading, or otherwise in violation of their privacy or other rights;

- Consent to disclosure of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent;
- File with the U.S. Department of Education a complaint concerning alleged failures by Northwestern University to comply with the requirements of FERPA.

See Release of Student Information Policy in the appendix to this section.

Addresses

Students must register their housing address (on or off campus) as an integral part of the registration process. They are required to keep the University informed of University and home addresses, reporting changes promptly to the Registrar's Office, 491-5234.

Athletic Facilities Rules of Conduct

Students are not permitted to drink or possess alcoholic beverages in Ryan Field, Welsh-Ryan Arena, or other athletic facilities whether or not there is a scheduled University athletic event. At and during a scheduled University athletic event, students may not distract other patrons or interfere with the progress of any event by the use of cameras, stadium horns, radios, or miscellaneous items such as banners, signs, placards, etc. Also, students must have authorization to be permitted on the floor, field, track, or playing surface of any athletic facility while an event is in progress.

Computing and Telecommunications Equipment, Facilities, and Services

The University provides several computing and telecommunications facilities for student and faculty use. These include Information Technology, the University Library, many departmental minicomputers and microcomputers, residence hall microcomputers, and telephone instruments

(voice and/or data transmission) in offices, residence halls, and other buildings. Misuse of these facilities, services, and equipment is a violation of University rules and regulations and may also be a violation of Illinois criminal statutes. Such misuse includes unauthorized use of the facilities, services, equipment, account numbers, or files; damage to facilities and/or equipment; tampering with or destruction of programs, files, or accounts; and similar activities. Students who violate these or any other computing or telecommunications facilities regulations shall be subject to University disciplinary procedures that may include fines, restitution of funds, probation, suspension, or exclusion from the University. See Use of Computers and Networks in the appendix to this section.

Disruption

Students who commit a disruption or attempt a disruption shall be subject to University disciplinary procedures, which may include fines, probation, suspension, or exclusion from the University. Disruption is any action that interferes with, interrupts, or impedes the holding of classes, the carrying out of University business, or the arrangements for properly authorized and scheduled University events. A person attempts to disrupt when, with intent to disrupt, that person does any act that constitutes a substantial step toward disruption. See the Trustee Statement on Disruption in the appendix to this section.

E-mail Notification

E-mail is a valid mechanism for official communication with students at Northwestern University. The University has the right to send official communications to students by e-mail. The University has the right to expect that students will receive e-mail and will read e-mail in a timely fashion.

At the University all students will be assigned an official University e-mail address. All official University communications will be sent to this official University e-mail address. This address will be maintained in the official University e-mail directory for each student.

The University will provide a convenient mechanism so that a student may have e-mail forwarded from the official University e-mail address to another e-mail address of the student's choice. Students who choose to have e-mail forwarded to another e-mail address do so at their own risk. The University is not responsible for e-mail forwarded to any other e-mail address. A student's failure to receive or read in a timely manner official University communications sent to the student's official e-mail address does not absolve the student from knowing and complying with the content of the official communication.

Faculty may assume that a student's official University e-mail is a valid mechanism for communicating with a student, and faculty may use e-mail for communicating with students registered in their classes. This policy will ensure that all students will be able to comply with course requirements communicated to them by e-mail from their course instructors.

Financial Obligations

The Office of Student Accounts is responsible for billing and collecting tuition, board and room charges, and University fees. A booklet of financial regulations may be obtained at the Office of Student Accounts at 619 Clark Street.

Students are responsible for fulfilling their financial obligations to the University. If their account becomes overdue, they must pay a late payment fee of \$100. In addition, they are liable for any costs associated with the collection of their past due account, including, but not limited to, collection agency costs, court costs, and legal fees.

The director of student accounts may cancel or prevent the registration of students whose bills are past due. Students whose University bills are overdue may not be given a diploma or transcript or have their enrollment or degrees confirmed until all financial obligations are paid in full.

Hazing

The University forbids hazing and all other activities that interfere with the personal liberty of an individual. The University defines hazing as any action taken or situation created intentionally, whether on or off University premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations include but are not limited to paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips, or any other such activities carried on outside the confines of the University; wearing apparel that is conspicuous and not normally in good taste; engaging in stunts and buffoonery; requiring sleep-overs or morally degrading or humiliating games and activities; late work sessions or activities that interfere with scholastic activities and/or normal sleeping hours; falsely leading an individual or individuals to believe that they will be inducted/initiated by participating in particular activities; and forcing individuals to participate in activities that are not consistent with the University's mission, rules, regulations, and policies, or federal, state, or local law.

Alcohol is not permitted at any new member/pledge activity. Acceptance of an activity on the part of a new member or individual does not justify participation in or sponsorship of the activity. The organization maintains the responsibility to monitor appropriate behavior.

Any violation of this policy should be reported to the vice president for student affairs or the Office of Undergraduate Residential Life.

Identification Cards

The University identification card (WildCARD) identifies registered students and should be carried at all times. The WildCARD is the property of the University, is not transferable, and its privileges may be canceled at any time if the card is misused. Students are required to surrender their WildCARD to University officials upon request.

The student's ID number is encoded on the card and indicates whether the student is currently registered and if the card is valid. The card identifies the holder for admission to the library during hours of limited access and is needed at all times to borrow books. If students carry a meal plan, the WildCARD admits them to residence hall dining facilities. It also identifies the holder at the Health Service, Norris University Center, student functions and elections, and University athletic events.

A cardholder may activate a personal student account, allowing the card to be used as an automatic teller machine (ATM) card. You can make purchases wherever ATM cards are accepted as well as write checks against your available balance.

A cash stripe on the WildCARD may be used for purchases in vending machines, copiers, washers and dryers, at on- and off-campus merchants, and other locations. To use the cash stripe, find any campus "Cash to Card" machine and insert the card and then your money, up to a maximum of \$50. Visitors may purchase cash stripe cards at select Cash to Card machine locations.

Immediately report a lost or stolen card to the WildCARD Office, 467-NUID (6843). Leave a voice-mail message if you are calling

after hours. Cards may be replaced at the WildCARD office at Norris Center, underground level, for a \$20 fee. Found cards should be returned or mailed to the WildCARD office.

Liability

The University is not responsible for the loss or theft of or damage to the personal property of students. Any such occurrences, however, should be reported promptly to the University Police Department.

Library Materials

Theft, mutilation, or any other action that renders books, periodicals, or other library material inaccessible or unfit for use is a serious offense against the University community. Students who commit any of the above offenses shall be subject to University disciplinary procedures and, upon finding of a violation, may be suspended or excluded from the University.

Publications, Promotions, Publicity, and Soliciting

Students are responsible for following the policies and procedures outlined in "Campus Publicity," a booklet available from the Events Planning and Production Office, Norris University Center; University Housing and Food Services, Scott Hall; the Office of Student Affairs, Scott Hall; and the Residential Life Offices, Scott Hall. For the complete text, see the Appendix, page 151.

Advertising

With the exception of authorized publications, the permission of the vice president for student affairs is necessary before a registered student or recognized organization may solicit advertising or accept paid advertising.

Parades

Students may apply for permits through the Norris Center Events Planning and Production Office, which must file a formal request with the city for parades through Evanston streets.

Off-Campus Publicity

The Department of University Relations is interested in cooperating with recognized student organizations and activities in the effort to publicize their programs and events. Persons in charge of publicity for these groups may call University Relations at 491-4887.

Information, including photos, concerning the University, its staff, students, and their organizations is disseminated to the public by the Department of University Relations and by authorized student publications.

Representatives of this department are available to assist and advise students in any dealings with mass media; also, the department may have a staff member present at any on-campus or University-sponsored activity. Guidelines for photography, filming, and taping are available from the Office of the Vice President for University Relations.

No student shall permit his or her picture to appear in commercial advertising identifying the University or its facilities without permission of the Department of University Relations.

It is the policy of the University not to release information about membership rosters of student organizations without the express permission of the students or organization involved.

Publications

No student shall publish any papers or other publication or production bearing the name of the University or purporting to issue from it without written permission. Such permission should be requested through the Department of University Relations.

Questionnaires

The origin and purpose of all questionnaires should be clearly identified. Permission to distribute questionnaires in student organizations and living units should be requested of the president of each. Academic research projects must have the approval of the applicable department chair or dean of the school.

Student Events

All events falling into any of the following categories must be registered in advance with the Norris Center Events Planning and Production Office to insure availability of facilities:

- All events that may be attended by persons other than members of the sponsoring group.
- All-University events at which a lecturer, discussion leader, master of ceremonies, or entertainer who is not a member of the Northwestern student body, faculty, or staff will be invited to appear.
- Outdoor events sponsored by a campus organization. With this process, the leadership for the group certifies that it understands the requirements for staging an outdoor event and agrees to observe the laws and University regulations that regulate the use of alcohol, group behavior, bonfires, and the generation of noise. At least 10 days' advance notice is suggested. Consult with the Events Planning and Production Office for procedures and regulations.

OFFENSES AND DISCIPLINARY PROCEDURES

Violations of University Rules and Regulations

A student, group of students, or student organization found to have violated any University rule or regulation shall be subject to appropriate disciplinary action.

Students may be subject to disciplinary action for any of the following:

1. Physical abuse of any person or any action that threatens or endangers the health or safety of any person on University premises or at University functions;
2. Physical abuse of any person or any action that threatens or endangers the health or safety of any person who is properly fulfilling his or her duties as a University employee, whether or not such abuse or action occurs on University premises;
3. Theft of or damage to property on University premises or at University functions;
4. Unauthorized entry to or use of University facilities;
5. Obstruction or disruption of teaching, research, administration, hearing procedures, or other University activities or of other authorized activities on University premises;
6. Forgery, alteration, or misuse of University documents, records, or identification or knowingly furnishing false information to the University;
7. Failure or refusal to appear upon request or to cooperate in the investigation or hearing of cases of alleged offenses (provided that no students shall be required to furnish information that would be self-incriminating);
8. Violation of rules and regulations set forth in the *Student Handbook* or otherwise enacted and published by the University, by living units, or by other delegated authority of the University.

In cases of alleged disciplinary violations, the vice president for student affairs or that officer's designee may meet with the student or students involved to discuss the conduct at issue and to determine what sanctions, if any, are appropriate under the circumstances. The

charged individual(s) may accept any proposed sanctions or may request that the matter be resolved through the University Hearing and Appeals System (UHAS).

When it appears that a student has violated the terms of his or her contract in a University residence hall, the Division of Student Affairs will review the case and take appropriate action administratively. The vice president for student affairs will appoint the reviewing officer, who normally will be the director of the Office of Undergraduate Residential Life. When there is substantial evidence against a student, the reviewing officer may remove the student from housing or apply a lesser sanction, such as requiring a room or dorm change or housing probation. The decision of the reviewing officer will be final. Contract violation cases will not be accepted in UHAS unless disciplinary action such as disciplinary probation, suspension, or exclusion from the University appears warranted.

In situations where a telephone in a University residence hall room is in the name of more than one student or where a student uses a telephone not in his or her name and the student fails to pay his or her share of the bill, a reviewing officer appointed by the vice president for student affairs may review the situation and take appropriate administrative action. Parties will abide by the decision. When there is substantial evidence against a student, the reviewing officer may remove the student from housing or apply a lesser sanction. The decision of the reviewing officer will be final. Disputes between students about unauthorized use of private telephones or payment of telephone bills are handled administratively and are not subject to UHAS.

When persons involved in a conflict confront the situation promptly and ask for help from friends, faculty, or staff, they frequently

can resolve their dispute. For instance, roommates may work out problems concerning telephone bills or a noisy stereo with the help of a resident adviser or an Undergraduate Residential Life staff member. Sometimes, however, a problem may require formal action, such as the filing of a complaint in UHAS.

University Hearing and Appeals System

UHAS is a formal campus judicial process established at Northwestern in 1969. The system includes an executive secretary, a Conciliation Board, a University Hearing Board, and a University Appeals Board. Special hearing boards may be established by student regulatory organizations. Students participate with faculty members and administrators to make all UHAS decisions and agreements.

See the appendix to this section for the University Hearing and Appeals System constitution.

Conduct Violations

Members of the University community must conduct themselves in a manner that does not violate the rights and freedoms of others. All Evanston campus students may be subject to UHAS hearing procedures for alleged violations of the rules and regulations found in this handbook. Complaints may be filed against students who are involved in window breaking and other acts of property damage, assault, theft, threatening action, disruptive actions, misuse of University documents, unauthorized entry to University facilities, and other violations, including the use of firearms and firecrackers and misuse of automobile privileges.

Filing a Complaint in UHAS

A student, group of students, student organization, or Northwestern University may file complaints against a student, group

of students, or student organization.

Students should file a complaint with the UHAS executive secretary (Scott Hall, 491-8430), who reviews all aspects of the problem and may suggest alternative ways to resolve the dispute. Filing a complaint includes completing a form listing the complainant's name and address, the name of the person complained against, the rule or regulation alleged to have been violated, and a brief summary of the circumstances. The executive secretary assists all persons involved in the complaint by thoroughly explaining the system. However, the executive secretary never recommends a decision to any hearing board.

Conciliation in UHAS

In conciliation of a dispute, the parties are committed to finding a resolution. If all parties agree to explore conciliation, rather than proceeding directly to a formal hearing, the executive secretary convenes the Conciliation Board. The Conciliation Board, consisting of a student, a faculty member, and an administrator, meets informally with the parties involved to clarify the circumstances of the conflict and try to reach an agreement, thus avoiding a formal hearing. A resolution must be agreeable to all parties, and any party may ask for a formal hearing at any time. Nothing discussed in conciliation may be used at any hearing.

Hearings in UHAS

If all parties to the complaint do not agree to participate in or cannot reach an agreement in conciliation, an appropriate hearing board is available to decide disputes under formal procedures designed to insure a full degree of fairness. The University Hearing Board, consisting of six students and three faculty members, conducts hearings on all complaints except those within the jurisdiction of a special hearing

board. Basic rights and responsibilities included in hearings are the right of representation, closed hearings, prior knowledge of all witnesses, and the responsibility to tell the truth. Individuals are not required to testify against themselves. A student must appear at hearings when the board requests the student's presence. Hearing boards may not issue any finding of violation of University rules and regulations that is not grounded on sufficient evidence. All parties in hearings have the right to use a representative other than an attorney and the right to know the names of witnesses. The party complained against may choose to make the hearing open to spectators; otherwise, it will be closed. If a sanctions hearing is held, the hearing is private if so requested by any party. All parties have the responsibility to tell the truth.

Sanctions

Actions of hearing boards may include conciliatory and educational as well as disciplinary measures. Students may be referred to counseling services or may be required to participate in a community project. Students may be ordered to pay restitution for damages and fines or be penalized in connection with any University program. Students may be placed on disciplinary probation, suspended, or excluded from Northwestern.

Each board specifies a date by which a sanction must be satisfied. If a student fails to carry out the board's directives, unless the date is extended by the board, the student is automatically suspended and prohibited from obtaining a transcript or receiving a degree until such time as all obligations are met.

Appeals in UHAS

The University Appeals Board, consisting of six faculty members and three students, hears appeals and corrects any miscarriage of justice

that might occur on lower boards. Further, a student who has been suspended or excluded has the right to obtain a review of the record by the president of the University or by a vice president designated by the president.

Sexual Assault Hearing and Appeals System

The University established the special Sexual Assault Hearing and Appeals System (SAHAS) to respond promptly to complaints of sexual assault and to maximize confidentiality for Northwestern students who are either victims of or accused of sexual assault. The system has exclusive jurisdiction over complaints of alleged sexual assault committed by students on students and applies to all students on both the Evanston and Chicago campuses — undergraduate, graduate, and professional, full- and part-time — when the assault occurs on University property, at a University event, in a student's off-campus residence, or on any street or area adjacent to these locations.

See the appendix to this section for the Sexual Assault Hearing and Appeals System constitution.

Sexual Assault

Sexual assault means any intentional or knowing touching or fondling by the accused, either directly or through the clothing, of the victim's genitals, breasts, thighs, or buttocks without the victim's consent. Sexual assault includes touching or fondling of the accused by the victim when the victim is forced to do so against his or her will. Sexual assault also includes any nonconsensual acts involving sexual penetration of the sex organs, anus, or mouth. The use of alcohol and/or drugs by one or more of the parties involved will not be considered as a mitigating factor in cases of alleged sexual assault. In fact, such use may be considered as an aggravating factor if the effect of such use

is deemed to have made the complaining party incapable of giving consent. Sexual assault is an act of violence.

Verbal conduct, without the requisite physical touching or fondling, is not deemed sexual assault under the hearing procedures defined below. However, verbal conduct may constitute sexual harassment; see the University Policy on Sexual Harassment and the President's Statement on Sexual Harassment and Sexual Assault in the appendix to this section.

Any student who has been sexually assaulted should seek medical treatment immediately and report the event at the Health Service or at the Evanston Hospital or Northwestern Memorial Hospital emergency room. Medical staff at these organizations are prepared to deal with a rape victim in a thoughtful, caring, confidential manner. Because sexual assault is a serious crime, medical staff also are alert to the need to identify and preserve evidence that the crime occurred.

Following medical treatment, a student who has been sexually assaulted should file a criminal complaint with the University Police if the incident occurred on the Evanston campus or with the Evanston Police Department if the incident occurred off campus in Evanston. Incidents occurring in Chicago should be reported to the Chicago Police Department. A complaint may also be filed under SAHAS. (See Sources of Help at the end of this section.)

Filing a Complaint in SAHAS

To file a complaint against another student under SAHAS, contact the Sexual Assault Hearing and Appeals System executive secretary (Scott Hall, 491-8430) as soon as possible, but not later than one year following the incident. The executive secretary will review the complaint and suggest alternatives available within the system. Filing includes completing a

form listing the name and address of the person filing the complaint, the name and address of the student complained against, the nature of the assault, a brief summary of the act or acts that constituted the assault, and the time and place of the assault.

The executive secretary assists all persons involved in the complaint by explaining the system thoroughly but does not recommend action to a board. The executive secretary also will assist all parties in a complaint in obtaining a representative from among a pool of trained faculty, staff, and students who are willing to serve as representatives for either the accused or the alleged victim of sexual assault. In addition, a student can use any other representative of his or her choice other than an attorney or the director of a Northwestern administrative office or agency.

Mediation in SAHAS

As an alternative to the formal hearing process, if all parties agree, a mediator shall be assigned to assist the parties in resolving complaints. The mediator is a person who is not an undergraduate student, has been trained in the issues of sexual assault, and has had experience in mediation. The mediator meets informally with the parties involved to clarify the circumstances of the conflict and try to reach an agreement, thus avoiding a formal hearing. A resolution must be agreeable to all parties, and any party may ask for a formal hearing at any time. Nothing discussed in mediation may be used at any hearing without the consent of all parties.

Hearings in SAHAS

A Sexual Assault Hearing Board will be convened within one week to hear a complaint in SAHAS. The Sexual Assault Hearing Board consists of three faculty members, two staff

members, and two students or alternates and includes both men and women. Five members or alternates make up a quorum. Hearing board members are trained in sexual assault issues and participate in a procedural review meeting each year.

Basic rights and responsibilities included in hearings are the right of representation, closed hearings, prior knowledge of all witnesses, and the responsibility to tell the truth. No individual is required to testify against him- or herself. A student must appear at hearings when the board requests that student's presence. Hearing boards may not issue a finding of violation of University rules and regulations that is not grounded on sufficient evidence. Hearing boards may act independently of any formal court proceeding and irrespective of whether a formal charge is pending in a court system.

Confidentiality

Hearing board members and the executive secretary are obliged to maintain the confidentiality of a complaint, the information provided in a hearing, and the finding of the hearing. They are subject to possible sanctions for violations of confidentiality. Summaries of hearings, records of decisions, or any other written reference to the allegations, proceedings, sanctions, or appeals will be reviewed by the executive secretary, who will delete all identifying information concerning the parties to the proceedings.

The complainant and the person complained against are not bound by confidentiality, although each, for personal reasons, may prefer to maintain the confidentiality of the hearing.

Sanctions

Actions of a hearing board may include conciliatory and educational as well as punitive

measures. Students may be referred to counseling services, ordered to pay restitution for damages, and placed on disciplinary probation, suspended, or expelled from the University.

The board specifies a date by which a sanction must be satisfied. If a student fails to carry out a board's directives by a specific deadline, unless the date is extended by the board, the student is automatically suspended and prohibited from obtaining a transcript or receiving a degree until all obligations are met.

Appeals in SAHAS

The Sexual Assault Appeals Board consists of a faculty member, a staff member, and a student and includes both men and women. The appeals board hears appeals and corrects any miscarriage of justice that might have occurred in the lower board. Appeals are limited to review of errors in procedures, the interpretation of regulations, or a determination of whether a finding or sanction appears manifestly contrary to the record.

The Sexual Assault Appeals Board is the final level of appeal in sexual assault cases, except when suspension or exclusion of a student has been ordered, the decision will not become effective until the student has had an opportunity to request and obtain a review of the record by the University president or the president's designate.

Retaliation

No one who has filed a charge of sexual assault may be retaliated against for having so filed. Any individual who retaliates against the charging party is subject to possible charges and sanctions within SAHAS, if a student; procedures specified in the *Faculty Handbook*, if a faculty member; or by the associate vice president for human resources, if a staff member.

Complaints of Sexual Assault against Faculty or Staff Members

SAHAS does not have jurisdiction over cases against University faculty or staff members. In addition to filing a complaint in the court system, victims should file a complaint against a faculty member with the appropriate dean and with the provost; they should file a complaint against a staff member with the appropriate superior or department head and with the vice president who has jurisdiction over the individual's department.

Sources of Help

- Evanston Hospital Crisis Intervention Line
2650 Ridge Ave., 570-2500
- Evanston Police Department Hotline
1454 Elmwood Ave., 866-5910
- Counseling and Psychological Services
633 Emerson St., 491-2151
- Health Service
633 Emerson St., 491-8100
- Sexual Assault Education Program
Coordinator, Scott Hall, 491-8430
- Sexual Assault Hearing and Appeals System
Executive Secretary, Scott Hall, 491-8430
- University Police Department
1819 Hinman Ave., 491-3456
- Women's Center
2000 Sheridan Rd., 491-7360

APPENDIX

University Statutes: Article V, Students

1. Student Discipline

a. **Disciplinary Standards.** Students are temporary residents of the state of Illinois and, as such, are subject to the laws of the state and to ordinances of the cities of Evanston and Chicago. In addition, every student is required to comply with all rules and regulations enacted and published by the University or under delegated authority of the University. A student or student organization found to have violated any of

such rules and regulations of the University shall be subject to appropriate disciplinary action as provided below.

b. **University Hearing and Appeals System.** The University Hearing and Appeals System shall include a University Hearing and Appeals Board, which shall consist of six faculty members and three students. The president of the University shall determine the methods by which the members of the board are selected, shall appoint one member of the board to serve as chair, and shall provide for the selection of alternate members of the board. It shall be the duty of the board to consider cases, other than those arising because of unsatisfactory academic work, which may call for discipline of a student or group of students of any school on the Evanston campus. Upon a finding adverse to the student, the University Hearing and Appeals Board shall have the power to place a student on probation, to suspend the student, to exclude the student from the University, or to impose such other sanctions on students or student organizations as shall be found appropriate. The initial hearing of cases may be assigned by the president to student or any other hearing boards whose actions shall be subject to review by the University Hearing and Appeals Board. The hearing or review of individual cases may be delegated by the University Hearing and Appeals Board to a subcommittee of its membership or to any other hearing board.

c. **Chicago Campus Hearing and Appeals System.** The president may establish a Chicago Campus Hearing and Appeals System, which shall consider cases which may call for discipline of a student or group of students of any school on the Chicago campus.

d. **Hearing Procedures.** A student or student organization subject to disciplinary action is entitled to notice of the charge and a fair hearing in accordance with published procedure. In a case in which suspension or exclusion is ordered, no final action shall be taken until the student has had the opportunity to request and obtain a review of the record by the president or by a vice president designated by the president to review the case. A student may be suspended pending a prompt hearing in cases in which the president, a vice president designated by the president, or in cases involving students on the Chicago campus, the dean of a school on that campus, finds that such a suspension is necessary for reasons relating to the safety and well-being of students, faculty, or University property.

2. Failure in Academic Work

Whenever it shall appear that any student is not making satisfactory progress in his or her studies, the student may be excluded by vote of the faculty of the college or school in which the student is enrolled or by a committee or board that has been delegated such responsibility by that college or school. A student shall be notified in writing no later than the middle of a term that, because of unsatisfactory work in a previous term or terms, he or she is subject to exclusion in the event of unsatisfactory work during the term for which the notice is issued. In the absence of written and timely notice the student may request and then shall be granted a hearing by the faculty (or its committee or board) before the student is excluded.

3. Publications

No student or students shall publish any papers or other publication or production bearing the name of the University, or purporting to issue from it, without permission obtained, with the knowledge of the provost, from the vice president for student affairs or the dean of the college or school in which the students are enrolled.

4. Northwestern Community Council

a. **Membership.** The membership of the council shall consist of 15 persons: 5 students (undergraduate and/or graduate and professional), an equal number of faculty members (including at least 1 from the Chicago campus and no more than 2 from any single school), 2 administrative personnel, and 3 staff personnel. The president shall determine the methods by which the members of the council are selected and shall appoint one member of the council to serve as chair.

b. **Convening of the Council.** The council shall be convened from time to time when either the president or the Steering Committee of the University Senate determines that there is an issue of broad University-wide concern about which the council's advice might be sought.

c. **Responsibilities and Powers.** It shall be the duty of the council to address the charge accompanying its being convened and to make recommendations to the officers of the University and to the University Senate.

University Hearing and Appeals System

The following procedures are designed to assure equity in the process of determining violations by undergraduate and graduate students of University

rules and regulations on the Evanston campus. The process includes sanctions and conciliations that can be used together or separately.

The hearings provided for are unique to this University and are not to be considered analogous to court proceedings. Only that degree of formality has been included in these procedures that is considered necessary to insure a well-functioning and equitable system.

To achieve the purposes of this system, members of the University community should recognize that it is best to conciliate conflicts before formal hearings are necessary. Members of each hearing board should recognize that the best sanctions for violations of University rules and regulations are those that contribute to the growth of the individual and the welfare of the community. The entire community should recognize that major disruptions can best be avoided by sincere efforts to confront problems of the community promptly and to insure effective channels of communications at all times.

I. Structure

A. **University Hearing Board.** The University Hearing Board will consist of six student and three faculty members. Five regular and three alternate undergraduate student members shall be selected by the Student Forum of the Associated Student Government in the spring quarter. One regular and one alternate graduate student member shall be selected by the dean of the Graduate School (or, if the dean determines that there is a representative graduate student organization on the Evanston campus, then by that organization) in the spring quarter. Three regular and two alternate faculty members shall be selected by the General Faculty Committee from the membership of the University Senate in the spring quarter.

All terms shall be for one year and shall commence on June 1 for a period of one year or until successors are selected. Vacancies in regular or alternate membership on the board shall be filled in the same manner as the original selection.

The nine members shall elect a chair from among themselves. The chair will be eligible to vote on all matters before the board.

The board may declare a vacancy upon (1) receipt of written notice of resignation, (2) termination of a member's status as a member of the constituency from which he or she was selected, or (3) action by the board to remove the member. Removal shall be only for nonparticipation after reasonable written notice from the chair and only upon a vote of the board.

Regular members shall participate in all matters before the board; alternate members shall participate only when designated to replace a regular member at a specific hearing of the board. Except when replacing a regular member, alternate members are encouraged to attend all board meetings but shall not be subject to removal for nonattendance.

Where a regular member is unavailable to participate in a specific case, the chair shall designate, under provisions to be determined by the board, an alternate member to serve in his or her place.

All actions of the board shall require the presence of a quorum of six members and shall be made by an affirmative vote of at least five members.

Members of the board shall disqualify themselves from any hearing in which they have an interest or relationship with the parties or the events that might reasonably raise a question of their impartiality. Upon the request of any party, the Appeals Board may disqualify a member or members of the Hearing Board or of any special hearing board except the Sexual Assault Hearing Board.

The board may designate a panel of three of its members for the purpose of conducting hearings. The board may ask the president of the University for authority to retain an independent hearing officer to hear a case and make a decision when the exigencies of time, the pendency of other cases, or other extraordinary circumstances make such a procedure desirable.

B. University Appeals Board. The University Appeals Board (which is designated the University Hearing and Appeals Board in the University Statutes) will consist of six faculty members and three student members. Four regular and two alternate faculty members shall be selected by the General Faculty Committee from the membership of the University Senate; two regular and one alternate faculty members shall be selected each spring quarter. Two regular and two alternate faculty members shall be selected by the president, one regular and one alternate faculty members shall be selected each spring quarter. One regular and one alternate student member shall be selected by the president in the spring quarter. Two regular and one alternate student members shall be selected by the Student Forum of the Associated Student Government in the spring quarter.

Terms for faculty members shall be two years; terms for student members shall be one year; all terms shall commence on June 1 for the periods of appointment or until successors are selected. Vacancies in regular or alternate membership on

the board shall be filled in the same manner as the original selection.

A chair shall be selected by the president from among the nine regular members of the board and shall serve a one-year term. The chair will be eligible to vote on all matters before the board.

The board may declare a vacancy upon (1) receipt of written notice of resignation, (2) termination of a member's status as a member of the constituency from which he or she was selected, or (3) action by the board to remove the member. Removal shall be only for nonparticipation after reasonable written notice from the chair and only upon a vote of the board.

Regular members shall participate in all matters before the board; alternate members shall participate only when designated to replace a regular member on a specific appearance before the board. Except when replacing a regular member, alternate members are encouraged to attend all board meetings but shall not be subject to removal for nonattendance.

Where a regular member is unavailable to participate in a specific case, the chair shall designate, under provisions to be determined by the board, an alternate member to serve in his or her place.

All actions of the board shall require the presence of a quorum of six members and shall be made by an affirmative vote of at least five members.

Members of the board shall disqualify themselves from any hearing in which they have an interest or relationship with the parties or the events that might reasonably raise a question of impartiality. Upon the request of any party, the president may disqualify a member or members of the Appeals Board.

C. Executive Secretary. The executive secretary shall be employed by the University to receive all complaints, pleadings, appeals, and other communications on behalf of the boards and aid the chair of each board in setting the calendar of, arranging for, and keeping summaries of hearings. It will be the responsibility of the executive secretary to assist complainants in the filing of complaints and students or student organizations complained against in obtaining advice and/or representation. In cases in which the University is the complainant, the vice president for student affairs will be responsible for determining who will present the charges on behalf of the University in accordance with section V (E) (below). The executive secretary will also maintain the records of decision of the several boards and will serve to implement decisions and policies of the University Hearing and Appeals System. The executive secretary will in

no case recommend a decision to a board. A staff assistant designated by the executive secretary may perform any of the above functions in the name and under the supervision of the executive secretary.

D. Conciliation Board. The Conciliation Board shall be composed of an undergraduate member appointed by the president of the Associated Student Government, the chair of the General Faculty Committee, and the vice president for student affairs, or their delegates.

E. Special Hearing Boards. Constituent organizations (such as regulatory committees, living units, and supervisory organizations) may establish special hearing boards whose structure, jurisdiction, procedures, and sanctions shall be subject to approval by the University Appeals Board. The basis for approval shall be a determination that the structure is appropriately established, the jurisdictional limitation is consistent with provisions of section II (below), the process is substantially equivalent to that of the University Hearing Board, and the sanctions are reasonable.

II. Jurisdiction

A. The University Hearing and Appeals System shall have jurisdiction over all cases, other than those arising because of unsatisfactory academic work, which have not been resolved administratively by the Division of Student Affairs and which may call for discipline of a student, group of students, or student organization (undergraduate or graduate) of any school on the Evanston campus arising out of conduct that occurred during the time the student or students at issue were enrolled, including cases concerning the rights or property of the University or of the members of the University community and the rights and property of any person if the acts complained of occurred on premises under the control of the University. This provision and those that follow shall not apply to cases brought under the Sexual Assault Hearing and Appeals System. In such cases, the provisions of that system shall govern. In addition, these provisions shall not apply to cases of alleged sexual harassment until the administrative procedures set forth in the University Policy on Sexual Harassment have been exhausted.

B. The University Hearing Board shall conduct hearings on all complaints that have not been resolved administratively by the Division of Student Affairs except those within the jurisdiction of a special hearing board, unless that board declines to exercise jurisdiction. The University Hearing Board shall supersede

the jurisdiction of a special hearing board in a case in which the jurisdiction of the two boards would otherwise be in conflict.

C. The University Appeals Board shall have jurisdiction over all appeals of cases from the hearing board or special hearing boards. The University Appeals Board is the final level of appeal except in cases in which suspension or exclusion is ordered, in which cases the decision shall not become effective until the student, group of students, or student organization suspended or excluded has had the opportunity to request and obtain a review of the record by the president of the University or by a vice president designated by the president to review the case.

The University Appeals Board will advise hearing boards on the standardization of sanctions and procedures. The University Appeals Board will act as adviser to hearing boards on matters of procedure and the interpretation of University rules and regulations.

The University Appeals Board has the duty to review regularly the workings of the University Hearing and Appeals System based on the records of the hearing boards on file with the executive secretary.

The University Appeals Board may, on its own behalf or on the request of any other board, entertain an appeal concerning any matter that may adversely affect the carrying out of the purposes of the University Hearing and Appeals System. The University Appeals Board may, on its own behalf or on the request of any other board, communicate with the president or, by his or her delegation, any other person within the University concerning any matter that may adversely affect the carrying out of the purposes of the University Hearing and Appeals System.

D. The Conciliation Board shall have jurisdiction of all complaints subject to agreement of all parties and the appropriate hearing boards.

E. Each special hearing board shall conduct hearings on those complaints within its jurisdiction. For regulatory committees, jurisdiction shall be limited to those functions that they regulate and the fines (or other monetary assessments) they are authorized to impose under University rules and regulations. For organizations based upon voluntary membership, jurisdiction shall be limited to complaints based on internal rules and regulations and where all parties are members of the organization.

III. Filing of Complaints

A. Action will begin with the filing of a written complaint with the office of the executive secretary. A student, group of students, student organization, or the University may file a complaint against a student, group of students, or student organization. All complaints must be filed within one calendar year after the alleged action referred to in the complaint occurred except (1) where the delay was caused by the actual lack of knowledge by the complainant of the act or its consequences, in which case the complaint must be filed not later than one year after discovery by the complainant of the act or its consequences, but in no event more than two years after the alleged act occurred; or (2) where the charge alleges sexual harassment and the complainant has pursued his or her administrative remedies first. In such cases, the UHAS complaint must be filed within 90 days following the conclusion of the administrative process.

If a complaint appears to the executive secretary to be frivolous or malicious, it shall immediately be referred to the chair of the University Appeals Board, who may dismiss the complaint on either ground.

B. The complaint shall specify the rule or regulation alleged to have been violated and state briefly the circumstances that form the basis of the allegations. A copy of each complaint shall promptly be delivered personally or by posting in United States mail to the student, group of students, or student organization complained against at the current address in the Registrar's Office. It is the responsibility of all students to keep their addresses current with the University. A copy of the complaint will also be sent to the chair of the University Hearing Board and the University Appeals Board and all members of the Conciliation Board. Where the University is the complainant, no filing of charges will be made until such action is approved by the president or, by delegation, the vice president for student affairs or any other administrative officer so designated by the president.

C. A complaint may be filed against an individual who is enrolled at the time of the alleged act complained of but who ceases to be enrolled as a student at any time prior to the decision of the hearing board on the complaint. A complaint may also be filed against an individual who has previously been enrolled as a student in a school on the Evanston campus of the University but who, before the completion of degree requirements, ceases to be enrolled and is not enrolled at the time of the alleged act complained of in the

same manner as against a student who is enrolled.

If the individual, within five days after notice is given of the complaint, files with the executive secretary a written assertion that the University Hearing and Appeals System has no jurisdiction over this individual because he or she is not a student, then this individual shall be excluded from the University and may not subsequently enroll in any school in the University on either the Evanston or Chicago campus unless admitted through the office of the registrar of the appropriate school. If the hearing board determines restitution to be due, it may also direct that issuance of transcripts and transfer of academic credits be withheld until payment is made in full.

A hearing board, in a case involving such an individual who submits to the jurisdiction of the hearing board, may upon a guilty finding impose any sanction that it may impose on an enrolled student, such sanctions to take effect either before or after the reenrollment of the individual, as directed by the board. In addition, the hearing board may direct that the individual may not be allowed to reenroll before a specified date and may also direct that issuance of transcripts and transfer of academic credits be withheld pending reenrollment or satisfaction of other sanctions imposed.

D. Once filed, a complaint may be withdrawn only by consent of the appropriate hearing board or the University Appeals Board or as provided for under paragraph E of section IV below.

IV. Conciliation

A. The Conciliation Board shall provide a flexible process to assist conflicting parties in resolving complaints, where possible, prior to hearings. Through informal discussions with both parties, the Conciliation Board shall play an impartial but active role in examining and clarifying issues and circumstances underlying disputes. The Conciliation Board may indicate areas of agreement and may recommend a course of action. But in no event may the Conciliation Board impose an agreement upon the parties or refuse to approve an agreement reached by the parties.

B. Following notification of charges against a student, group of students, or student organization, the executive secretary will contact the parties charged to advise them of their rights and responsibilities and to inquire as to their willingness to enter into prehearing conciliation. Should the complainant also be willing to attempt conciliation, the executive secretary shall con-

vene the Conciliation Board promptly. The Conciliation Board may request that the appropriate hearing board grant additional time before the setting of the hearing calendar when conciliation is proceeding, which the hearing board may grant for a specified period of time or deny.

C. At any time during the proceedings, should all parties to the complaint agree, conciliation shall be entered into for a period of time approved by the hearing board.

D. To promote a full and free discussion of problems underlying the dispute, information given during such conciliation efforts shall be privileged and may not be divulged without the consent of all parties; and if such information is divulged without consent, it may not be used in any hearing or disciplinary proceeding or otherwise against any student, group of students, or student organization whether or not they are party to the matter under consideration.

E. Upon completion of conciliation efforts, whether successful or not, the Conciliation Board shall present a written report to the appropriate hearing board stating either that conciliation efforts were successful and the nature of the resolution of the matter or that conciliation efforts have failed. In cases where a conciliation agreement involves (1) a recommendation to alter a student's University standing (by exclusion, suspension, or disciplinary probation); (2) the University as a party to conciliation; (3) a student who has been sanctioned in a previous case by a hearing board or a student who has been the subject of a previous complaint resolved by conciliation; or (4) in other cases if made a condition of the agreement, such an agreement must be reviewed and approved by the University Hearing Board. The report of a conciliation agreement that includes disciplinary sanction must include a stipulation of the facts in the complaint and also a stipulation of violation of University rules and regulations by the student, group of students, or student organization complained against. Any complaint resolved by agreement not requiring board approval shall be considered still pending until the complainant withdraws the complaint by written notice filed with the executive secretary. Where the University Hearing Board approves disciplinary sanctions agreed to in conciliation, such sanctions will be applied in a manner identical to sanctions resulting from hearing procedures.

V. Conduct of Hearings

A. A calendar of hearings will be fixed by the chair of the hearing board after consultation with those involved in the proceedings. The first hearing should be held as soon as possible following receipt of the complaint by the hearing board; at such hearing the board may grant or deny a request for delay of proceedings to permit conciliation efforts. The chair will have discretion to alter the calendar for good reason with the approval of those involved in the proceedings. Good reason shall be interpreted to mean illness, examination or other University schedules, appearance in civil or criminal courts for the same offense, time required to make investigation or prepare defense, and similar grounds for requesting delay of proceedings.

B. Any party may request an extension of the hearing time for good reason. The decision rests with the chair of the hearing board.

C. Any party is entitled prior to the hearing to have the names of those presenting information on behalf of other parties.

D. Except as provided in paragraph A of section VII, the hearing will be private unless the student, group of students, or student organization complained against requests that it be open. A private hearing will include the members of the hearing board and its staff, those complaining and complained against, and their representatives. An open hearing will include, in addition, as many members of the University community as the hearing room will accommodate comfortably in the estimation of the chair of the hearing board. In both private and open hearings the individuals presenting information will be called to the hearing room to present information and will thereafter be excused by the chair.

E. Presentation of information will be made during the hearing set by the hearing board. In cases in which the University is the complainant, presentation of the charges against the student, group of students, or student organization will be made by a staff member from the Division of Student Affairs. The determination of the individual to present the charges will be made by the vice president for student affairs and will be based on the type of infraction and the circumstances involved. The board may address questions to any party to the proceedings or to any witnesses called by the parties or the board subject to the right

of examination by other parties. No individual will be required to testify against him/herself.

F. Either the student, group of students, or student organization complaining or complained against may request an investigation to be authorized by the hearing board. The request for investigation must be filed with the hearing board at the first meeting of the board to hear the complaint. The individual authorized to conduct the investigation will report all findings at the hearing in the presence of all parties. The investigator in conducting the investigation is bound to uphold the regulations regarding the security of students in the University Policy Statement on Student Rights and Responsibilities.

G. The chair of the hearing board or other member of the board designated by the board to preside at a hearing has authority to maintain order and to control the conduct of persons in the meeting room of the hearing board. Any individual or individuals refusing to cooperate with the instructions of the presiding officer will be subject to the filing of a complaint by vote of the hearing board.

H. Individuals appearing before a hearing board have the responsibility to present truthful information to the hearing board. Any individual thought to have willfully presented false or misleading information to the board will be subject to the filing of a complaint by vote of the hearing board.

I. Any student, group of students, or student organization either complaining or complained against may request assistance in obtaining advice and/or representation through the office of the executive secretary. The parties to a complaint must inform the executive secretary of the name of their representative before the hearing. If the hearing board deems that a party to a hearing is inadequately represented, it may at the request of the party appoint a representative. The executive secretary shall maintain a listing of individuals who are familiar with the procedures of the University Hearing and Appeals System and who are willing to serve as the representatives of parties in hearings before the board.

J. The conduct of the hearing will be essentially informal, including presentation of information, presentation by the representatives of the party charged if they have been invited by that party, preliminary questioning by the hearing board of any party to the proceed-

ings, presentation by the investigator if the investigator has been authorized by the board, questions by the party complaining, questions by the party complained against, discussions of course of action by the hearing board with the individual complained against or the individual's representative, and decision by the hearing board.

K. Procedures within the University Hearing and Appeals System are not to be considered analogous to court proceedings and only that degree of formality has been included in these procedures that is considered necessary to insure a well-functioning and equitable system. Therefore, a member of the bar may not act as a representative within the system unless that individual who is a member of the bar is enrolled as a student on the Evanston campus.

L. Hearing boards may not issue any finding of violation of University rules and regulations that is not grounded on sufficient evidence. Though hearing boards are not required to follow general rules of evidence, their findings may not be based on rumor, hearsay, or caprice.

M. Written notice must be sent to all parties or their representatives of (1) the decision of the hearing board immediately after the decision is reached and (2) the availability of the summary or record of proceedings immediately after it becomes available. The executive secretary will keep one copy of all decisions with the names of the parties confidential until all appeal deadlines have expired, after which time all names shall be deleted and the copy kept for reference by individuals with legitimate concern. The executive secretary shall also keep a confidential record of names of parties who have incurred sanctions for a five-year period. This record shall be available only to the boards of UHAS. Any member of the University community with a legitimate concern may request the University Appeals Board to allow such member access to the decision file without names. Legitimate concern shall include research for precedent, preparation of information for a board hearing, and analysis of the University Hearing and Appeals System or other concerns acceptable to the board. The several boards shall periodically announce their decisions to the University community. In all closed hearings, names of students shall not be stated in announcements of sanctions imposed. Hearing boards in the University Hearing and Appeals System must keep written summaries of hearings within their files for use in appeals.

VI. Cooperation of Witnesses

A. A student is required to appear at hearing board proceedings if the student's presence is requested by the board. Any individual refusing to cooperate will be subject to the filing of a complaint by vote of the hearing board. The appearance and cooperation of other members of the University community are expected and may be requested by the hearing board.

B. Parties to the proceedings may request the assistance of the hearing board in calling witnesses to hearings. In the event that a party requests such assistance, the hearing board will first determine whether testimony of the individual whose presence is requested will be of such relevance to the proceedings as to justify this individual being called.

C. A member of the community whose presence has been requested by the board may present to the hearing board reasons for testifying in closed hearing or may present to the board, through an appropriate representative, reasons for submitting a written statement. The hearing board may allow those requests if it considers the reasons sufficient.

D. If a hearing board determines that the defense of a student, group of students, or student organization charged with a violation of a University rule or regulation will be materially impaired by the failure of a member of the University community (student or non-student) to comply with the board's request for cooperation, the board may on this ground dismiss the complaint against the party charged except that approval of the University Appeals Board will be necessary before the dismissal shall be effective.

VII. Sanctions

A. If the hearing board decides the party charged committed a violation of a University rule or regulation, a hearing shall then be held (if requested by a complainant or party charged or if the board deems it advisable) on mitigation, aggravation, and appropriate sanctions. In this hearing, the board may consider (1) character witnesses, (2) mitigating circumstances, (3) past record of disciplinary sanctions of the party complained against, and (4) other factors that the board considers relevant to the sanctions. This hearing will be private if requested by any party.

B. The actions of hearing boards may include conciliatory and educational as well as punitive measures

designed to lead to better understanding and mutual enlightenment of the students involved in complaints. Such measures may include referral to the Counseling and Psychological Services staff and the requirement that parties attend special seminars, engage in field study or community service, pursue independent studies, or participate in other educational programs, provided faculty help and supervision are available. No decision of any hearing board shall be effective until all appeal and rehearing procedures have been completed. Other measures that may be applied are as follows:

1. Special Hearing Boards. Fines, restitution for damages, and penalties involving living unit programs or privileges over which the board has jurisdiction may be imposed. The above sanctions may be imposed upon a group of students, the living unit, or a student organization as well as upon individuals. Exclusion, suspension, and disciplinary probation may be recommended through referral to the University Appeals Board.

2. University Hearing Board. Restitution for damages, exclusion, suspension, disciplinary probation, and penalties involving any University program or any combination of the foregoing may be imposed.

3. Each board shall specify in its written decision the date by which a sanction must be satisfied that calls for actions to be carried out by the student, group of students, or student organization. If the party on whom the sanction is imposed does not file evidence of full satisfaction with the board by that date, unless the time is extended by the board, the party will thereupon be automatically suspended and prohibited from obtaining a transcript or receiving a University degree until such evidence is filed and found acceptable by the board.

C. The following sanctions may be imposed upon an individual student unless a specific difference in definition is stated in the memorandum of decision:

1. Exclusion. The student is deprived of all attributes of student status and may not register, submit written course work, receive academic credit, attend classes, or remain in University housing. The student may not reenter without acceptance of formal application by the Office of Admission and approval of the vice president for student affairs and the chair of the University Appeals Board. The student may also be denied campus visiting privileges. The sanction will be permanently recorded on the student's record in the office of the vice president for student affairs.

2. Suspension. The student may not register, submit course work, receive academic credit, attend classes, or remain in University housing. The student may also be denied campus visiting privileges. No suspension shall be for less than one academic quarter except that a student may be suspended solely for the remainder of a quarter in progress. In no case shall a suspension be in effect for a period longer than three consecutive quarters, and the board imposing the sanction may terminate the suspension at any time it deems such action in the best interest of the University community. No student who has been ordered suspended in a future quarter shall be eligible to receive a University degree until the period of suspension has terminated. The sanction will be permanently recorded on the student's record card in the office of the vice president for student affairs.

3. Disciplinary Probation. Disciplinary probation shall consist of a letter of reprimand from the hearing board to the student, and it will explain the reasons for the sanction. The letter of reprimand may, at the hearing board's direction, include any condition which must be fulfilled by the student in lieu of an alternative or additional sanction. Violation of any such condition shall result in a mandatory sanction of not less than one academic quarter of suspension. In addition, should a student be found guilty of an offense committed at any time during enrollment at the University while three letters of disciplinary probation are currently on file, the student shall be under mandatory sanction of not less than one academic quarter of suspension. The letter will also specify the date on which the letter will be removed from the student's record card in the office of the vice president for student affairs. The sanction will be noted in the student's discipline file for a period up to four years at the board's discretion or until the student's graduation. No permanent record will be kept.

D. Any sanction permitted by this system may, where applicable, be imposed upon an individual student or a student organization (which includes a group of students or a living unit). When one of the sanctions defined above is imposed upon a student organization, the hearing board must define the sanction in the decision but to the extent that the definition in the decision does not cover a question, the above definition shall apply insofar as possible.

VIII. Rehearings and Appeals

A. Rehearings. A student, group of students, or student organization complained against may request

a rehearing of any case within the University Hearing and Appeals System. The rehearing will be by the board that heard the original complaint.

The student, group of students, or student organization must state the reasons for requesting the rehearing to the appropriate board. Rehearings must be based on newly discovered evidence that reasonably could have affected the decision of the hearing board. "Newly discovered evidence" is evidence that could not have been discovered and presented at the initial hearing through the exercise of reasonable diligence. The board will have a preliminary meeting with the student, group of students, or student organization requesting the rehearing and any other parties to discuss whether the reasons given provide sufficient grounds for granting a rehearing. If the board determines that the rehearing of the case should be granted, the chair will place the hearing on the calendar of the board. When a rehearing has been granted, the penalty placed against the student, group of students, or student organization under the previous board decision is suspended. All rules of procedure apply to rehearings in the same manner as hearings.

B. Appeals. Any party may appeal a decision by submitting an appeal request in writing to the executive secretary.

The appeal must be taken to the office of the executive secretary by the appellant within five school days of the later date on which notice is sent to the appellant (1) of the decision of the board appealed from and (2) of the availability of the summary or record of the proceedings.

The appellant must submit reasons for requesting an appeal and the action requested. The summary or record of the original hearing must be presented in writing by the chair of the board from which the case is being appealed. The appeal will be limited to a review of the summary or record of proceedings of the prior hearing and statements of the parties or their representatives, but no witnesses will be heard and no new information will be received.

Appeals of decisions will be limited to errors in procedures, the interpretation of regulations, or the question of whether a finding or sanction appears manifestly contrary to the record.

On an appeal from the decision of a board, the University Appeals Board will (1) affirm the decision, (2) reduce the sanction imposed, (3) direct the board to dismiss the case, or (4) direct the board to rehear the case as to the finding of a violation or the sanction imposed or both. In its consideration of the ap-

peal, the University Appeals Board may instruct the board on procedures, interpretation of regulations, or the appropriateness of findings and sanctions based on its experience and knowledge of precedent. Decisions on all appeals must be given promptly.

Appeals from actions of boards, other than final decisions, may be filed at any time prior to the final decision where delay may substantially impair the rights of an individual, group, or organization. This provision specifically includes challenges to the jurisdiction of a board over the individual, group, or organization or the subject matter.

If the University Appeals Board determines, upon a review of the record and decision in a case before it on appeal, that there has been a gross miscarriage of justice in either the findings as to violation of University rules and regulations or innocence or in the appropriateness of the sanction imposed by the board whose decision has been appealed from, the University Appeals Board may recommend to the president that it be authorized to conduct a new hearing and make its own determination of facts and impose such sanctions as it deems appropriate. Such recommendation shall be in writing and shall specify the reasons therefore. Copies of the recommendation shall be sent to the board appealed from and to all parties to the case. Any member of the board appealed from and any party may within five (5) days thereafter submit a written statement to the president either supporting or opposing the recommendation. The president or the president's designee shall base the decision on such recommendation upon a review of the record and decision in the case in question, the recommendation of the University Appeals Board, and all such statements filed within such five-day period. The decision of the president shall be given within a reasonable period of time and shall be in writing. Copies of the decision shall be sent to the University Appeals Board, the board appealed from, and all parties to the case. If the recommendation of the University Appeals Board is approved, the University Appeals Board in the new hearing shall give such weight to the record and decision of the board whose decision has been appealed from as the University Appeals Board deems appropriate.

IX. Amendments

Amendments that do not require a change in University statutes shall become effective upon initiative by the president of the University or upon recommendation by the vice president for student affairs after consultation with appropriate campus governance groups (the Associated Student Government, the

General Faculty Committee, and the Northwestern University Staff Advisory Council) and approval by the president.

Sexual Assault Hearing and Appeals System

Northwestern University recognizes that cases alleging sexual assault pose unique problems for the standard hearing and appeals process. The nature of the alleged offense requires that safeguards exist to protect the privacy of the charging party while at the same time assuring a fair and impartial adjudication of the charges against undergraduate and graduate students who stand accused. The objectives of equity and confidentiality are intended to encourage victims of sexual assault to come forward and to enable the University to determine, as best it can, when violations have occurred and to take appropriate action.

I. Sexual Assault Defined

For purposes of these provisions pertaining to hearings in sexual assault cases, sexual assault means any intentional or knowing touching or fondling by the accused, either directly or through the clothing, of the victim's genitals, breasts, thighs, or buttocks without the victim's consent. Sexual assault includes touching or fondling of the accused by the victim when the victim is forced to do so against his or her will. Sexual assault also includes any nonconsensual acts involving sexual penetration of the sex organs, anus, or mouth. The use of alcohol and/or drugs by one or more of the parties involved will not be considered as a mitigating factor in cases of alleged sexual assault. In fact, such use may be considered as an aggravating factor if the effect of such use is deemed to have made the complaining party incapable of giving consent. Sexual assault is an act of violence. Verbal conduct, without the requisite physical touching or fondling, will not be deemed sexual assault so as to trigger the hearing procedures defined below. However, such conduct may constitute sexual harassment as defined in University policies. Individuals to whom such conduct is directed should refer to the policy and procedures on sexual harassment.

II. Structure

A. Sexual Assault Hearing Board

1. The Sexual Assault Hearing Board will consist of seven members and seven alternates appointed by the president of the University from among nominees presented for the president's review in the spring quarter of each year. The vice president for student affairs will nominate eight administrative staff members from

which the president will appoint two members and two alternates to the Sexual Assault Hearing Board. The General Faculty Committee will nominate 12 faculty members from which the president will appoint three members (at least one of whom is tenured) and three alternates (at least one of whom is tenured). Eight students will be nominated by the president of the Associated Student Government, and the president of the University will similarly appoint two members and two alternates from among these nominees. The president will insure that at least three males and three females are included among the seven members and that at least three males and three females are included among the seven alternates. In addition, in cases involving a student or students on the Chicago campus, at least one member of the Sexual Assault Hearing Board shall be affiliated with that campus. If no such representative is chosen in the normal selection procedure detailed herein, the president of the University will appoint a tenured faculty member from the Chicago campus to serve as chair for such cases. The tenured faculty member designated as chair in accordance with paragraph II (A) (4) below will be excused from service for these cases only.

2. Each appointment will be for a term of two years or until a successor is selected, except that the first faculty representatives appointed to membership under these provisions and the first faculty alternates so appointed will serve three-year terms. Appointments will commence on June 1 of even-numbered years for members and alternates representing the staff and the students and on June 1 of odd-numbered years for the faculty members and alternates.

3. A member or alternate whose term is concluding may be renominated for a succeeding term and, if renominated, may be reappointed by the president of the University for such term. In the event of a vacancy prior to expiration of the designated term, a new member or alternate, as the case may be, will be appointed by the president of the University from among three nominees presented by the vice president for student affairs, the General Faculty Committee, or the president of ASG. The new member or alternate will be from the same group, that is, administration, faculty, or student body, as was the individual whose post has been vacated. The president, in making such appointments, will continue to insure the presence of at least three males and three females among the members and the alternates.

4. The president of the University will designate a chair from among the tenured faculty members. The chair will be eligible to vote on all matters before the

Sexual Assault Hearing Board. Regular members will participate in all matters before the Sexual Assault Hearing Board, and alternates will participate only when designated to replace a regular member at a specific hearing. Regular members or alternates not participating in a specific hearing will not be permitted to attend that hearing.

5. Seven members or alternates will hear every case presented to the Sexual Assault Hearing Board except as otherwise provided herein. At least three males and three females will be on each hearing panel of seven members or alternates. All actions of the Sexual Assault Hearing Board, except as otherwise provided herein, shall require at least four votes in the affirmative. Notwithstanding the foregoing, when necessary to ensure a prompt hearing, a quorum of five members or alternates may hear a case presented to the Sexual Assault Hearing Board and may, with at least three votes in the affirmative, take any actions that a full panel of seven members or alternates would otherwise be empowered to take. The chair has sole discretion in determining whether a case will proceed to hearing before such a quorum. In constituting such a quorum, the executive secretary will, to the extent possible, be sensitive to the issue of gender balance on the panel. In all cases, if a member or alternate is aware of any circumstances that would prevent his or her impartial consideration of the case before the Sexual Assault Hearing Board, that member or alternate will excuse him- or herself from participation and another, selected by the chair, will sit in his or her stead. Upon the request of any party, the Sexual Assault Appeals Board may disqualify a member or members of the Sexual Assault Hearing Board.

6. The structure, jurisdiction, procedures, and sanctions of the Sexual Assault Hearing Board created herein will not be subject to the approval or direction of the University Appeals Board.

B. Sexual Assault Appeals Board

1. The Sexual Assault Appeals Board will consist of three members and three alternates appointed by the president of the University from among nominees presented for the president's review in the spring quarter of each year. The vice president for student affairs will nominate four administrative staff members from whom the president will appoint one member and one alternate to the Sexual Assault Appeals Board. The General Faculty Committee will nominate four faculty members from whom the president will appoint one member and one alternate. Four students will be nominated by the president of the Associated Student

Government, and the president of the University will similarly appoint one member and one alternate from among these nominees. No one nominated for the Sexual Assault Hearing Board will be nominated for the Sexual Assault Appeals Board in the same year. The president will insure that at least one male and one female are included among the three members and that at least one male and one female are included among the three alternates.

2. Each appointment will be for a term of two years or until successors are selected, except that the first student appointed to membership under these provisions and the first student alternate so appointed will serve one-year terms. Appointments will commence on June 1 of even-numbered years for members and alternates representing the staff and the faculty and on June 1 of odd-numbered years for the student member and alternate.

3. A member or alternate whose term is concluding may be renominated for a succeeding term and, if renominated, may be reappointed by the president of the University for such term. In the event of a vacancy prior to expiration of the designated term, a new member or alternate, as the case may be, will be appointed by the president of the University from among nominees presented by the vice president for student affairs, the General Faculty Committee, or the president of ASG. The new member or alternate will be from the same group, that is, administration, faculty, or student body, as was the individual whose post has been vacated. The president, in making such appointments, will continue to insure the presence of at least one male and one female among the members and the alternates.

4. The president of the University will designate a chair from the three members. The chair will be eligible to vote on all matters before the Sexual Assault Appeals Board. Regular members will participate in all matters before the Sexual Assault Appeals Board, and alternates will participate only when designated to replace a regular member at a specific appeals hearing. Regular members or alternates not participating in a specific appeal will not be permitted to attend the hearing of that appeal.

5. Three members or alternates will hear every case presented to the Sexual Assault Appeals Board. At least one male and one female will be on each hearing panel. If a member or alternate is aware of any circumstances that would prevent his or her impartial consideration of the case before the Sexual Assault Appeals Board, that member or alternate will excuse him- or herself from participation, and

another, selected by the chair, will sit in his or her stead. Upon the request of any party, the president of the University may disqualify a member or members of the Sexual Assault Appeals Board. All actions of the Sexual Assault Appeals Board will require at least two votes in the affirmative.

C. Executive Secretary. The executive secretary of the University Hearing and Appeals System will also serve as the executive secretary for the Sexual Assault Hearing Board and Sexual Assault Appeals Board created herein. The executive secretary will receive all complaints, pleadings, and other communications on behalf of those boards and will aid the chair of each board in setting the calendar of, arranging for, and keeping records or summaries of hearings. It will be the responsibility of the executive secretary to assist complainants in the filing of complaints and students complained against in obtaining advice and/or representation. The executive secretary will maintain the records of decision of the boards and will serve to implement decisions and policies of the boards. The executive secretary will in no case recommend a decision to a board. A staff assistant designated by the executive secretary may perform any of the above functions in the name and under the supervision of the executive secretary.

D. Mediator. A mediator may be selected to assist parties in resolving complaints.

E. Training. All members and alternates of the Sexual Assault Hearing Board and the Sexual Assault Appeals Board are required to participate in a 15-hour education/training program organized by the Sexual Assault Education Program coordinator. In addition, at the beginning of each school year all members and alternates are required to participate in a two-hour review session organized by the Sexual Assault Education Program coordinator and the executive secretary. Members and alternates may receive additional education/ training on a voluntary basis.

III. Jurisdiction

A. Sexual Assault Hearing Board. The Sexual Assault Hearing Board created under this statement will have exclusive jurisdiction over all cases alleging sexual assault, as defined in Section I, in which the accused and the accuser are students and which occurs during the school term (exclusive of vacations) (1) on University premises; (2) at University activities, programs, or sponsored events; (3) in the off-campus residence of any University student; or (4) on any street or area

contiguous to the aforementioned sites. The school term includes the Summer Session, provided at least one of the parties is enrolled during that session. In addition to the foregoing, the Sexual Assault Hearing Board will have jurisdiction over cases of alleged sexual assault occurring on University premises, in University living units (residence halls and Greek units), and in local off-campus housing during academic-year vacation periods. Neither the jurisdiction of the University Hearing Board nor that of the Chicago Campus Hearing and Appeals System will supersede that of this Sexual Assault Hearing Board. Nothing herein shall prevent a student who believes himself or herself to be the victim of a sexual assault from filing a criminal complaint instead of, or in addition to, a complaint under these provisions.

B. Sexual Assault Appeals Board. The Sexual Assault Appeals Board will have jurisdiction over all appeals of sexual assault cases from the Sexual Assault Hearing Board. The Sexual Assault Appeals Board is the final level of appeal in sexual assault cases except in those cases in which suspension or exclusion is ordered. In such cases, the decision will not become effective until the student(s) suspended or excluded has (have) had the opportunity to request and obtain a review of the record by the president of the University or by a vice president designated by the president to review the case.

C. Mediator. A mediator shall have jurisdiction over all complaints, subject to the agreement of all parties and the Sexual Assault Hearing Board.

IV. Filing a Complaint

A. A student who believes him- or herself to be a victim of a sexual assault as defined herein may file a written complaint with the office of the executive secretary. All complaints alleging sexual assault must be filed within one year after the alleged assault unless exceptional circumstances prevented compliance with the one-year provision. It shall be the duty of the executive secretary, in consultation with the vice president for student affairs, to determine whether the jurisdictional and timeliness requirements of the Sexual Assault Hearing Board have been met.

B. The complaint may be filed against an individual who is enrolled at the time of the alleged sexual assault but who ceases to be enrolled as a student at any time prior to the decision of the Sexual Assault Hearing Board on the complaint. A complaint

may also be filed against an individual who has previously been enrolled as a student in a school on the Evanston or Chicago campus of the University, but who, before the completion of degree requirements, ceases to be enrolled and is not enrolled at the time of the alleged sexual assault in the same manner as against a student who is enrolled.

C. If the individual accused, within five days after notice is given of the complaint, files with the executive secretary a written assertion that the Sexual Assault Hearing Board has no jurisdiction because he or she is not now a student, then the individual will be excluded from the University and may not subsequently enroll in any school in the University on either the Evanston or Chicago campus, unless admitted through the office of the registrar of the appropriate school.

D. The Sexual Assault Hearing Board, in a case involving such an individual who submits to the jurisdiction of the Sexual Assault Hearing Board, may upon a guilty finding impose any sanction that it may impose on an enrolled student, such sanction(s) to take effect either before or after the reenrollment of the individual, as directed by the board. In addition, the Sexual Assault Hearing Board may direct that the individual may not be allowed to reenroll before a specified date and may also direct that issuance of transcripts and transfer of academic credit be withheld pending reenrollment or satisfaction of other sanctions imposed.

E. The complaint must set forth the circumstances that form the basis of the allegations in sufficient detail to establish the jurisdictional prerequisites for consideration by the Sexual Assault Hearing Board. At a minimum, it must include the time and place of the alleged assault, the name(s) of the accused and his or her (their) status at the University (if known), as well as a brief statement of the act or acts that constituted the alleged assault. A complaint lacking such specificity will be returned to the complainant for clarification by the office of the executive secretary.

F. Upon receipt of a complaint that meets the criteria established herein, the office of the executive secretary will promptly notify the accused student(s) of the charge. Notification will consist of delivery to the accused student(s) of a copy of the complaint, either personally or by posting in the U.S. mail to the address(es) of said student(s) on file with the Registrar's Office. It is the responsibility of all students to keep their addresses current with the University.

G. Once filed, a complaint may be withdrawn only with the consent of the vice president for student affairs.

V. Mediation

A. The mediation process provides an alternative to the formal hearing process. It is intended to allow the persons involved in an alleged sexual assault to discuss their respective understandings of the incident and to resolve complaints prior to hearings, where possible, through the assistance of a trained mediator. The mediator may indicate areas of agreement and may recommend a course of action. But in no event may the mediator impose an agreement or refuse to approve an agreement reached by the parties.

B. Following notification of charges against a student or group of students, the executive secretary will contact the parties charged to advise them of their rights and responsibilities and to inquire as to their willingness to enter into prehearing mediation. The mediation process will be undertaken only if all parties agree to it.

C. Once all parties have agreed to mediation, the executive secretary will assign a mediator from the pool of trained mediators. Either party may challenge the choice of mediator for cause, and the executive secretary may then choose to assign another mediator. The mediator will contact both parties to set the date, time, and location of the mediation session(s). The executive secretary will assign a mediator within two weeks of the agreement to participate in mediation, and the mediation session(s) will normally be completed within two weeks of the assignment of a mediator.

D. While mediation is proceeding, the mediator may request that the hearing board grant additional time before setting the hearing calendar. The hearing board may grant such a request for a specified period of time or deny it.

E. At any time during the proceedings, should all parties to the complaint agree, mediation shall be entered into for a period of time approved by the hearing board.

F. The only parties who will be present at the mediation session(s) will be the persons directly involved in the incident, one representative for each party, and the mediator. During the mediation process, the mediator will ask the parties to give their versions of the incident, identify key issues, seek the parties' agreement to the issues, facilitate discussion as the parties

generate solutions for each issue, and work with both parties to develop a written document that will include a statement of agreement on each issue. There can be no statement of agreement unless all parties agree with it. The agreement may include sanctions such as those defined in section VIII. Because participation in mediation is entirely voluntary and the final result is a product of mutual agreement, this process is not appealable.

G. To promote a full and free discussion of problems underlying the alleged assault, information given during such mediation efforts shall be privileged and may not be divulged without the consent of all parties. If such information is divulged without consent, it may not be used in any hearing or disciplinary proceeding or otherwise used against any student or group of students, whether or not they are party to the matter under consideration.

H. Upon completion of mediation efforts, whether successful or not, the parties have three days to contact the mediator and nullify the agreement. After three days, the mediator shall present a written report to the hearing board either stating that mediation efforts were successful and outlining the nature of the resolution or stating that mediation efforts have failed. Any sanctions agreed upon by all parties in mediation will be applied in a manner identical to sanctions resulting from hearing procedures.

VI. Conduct of Hearings

A. Upon receipt of a complaint from the office of the executive secretary, the chair of the Sexual Assault Hearing Board will schedule a hearing. The hearing will be convened within one week of receipt of the complaint unless the requisite five or seven members and/or alternates are unavailable during that period, in which event the Sexual Assault Hearing Board will convene as soon thereafter as possible. If one or the other of the parties requests a postponement, the Sexual Assault Hearing Board may, by majority vote, authorize a reasonable postponement for good cause. Good cause will be interpreted to mean illness, examination, appearance in civil or criminal courts for the same offense, time for mediation, and similar grounds for requesting a postponement of the hearing. Additional requests for a postponement of the hearing time for good cause may be made by either party. Any decision to grant such request will be made by majority vote of the Sexual Assault Hearing Board.

B. In the event that a postponement is granted pending the outcome of a criminal proceeding, the Sexual Assault Hearing Board need not be bound by the state court determination of the criminal case. Notwithstanding that fact, if a finding of guilty on a charge of sexual assault is returned against the accused student(s) in a criminal case (or if the student pleads guilty to such a charge) and no timely appeal is taken, the student(s) will be expelled from the University without further hearing before the Sexual Assault Hearing Board.

C. Any party is entitled prior to the hearing to have the names of those presenting information on behalf of the other parties.

D. All hearings of the Sexual Assault Hearing Board will be private. The private hearing will include the members of the Sexual Assault Hearing Board or their alternates, the complainant, the student(s) charged, and one representative designated by each individual party. Individuals presenting information to the Sexual Assault Hearing Board as witnesses for the parties will be called to the hearing room to present such information and will thereafter be excused by the chair.

E. Presentation of information will be made during the hearing set by the Sexual Assault Hearing Board. The board may address questions to any party to the proceedings or to any witnesses called by the parties or the board subject to the right of examination by other parties. No individual will be required to testify against him- or herself.

F. The chair of the Sexual Assault Hearing Board or other member or alternate of the board designated to preside at the hearing has authority to maintain order and to control the conduct of persons in the hearing room. Any individual or individuals refusing to cooperate with the instructions of the presiding officer may be referred by the Sexual Assault Hearing Board to the president of the University or to an individual designated by the president for disciplinary action.

G. Individuals appearing before the Sexual Assault Hearing Board have the responsibility to present truthful information to the board. Any individual thought to have willfully presented false or misleading information to the Sexual Assault Hearing Board may be referred to the president of the University for disciplinary action.

H. Any party to the proceeding may request assistance in obtaining advice and/or representation through the office of the executive secretary. The parties must inform the executive secretary of the name of their representative prior to the hearing. If the Sexual Assault Hearing Board deems that a party to the hearing is inadequately represented, it may at the request of that party appoint a representative.

I. The conduct of the hearing will be essentially informal. The parties or their representatives will be entitled to make presentations and to present witnesses to the Sexual Assault Hearing Board; questions may be addressed by the board to the parties and their witnesses and by the parties themselves to any individuals presenting evidence. The board will also provide all parties with the opportunity to present rebuttal testimony. Proceedings in front of the Sexual Assault Hearing Board and the Sexual Assault Appeals Board are not to be considered analogous to court proceedings, and only that degree of formality has been included in these procedures that is considered necessary to ensure a well-functioning and equitable system. Therefore, a member of the bar may not act as a representative within the system unless this individual is enrolled as a student on the Evanston or Chicago campus.

J. Following the presentation of all evidence that the parties have at their disposal and after the parties and the board have had the opportunity to ask questions, the board will deliberate and decide upon a course of action. The Sexual Assault Hearing Board may not issue any finding of violation of University rules and regulations that is not grounded on sufficient evidence. Though the Sexual Assault Hearing Board is not required to follow rules of evidence, its findings may not be based on rumor, hearsay, or caprice.

K. Written notice must be sent to all parties or their representatives of (1) the decision of the Sexual Assault Hearing Board immediately after the decision is reached and (2) the availability of the summary or record of proceedings immediately after it becomes available. The executive secretary will keep one copy of all decisions with the names of the parties confidential until all appeal deadlines have expired, after which time all names will be deleted and the record added to a permanent file on activities of the Sexual Assault Hearing Board maintained by the executive secretary. The executive secretary also shall keep a

separate confidential record of names of parties who have incurred sanctions within the past five years. This record shall be available only to the SAHAS boards. No access may be had to the permanent file without names except by the executive secretary or his or her designee for purposes of compiling information for presentation to the Sexual Assault Hearing or Appeals boards or to the vice president for student affairs. If a student requests access to such information to research precedent for his or her own case, the student will address such request to the vice president for student affairs. The decision of the vice president for student affairs as to whether or not to release such information and, if so, to what extent and in what format, will be final. In no event will the names of any participants in prior hearings be released.

VII. Cooperation of Witnesses

A. A student is required to appear at Sexual Assault Hearing Board proceedings if the student's presence is requested by the board. Any individual refusing to cooperate will be referred by the Sexual Assault Hearing Board to the vice president for student affairs for disciplinary action. The appearance and cooperation of other members of the University community are expected and may be requested by the Sexual Assault Hearing Board.

B. Parties to the proceedings may request the assistance of the Sexual Assault Hearing Board in calling witnesses to hearings. In the event that a party requests such assistance, the Sexual Assault Hearing Board will first determine whether testimony of the individual whose presence is requested will be of such relevance to the proceedings as to justify this individual being called.

C. A member of the University community whose presence has been requested by the Sexual Assault Hearing Board may present to the board reasons for testifying through an appropriate representative, for submitting a written statement, or for declining to testify. The Sexual Assault Hearing Board will weigh the importance of the reasons presented and grant or deny the request.

D. The failure of a member of the University community to comply with the Sexual Assault Hearing Board's request for cooperation may result in dismissal of the complaint if the Sexual Assault Hearing Board determines that the defense of the student(s) charged will be materially impaired by such

failure to comply. The Sexual Assault Hearing Board's decision to dismiss a complaint under such circumstances must first be approved by the president of the University or the president's designee before such dismissal will be effective.

VIII. Sanctions

A. The actions of the Sexual Assault Hearing Board may include conciliatory and educational as well as punitive measures designed to lead to better understanding and mutual enlightenment of the students involved in sexual assault complaints. Such measures may include referral to the Student Health Service, the counseling staff, or the Women's Center and the requirement that parties attend special seminars, engage in field study or community service, pursue independent studies, or participate in other educational programs, provided faculty help and supervision are available.

The Sexual Assault Hearing Board may consider removing a student complained against to a different area of University housing, including fraternity and sorority housing, pending the outcome of an appeal if the board finds that such removal is necessary for reasons relating to the safety and well-being of students. In addition, the board can restrict a student complained against from eating in certain dining areas, attending University-sponsored activities or meetings, and/or any other nonacademic commitments, including work-study responsibilities, if necessary to prevent unwanted contact between the student complained against and the complaining student. If the parties are in the same classroom, resolution of this should be the decision of the vice president for student affairs.

If the party complained against is found to have violated sexual assault provisions, the executive secretary will provide the Sexual Assault Hearing Board with any past SAHAS record of disciplinary sanctions of the party complained against.

B. The following sanctions may be imposed upon an individual student found in violation of University rules and regulations under these procedures unless a specific difference in definition is stated in the memorandum of decision:

1. Exclusion. The student is deprived of all attributes of student status and may not register, submit written course work, receive academic credit, attend classes, or remain in University housing. The student may not reenter without acceptance of formal application by the office of admission or the registrar

and approval by the vice president for student affairs. The student may also be denied campus visiting privileges. The sanction will be permanently recorded on the student's record in the office of the vice president for student affairs.

2. Suspension. The student may not register, submit course work, receive academic credit, attend classes, or remain in University housing. The student may also be denied campus visiting privileges. No suspension will be for less than one academic quarter except that a student may be suspended solely for the remainder of a quarter in progress. In no case will a suspension be in effect for a period longer than one academic year, and the Sexual Assault Hearing Board may terminate the suspension at any time it deems such action in the best interests of the University community. No student who has been ordered suspended in a future quarter will be eligible to receive a University degree until the period of suspension has terminated. The sanction will be permanently recorded on the student's record in the office of the vice president for student affairs.

3. Disciplinary Probation. Disciplinary probation will consist of a letter of reprimand from the vice president for student affairs to the student, and it will explain the reasons for the sanction. Should a student be found guilty of an offense under these provisions at any time during enrollment at the University while another letter of probation for any offense (whether or not such offense involved allegations of sexual assault) is currently on file, the student will thereupon receive a mandatory sanction of not less than one academic quarter of suspension. In the event that the prior letter of probation was issued pursuant to an allegation of sexual assault, the mandatory sanction so imposed will be a suspension of not less than one academic year. The letter will also specify the date on which the letter will be removed from the student's record in the office of the vice president for student affairs. The sanction will be noted in the student's discipline file for a period of up to four years at the discretion of the Sexual Assault Hearing Board, or until the student's graduation. No permanent record will be kept.

C. No decision of the Sexual Assault Hearing Board will be effective until all appeal and rehearing procedures have been completed. The board shall specify in its written decision the date by which a sanction must be satisfied that calls for actions to be carried out by the student(s) complained against. Failure of the student(s) to comply with such sanctions by the date specified will result in the student(s) being auto-

matically suspended and prohibited from obtaining a transcript or receiving a University degree until evidence of compliance is presented to and accepted by the Sexual Assault Hearing Board.

IX. Rehearings and Appeals

A. Rehearings

1. Any student(s) charged with sexual assault may request a rehearing of any case within the jurisdiction of the Sexual Assault Hearing Board. The rehearing will be by the Sexual Assault Hearing Board.

2. The student(s) must state the reasons for requesting the rehearing to the Sexual Assault Hearing Board. Rehearings must be based on newly discovered evidence that reasonably could have affected the decision of the Sexual Assault Hearing Board. "Newly discovered evidence" is evidence that could not have been discovered and presented at the initial hearing through the exercise of reasonable diligence. Upon receipt of such request, the board may schedule a meeting with the student complained against and the complainant to discuss whether the reasons given provide sufficient grounds for granting a rehearing. If the Sexual Assault Hearing Board determines that a rehearing of the case should be granted, the chair will reschedule the rehearing within seven days or as soon thereafter as members of the Sexual Assault Hearing Board may be convened. When a rehearing has been granted, the penalty imposed upon the student(s) under the previous board decision is suspended. All rules of procedure apply to rehearings in the same manner as hearings.

B. Appeals

1. Any party may appeal a decision by submitting an appeal request in writing to the executive secretary.

2. The appeal must be taken to the office of the executive secretary by the appellant within 21 days of the later date on which notice is sent to the appellant (1) of the decision of the board appealed from and (2) of the availability of the summary or record of the proceedings. The appellant must submit reasons for requesting an appeal and the action requested. The summary or record of the original hearing must be presented in writing by the chair of the Sexual Assault Hearing Board, and the appeal will be limited to a review of the summary or record of proceedings of the prior hearing and statements of the parties or their representatives. No witnesses will be heard and no new information will be received.

3. Appeals of decisions will be limited to errors in procedures, the interpretation of regulations, or the

question of whether a finding or sanction appears manifestly contrary to the record.

4. On an appeal from the decision of the Sexual Assault Hearing Board, the Sexual Assault Appeals Board will (1) affirm the decision, (2) reduce the sanction imposed, (3) direct the Sexual Assault Hearing Board to dismiss the case, or (4) direct the Sexual Assault Hearing Board to rehear the case as to the finding of a violation or the sanction imposed or both. In its consideration of the appeal, the Sexual Assault Appeals Board may instruct the Sexual Assault Hearing Board on procedures, interpretation of regulations, or the appropriateness of findings and sanctions based on its experience and knowledge of precedent. Decisions on all appeals must be given promptly.

5. Appeals from actions of the Sexual Assault Hearing Board, other than final decisions, may be filed at any time prior to the final decision where delay may substantially impair the rights of any individual. This provision specifically includes challenges to the jurisdiction of the Sexual Assault Hearing Board over the individual.

6. If the Sexual Assault Appeals Board determines, upon a review of the record and decision in a case before it on appeal, that there has been a gross miscarriage of justice in either the findings as to violation of University rules and regulations or innocence or in the appropriateness of the sanction imposed by the Sexual Assault Hearing Board whose decision has been appealed from, the Sexual Assault Appeals Board may recommend to the president of the University that it be authorized to conduct a new hearing and make its own determination of facts and impose such sanctions as it deems appropriate. Such recommendations must be in writing and must specify the reasons therefor. Copies of the recommendation will be sent to the Sexual Assault Hearing Board and to all parties to the case. Any member of the Sexual Assault Hearing Board and any party may within five days thereafter submit a written statement to the president of the University, either supporting or opposing the recommendation. The president will base his or her decision on such recommendation upon a review of the record and decision in the case in question, the recommendation of the Sexual Assault Appeals Board, and all statements filed within such five-day period. The decision of the president will be given within a reasonable period of time and will be in writing. Copies of the decision will be sent to the Sexual Assault Appeals Board, the Sexual Assault Hearing Board, and all parties to the case. If the recommendation of the

Sexual Assault Appeals Board is approved, that board in the new hearing will give such weight to the record and decision of the Sexual Assault Hearing Board as the Sexual Assault Appeals Board deems appropriate.

X. Anonymity

Summaries of hearings, records of decisions, or any other written reference to the allegations, proceedings, sanctions, or appeals will be reviewed by the executive secretary, who will delete all identifying information concerning the parties to the proceedings. The executive secretary and all participating members of the Sexual Assault Hearing or Sexual Assault Appeals boards, including any individuals who have excused themselves, are forbidden to disclose the identity of the parties to the proceedings except to officers of the University as necessary to implement any provisions hereunder. Any of the aforementioned individuals who violate these anonymity provisions will be subject to possible sanctions through the University Hearing and Appeals System or the Chicago Campus Hearing and Appeals System, as appropriate (in the case of students), procedures specified in the *Faculty Handbook* (in the case of faculty), or the associate vice president for human resources (in the case of staff).

XI. Retaliation

No one who has filed a charge of sexual assault under these procedures shall be retaliated against for having filed such charge. Any individual who so retaliates against the charging party will be subject to possible sanctions through the Sexual Assault Hearing and Appeals System (in the case of students), procedures specified in the *Faculty Handbook* (in the case of faculty), or the associate vice president for human resources (in the case of staff). For purposes of this section, retaliation shall mean any threat, coercion, intimidation, or physical assault undertaken in response to the filing of a charge of sexual assault.

XII. Amendments

Amendments to the procedures that do not require a change in University Statutes will become effective upon initiative by the president of the University or upon recommendation by the vice president for student affairs and approval by the president.

Complaints against Faculty and Staff

Where there exists a complaint against a member of the faculty, administration, or other staff of the University, there are established procedures for handling such complaints.

A complaint against a faculty member should be filed with the appropriate department head or dean and with the provost.

A complaint against a member of the administration or staff should be filed with the appropriate superior or department head and with the vice president having jurisdiction over the department.

In no case should such complaints be filed with the University Hearing and Appeals System, as its jurisdiction is limited to complaints against students and student organizations.

Release of Student Information Policy

The following constitutes the institution's policy concerning student rights of access to personal educational records in compliance with the Family Educational Rights and Privacy Act (FERPA).

A. Certain definitions and principles contained in the law and guidelines are as follows:

1. A *student* is defined as one who has attended Northwestern University or is attending Northwestern University and whose records are in the files of the University.

2. *Educational records* do not include files retained by individuals that are not accessible to any other person except a designee or replacement.

3. *Public information* is limited to name, local and home address and telephone, e-mail address, school or college, class, major field of study, dates of attendance, gender, enrollment status, degrees and awards received, the most recent educational institution attended, and weight, height, and age of members of varsity athletic teams.

4. *Record* means any information or data recorded in any medium, including but not limited to handwriting, print, tapes, computer files, microfilm, or microfiche.

B. Public information shall be released freely unless the student files the appropriate form in the University Registrar's Office requesting that public information not be released. Public information that cannot be restricted includes enrollment status, including whether the individual was ever enrolled, and degrees awarded.

C. All students have records in one or more of the following offices:

University Offices

- Registrar's Office, Rebecca Crown Center
- Student Accounts, 619 Clark Street

- Student Affairs, Scott Hall
- Development Services, 2020 Ridge Avenue
Evanston Campus School and College Offices
- Judd A. and Marjorie Weinberg College of Arts and Sciences, 1922 Sheridan Road
- School of Communication, Frances Searle Hall
- School of Education and Social Policy, Annenberg Hall
- Robert R. McCormick School of Engineering and Applied Science, Technological Institute
- Graduate School, Rebecca Crown Center
- Medill School of Journalism, Fisk Hall
- J. L. Kellogg School of Management, Leverone Hall
- School of Music, Music Administration Building
Chicago Campus School and College Offices
- School of Continuing Studies, Wieboldt Hall, sixth floor, 339 East Chicago Avenue
- School of Law, Levy Mayer Hall, 357 East Chicago Avenue
- Managers' Program, Kellogg Graduate School of Management, Wieboldt Hall, seventh floor, 339 East Chicago Avenue
- Feinberg School of Medicine, Morton Medical Research Building, 310 East Superior Street
- Graduate School, Abbott Hall, 710 North Lake Shore Drive
- Programs in Physical Therapy, 645 North Michigan Avenue, 11th floor
- Prosthetic-Orthotic Center, 345 East Superior Street, 17th floor

D. Some departments maintain records separate from the school or college. A list of the academic departments that may have records and their locations may be obtained from the office of the dean of the school or college in which the department is located or from the Registrar's Office.

E. A student's record is open to the student, except as listed below. Any reference to student records or to access to student records in this document is subject to these exceptions.

1. Confidential letters of recommendation placed in files before January 1, 1975.
2. Financial records of the student's parents or any information contained therein.
3. Employment records, except for those cases in which the employment is required as part of the student's program.
4. Medical and psychological records.

5. Letters of recommendation or other documents that carry a waiver of the student's right to access. (See F below.)

6. Records compiled by University Police solely for the purposes of law enforcement.

F. To ensure the confidentiality of references, certain documents may carry waivers signed by the student relinquishing the right of access to the document. Waivers are subject to the following conditions:

1. Waivers can be signed only for the specific purposes of application for admission, candidacy for honor or honorary recognition, and candidacy for employment.

2. Waivers cannot be required.

3. The student shall be told, upon request, the names of those supplying references.

4. All items in the academic record not covered by waivers are open to the student. Material not covered by waivers may not be protected by keeping it out of the student's file.

G. Student records are open to members of the faculty and staff who have a legitimate need to know their contents, except where access is prohibited by special policies such as those governing medical and psychological records.

1. The determination of "a legitimate need to know" will be made by the person responsible for the maintenance of the record. This determination will be made scrupulously and with respect for the individual whose records are involved.

2. Academic documents inaccessible to students because the documents were filed before January 1, 1975, or are segregated by waivers are to be used only for the purpose for which they were prepared.

H. Normally, records can be released or access given to third parties (i.e., anyone not a member of the faculty or staff) only with the written consent of the student.

Without the consent of the student, releases to third parties may be given only as follows:

1. To parents of students who are dependents as defined by IRS standards.

Either parent has full rights to access, subject to those exceptions in part E, unless the institution has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody, that specifically revokes these rights. At Northwestern

University, all undergraduates under the age of 25 are assumed to be dependent unless otherwise informed by the parent.

2. To federal officers as prescribed by law.

3. As required by state law.

4. To research projects on behalf of educational agencies, providing that the agencies guarantee no personal identification of students.

5. To accrediting agencies carrying out their functions.

6. In response to a judicial order or lawfully issued subpoena.

7. By University Police to other law enforcement agencies in the investigation of a specific criminal case.

8. In connection with an emergency, to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

I. Nothing in this policy requires the continued maintenance of any student record. However, if under the terms of this policy a student has requested access to the record, no destruction of the record shall be made before access has been granted to the student.

J. FERPA rights cease upon death. However, it is the policy of Northwestern University that no records of deceased students be released for a period of 24 years after the date of death, unless specifically authorized by the executor of the deceased's estate or by the next of kin.

K. Students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. The procedures are as follows:

1. The student must ask the custodian of the record to amend the record. The student should identify the part of the record that the student wants changed and the reasons.

2. Northwestern University may comply or may decide not to comply. If not, the University will inform the student of the decision and advise the student of the right to a hearing. Requests for a hearing are to be sent to the University registrar.

3. Upon request, the University will arrange for a hearing and so notify the student.

4. The hearing will be conducted by a hearing officer who is a disinterested party. However, the officer may be an official of the institution. The student may be assisted by one or more individuals.

5. The University will prepare a written decision based solely upon the evidence presented at the hearing. The decision will include a summary of the evidence and the reasons for the decision.

6. If the University decides that the challenged information is not inaccurate, misleading, or in violation of the student's right to privacy, it will notify the student that he or she has a right to place in the record a statement commenting on the challenged information or setting forth reasons for disagreeing with the decision.

7. The statement will be maintained as part of the student's record as long as the contested portion is maintained. If the University discloses the contested portion of the record, it must also disclose the statement.

8. If the University decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student in writing that the record has been amended.

L. A person may file a written complaint with the Department of Education regarding an alleged violation of FERPA. The address of that office: Family Policy Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605, www.ed.gov/offices/OM/fpco; 202/260-3887; fax 202/260-9001.

Guidelines for Access to Student Records

The following guidelines are based upon the Family Educational Rights and Privacy Act of 1974, which governs access to records maintained by certain educational institutions and agencies and the release of such records.

An individual who is or has been in attendance at Northwestern University may inspect and review his or her education records. Applicants for admission are not entitled to such inspection and review. Education records are records, files, documents, microfilm, computer tapes, and other materials that contain information directly related to a student and that are maintained by the University. Education records, however, do not include records made by University personnel that are in the sole possession of the record maker and that are not accessible to or revealed to any other person; records of the University Police Department; employee records; medical and counseling records; and admission records prior to matriculation.

Although included in the above definition of education records, in no case shall an individual who is or has

been in attendance at Northwestern University have access to financial records of his or her parents or any information contained therein; confidential letters and statements of recommendation placed in a record prior to January 1, 1975, if such statements are used solely for the purposes for which they were specifically intended; or to confidential recommendations received after January 1, 1975, relative only to admission, placement, and receipt of honors or honorary recognition, provided the student has signed a waiver.

An enrolled student or a previously enrolled student may waive his or her right of access only in regard to recommendations; only for admission, placement (employment application), and receipt of honors; only if on the individual's request he or she will be notified of the names of all persons making confidential recommendations; and only if the confidential recommendations are used solely for the purpose for which they were specifically intended and if the waiver is not required as a condition for the service to be performed.

Directory (public) information as specified here, provided the indicated conditions are met, may be provided on request to persons outside the University. Directory (public) information includes name, date and place of birth, local and home addresses, telephone numbers, school or college, class, participation in activities, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended, and weight and height for members of varsity athletic teams. Any student who does not desire inclusion of this information in the annual *Faculty/Staff/Student Directory* or other dissemination of the information by the University may notify the Office of the Registrar in writing. For the telephone directory the complete entry must be omitted. No partial deleting or edited entry can be accepted. Notification must be received by the Registrar's Office no later than October 1 of the academic year concerned. Students may not prohibit the verification of the fact of attendance or of the awarding or lack of awarding a degree.

A student wishing to review his or her education record should first request access in the office holding the record. If the office fails to grant access, then the student should file a written request for access with the associate provost of university enrollment, who will review the request and forward it to the department head, who shall notify the student of the time and place at which the record may be viewed, no later than 45 days after the date of the request. Copies of records or portions of records may be provided to the

student on request for a fee that covers University costs for copying the record.

Information from a student's education record may be released to the parents of the student, provided the student is a dependent as defined for federal income tax purposes. Directory information may be provided on request; however, all other requests for information, including a review of a student's education record, from any individual or agency other than the student, University personnel, and parents that has not been expressly authorized by the student shall be referred to the associate provost of university enrollment.

In the event a student challenges the content of his or her education record on the basis that an item(s) is inaccurate, misleading, or otherwise inappropriate, the custodian of the education record shall discuss the challenge with the student and attempt to resolve the challenge within the framework of maintaining the integrity, accuracy, and usefulness of the record. If the student wishes to insert a written explanation respecting the content of the record, such written explanation is to be accepted and included in the record.

If the custodian and student are unable to resolve the challenge, they shall schedule a meeting with the associate provost of university enrollment for a further review.

An ad hoc committee of two faculty members and one administrator appointed by the president shall act as an appeal review committee in the event a challenge is not resolved by the associate provost of university enrollment.

The ad hoc committee normally would be the final step. However, its decision, as all decisions, is appealable to the president of the University.

An annual notification to students shall be made and shall include the types of education records and information contained therein.

Drug Abuse Policy Statement

It is the policy of Northwestern University that the campus is not a sanctuary that protects students or others using its facilities or grounds from laws to which other citizens are subject.

This applies to criminal laws regarding the sale, use, and possession of drugs as well as to all other laws.

The University Police Department will investigate whenever it has reason to believe illegal drugs are being sold or used on the campus. The department, pursuant to University policy, will make arrests of any

individuals on campus where it has sufficient evidence of violations of any applicable drug laws. Normal circumstances under which the department will make arrests for drug abuse are upon direct firsthand knowledge of a law violation taking place, upon the signed complaint of an individual, or upon sufficient evidence of law violation to obtain a search warrant.

The University also provides continuing education and counseling on the legal, medical, and social aspects of drug abuse. Counseling for all students is provided by Counseling and Psychological Services at the Student Health Service. The University cannot, however, provide legal representation for students.

Trustee Statement on Disruption

Northwestern University stands for freedom of speech, freedom of inquiry, freedom of dissent, and freedom to demonstrate in peaceful fashion. The University recognizes that freedom requires order, discipline, and responsibility, and stands for the right of all faculty and students to pursue their legitimate goals without interference. This University, therefore, will not tolerate any attempt by any individual, group, or organization to disrupt the regularly scheduled activities of the University. Any such effort to impede the holding of classes, the carrying forward of the University's business, or the arrangements for properly authorized and scheduled events, would constitute an invasion of the rights of faculty and students and cannot be permitted. If any such attempt is made to interfere with any University activity, the leaders and participants engaged in disruptive tactics will be held responsible and will be subject to appropriate legal and disciplinary action, including expulsion.

Policy on Summary Suspension

As provided in Article V of the University Statutes, a student may be suspended pending a prompt hearing in cases in which the president, a vice president designated by the president, or in cases involving students on the Chicago campus, the dean of a school on that campus, finds that such a suspension is necessary for reasons relating to the safety and well-being of students, faculty, or University property. Actions that may warrant summary suspension include, but are not limited to, the following:

1. Sale, distribution, use, or possession of illegal drugs on University premises or at University functions;
2. Use or possession of dangerous weapons on University premises or at University functions;

3. Theft of or damage to property on University premises or at University functions;
4. Obstruction or disruption of teaching, research, administration, hearing procedures, or other University activities, or of other authorized activities on University premises;
5. Physical abuse of any person or action that threatens or endangers the health or safety of any person on University premises or at University functions or while such person is properly fulfilling his/her duties as a University employee, whether or not such abuse or action occurs on University premises.

Any student suspended pursuant to the provisions of this statement will be required to remove him/herself immediately from residence halls and/or Greek units and will be excluded from University property unless the student's presence on campus is explicitly authorized by the vice president for student affairs. A student so suspended may request an expedited hearing before the University Hearing Board, which will schedule a hearing within three days of the request or as soon thereafter as possible.

Statement on Nondiscrimination

It is the policy of Northwestern University not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status in matters of admissions, employment, housing, or services or in the educational programs or activities it operates, in accordance with civil rights legislation and University commitment.

Any alleged violations of this policy or questions regarding the law with respect to nondiscrimination should be directed to Director of Equal Employment Opportunity, Affirmative Action, and Disability Services, 720 University Place, Evanston, Illinois 60208-1147, phone 847/491-7458; Office of the Provost, Rebecca Crown Center, Evanston, Illinois 60208-1101, phone 847/491-5117.

University Policy on Sexual Harassment

Northwestern University is committed to maintaining an environment free of discrimination and all forms of coercion that impede the academic freedom or diminish the dignity of any member of the University community. The University emphasizes this policy specifically as it pertains to the prevention of sexual harassment and to the obligations of male and female students, faculty, administrators, and staff.

It is the policy of Northwestern University that no male or female member of the Northwestern community — students, faculty, administrators, or staff — may sexually harass any other member of the community. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute harassment when

- Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct is used or threatened to be used as the basis for academic or employment decisions affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating what a reasonable person would sense as an intimidating, hostile, or offensive employment, educational, or living environment.

Any member of the University community who believes that he or she has been a victim of sexual harassment has a number of options, including taking self-initiated actions; attempting to resolve the problem informally with the assistance of a confidential counselor, resolutions officer, or the director of the University Sexual Harassment Prevention Office; or bringing a formal complaint.

The University will take appropriate steps to ensure that a person who in good faith brings a complaint of sexual harassment is not subjected to retaliation. The University also will take appropriate steps to ensure that a person against whom such a complaint is brought is treated fairly, has adequate opportunity to respond to such accusations, and that findings, if any, are supported by clear and persuasive evidence.

Complaints of sexual harassment will be handled confidentially, with the facts made available only to those who need to know in order to investigate and resolve the matter. The complainant and the person complained against will be notified of the final disposition of the complaint. If a complaint of sexual harassment is found to be substantiated, appropriate corrective action will follow, up to and including separation of the offending party from the University, consistent with University procedure.

Some Examples of Sexual Harassment

- Pressure for sexual activity
- Unwelcome touching, patting, or hugging

- Forced sexual intercourse
- Unnecessary and unwelcome references to various parts of the body
- Belittling remarks about a person's gender or sexual orientation
- Inappropriate sexual innuendoes or humor
- Obscene gestures
- Offensive sexual graffiti, pictures, or posters
- E-mail and Internet use that violates this policy

Your Responsibilities under Northwestern's Policy

All members of the University community are responsible for creating a working, learning, and living environment that is free of sexual harassment. It is important to contact the director of the University Sexual Harassment Prevention Office or one of the other resource people listed in this brochure if you

- believe you have been subjected to conduct or comments that you think may violate this policy;
- believe you have been retaliated against in violation of this policy; or
- hold a supervisory/managerial or teaching position and have been told about or witnessed conduct that you think may violate this policy.

Vendors, Contractors, and Third Parties

Northwestern University's commitment to providing members of its community with a working and learning environment that is free of sexual harassment includes inappropriate conduct by vendors, contractors and third parties. If a member of the University community believes he or she has been subjected to conduct that violates this policy by a vendor, contractor, or third party, he or she should follow the procedure described below in the section "Where to Go for Help." The University will respond as appropriate given the nature of University's relationship to the vendor, contractor, or third party.

Where to Go for Help

People are available to help you. The following individuals will take complaints of sexual harassment, explain complaint procedures, answer questions, and ensure that appropriate action is taken.

Marcia Andersen Mahoney
 Director of the University Sexual Harassment
 Prevention Office
 Annenberg Hall, Room 139, 2115 N. Campus Dr.
 491-3745, m-mahoney5@northwestern.edu

Mary Desler
 Associate Vice President for Student Affairs
 Scott Hall, Room 36, 601 University Pl.
 491-2733, m-desler@northwestern.edu

Guy Miller
 Associate Vice President for Human Resources
 720 University Pl.
 491-7505, gemiller@northwestern.edu

Michael Powell
 Director of Equal Employment Opportunity/
 Affirmative Action and Labor Relations
 720 University Pl.
 491-7458, m-powell@northwestern.edu

Resolutions Officers

Each school or unit of the University has resolutions officers on the faculty or staff who are trained to receive a complaint and to answer questions about the policy. To find a resolutions officer, call the University Sexual Harassment Prevention Office at 491-3745 or go to www.northwestern.edu/sexual-harassment

Confidential Counselors

In addition, if you wish to speak with someone who is legally privileged to keep communications confidential, you may contact a confidential counselor. In order for the "confidential counselor" privilege to apply to a particular discussion, the discussion must be conducted confidentially and the complainant must have initiated the discussion for the purpose of seeking confidential counseling. After consulting with a confidential counselor, a complainant may decide to take no further action; such a decision is completely with the complainant's discretion. Because of the confidential nature of the counselor/complainant relationship, seeking advice from a confidential counselor does not constitute reporting an incident.

Renée Redd
 Director of the Women's Center
 Evanston: 2700 Sheridan Rd., 491-2733
 Chicago: Abbott Hall, Suite 1400,
 710 N. Lake Shore Dr., 312-503-3400
 r-redd@northwestern.edu

Counseling and Psychological Services
 (student assistance program)
 Evanston: 633 Emerson St., 491-2151,
 491-8100 (24-hour hotline)

Chicago: Lake Shore Center, room 209,
850 N. Lake Shore Dr., 312-503-0936

Rev. Timothy Stevens
Rev. Erica Brown
University Chaplain
Alice Millar Chapel and Religious Center
1870 Sheridan Rd., 491-7256
chaplain@northwestern.edu

Perspectives, Ltd.
(faculty and staff assistance program)
1-800-456-6327

President's Statement on Sexual Harassment and Sexual Assault

Northwestern University is committed to a campus environment free from all forms of coercion that impede the academic process and may infect the lives of those who work, study, and live here. This commitment includes the prevention — and, where it occurs, the punishment — of gender-based misconduct such as sexual harassment and sexual assault.

Our policy on sexual harassment is clear and explicit; sexual harassment in any form is unacceptable, and it will not be tolerated by this administration.

Sexual assault, including what has come to be known as "acquaintance rape," is not only repugnant, it is a criminal offense subject to prosecution under the law. It has no place in a civilized society, let alone in a university community. This administration is committed not only to broad-based educational efforts to address the issue of sexual assault on campus but also to aggressively pursuing disciplinary action against those who choose to violate the rights of others, including the right to say "no."

To deal with these problems, the University has implemented a variety of measures over time. The policy defining and prohibiting sexual harassment has now been in place since 1987. An escort service has been established. Campus lighting has been evaluated and improved. Steps have been taken to strengthen security in the residence halls. The administration has aggressively investigated reported incidents of sexual harassment and sexual assault and, where appropriate, has initiated disciplinary procedures. The Women's Center and the Sexual Assault Education and Prevention Program, funded by the University, have given particular attention to educating the campus community to the destructive consequences of gender-based misconduct and, along with Counseling and Psychological Services, provides counseling services

to survivors of this cruel, indefensible behavior. Educational sessions dealing with sexual harassment and sexual assault, and clearly stating University policies, are included in the orientation program for New Student Week.

We have established a Sexual Assault Hearing and Appeals System to expedite and hear complaints of sexual assault.

These measures, by themselves, will not deal effectively with the issues of sexual harassment and sexual assault. The administration, working with concerned students and faculty, will continue to evaluate our current practices and procedures. But our experience indicates that the problem cannot be dealt with by delegating responsibility to any limited group or organizational unit. Rather, the problem must be recognized and acted upon by all members of the University community — including individual students, the residential housing system, the faculty, the staff, and the administration. We begin with this clear statement of policy and move on to the mixture of preventive measures, educational programs, and disciplinary actions that will maintain the sense of personal security and mutual respect that are essential to the well-being of the Northwestern community.

AIDS Policies and Procedures

Acquired immune deficiency syndrome (AIDS) has been classified as a public health hazard by the U.S. Centers for Disease Control. The number of diagnosed cases in the United States as of June 1997 was approximately 612,000, and nearly 1 million persons within the United States are estimated by the U.S. Public Health Service to be infected currently with human immunodeficiency virus (HIV). While the likelihood of incidence of AIDS in a university population may be low, Northwestern University wishes to ensure that an appropriate policy exists concerning direct and referral services for those members of our community with HIV/AIDS and that an educational program is implemented that will maximize community understanding of AIDS and minimize high-risk behaviors. Our policies and actions shall be governed by due regard for public health interests and our continuing commitment to the protection of individual rights.

Policies

We shall follow the guidelines recommended by the Centers for Disease Control of the United States Public Health Service and the American College Health Association. These guidelines are under continuing review by the issuing agencies, and we are

informed of revisions as they are made. On the basis of these guidelines, students, faculty, and staff with HIV-related disease/AIDS may continue to study and/or work in an unrestricted setting so long as they are able to meet the requirements of their academic programs and/or their employment. We expect any member of the University community with a positive test for antibodies to the AIDS virus to arrange for periodic follow-up examinations. The Student Health Service shall provide such follow-up examinations for students, along with full information about the meaning of the test and the possible consequences to the student and to others in the University community. As in all medical matters, these services through the Student Health Service are subject to the confidentiality of the physician/patient relationship. The Student Health Service also will provide referrals to institutions and agencies not affiliated with Northwestern University.

The University AIDS Advisory Committee, chaired by the vice president for student affairs, is available to review the concerns or problems of any community member in order to promote appropriate medical care and to ensure protection of the community.

Educational Programs

The immediate, primary response of the University to HIV/AIDS must be an educational program. Although some therapies may in some cases help to delay the onset of AIDS-related symptoms, no known cure for AIDS exists. Consequently, the most important goals are to increase awareness and to provide education to prevent further spread of the disease. Educational programs shall address the major intervention possible, which is primary prevention. Educational programs shall reach all members of the University community: all students (undergraduate and graduate, on and off campus), faculty, and staff. Educational programs shall operate on all levels: mass distribution of brochure-type information, public forums, programs for key groups (in the case of student health aides, resident assistants, etc.), programs for small meetings (residence halls, student organizations, etc.).

Minimizing Risk in Specific Programs and Activities

A. Students in the Medical and Dental Schools are required to learn the appropriate and safe manners in which to obtain and process blood. Gloving, disposing of needles safely, and other related precautions shall be taught as appropriate in these schools.

B. Appropriate safety guidelines for certain laboratories shall be developed and enforced.

1. In labs in which the handling of blood and bodily fluids occurs, among the requirements are (a) the adoption of procedures for decontamination of surfaces and objects soiled by blood or body fluids, (b) the use of only disposable equipment in courses requiring exposure to blood or body fluids, and (c) no reuse or sharing of blood-letting devices.

2. All laboratory courses shall be reviewed to determine applicability of these guidelines.

Grievance Procedures for Students with Disabilities

Policy

It is the policy of Northwestern University not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status in matters of admissions, employment, housing, or services or in the educational programs or activities it operates, in accordance with civil rights legislation and University commitment.

It is also Northwestern University policy to ensure that no qualified student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination in any University program or activity. In response to a request made by a qualified student with a documented disability, the University will arrange, at no cost to the student, for the provision of educational auxiliary aids, including sign language interpreters, real-time captioners, note takers, readers, and tutors, determined by the University to be necessary to afford the student with a disability the opportunity for full participation in University programs.

Procedures

If a University student believes he or she has been discriminated against because of a disability by any University personnel, he or she has the right to seek a review of such concerns. Students have the option of pursuing either an informal complaint or a formal grievance. If a student opts to pursue an informal complaint, he or she may later pursue a formal grievance if not satisfied with the resolution of the informal process.

Informal Procedure: It is recommended but not required that the student speak first about the concerns to his or her department chair, program coordinator,

or a dean in his or her school. As a result of these discussions, including the development of strategies for empowering the student to deal with the situation him- or herself or having the person who has received the grievance take it under review, a satisfactory resolution may be readily found.

A student who is uncertain about filing a formal grievance may consult informally with someone in the dean's office; the director of services for students with disabilities; the vice president for student affairs; or the provost's office.

Formal Procedure: A student who wishes to file a formal grievance may do so in writing over his or her signature with the director of equal employment opportunity, affirmative action, and disability services or the vice president for student affairs. If the subject of the grievance is the actions of the director of equal employment opportunity, affirmative action, and disability services or any office he or she supervises or manages, the grievance shall be investigated by an impartial University official. All other grievances shall be investigated and reviewed by the director of equal employment opportunity, affirmative action, and disability services. The purpose of the review is to determine whether or not University policy has been followed and, if not, to address the consequences that may have resulted and shall be corrected. Information relevant to the matter may be requested from the involved parties. The director of equal employment opportunity, affirmative action, and disability services will promptly undertake an investigation and provide a written finding to the student upon completion of the review.

A student who makes use of the grievance procedure shall not be retaliated against for doing so. A student may choose another student or faculty/ staff persons to accompany him/her through the steps of the procedure.

A student who believes that a grievance has not been resolved to his or her satisfaction after a review is conducted may appeal the outcome to the provost. Such appeal shall be in writing and signed by the student. The provost shall make a determination on the appeal and promptly inform the student in writing of that determination.

Campus Publicity Policies and Procedures

The flyers and advertisements on campus bulletin boards, the banners that hang between the trees by the Arch, and the messages painted on the Rock are

important indicators of the vitality of campus life here at Northwestern. There is much to see and do.

Effective advertising is critical to the success of campus activities. Student groups and University departments are encouraged to publicize and promote their activities to the University community.

The following policies and procedures, approved in January 2001, should guide publicity efforts on campus. They were developed and are continually reviewed by committees composed of students, faculty, staff, and administrators. These committees include the Campus Publicity Committee (1999–2000), the Norris Center Advisory Board, the Sodexo-Marriott Advisory Committee. They considered community values and needs and sought to balance campus culture with aesthetics, effectiveness and efficiency with cost.

Banners

Only members of recognized organizations of the Northwestern community are allowed to display banners on campus. Banner space is available in three locations: east of the Arch, in front of the Technological Institute, and in front of Sargent Hall. Banners must identify the sponsoring student(s) and/or organization(s).

1. Individuals or groups must obtain a reservation from the Norris Center Events Planning and Production Office (third floor, Norris University Center, 491-2330) before displaying a banner. Reservations will be made on a first-come, first-served basis.

2. Only one banner space can be reserved at each location per event.

3. Banner space can be reserved for one week, i.e., from 8 a.m. Monday through 8 p.m. Sunday.

4. The Norris house staff reviews banners and reservations twice a week. Any banner put up without a reservation will be discarded.

5. Student groups are responsible for removing banners within 24 hours of the event or on Sunday evening. Banners remaining after the event or past 8 p.m. Sunday will be discarded by Norris house staff, and the group will be charged \$25.

6. There are currently seven sets of trees available to hand banners at the Arch, one banner space in front of the Technological Institute, and one banner space in front of Sargent Hall.

7. At the Arch, banners should be hung only between the trees along the archway. The trees are not numbered; banner should be hung at the first available set of trees coming in from the archway.

8. Banners may be hung with cord, rope, or twine only. Do not use wire, nails, or any other substance that could damage the trees.

9. Cutting wind holes in the banner will help keep it from being torn by the wind.

10. Norris Center staff are not responsible for saving banners from any posting area. Hanging of banners is at the group's own risk.

11. Abuse or continual disregard of the policy will be adjudicated administratively or through the University Hearing and Appeals System.

Bulletin Boards and Kiosks

1. Only members of recognized organizations of the Northwestern community are allowed to post flyers on bulletin boards and kiosks on campus and inside campus buildings.

2. Specific campus departments maintain some of the bulletin boards inside campus buildings. Other bulletin boards are for general use. These bulletin boards and kiosks are to be used primarily to post information relating to campus events.

3. Student groups are responsible for removing all of their publicity immediately after their events. In addition, building service personnel will periodically remove outdated notices from exterior bulletin boards and kiosks.

Posters, Flyers, and other Notices

1. All posters, flyers, and other notices must clearly state the name(s) of the sponsoring student(s) and/or organization(s) and can be posted on bulletin boards and kiosks but not on walls, doors, windows, trees, lampposts, University signage, or traffic or street signs.

2. Individuals or groups who violate these policies may be charged for the removal of such notices.

Posting in Norris University Center

1. Norris University Center offers student organizations and University departments opportunities to advertise their events at a general posting location near the main entrance.

2. All flyers must be no larger than 11 inches by 17 inches and must clearly state the name(s) of the sponsoring organization(s) or department(s).

3. There can be a maximum of five flyers per event per week.

4. Flyers must be stamped at the main desk for approval to be hung. Flyers are stamped during normal operating hours by the attendant on duty.

5. Flyers not stamped at the main desk will be removed. (Please note that stamping a flyer is for posting purposes only and does not signify approval of content.)

6. Once stamped, flyers are posted by the sponsoring group in the posting area (fabric-covered wall) located on the stairway from the west main entrance to the ground level. Flyers may be posted with tape or pushpins; they should not be stapled.

7. All flyers will be removed at closing Sunday evening. New flyers may be posted Mondays at noon.

8. The "Phenomena" board located on the south wall of the west main vestibule is the posting location for general announcements of apartment rentals, personal items for sale, etc. It is not to be used for event postings.

9. No other general postings are allowed inside Norris University Center.

10. No posting or chalking is permissible on the exterior entranceways to Norris Center.

11. Violators of the posting policy will be fined and have their posting privileges suspended.

12. Questions regarding posting policy in Norris Center should be directed to the main desk at 491-2300.

Leaflets and Handbills

1. Only members of recognized organizations of the Northwestern community will be allowed to distribute leaflets and handbills on campus. Leaflets must identify the sponsoring student(s) and/or organization(s).

2. Permission to leaflet at the Rock or any other campus location must be obtained from the Norris Center Events Planning and Production Office.

Chalking

1. Chalking is allowed on campus sidewalks that are exposed to the elements, i.e., not under an overhang. It is not allowed on walls, doors, windows, trees, or any other surfaces, on Crown Plaza, or on the Library Plaza.

2. Individuals and/or groups who violate this policy may be charged a minimum of \$250 for time and materials to remove the chalk.

Taping

1. Taping flyers is allowed on campus sidewalks only, but not on Crown Plaza or the Library Plaza. Taping is not allowed on walls, doors, windows, lampposts, trees, or any other surfaces.

2. Flyers must not exceed 8 1/2 inches by 11 inches, and no more than two flyers advertising the same event can be taped together. Individual or double flyers may not be taped within four feet of one another.

3. All flyers and tape must be removed by the responsible individual(s) or group(s) within 24 hours after the event.

4. Individuals and/or groups who violate this policy may be charged a minimum of \$250 for time and materials to remove the flyers and tape.

Painting

1. Painting any campus property other than the Rock, including any part of the sidewalks, trees, benches, and/or plaza around the Rock or the stone wall in front of it, is strictly prohibited.

2. Individuals and/or groups who violate this policy will be charged a minimum of \$300 for time and materials to remove the paint and may face further disciplinary action.

Table Tents in Dining Facilities

1. Only members of recognized organizations of the Northwestern community are allowed to publicize events using table tents in campus dining facilities (Allison, Foster-Walker, Elder, Willard, 1835 Hinman, Sargent, North Side Coffee Company, and Tech Express). Permission must be obtained from the Office of the Assistant Director of Dorms and Commons (2245B Sheridan Rd., 491-2021).

2. Campus groups will be guaranteed reservation dates only after the table tent or napkin flyer has been approved by the assistant director of food service operations.

3. All materials must be submitted to the Food Service Operations Office no later than five business days prior to the event.

4. Table tent and napkin flyer space is reserved on a first-come, first-served basis.

5. Only one group may display table tents per day, and only one table tent per table may be displayed.

6. Advertisements may only be reserved for a period of one week per quarter per event.

7. Reservations may be made up to six months in advance. Contact Food Service Operations at 491-2020 to check availability.

8. Advertisements must be for campus events and not for commercial or political advertisements.

9. Table tents may be no larger than 4 1/4 inches by 11 inches folded lengthwise.

10. All table tents and flyers must include the sponsoring student group or organization's name.

11. Alcohol-related events on or off campus or advertisements featuring alcohol companies will not be permitted.

12. Napkin flyers that are placed in the napkin holders may be no larger than 4 1/4 inches x 5 1/2 inches.

13. A copy of both an approved form and sample advertisement signed by the assistant director of dorms and commons food service operations will be proof of authorization to advertise with the materials. This proof must be shown to the dining room managers before the table tents or napkin flyers are placed in the dining units on the assigned dates.

Table Tents in Norris University Center

1. Only members of recognized organizations of the Northwestern community are allowed to publicize events using table tents in Norris Center. Permission must be obtained from the Norris Center Events Planning and Production Office.

2. Table tents may be displayed in 1999 and the Gathering Place only from opening to closing daily.

3. Only one group can display table tents per day, and only one table tent per table may be displayed.

4. An organization must request table tent space at least 48 hours in advance of the display date.

5. Table tents may be reserved for a period of one week per quarter per event.

6. The use of table tents is intended as a way of promoting campus events only. Advertisement of commercial activities or off-campus events is prohibited.

Display Boards in Norris University Center

1. Six display boards are located on the ground floor of Norris. They are permanently attached to walls and cannot be moved. They may be used by student groups and University departments only. They may be reserved for up to one week per quarter for a specific event or promotion.

Salespersons, Distributors, Solicitation, and Drives

1. All salespersons and solicitors, including canvassers, distributors, and students conducting charitable drives, must obtain permission from the Norris Center Events Planning and Production Office. Charitable drives may be held only with permission of that office. Nonstudent salespersons or solicitors will not receive such permission.

2. Solicitation or sales within a specific University building may be conducted with the permission of the appropriate living unit officer or University staff member and/or Norris Center Events Planning and Production Office. Salespersons and solicitors must provide evidence of such permission upon request by any member of the University community. Any person without appropriate permission will be reported to the University Police Department and asked to leave campus if permission is not obtained.

Solicitation at the Rock

1. No vending or sales by commercial enterprises, whether student enterprises or not, are allowed at the Rock.

2. A student organization may have a fundraiser at the Rock as long as a reservation is made through the Norris Center Events Planning and Production Office and all appropriate policies are followed.

Solicitation in Norris University Center

1. Recognized student groups and other University departments who wish to solicit within Norris University Center must obtain permission from the Norris Center Events Planning and Production Office. Solicitation may take place only at reserved locations on the ground level. To protect the rights of patrons, distributions or solicitation is not allowed away from assigned space in other parts of Norris Center or outside of Norris Center.

2. Patrons must initiate the conversation. Organizations should not approach patrons to hand out materials or petitions or initiate conversations.

3. Amplified sound (i.e., radios, TVs, etc.) is not allowed on the ground level.

Solicitation in Campus Living Units and Dining Facilities

1. The University permits no door-to-door solicitation within University living units or buildings. Only members of recognized organizations of the Northwestern community are allowed to solicit in campus dining facilities (Allison, Foster-Walker, Elder, Willard, 1835 Hinman, and Sargent). Permission must be obtained from the Office of the Assistant Director of Dorms and Commons. Permission will be granted under the following conditions.

- All arrangements are to be made between the student and the purchaser.
- The University is not represented by the licensee.
- The University does not endorse or guarantee the product or services.

- The University assumes no direct liability for the product or services or for the safety of the student or her/his product.
- The University exacts no fees.
- The University reserves the right of review and/or revocation for any reason.
- The University requires the student to carry this permit on his/her person while engaging in the described enterprise and to surrender it for examination upon request by any member of the University community.
- Due to Evanston health department regulations, no food or drink may be sold or distributed.
- A student representative of the organization must be present throughout the solicitation, including set-up and/or clean-up of equipment, tables, chairs, etc.
- Only one solicitation is permitted per building per day.
- Solicitation approval may be given for a maximum period of seven days per quarter.

Outside Sound Amplification On University Property

1. Campus groups who wish to use projected or amplified sound anywhere on University property must request permission to do so from the Norris Center Events Planning and Production Office and in compliance with local and state ordinances.

2. The city of Evanston requires a permit for amplified sound to be used and will only approve sound permits for events east of Sheridan Road.

3. Note that no music or other projected or amplified sound is allowed at the Rock on weekdays until after 5 p.m.

Questions

Contact the Events Planning and Production Office, Third Floor, Norris University Center, 491-2330; Assistant Director of Dorms and Commons, 2245B Sheridan Rd., 491-2021; Office of Student Affairs, Scott Hall, 601 University Pl., 491-8430; Office of Undergraduate Residential Life, Scott Hall, 601 University Pl., 491-3541.

Patent and Invention Policy

The University's Patent and Invention Policy, which may be found at www.northwestern.edu/ttp/policies/new-patent.html, applies to all members of the University research community, including students. Acceptance of this policy is a condition of enrollment. Questions regarding this policy should be directed to the director of the Technology Transfer Program, 491-2105, indrani@nwu.edu.

Use of Computers and Networks

Individuals Covered

All persons accessing computer or network resources through any University facility.

Policy

It is the policy of Northwestern University to maintain access to local, national, and international networks for the purpose of supporting its fundamental activities of instruction, research, and administration. Users of the networks are to take the necessary measures to safeguard the operating integrity of the systems and the accessibility of other users.

For guidance, see Northwestern's Internet Safety Site, www.northwestern.edu/resnet/getctrl/. Users are also encouraged to become familiar with the Information Technology Rights and Responsibilities at www.it.northwestern.edu/policies/itpolicy.html.

Wireless Policy

Information Technology has developed a policy so as to provide the best possible quality of wireless network service, ensure wired and wireless network security and integrity, and minimize the interference between the campus wireless network and other products deployed throughout campus.

Installation, engineering, maintenance, and operation of wireless networks serving University faculty, staff, or students, on any property owned or tenanted by the University, are the sole responsibility of Information Technology. Any independently installed wireless communications equipment shall be removed from service.

The use of the campus wireless LAN shall be subject to the University Policies and Guidelines on Computers, Systems, and Networks.

System Use

Network users are responsible for

- Using the network in ways that do not interfere with or disrupt the normal operation of the system;
- Respecting the rights of other users, including their rights as set forth in other University policies for students, faculty, and staff; these rights include but are not limited to privacy, freedom from harassment, and freedom of expression;
- Knowing and obeying the specific policies established for the system and networks they access.

Under no circumstances may users give others access to any system that they do not administer.

Network Administration

Administrators of systems and networks have the responsibility to protect the rights of users, to set policies consistent with those rights, and to publicize those policies to their users. They have authority to control or refuse access to anyone who violates these policies or threatens the rights of other users, and they will make reasonable efforts to notify users affected by decisions they have made.

Appeal of an Administrative Action

Individuals who disagree with an administrative decision may submit an appeal of the decision to the appropriate office. Students may submit appeals to the vice president for student affairs, faculty members may appeal to the provost, and staff members may appeal to the associate vice president for human resources.

Northwestern University Network and Computing Policy Committee

The University Network and Computing Policy Committee is responsible for making recommendations to the University Policy Computing Committee during an appeal and is responsible for setting guidelines and standards for systems and network policies.

Winter Rush Policy for First-Year Students

Beginning in the 1989–90 academic year, Northwestern University restricted first-year students from joining Panhellenic Association or Interfraternity Council member groups until winter quarter. Specifically, during the fall quarter, freshmen are not permitted to enter fraternity or sorority houses during New Student Week and the subsequent first three weeks of classes unless it is to visit a close relative for academic purposes. After the Sunday of the fourth week, freshmen are permitted to enter chapter houses unless alcohol is present. Check with the Panhellenic Association or Interfraternity Council for additional policies and procedures.

During fall quarter no fraternity or sorority may offer an invitation of membership to any freshman student. A freshman student may accept an invitation of membership from a chapter only after the start of winter quarter. Upperclass students and transfer students are permitted to participate in fall, winter, or spring quarter informal rush programs sponsored by the chapters.