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INTRODUCTION [top](#)

The Luther College Student Handbook is intended to serve as a primary resource for policies, procedures, and information related to student life.

It is the responsibility of each student to become familiar with the guidelines in the Student Handbook, as well as other official information such as the college catalog, residence hall contract, dining service policies, and information provided by other offices or services.

If you have questions regarding the Student Handbook or policies, contact the Student Life Office (Student Union, phone 1020).

Primary resources for academic information are the Academic Dean's Office, the Registrar's Office, and the college catalog. Policies are subject to change.

LUTHER COLLEGE MISSION STATEMENT [top](#)

*"A Christian is the perfectly free lord of all, subject to none.
A Christian is a perfectly dutiful servant of all, subject to all."
-- Martin Luther, The Freedom of a Christian, 1520*

As a Christian college of the liberal arts, Luther College is at once a community of faith and a community of learning. Its mission, which is anchored in its commitment to the Triune God, is to be the church in higher education, calling and preparing people to serve in this world.

As a community of faith, Luther College is committed to the Christian vision of service. This vision encourages the entire community to deal reflectively with challenges facing human beings in the world. Students, faculty, and staff together seek the significance of learning for responsible human life.

As an academic community, Luther College is committed to the liberal arts; a way and kind of learning which moves students beyond immediate interests and present knowledge into a larger world; an education that not only disciplines minds in the pursuit of knowledge, but develops whole persons who are resilient enough to confront and evaluate the changing society in which they serve.

Luther College affirms that liberal education is a foundation for leadership and service in church and society. The college joins programs in the fine arts, humanities, social and natural sciences with professional and preprofessional programs, and with co-curricular and residential activities, to prepare students to serve with distinction for the common good.

Luther College is dedicated to faith and to learning. This commitment places the response to God's truth in dialogue with the human quest for truth; faith expands and gives direction to this quest and is challenged by it. A reflective faith unites the pursuit of learning with our vocation as responsible citizens. So understood, the academic enterprise is a vital link between the church and the world.

ENVIRONMENTAL STATEMENT [top](#)

Adopted May of 1998

The Luther College community is concerned about the impact we, as individuals and as an institution, have on the environment. As citizens of an earth community, it is our obligation to identify problems which militate against a sustainable future and to implement viable solutions to those problems. In support of the movement towards an environmentally sustainable future, we commit ourselves to the following goals:

1. To identify environmental pollution and degradation taking place

- on campus, and to institute environmentally sound operations.
2. To work in collaboration with the Decorah community and other organizations to assist in finding solutions to environmental problems.
 3. To affirm and expand the Luther College community's commitment to recycling, waste reduction, and resource conservation.
 4. To forge collaboration among departments, faculty, and students to develop curricula, interdisciplinary approaches, research initiatives, and outreach activities that address the issues surrounding an environmentally sustainable future.
 5. To encourage all departments to explore environmental issues in relation to their respective disciplines, with the larger aim of providing all students with the information and understanding needed to become ecologically responsible citizens.

ACADEMICS [top](#)

Luther's academic program challenges you to learn more about the world and your purpose within it. Your principal guides in that learning are the college faculty, who call you to a life of discovery, citizenship, and service. When you need help in planning your academic work or in meeting the demands of individual courses or academic projects, the faculty are always your first resource. Get to know your teachers, in class and out. Central among the faculty is your adviser: You should meet with him or her regularly, not only to select future courses but also to discuss current work and to think through your developing sense of direction and purpose for college life and after. Beyond your adviser, there are other academic guides who can help you:

- The Dean of the College, who oversees the full academic program, including the hiring and development of faculty;
- The Associate Dean for Student Honors and Faculty Development, who oversees the Honors Program, including support for undergraduate research, and who helps students seeking external scholarships like Truman, Goldwater, and Rhodes;
- The Registrar, who oversees course scheduling and academic advising;
- The Director of the Student Academic Support Center, who oversees tutoring, study skills sessions, and services for students with special

learning needs;

· The College Writing Director, who oversees writing assistance not only for Paideia I but also for students involved in any writing project. For more information about the academic program and how you can do your best in it, see the College Catalog, or check the Learning section of the Luther website.

STUDENT LIFE [top](#)

Luther College is a community of faith and learning in which creative scholarship, personal growth, worship, and social relationships are interwoven. Students, faculty, and staff work together for the development of the kind of living/learning environment which encourage caring relationships and an understanding of the wholeness of life.

STUDENT LIFE MISSION STATEMENT [top](#)

The Student Life Division, as part of this Luther College community of faith and learning, has developed the following mission statement to reflect its commitment to student learning and personal development as the central goals of its services and programs:

Student life staff members, in partnership with students, faculty, and other staff, collaborate in the development of living/learning environments where:

- services enhance student success,
- programs foster student responsibility, independence, leadership, and service,
- students are both challenged and supported,
- students move toward an integrated sense of personal identity and life goals,
- healthy relationships and lifestyles, strong interpersonal skills, and an openness to diverse backgrounds are encouraged, and
- policies are based on community values of high expectations and mutual respect.

The student life staff, as both teachers and learners, strive to provide leadership for the creation of intentional communities that make a difference for students: communities that are celebrative, caring, open, purposeful, and disciplined.

The following departments are part of Student Life (students are invited to visit any of these offices or visit their websites for more information):

- Career Center
- Counseling Service
- Diversity Center: International and Minority Student Services
- Educational Talent Search
- Health Service
- Lifetime Wellness Programs
- Residence Life
- Student Activities
- Recreational Sports
- Student Life Office
- Upward Bound

Student Life Office [top](#)

Centennial Union, Phone 1020

The Dean for Student Life is responsible for the entire Student Life program and coordinates the services and activities of most of the offices listed above. The Dean is also the primary liaison between Student Life and the faculty, administration, and Board of Regents.

The following services are coordinated through the Student Life Office:

- grievance procedures
- leaves of absence
- withdrawal and reentry procedures
- student directory
- student files
- judicial system
- orientation
- student leadership programs
- general information on Student Life programs, services, co-curricular programming, and other collaborative efforts on campus

RESIDENCE LIFE [top](#)

Centennial Union 208, Phone 1330

Luther College is a residential college and strongly believes that life in the residence halls is an integral part of a total liberal arts education. The Residence Life Office is committed--through the combined efforts of professional and student staff--to help shape a residential environment that supports and stimulates students' academic, personal, and interpersonal learning and development. We are committed to helping students integrate their learning inside the classroom with their rich experiences in the residence halls. We strive to support the development of true communities in our residence halls, communities of faith and learning that are respectful, supportive, purposeful, and intentionally structured.

Staffing [top](#)

Each residence hall is supervised by one professional Hall Director or Area Coordinator and specially selected and trained student staff members (Hall Managers, Assistant Hall Directors, Resident Assistants). Hall Directors and Area Coordinators are full-time, live-in professionals who supervise the student staff, manage the day-to-day operations of the residence halls, and assist students with personal, academic, and college transition issues.

Hall Managers and Assistant Hall Directors are experienced student staff members who help supervise the buildings, act as liaisons between the Hall Director and Resident Assistant (RA) staff, and assist the Hall Director in other hall duties. RAs are students who are trained as peer assistants and live on each floor. RAs provide a variety of educational and social activities to acquaint students with other floor and hall members, provide support to residents with special concerns, and serve as referral sources to other College offices.

General Housing Information [top](#)

Residency Requirement

Luther College is a residential college. All full-time students are required to live in college-owned housing unless married, of nontraditional age (23 years or older), or commuting from their legal guardians' homes. Off-campus living is limited and is permitted for students only when there is a shortage of rooms in college residence halls. Students must receive written permission to live off campus.

Housing Contract

Every resident is required to sign a housing contract each year. It is the student's responsibility to read and understand the contract. The signed document is a contract between the student and Luther College; students who violate provisions of the contract are subject to disciplinary action through the Residence Life or Student Life Office. Violation of policy is defined in the contract and in the Luther College Student Handbook.

Residence Hall Options

To meet the varied needs of Luther students, a variety of housing options are available. Luther residence hall options include wellness floors, chemical free floors/clusters, a language housing program, and residence halls designated for first-year students. Also, there are a variety of room sizes ranging from singles to four-person rooms and clusters, and upperclass townhouses.

Room Selection and Occupancy [top](#)

Room Draw Process

The room draw process occurs late in the spring semester and provides students the opportunity to select a room and a roommate for the upcoming year. The room draw process assigns priority for housing based on class standing; the process is designed to give next year's senior class first priority, the junior class second priority, and sophomore class third priority. Class standing is determined by the Registrar based on credit hours earned through January Term. In order to participate in room draw, students must be registered for the following fall semester.

Roommate(s)

It is the responsibility of each student to find his/her own roommate(s). To select a room at room draw, students must have the capacity number of people to fill the room.

Choice is Binding

A student is entitled to one housing choice each academic year. Room and roommate(s) choice is binding unless the student officially withdraws from Luther College.

Vacancies

If at any time after room draw the occupancy of the room drops below capacity, the remaining resident(s) can expect that the vacated space(s) will be filled. Effort will be made to allow the remaining resident(s) a choice in filling the vacancy. The Residence Life Office has the right to assign a student to a room without prior consent of the person(s) currently living in the room.

Room Changes

Room changes are permitted for students if and when roommates are having adjustment problems and for other special circumstances. Prior to a room change being approved, students are expected to have made a good faith effort toward resolving the roommate situation. This includes discussing the situation with the RA or professional staff member, and completing a roommate conference if requested. Four basic criteria must be met for a change to occur: 1) student(s) involved have attempted to resolve roommate situation, 2) vacant space is available, 3) students affected have consented to the change, 4) the Residence Life Office has approved the change.

Safety and Health [top](#)

(see [Emergency Information](#))

Room Keys

At check-in, each resident will receive one room key. Throughout the year this key will be the responsibility of the student. Lost or stolen keys should be reported immediately to the Residence Life Office to ensure the safety of the student and his/her belongings. A \$25 charge for a lost or stolen key will be assessed to change the lock and cut a new key. A charge of \$25 also will be charged for failure to return the key at the time of checkout.

Access Keys

In the fall each student is issued an access key for their residence hall. The access key will permit the student to enter their residence hall between the hours of 10:00 p.m. and 8:00 a.m. when the outside entrances are locked. The student will be charged \$25 for a lost or stolen access key.

Personal Property

Luther College does not carry insurance on personal property of students and is not responsible for loss of or damage to such property,

including property stored in lockers, store rooms, student rooms, or any storage spaces. Students use these spaces at their own risk. The college will not be held responsible for any property of students left in or delivered to the residence halls. It is strongly encouraged that students check their family insurance for coverage and, if necessary, purchase private personal property insurance from a reliable company.

The safekeeping of student property is the responsibility of each individual. Rooms should be locked at all times and personal property secured.

Any theft or vandalism should be reported to the Hall Director and to Campus Security Office immediately.

Fire Alarms and Equipment

Fire safety policies explained in brochures, the Housing and Dining Contract, the *Student Handbook*, or in any related city, state, or federal laws are taken seriously. Residence Life staff will conduct official room inspections during each winter and spring break. Room inspections may take place during other times as well. During inspections, prohibited items (see below) will be confiscated and fire safety fines will be assessed for policy violations.

Any violations to policy will be taken seriously. Sanctions, therefore, may include any or all of the following:

- \$25 minimum fine per prohibited item or for failure to evacuate during an alarm
- \$150 individual fine for false fire alarm or tampering with fire safety equipment
- \$500 community fine (if individuals cannot be found and held accountable for false fire alarm or tampering with fire safety equipment)
- Administrative conduct hearing with Director of Residence Life
- Social probation for the remainder of the current academic year
- Possible legal ramifications including prosecution by College officials or outside agencies

The following activities, some of which can activate fire alarm systems, are prohibited in the residence halls:

- Throwing balls, frisbees, and other objects

- Shooting water or other objects
- Spraying paint, liquids, or other objects
- Using power saws and other electrical tools
- Tampering with any fire safety equipment
- Obstructing or propping open fire safety doors
- Failure to immediately evacuate upon alarm

Prohibited Possessions

The following items are prohibited in student rooms for health and safety reasons:

- Candles, incense, oil lamps, halogen torchiere lamps and open flames
- Smoking and illegal drug paraphernalia
- Flammable substances such as gasoline, cleaning fluids, lighter fluid and mineral spirits
- Motorized vehicles such as motorcycles and mopeds
- Live Christmas trees, other live holiday greenery, large decorative bulbs
- Fireworks and other explosives (illegal in Iowa)
- Firearms, ammunitions, bows and arrows, slingshots, large knives, switchblades, dangerous martial arts equipment, and other potentially hazardous items. These items should be checked in and stored at the Decorah Police Department.
- Electrical appliances; toasters, toaster ovens, microwaves, space heaters, and any appliances with an open hotplates or heat coil
- Extension cords, multi-plug outlets, overloaded circuits

Pets

Animals present a definite health concern to residence hall living because of disease and allergies and potential damage to the buildings in the form of stains and odor. Pets, with the exception of fish, are not permitted in college housing. Each violation is a \$50 fine.

Facilities Management [top](#)

Room Furnishings

Each room is furnished with a bed, mattress, desk, desk chair, and clothing storage space for each resident. Also, each room is equipped with one telephone. Prior to the arrival of students, residence hall staff members thoroughly check each room to ensure that the items listed above are present and the condition of the room is satisfactory. At the beginning of the year, students in each room receive a Room Condition Report; damages are recorded on these reports so that current occupants will not be charged for past damages. It is the responsibility of each resident to carefully read the Room Condition Report, make adjustments, and return it to his/her RA. The Room Condition Reports will be used to assess end-of-year charges for room damages.

Personalizing Your Room

We encourage students to decorate and personalize their rooms. Lofts/bunks may be built in Brandt East, Olson, and the Towers. Students who construct lofts are solely responsible for any and all damages and personal injury resulting from construction or use. Students may not use power tools in the residence halls while constructing lofts. Students also assume responsibility for storing lofts. All college-provided furniture must stay in the residence hall rooms. Students will need to provide their own linens, pillows, blankets, and wastebaskets. Waterbeds are not permitted.

Care of Facilities

Students are expected to maintain their rooms and common living areas in a clean and orderly condition. Students may not obstruct any of the walkways, hallways, or surrounding premises. Students may not make alterations to the facilities. This includes, but is not limited to, adding or changing locks; removing window screens; altering or tampering with heating units or light fixtures; installing air conditioning units; installing or splicing radio or television antenna; adding or changing electrical, cable TV, or telephone wiring; driving nails or screws into walls, floors, or partitions, or using adhesives that may cause damage to surfaces; varnishing, painting, wallpapering, or applying contact paper.

Appliances

It is necessary to limit the usage of certain electrical appliances in student rooms for fire safety reasons. Appliances with exposed heating coils are not allowed. This includes, but is not limited to, desktop burners, toasters and toaster ovens. Microwave ovens are located in

each residence hall; microwaves are not allowed in student rooms.

The following appliances are allowed: popcorn poppers, coffee makers, hot pots, and refrigerators that are less than 2.8 cubic feet in capacity. Only one refrigerator per every three residents in a room is permitted. All appliances must be U.L. listed.

Common Areas

Common areas such as bathrooms, hallways, and lounges are cleaned daily. Unusual wear, messiness, or damage to these areas will result in restitution assessed to either the entire floor or building. Furniture in all common areas must remain in these areas for use by all hall residents. College furniture found in student rooms will result in a \$25 charge per item to the student responsible.

Storage

Students may store belongings over the summer or while on an off-campus program in the Brunsdale Storage area. Items that may be stored include luggage, boxes, and other containers. Due to fire code regulations, the College will not store lofts, lumber, carpets, furniture, or bikes.

Bicycle Storage

Bicycle racks are provided across campus for use by students. During winter months, students may store their bicycles in a designated area of Brunsdale Storage. Contact Facilities Management at x1146 for more information.

Community Atmosphere and Policies [top](#)

Intervisitation

Students in all residence halls may be on floors assigned to the opposite sex between 8:00 a.m. and 2:00 a.m. on weekdays (Sunday-Thursday). On weekends (Friday and Saturday), the visitation hours (8:00 a.m.-2:00 a.m.) will remain in effect for students living in designated first-year areas. For individuals living in areas not designated for first-year students, open visitation will exist on Friday and Saturday nights.

Although the college has established visitation hours, a student's right to study, sleep, and exercise control over his/her personal space takes precedence over the right to host guests. The Residence Life Office/Student Life Office will actively intervene if conflicts arise

between roommates with respect to the intervisitation policy.

Additional information:

- In all residences, an escort policy will be in effect on weekends, from midnight to 2:00 a.m. in first-year residence spaces and until 8:00 a.m. in other residences. Each host is responsible for escorting a guest on and off the residence hall floors during those times.
- Cohabitation (living together) with persons other than designated roommates is not permissible.
- If a guest of the same sex will be staying longer than 48 hours, it is necessary to register the guest with the resident assistant on that floor.
- Guests under the age of 18, who do not attend Luther must present proof of parental consent and be registered with the resident assistant.

Courtesy and Quiet Hours

Courtesy hours are enforced 24 hours each day. During courtesy hours, residents are expected to act in a manner that demonstrates respect for the rights of others to study and sleep in their rooms. Residents shall not make or allow any improper or disturbing noises in the building, sing or play musical instruments, watch television, or use their radio or stereo in a way or at a time which might be objectionable to other residents.

Quiet hours are from 11 p.m. to 11 a.m. each day. During quiet hours, noise should not be audible outside of a resident's room with the room door closed. In addition, creation of noise disturbances in the corridors and bathrooms is unacceptable. These times ensure a quiet atmosphere conducive to studying and sleeping. The hours may be expanded in either direction, but not shortened.

Entering Student Rooms

Please refer to Article IV of the [Luther Code of Conduct](#) section of this handbook.

Smoking

Smoking is not permitted in any residence hall.

Alcohol/Other Drugs

The Residence Life Office takes seriously the abuse of alcohol and chemical substances. This includes the illegal use of alcohol. Please refer to the Luther Code of Conduct section of this handbook and to the Campus Drug/Alcohol policies (separate sections).

Students should note that the possession of alcoholic beverage containers, either full or empty, will be taken as a presumption of use and possession, and, as such, may be considered policy violations. Students may also be held accountable, even if they do not have actual possession of alcohol, when they are present at alcohol-related events; or they may be accountable if they, in some other way, are in "constructive" possession of alcohol (parallel to Iowa Code on possession).

Most alcohol policy violations, in accordance with residence hall contracts, are handled via administrative disciplinary hearings and procedures and may not necessarily conform with all the judicial processes listed in the Luther Code.

Students who engage in the use of illegal substances may expect serious consequences and that college officials will involve local police in investigation and prosecution.

When, in the judgment of a staff person, a student is transported for medical attention or monitoring in response to alcohol or other chemical use, the involved student will be responsible for any costs incurred.

Miscellaneous [top](#)

Laundry Facilities

Each hall has laundry facilities available for use by residents living on campus. Students must provide their own laundry detergent, dryer sheets, etc. Occasionally, money may be lost in these machines due to a malfunction. Residents may obtain a refund and report any maintenance concerns with the machines through Facilities Management, x1146.

Vending Machines

Candy and soda machines are available in the residence halls and across campus. Refunds may be obtained through the Service Center in each hall.

Lock-Outs

Should you become locked out of your room, please contact a Resident Assistant. Students are expected to be responsible and carry their key with them. Students will be assessed a fee for repeated lockouts. The fee is \$5 for the second and each subsequent lockout.

Guests

All guests must be registered with your RA. This aids in security practices and is useful in the event of a hall emergency. Guests and their behavior are the responsibility of the host. Please inform all guests of Luther policies and expectations. Guests may stay up to a total of two consecutive nights, subject to consent by all roommates.

Telephones

Each student is personally responsible for the long distance calls he/she makes on the phone provided by the college in each residence hall room. Information regarding long distance calling and Personal Security Codes (PSC) is provided at check in, or by Facilities Management at x1146.

Questions regarding phone billing should be directed to a phone company representative at the customer service number listed on the monthly bill. Requests for repair of a residence hall phone should be made to the Campus Services Office.

Vacations/Breaks

The residence halls are closed during the two official college vacation breaks (Christmas Break and Spring Break). Only one residence hall will remain open to provide vacation housing. Students who have been approved to remain on campus during the break periods will be asked to secure housing in another student's room in the designated vacation housing building.

Hall Council

Hall Council is an organization comprised of students within each hall. Membership on hall council is open to all residents in the building; elected offices are available and are determined through an election each fall. Hall council coordinates a variety of social, educational, and service-oriented projects and activities for residence hall students, and provides input on matters affecting the quality of life in the residence halls.

Residence Hall Association

The Residence Hall Association (RHA) is an inter-hall association comprised of the presidents of each residence hall. RHA serves as a forum in which residence hall issues and concern may be addressed. RHA coordinates special inter-residence hall programming efforts, encourages and promotes leadership development among residence hall council members, and serves as an information source and clearinghouse on residence hall issues.

STUDENT ACTIVITIES [top](#)

Luther College provides a variety of educational, social, spiritual, and service organizations to which students may belong. Participation in these organizations is encouraged as a means of developing leadership skills, improving academic and social skills, and becoming an active member of the Luther community.

Eligibility Requirements

1. **Equal Opportunity.** It is the policy of Luther College to provide equal opportunity for all qualified persons in its educational programs and activities. The college does not discriminate on the basis of race, creed, handicap, national origin, age, sex, or sexual orientation in its programs and activities.
2. **Eligibility Determination.** Eligibility standards for participation in college-sanctioned co-curricular activities are determined by the Committee on Co-curricular Activities and, for intercollegiate athletics, by the Campus Life Committee. Participation in intercollegiate athletics is also subject to the eligibility requirements established by the National Collegiate Athletic Association (NCAA) and the Iowa Intercollegiate Athletic Conference (IIAC). Please consult with intercollegiate athletics for specific requirements.
3. **Previous Semester Determines Eligibility.** Except for new students, eligibility for participation in all Co-curricular activities and intercollegiate athletics is gained or lost during the preceding semester (or semesters) in college. For purposes of eligibility, the semester ends on the final day of examinations. Eligibility during January Term is determined by the fall semester results. Eligibility for summer events, such as track meets, choir tours, etc. is determined on the basis of the student eligibility to participate in these activities during the spring semester.

4. **Activities Continuing Into Second Semester.** Any full-time, first-semester student who will not be a full-time, second-semester student is eligible to participate in any co-curricular activity that continues into the second semester with the stipulation that the student pay a specified rate to the college. (For intercollegiate athletics, however, the NCAA rules apply.) The rate the student pays would be equal to room and board consistent with the normal college rate charged during January Term. The Treasurer will have final discretion in determining this rate. The college bears no responsibility for the cost of health care for the student since he or she is not an officially registered student. January graduates will be exempt from paying the rate.
5. **Full-time Student Academic Standing.** Eligibility for co-curricular activities is open to first-year students who enter during the first two weeks of the term and are full-time students. Luther College defines a full-time student as one who registers for a minimum of 12 semester hours. A transfer student who is academically ineligible at a previous institution shall not be immediately eligible. Second-semester first-year and upperclass students must be full-time students to be eligible. For students on academic probation the Faculty Committee on Academic Progress has the discretion in deciding eligibility for co-curricular activities other than athletics.

CAMPUS AND STUDENT GOVERNMENT [top](#)

Community Assembly [top](#)

Constitution of the Community Assembly adopted by the Community Assembly in May 1971, amended during spring 1972, spring 1973, spring 1984, spring 1991, 1997, 1999.

I.

Duties

A.

The faculty has delegated to the Community Assembly the formulation and definition of college policy pertaining to student life and welfare.

B.

The Community Assembly, as herein defined and constituted, has the express responsibility, subject to review by the faculty, to do the following:

1.

Review and recommend changes in the Student Handbook.

2.

Approve charters for campus organizations.

3.

Create and define the duties of such committees as it finds necessary to carry out its business.

4.

Oversee and act on its recommendations from its standing committees on such matters as co-curricular activities, cultural activities, and campus betterment.

5.

Recommend to appropriate agencies rules and regulations for residence and campus life.

6.

Discuss and consider making recommendations to appropriate agencies on matters such as curriculum, budget, admissions, student financial aid, and campus planning.

7.

Reviews efficacy of campus judicial system in May of each year by examining a report compiled by Student Life Office summarizing the number and types of cases heard and the sanctions rendered by all Campus Hearing and Appeals Boards.

8. Reviews the status of spiritual life on campus at its April meeting on basis of report of Campus Pastor.

- C. The Student Government of Luther is defined as the Student Senate with composition and duties as described in Article VI of the Bylaws of this Assembly.

II. **Membership**

- A. The number of student members of the Community Assembly shall be nineteen. Elections shall be conducted and vacancies filled according to procedures stipulated in the Community Assembly Bylaws.

- B. The number of faculty members of the Community Assembly shall be twelve and shall be representative of the three divisions of the college. At least half of the faculty members shall be tenured faculty. Elections shall be conducted and vacancies filled according to procedures stipulated in the Community Assembly Bylaws.

- C. The administration members of the Community Assembly shall number three and shall be named by the President of the College. The President of the College shall be a nonvoting member of the Community Assembly except as provided for in Article IV.C.

- D. The support staff members shall number two and shall be determined by the support staff.

E. For reasons of illness or necessary absence from campus, members of the Assembly may appoint proxies to vote in their places. The President of the Assembly shall be notified of the proxies prior to the meeting.

F. All the student, faculty, and administrative members shall report back to the respective hall governments, student organizations, divisions, or administrative bodies which they represent.

III.

Officers

A. The President of the College shall be the President of the Assembly.

B. In the absence of the President, an administrative member of the Assembly, designated by the President, shall preside over the Assembly.

C. The Assembly shall elect at the October meeting of each year the Secretary of the Assembly.

IV.

Meetings and Procedures

A. The Assembly shall meet during the months of September, October, November, December, February, March, April, and

May, and at other times on call of the President, vote of the Assembly, or by petition of ten or more representatives.

- B. A quorum shall be necessary to conduct business with a majority of the membership constituting a quorum.
- C. The President of the Assembly shall vote only in case of a tie.
- D. All Assembly meetings shall be open to the public.
- E. An agenda prior to the meeting, and a report following, shall be published in two college publications. Two copies of the minutes of each meeting shall be deposited in Preus Library.
- F. At the first meeting of the Community Assembly each year, the President of the Assembly and the Luther College Student Senate President shall review with the Assembly its history, duties, and procedures.

V.
Implementation

Actions of the Community Assembly shall go into effect on the date set by the Assembly unless:

- A. The President exercises his right to refer matters to the Faculty for prior approval, or
- B.

One-third of the Assembly requests the approval of the Faculty prior to the action going into effect.

Please see [Article 6.16 of the Luther Code](#).

VI.

Committees

A.

The Community Assembly shall create and define the duties of such committees as they find necessary to carry out their business.

B.

Membership on Committees:

1.

When Assembly committees are appointed there shall be consultation with Student Senate to ensure the balanced and effective inclusion of students, preferably from the Assembly.

2.

Faculty members shall be appointed by the President from the Assembly membership, unless otherwise appointed by duly-constituted faculty bodies.

3.

An attempt will be made to appoint willing student chairs. Administrative support will be offered to assist students in carrying out their responsibilities.

VII.

Amending Procedure

A.

Amendments to this Constitution may be proposed in the same manner by which items are placed on the Agenda of the Assembly.

- B. Final action on proposed amendments may not be taken at the meeting in which they are introduced.
- C. Proposed amendments must pass the Assembly by a two-thirds majority of those representatives present at the meeting of the Assembly.
- D. Amendments, as passed, must be published in two college publications, and must be ratified after publication by the faculty and by the student body.
- E. Amendments will take effect immediately after ratification by both faculty and student body and shall become a part of this document.

Community Assembly Bylaws [top](#)

Adopted spring of 1972

- I. **Elections**
 - A. Election procedures for Faculty Members.
 - 1. Faculty members shall be elected by the faculty at its first fall meeting.

2. Faculty are eligible for re-election for additional years up to a total of three consecutive years.
 3. Vacancies shall be filled by election of the faculty.
- B. Election procedures for Student Members.
The election procedures for Student Members are outlined in Article VI, Sections IX and XI.

II. **Assembly Organization Committee**

- A. **Duties**
Appoint Assembly committee chairpersons, appoint ad hoc committees formed by the Assembly, review and recommend necessary changes in the rules and procedures under which the Assembly functions, set the order of the agenda for Assembly meetings, act on requests from nonmembers to speak at Assembly meetings, and review irregular attendance of members at Assembly meetings.
- B. **Membership**
The President of the Assembly, two student members of the Assembly (one of them being the Student Senate President), and two faculty and/or administration members of the Assembly. The President of the Assembly shall appoint the members of the Committee and serve as chairperson.

III.

Assembly Committees

A.

General Duties

1.

Meet regularly throughout the year. Generally, meetings shall be open to all members of the community. Notification of committee meetings and their agendas should be published the day prior to the meeting in the daily announcements.

2.

Perform those specific duties assigned by the Assembly and stipulated in the bylaws.

3.

Regularly review and evaluate on a continuing basis the area of responsibility of the committee.

4.

Submit an annual report to the Assembly at the end of the academic year to be included with the minutes of the May meeting.

5.

Distribute printed copies of committee minutes to each Community Assembly member two (2) class days prior to the following Community Assembly meeting.

B.

Campus Betterment Committee

1.

Duties

- a. To act as a clearing house for ideas from members of the Luther community in order to generate input concerning the maintenance and development of the campus environment.
- b. To promote resource and energy awareness.
- c. To recommend policies and practices conducive to resource and energy conservation on the Luther College campus.
- d. Review and recommend policies concerning vehicle registration and fees, parking, traffic regulations and fines.

2. Membership
Four members of the Assembly (two of them being students) shall be designated as the Campus Betterment Committee. In addition the support staff (by whatever constituted group exists) and the Campus Services Offices may each appoint a committee seat from their respective areas.

C. Cocurricular Activities Committee

1. Duties

- a. Evaluate policies regarding cocurricular activities, counsel with faculty advisers to these student groups and make recommendations to the Assembly for changes in policy.

- b. Recommend academic standards of eligibility for participation in all cocurricular activities.
- c. Recommend policies for off-campus participation of individuals and groups representing the college.
- d. Appoint editors of student publications and manager of the college radio station after consultation with the respective staffs.
- e. Receive and examine financial reports from the above activities.

2.

Membership

The Cocurricular Activities Committee shall include four Assembly members (two of them being students and one of those being the Inter-Greek Council representative).

3.

Social Fraternity/Sorority Charter Review Board

a.

Membership

The Cocurricular Activities Committee shall also function as the Social Fraternity/Sorority Charter Review Board. In addition to the regular membership, this board shall include the adviser(s) to IGC.

b.

Duties and Responsibilities (See also [Article VIII of the Luther Code](#))

1. Review the annual detailed evaluation of each organization.
2. Review the disciplinary file of each organization.
3. Review the annual prospectus of each organization.
4. Review any objections from the Luther community in regard to a charter approval.
5. Make available for community inspection all charter applications for a period of three days.

IV.

Rules and Procedures for Community Assembly Meetings

A.

The rules and procedures contained in this section shall remain in effect from year to year unless changed by the amendment procedure outlined in Section V. Additional rules and procedures may be adopted each year by the Assembly. Unless made a permanent part of the bylaws, these remain in effect only for the year during which they are adopted.

B.

The Community Assembly shall meet at 6:30 p.m. on the fourth Tuesday of September and on the second Tuesday of the other months designated in the Constitution.

C.

The opening session of each Community Assembly meeting shall be designated as an Open Forum. During Open Forum any member of the community may bring up matters of concern to the Community Assembly. Each new item shall be limited to ten minutes of discussion. Nonmembers of Community Assembly who wish to discuss items on the agenda for the current meeting will be allowed to speak prior to the discussion of that item. The Chair may terminate the Open Forum and begin the business meeting once all new items have been addressed.

D.

Items may be placed on the agenda by action of the Assembly at a previous meeting, by committees of the Assembly, by request of the faculty, by request of the Luther College Student Senate, and by petition signed by five Assembly members. All items to be included on the agenda must be submitted to the President's Office at least six (6) days before the meeting in which they are to be considered. With the exception of non-action reports from Committees, these items must include the complete text of the proposal upon which the Assembly will be acting and must be accompanied by an expression of rationale including both positive and negative ramifications that have come out in discussion of said proposal. This information must be distributed to all Assembly members and be available for inspection to all nonmembers at least three (3) class days prior to the meeting in which it will be considered. The agenda, including at least a summary of all items, must be published in two college publications prior to the meeting.

Agenda items may be amended from the floor. However, if such amendment changes the substance of the proposal, final action must be continued until the next meeting. An exception to this would be amendments submitted ten days prior to the meeting by petition or minority reports of a committee. Additional items may be brought up for discussion, but not action, after the regular items on the agenda have been acted on.

E.

Meetings of the Community Assembly shall be open to all

members of the Community, as well as alumni, parents of students, and friends of the college. Nonmembers of the Assembly may submit requests to speak at Assembly meetings to the President's Office up to 5:00 p.m. the day of the meeting. The Assembly Organization Committee will act on such requests, establish the order of speakers, and set time limits for speaking. Other requests to speak from nonmembers may be honored only with the unanimous consent of the Assembly.

The President of the Assembly shall be responsible for proper decorum at all meetings.

F.

The Secretary of the Assembly shall call the roll of the members at each meeting to determine if a quorum is present and to prepare a list of all members present and members absent for the minutes. The Secretary shall be responsible for seeing that two copies of the minutes of each meeting are deposited in Preus Library.

G.

Roberts Rules of Order shall be in effect for all meetings unless other procedures are stipulated by the Assembly. At the request of a member of the Assembly and two-thirds approval of the membership, either a signed ballot or a roll call may be the form of voting on any issue. Unless so directed, the presiding officer may call for a voice or a hand vote. A parliamentarian shall be appointed by the president of the Assembly.

Rules and procedures contained in this section of the bylaws may be suspended only with a vote of two-thirds of the total membership of the Assembly. Other rules and procedures, including those contained in Roberts Rules of Order, may be suspended with a vote of two-thirds of the Assembly members present and voting.

V.

Amending Procedures

- A. Section A of Article I of the bylaws may be amended by the faculty with the approval of the Assembly.
- B. Section B of Article I of the bylaws may be amended by the Luther College Student Senate with the approval of the Assembly.
- C. Except as provided in Sections A and B above, amendments to the bylaws may be proposed in the same manner by which items are placed on the agenda of the Assembly. Final action on proposed amendments may not be taken at the same meeting in which they were introduced. Proposed amendments must pass the Assembly by a two-thirds majority of those representatives present at the meeting of the Assembly.
- D. Amendments will take effect on the date set by the Assembly and shall become a part of this document.

VI.

Definition of Student Government

The Student Government is defined as the Student Senate as described in the Luther College Student Senate Constitution Procedures.

Student Senate [top](#)

Luther College Student Senate Constitution Procedures

Preamble: Recognizing that the responsibility of organized Student Government at Luther College currently resides in the Student Senate

and its officers, the following document is intended as a guide for the effective operation of that group.

I.

Name

The name of this organization shall be the Student Senate.

II.

Eligibility

All full-time Luther students are eligible for membership on Student Senate.

III.

Duties of the Student Senate

A.

Serves as a forum for student concerns and opinions. Holds at least one public open forum discussion per semester on any item of interest to student life.

B.

Makes recommendations to Community Assembly on changes in the Luther Code.

C.

Serves as a consulting body on all matters affecting students for Student Life staff, administrators, and faculty committees. (Makes recommendations on and interpretations of existing regulations in the Student Handbook to those persons and collects and evaluates student opinion about student issues.)

D.

Makes proposals to Community Assembly for changes in the Bylaws of Community Assembly.

- E. Elects three of its members to serve on the Faculty Campus Life Committee and serves as a consulting body for that committee.
- F. Appropriates expenditures from the Student Senate Account.
- G. Develops and implements programs it feels are necessary and proper in benefiting the student body, the college, and/or the Decorah community.

IV. Membership

- A. The following OFFICERS shall be elected in the spring semester prior to their taking office.
 - 1. Student Senate President
The duties of the Student Senate President shall be:
 - a. To call and chair all meetings of the Senate, of which there will be at least two per month.
 - b. To prepare an agenda for discussion at each meeting.
 - c. To call for a report of all committee activity at the President's discretion.

- d. To be responsible for relaying all pertinent information to Student Senate as a whole.
- e. To be an automatic member of the Campus Appeal Board.
- f. To serve as student representative to the Board of Regents.
- g. To be an automatic member of the Assembly Organization Committee.

2.

Student Senate Vice President

The duties of the Student Senate Vice President shall be:

- a. To be responsible for submitting an article concerning the activities of the Student Senate for publication in Chips at least once a month.
- b. To serve as an automatic member of all ad hoc committees formed in the Senate, but will not necessarily chair these committees.
- c. To fill in for the President in case of absence.

3.

Student Senate Secretary/Treasurer

The duties of the Student Senate Secretary/Treasurer shall be:

- a. To keep and promptly publish minutes of all Senate meetings. A roll will also be kept and published as part of the minutes.
 - b. To oversee the expenditure of Senate funds.
 - c. To maintain a list of the Senate members and their post office numbers and telephone numbers.
- B.
- The following persons shall be MEMBERS of the Student Senate for the duration of their term in their respective office. The ASA president, the BSU president and the At-Large Minority Student shall be candidates for nomination by the Director of the Luther Diversity Center for minority student representative to the Board of Regents; however, there may be other candidates also.
1. Student Activities Council President
The duties of the Student Activities Council President shall be:
 - a. To serve as a member of the Student Senate and as a member of Community Assembly.
 - b. To serve as student representative to the Board of Regents.
 2. Luther College Congregation President
The duties of the Luther College Congregation President shall be:

- a.
To serve as a member of the Student Senate and as a member of Community Assembly.
- b.
To serve as a student representative to the Board of Regents.
3.
Asian Student Association President
The duties of the Asian Student Association President shall be:
 - a.
To serve as a member of the Student Senate and as a member of Community Assembly.
 - b.
To be a candidate for selection by the Director of the Luther Diversity Center for the position of minority student representative to the Board of Regents.
4.
Black Student Union President
The duties of the Black Student Union President shall be:
 - a.
To serve as a member of the Student Senate and as a member of Community Assembly.
 - b.
To be a candidate for selection by the Director of the Luther Diversity Center for the position of minority student representative to the Board of Regents.
5.
At-Large Minority Student

This position must be filled by a minority student who is not a member of the Asian Student Association or the Black Student Union. The Director of the Luther Diversity Center shall nominate an interested minority person for this position.

The duties of the At-Large Minority Representative shall be:

- a. To serve as a member of the Student Senate but not of Community Assembly.
- b. To be a candidate for selection by the Director of the Luther Diversity Center for the position of minority student representative to the Board of Regents.

6. Inter-Greek Council President
The duties of the Inter-Greek Council President shall be:

- a. To serve as a member of Student Senate and as a member of Community Assembly (either the President or Vice President of IGC shall serve as the IGC representative to Community Assembly).
- b. To serve as a liaison between the Senate and his/her respective organization.

7. International Student Association President

C. The following MEMBERS of Student Senate shall be elected in the residence halls in the fall semester.

1.
The residence hall vice presidents
Each residence hall will choose officers during the second week of fall semester, and the vice president of each residence hall will take office that semester. (Towers is considered one residence hall.)

2.
Additional representatives:

Brandt will be allowed one additional representative, Towers will be allowed two additional representatives (one from Dieseth, one from Miller). Off-campus students will be allowed one representative to Student Senate.

The duties of the residence hall representative shall be:

- a.
To serve as a member of the residence hall government.
- b.
To serve as a member of Student Senate.
- c.
All residence hall representatives, except either the Miller or Dieseth representative, shall serve as members of Community Assembly.
- d.
To report back the activities of Student Senate and Community Assembly to their respective hall governments.
- D.
The following organization shall be invited to send one representative to the Student Senate in a voting capacity:

1.
Student Health Advisory Committee

V.
Meetings and Procedures

A.
The Senate shall meet at least two times every month during the months of October, November, December, February, March, April, and May, and at other times on the call of the President, vote of the Assembly, or by petition of ten or more Senate members.

B.
A quorum shall be necessary to conduct business with a majority of the membership constituting a quorum.

C.
All Senate meetings shall be open to the public.

D.
The minutes of each meeting shall be made available to the Residence Hall Representatives to post within their respective residence halls.

E.
Notification of each meeting shall be published in at least one college publication prior to the meeting.

F.
The Senate may form ad hoc committees at its discretion.

G.
The Senate shall in conjunction with its adviser appropriate expenditures from the Student Body account.

H.

Attendance is required at all Senate or Community Assembly meetings, however, in such cases when a member must miss a meeting, that member is required to notify any Senate officer before the meeting.

I.

A Senate member is allowed three (3) absences a year. After missing twice a warning will be given, and a fourth absence constitutes action by the Senate which can follow Section VIII and/or X of the Constitution on recall.

J.

A member who knows they are going to miss a Senate meeting may ask a proxy to represent them (which does not count as an absence), however, proxies may not vote on motions and it should be understood that proxies should not be used more than 3 times within the school year.

K.

Although it is on the honor of each member to report sickness, sickness will count as one of the three absences.

VI.

Election Procedures for Student Senate Officers

A.

Time of the Elections

1.

Officers for the Senate shall be selected in spring elections prior to the school year in which they take office.

2.

The campus-wide election shall be held on "Reading Day" in the spring.

B.

Applying for Office

1.

Applications for each office will be available in the Student Life Office one month before the election.

2.

The deadline for returning applications is two weeks before the election.

C.

Election Committee

1.

The Student Senate

President shall organize an election committee one month before the election.

2.

At least two of the members of this committee should be of at least sophomore standing or above.

3.

The adviser to the Student Senate shall choose someone of the professional Student Life staff to be a member of this committee and oversee voting on election day.

4.

The election committee shall follow the "Election Guidelines" which can be obtained from the Senate President and/or the Senate adviser.

5. The Election Committee is responsible for the following duties:
 - a. To make sure the "Election Guidelines" are followed and carried out by the candidates and the committee.
 - b. To nominate a slate of possible candidates for the Senate, realizing that nominating is only a form of encouragement and that one doesn't have to be nominated in order to run for office.
 - c. To produce the Senate Campaign/Election Newspaper. This newspaper must be sent out to the Luther community at least 3-4 days before the election.
 - d. To sponsor (and advertise) an open forum where students can meet the candidates. This must be held at least 2-3 days before the election.
 - e. To make sure pictures of the candidates and candidate resumes are present at the voting booths on election day.

VII. Vacancy of a Student Senate Office

- A. In the case of a vacancy in the position of President of the Senate, the Vice President shall assume the duties and responsibilities of that office.

B.

If vacancies occur in the positions of Vice President of the Senate or Secretary/Treasurer, they shall be filled by a special campus-wide election conducted by the Senate.

VIII.

Recall of Student Senate Officer

If any of the officers fail to meet the duties and responsibilities of their positions, they may be recalled by a three-fourths vote of the Student Senate members. Such a ballot may be taken upon the formal presentation of a petition bearing the signatures of one-fifth of the student members of the Senate.

IX.

Election Procedures for Student Members of Community Assembly

A.

Nineteen student members will serve on Community Assembly.

1.

Student Senate Officers:

a.

Student Senate President

b.

Student Senate Vice President

c.

Student Senate Secretary/Treasurer

2.

Presidents of the following organizations:

a.

Luther College Congregation

b.

Student Activities Council

c.

Black Student Union

d.

Asian Student Association

e.

International Student Association

f.

Inter-Greek Council (President or Vice President)

3.

Representatives of the Residence Hall Districts:

a.

Brandt Vice President

b.

Brandt At-Large Representative

c.

Larsen Vice President

- d. Olson Vice President
- e. Towers Vice President
- f. Miller or Dieseth Representative
- g. Farwell Hall Vice President
- h. Ylvisaker Vice President
- i. Off-Campus
- j. College apartment housing (to include Baker Village, college apartment units, and the language houses.)
- B.** Vacancies of Residence Hall Representatives shall be filled by a special election supervised by either the Student Senate or the hall government of the particular residence hall where the vacancy occurred.
- C.** Students are eligible for reelection to the Assembly as long as they are full-time students.
- X.** **Recall of a Residence Hall Representative**

If any of these representatives fail to meet the duties or responsibilities of their positions, they may be recalled by a three-fourths vote of the student members of the Senate.

XI.

Election Procedures for Student Members to Community Assembly Committees and College Committees

A.

Committee elections shall be held after the student members of the Community Assembly have been elected.

B.

In the case of committees which meet prior to student elections of committee members, members from the previous year shall attend in their former capacity until the position is filled.

C.

Application procedures:

1.

Applications for these positions shall be provided by the Senate.

2.

Any full-time or part-time Luther student may apply.

3.

Notices for applications should be posted by the President of the Senate in the Bulletin at least one full week prior to the deadline for accepting applications.

4.

The Student Senate shall vote to select committee members after the application deadline.

D.

If a vacancy occurs within the course of a term of a committee member, the Senate shall fill that vacancy according to the application procedure in section XI, C, above.

E.

If any committee member fails to fulfill his or her function, he or she may be recalled by a three-fourths vote of the Student Senate. Any vacancies that occur shall be filled as stipulated in section XI, C, above.

XII.

Board of Regents Representatives

A.

The student representatives to the Board of Regents shall consist of:

1.

Student Senate President

2.

Luther College Congregation President

3.

Student Activities Council President

4.

Student Minority Representative

B.

The student representatives to the board shall attend all meetings of the board and shall attend the particular committee

meeting of which each representative is a member.

C.

These representatives shall be prepared to present a report to the Senate at the calling of the Senate President.

XIII.

Amendment Procedures

A.

Amendments to the "Student Senate Constitution Procedures" shall be accepted by a three-fourths vote of the Student Senate and shall become an official part of this document at that time.

B.

Any amendment that changes the Senate Election Procedures for student members of the Senate must be sent to the Community Assembly for approval before it becomes an official part of this document.

College Governance Student Input

Students have had a long and healthy tradition of participation in the workings of Luther College. In May 1997, the faculty voted to restructure the governance system and eliminated numerous permanent committees. This also eliminated many permanent student committee positions. Some of the traditional committee input from students will be replaced by involvement on ad hoc committees, departmental committees, special appointments, or newly-defined subcommittees. Student Senate appoints three seats for the Campus Life Committee. There are also four student representatives to the Board of Regents. Students interested in participation and governance issues should contact the Student Senate president, or the Student Senate advisor, located in the Student Life Office.

THE LUTHER CODE [top](#)

Article I: Student Rights, Responsibilities, and Conduct at Luther College [top](#)

1.1

Luther College is a community of scholars whose members include its faculty, students, and administrators. The purposes of the college are the enlargement, dissemination, and application of knowledge. The basic necessity for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease and teaching and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and necessities of the college. Therefore, the college always must strive to strike that balance between maximum freedom and necessary order which best promotes its basic purposes by providing the environment most conducive to the many-faceted activities of teaching and learning

1.2

Each right of an individual places a reciprocal duty upon others: the duty to permit the individual to exercise the right. The student, as a member of the academic community, has both rights and duties. Within that community, the student's most essential right is the right to learn. (The college has a duty to provide for the student those privileges, opportunities, and protections which best promote learning. The student has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others which are equally essential to the purposes and processes of the College.)

1.3

The college cherishes many values, modes of thought, and standards of behavior that are better taught by example, persuasion, social pressure, and reward than by threat of penalties. Regulations governing the activities and conduct of organizations and individuals should not be comprehensive

codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitation of acts which cannot be tolerated because they seriously interfere with the basic purposes, necessities, and processes of the academic community, or with rights essential to other members of that community.

1.4

Students are not only members of the academic community; they are also citizens of the larger society. As citizens, they retain those rights, protections, and guarantees of fair treatment which are held by all citizens, and the college may not deny them to anyone. The enforcement of the student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

1.5

To protect student rights and to facilitate the definition of student responsibilities at Luther College, the following guidelines are established:

1.5.1

All regulations shall seek the best possible reconciliation of the principles of maximum freedom and necessary order.

1.5.2

There shall be no regulation unless there is a demonstrable need for it which is reasonably related to the basic purposes and necessities of the college as stipulated herein.

1.5.3

Students shall participate in formulating and revising regulations governing student conduct.

1.5.4

All regulations governing student conduct shall be made public in

an appropriate manner.

1.5.5

Every regulation shall be as brief, clear, and specific as possible.

1.5.6

Procedures and penalties for the violation of regulations shall be designed for guidance or correction of behavior rather than for retribution.

1.5.7

Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.

1.5.8

There shall be clearly defined channels and procedures for the appeal of:

a.

The finding of responsibility in an alleged violation of a regulation.

b.

The reasonableness, under the circumstances, of the penalty imposed for a specific violation.

c.

The substance of a regulation or administrative decision which is alleged to be inconsistent with the guidelines in this document.

d.

The fairness of the procedures followed in the original adjudication.

1.5.9

Every regulation shall specify to whom it applies and whether responsibility for compliance lies with individuals, with organizations, or with both.

1.6

In compliance with Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112), as amended (P.L. 193-516), and the Americans with Disabilities Act (ADA) of 1990, the following practices with respect to students with disabilities will be observed:

1.6.1

No student may be excluded from any course or any course of study solely on the basis of a disability. When feasible, appropriate modifications in major or course requirements will be made to accommodate students with disabilities.

1.6.2

There shall be no rules prohibiting the use of auxiliary aids that ensure full participation by students with disabilities.

1.6.3

Alternate testing and evaluation methods for measuring student achievement will be made available to students with disabilities.

1.6.4

Classes will be scheduled or rescheduled if necessary to accommodate students with mobility impairments.

1.6.5

Teaching aids or methods will be adapted to accommodate the needs of students with disabilities.

1.6.6

Advising and counseling of students will be carried out in such a way as to provide equal opportunity for students to pursue careers of their choice except as provided for in the following

section.

1.6.6.1

Students with disabilities may be counseled out of a career choice only when such counsel is based on strict licensing or certification requirements in a profession.

1.6.7

Grievances. When students have cause to believe that their rights relative to ADA compliance have been violated, they may request a review of this violation. All grievances are submitted in writing to

Article II: Academic Rights and Responsibilities of Students [top](#)

2.1

Academic Honor System

2.1.1

Introduction

2.1.1.1

The Honor System exists at Luther College because we as students believe that one of the basic goals of an institution engaged in higher education and dedicated to the Christian faith is to develop academic integrity and responsibility within its student body. The Honor System does not assure honest behavior; rather, it transfers the responsibility for enforcing honorable conduct from the instructor to the student.

2.1.1.2

The Honor System is a formal code established by us as students who, like any group of professionals, recognize the integrity of our own calling and should assume the responsibility

for its maintenance ourselves. This we believe to be vital to any academic community.

2.1.1.3

We also recognize that the honor of the individual person should be the concern of any Christian community, and that the Honor System is an attempt to put into practice those values or principles of conduct which are consistent with such a community.

2.1.2

Honor System Constitution

2.1.2.1

Preamble

2.1.2.1.1

We, the members of the student body of Luther College, believing that one of the basic functions of an institution engaged in higher education and dedicated to the Christian faith is the development of academic integrity and responsibility, do hereby resolve to uphold individually and collectively the honor of the college by doing all that is within our power to prevent any form of dishonesty in our academic work and our college life.

2.1.2.2

Article 1: Scope

2.1.2.2.1

The Honor System shall apply to all aspects of a student's academic life. This means that all tests, quizzes, examinations, and assigned written or oral work of any kind is expected to be the work of the student alone (unless otherwise assigned or approved) and that failure to observe this requirement shall be considered a violation of the Honor System. The Honor System prohibits the giving or receiving of information to or from students who write the test at another time.

2.1.2.3

Article 2: Organization

2.1.2.3.1

Membership. The Honor Council shall be made up of three members from the Senior Class, two members from the Junior Class, one member from the Sophomore Class, and one nonvoting faculty member acting in capacity of adviser.

2.1.2.3.2

Election. The First-year Class, the Sophomore Class, and the Junior Class shall each elect one member to the Council at their respective class elections held during the second semester, to take office the following fall.

Members once elected shall continue in office until their graduation, or until they leave college or are otherwise removed.

The advisory member of the Council shall be selected by the faculty. All vacancies in the Honor Council shall be filled by special election in the same manner as above.

2.1.2.3.3

Recall. Any member of the Honor Council who is found incompetent or otherwise objectionable may be removed from the membership of the Honor Council by a majority vote of the Council. Action may be instituted against such a member by a majority vote of the Honor Council or by petition signed by twenty members of the Student Body. All voting shall be by ballot.

2.1.2.3.4

Election of Officers. The Honor Council shall, in the spring of the year, select a chairperson and a secretary from the membership of the Council to serve the following year.

2.1.2.3.5

Powers and Duties. It shall be the duty of the Honor Council to hear all complaints of the violation of this constitution and to conduct investigations thereof as herein after provided. It shall have power to summon the accused, also witnesses, before it; it shall hear the evidence, try to determine the fact, and shall adjudge the accused guilty or not guilty. It shall keep complete written record of all its meetings and proceedings. This record shall be available to the Campus Appeal Board upon request.

The Honor Council shall make provision for bringing the Honor System satisfactorily and effectively before the Student Body.

2.1.2.3.6

Administrative Support. The Dean of the College is responsible for supervising the academic program of the College. The Dean of the College will, therefore, provide the primary administrative support for both the Honor System and the Honor Council. Such support from the Dean (or the Dean's designee) will include - but is not limited to - presence along with the Honor Council at hearings of the Campus Appeal Board (see 2.1.2.5 below for appeal procedure).

2.1.2.4

Article 3: Investigation and Violations

2.1.2.4.1

Upon being informed by a student that he or she wishes to make a complaint, the Council shall be convened by the chairperson, and the said student and other complaining witnesses shall be notified.

2.1.2.4.2

At the said meeting the complaining witnesses shall privately make their statements to the Honor Council, and shall be questioned by the Council.

2.1.2.4.3

The defendant shall be called privately, informed of the charges

made, and shall be requested to make a statement if he or she so desires. Witnesses suggested by the accused and any other witnesses shall then be called. All witnesses shall be questioned by the Council.

2.1.2.4.4

All "hearsay" and "opinion" evidence shall be excluded from the final decision arrived at by the Council. Testimony from student witnesses will only be considered as evidence if the witnesses agree to allow the accused student to question them during a meeting of the Honor Council. If student witnesses do not agree to that condition, their testimony may be used by the Honor Council as a basis for initiating an investigation, but may not be used as evidence of guilt.

2.1.2.4.5

The record of evidence shall be kept by the secretary. The secretary's permanent record shall be filed in the Student Life Office except when in use by the Council on a case.

2.1.2.5

Article 4: Appeal Procedure

2.1.2.5.1

If a student found guilty of violating the Honor System feels that he or she has been unfairly dealt with, he or she may appeal to the Campus Appeal Board. If the Campus Appeal Board decides to accept the appeal, they shall meet with that student and the Honor Council,, and the Dean of the College (or the Dean's designee) to determine:

A.

whether the Honor Council procedures were careful, fair, and consistent with stated policy

B.

whether the penalty is consistent with past experience and appropriate to the seriousness of the violation

2.1.2.5.2

After hearing an appeal the Campus Appeal Board may decide as follows:

- A. Accept the report and decision of the Honor Council
- B. Direct the Honor Council to rehear the case in keeping with suggestions that the Appeal Board may make
- C. Reverse the Honor Council's decision and dismiss the case
- D. Accept the decision of the Honor Council, but reduce the sanction imposed. The Appeal Board may not increase the sanction

2.1.2.5.3

If the student found guilty of violating the Honor System finds new evidence bearing on his or her case, the Honor Council is obliged to hold a new hearing and may be directed to do so by the Campus Appeal Board.

2.1.2.6

Article 5: Amendments and Revisions

2.1.2.6.1

All revisions and amendments to this constitution shall be presented in writing to the Luther College Student Senate and its president. Proposed amendments shall be posted and published in Chips for two weeks prior to the first reading before the student members of the Community Assembly in session. Two-thirds of

the votes cast at two consecutive meetings of this group shall be required to amend or revise this constitution.

2.1.2.7

Article 6: Provisions for Referendum

2.1.2.7.1

Every second year the student body shall have an opportunity to reaffirm or reject the Honor System, as it operates according to the above Articles of Constitution, in a referendum held during regular student government elections.

2.1.2.7.2

A simple majority of the votes cast will decide the referendum. A majority vote reaffirming the Honor System will continue the system in operation until the next scheduled referendum.

2.1.2.7.3

Should the Honor System be rejected by the majority of students voting, a second referendum shall be held during student government elections one year later. If the majority of students voting again reject the Honor System, the system shall be abolished, and responsibility for maintaining academic integrity shall immediately revert to the faculty. If, on the other hand, the majority of students voting reaffirm the Honor System at the second referendum, the system shall continue in force until the next regular referendum two years there after.

2.1.2.7.4

The referendum shall take the following form: The Constitution under which the Honor System functions at Luther College specifies that the system shall be referred to the student body every second year for reaffirmation or rejection. A vote to reject the Honor System must be confirmed in a second referendum one year later before becoming effective.

In accordance with the Constitution, therefore, the following alternatives are hereby offered. Check the one which most nearly

expresses your opinion. Leave the other one blank.

__The student body of Luther College shall continue to assume responsibility for maintaining academic integrity through the Honor System.

__The responsibility for maintaining academic integrity shall be returned to the faculty of Luther College.

2.1.2.7.5

If a second referendum becomes necessary, it shall take the following form:

One year ago the student body of Luther College voted to reject the Honor System. The Constitution under which the Honor System functions at Luther College specifies that a vote to reject the Honor System must be confirmed in a second referendum one year later before becoming effective.

In accordance with the Constitution, therefore, the following alternatives are hereby offered. Check the one which most nearly expresses your opinion. Leave the other one blank.

__The student body of Luther College shall continue to assume responsibility for maintaining academic integrity through the Honor System.

__The responsibility for maintaining academic integrity shall be returned to the faculty of Luther College.

2.1.3

Honor System Procedure

2.1.3.1

The Honor Council, composed of elected representatives from each academic class, has therefore established the following procedures, in accordance with the provisions of the Honor System Constitution.

2.1.3.2

The Statement Which Students Will Sign

2.1.3.2.1

Each Luther College student is required to sign the following statement at the time of his or her first registration. It is assumed that this statement will apply to all of the student's academic work while enrolled at Luther College and that no further statement need be signed on individual examinations and papers. The full responsibility for maintaining academic integrity rests solely with each individual student.

2.1.3.2.2

The Statement: I am aware that an Honor System is in effect at Luther College, and I understand its implications for me as a student. I understand that as a student I am expected to uphold the highest standards of academic integrity, neither giving nor receiving any unapproved assistance, and that I am expected to demand the same standards of academic integrity in my fellow students.

Signed _____

2.1.3.3

Plagiarism

2.1.3.3.1

To forestall unintentional violations of academic integrity so far as possible, the concept of plagiarism needs some discussion and definition here.

2.1.3.3.2

Plagiarism of any sort involves presenting someone else's intellectual output as one's own. One kind consists in unauthorized collaboration on an assignment. Discussing and studying together are legitimate and desirable. But joint efforts should not extend to planning and writing something together that is supposed to show one's individual grasp of the matter at hand

(unless the assignment specifically requires such collaboration).

2.1.3.3.3

Another kind of plagiarism consists in using someone else's work (in whole or in part) in a test, a paper, a lab report, or some other context where one is expected to be doing independent work. The most obvious form is to quote someone else's exact words (or use data, or a diagram, or a musical score, etc.) without showing that the material is borrowed. But it is also plagiarism to rewrite (paraphrase) someone else's ideas, or follow someone else's plan of development, or present someone else's argument, without acknowledging the source; changing the wording does not cancel the debt. Of course, matters of common knowledge need not be credited to a source. To be safe, however, one should not assume anything is common knowledge unless one has seen it mentioned in print more than once without a reference to some other source of information.

2.1.3.3.4

The usual form for showing such debts is a footnote, giving at least the name of the author, the title of the work, and the exact page. (Customs governing what should be included in the note vary somewhat from one subject field to another; the departments of instruction can provide information about their particular requirements.) Direct quotations must always be indicated: short quotations should be enclosed in quotation marks, and longer ones should be set off from the writer's own text by indentation. (Generally, quotation marks are required if one quotes three or more words from a sentence; however, if it is significant, even a single quoted word should be set off in quotation marks.)

2.1.3.4

Student Procedures

2.1.3.4.1

Any student who suspects or is aware of dishonest work is personally responsible to contact the Honor Council. This may be

done by sending a signed note in a sealed envelope to the Council via the intra-campus mail, or by contacting an individual member of the Honor Council.

2.1.3.5

Faculty Procedures

2.1.3.5.1

Every examination is given under the Honor System. This includes all short quizzes and lab tests. If it is necessary for the professor to remain in the room during the test, he or she should explain that he or she is acting as an administrator and not as a proctor.

2.1.3.5.2

The following reminder to students should be printed at the top of the first sheet of examinations:

You are reminded that at your enrollment at Luther College you acknowledge an understanding of the Honor System under which this test is being administered. If you are aware of dishonest work, you are expected to contact the Honor Council through the SPO. Send to the "Honor Council."

2.1.3.5.3

The instructor should inform the student of what assistance (if any) is permitted on daily assignments, out-of-class papers, etc. Thus the instructor may require that no references other than a specified list be consulted, that no references be consulted, or that the student do an assignment without seeking the help or advice of other students.

2.1.3.6

Test and Paper Procedure

2.1.3.6.1

In order to create an atmosphere for the best possible work and

to avoid all possible suspicion, the following procedure is requested:

- A. The professor may ask the students to sit apart from one another during an exam. Books and other aids shall be left in an inaccessible spot except during an open-book test. They should be put aside before the test is passed out.

 - B. Instruction about the reference materials one may use in preparing a paper shall be carefully observed.

 - C. It is suggested that students avoid the following:
 - 1. leaving the room and returning to a test

 - 2. talking during a test.
- 2.1.3.7
Honor Council Procedure
- 2.1.3.7.1
Any correspondence with the Honor Council is to remain confidential. Students who present their suspicions are not judges. The decision of guilt or innocence is the duty of the Honor Council.
- 2.1.3.7.2
Students accused of violating the Honor System are considered innocent until proven guilty. A confession by the accused is not necessary to convict a person if conclusive evidence has been

presented to the Council.

2.1.3.7.3

Nothing said during the meetings of the Honor Council shall be repeated outside the meeting. The alleged violator of the Honor System is never informed of the name of the person who reported the alleged violation, unless that person agrees to allow the alleged violator to question her or him during a meeting of the Honor Council (see 2.1.2.4.4 above).

2.1.3.7.4

Each case is individual. The consequences of violation might include one or more of the following:

- A.
Warning by the Honor Council
- B.
Recommendation that the student be allowed to do the work over
- C.
Recommendation of no credit for the work in question
- D.
Recommendation to lower the grade in the course
- E.
Recommendation of probation, suspension, or dismissal from school.

2.1.3.7.5

The Honor Council will inform the Dean of the College and the Dean for Student Life of a violation. The Dean for Student Life responsible to inform the parents at his or her discretion.

2.1.3.7.6

Any student accused of violating the Honor System has the right to appeal the decision of the Honor Council to the Campus Appeal Board.

2.1.3.8

Honor Council Due Process

2.1.3.8.1

The student shall be contacted by a member of the Honor Council and given notification of the following matters:

A.

That there is an allegation that he or she may have violated the Honor Code in connection with a specific instance in a particular course (e.g. the midterm exam in Psychology 47).

B.

That he or she is asked to appear before the Honor Council at a specific time and place.

C.

That he or she has the right to have people testify on his or her behalf before the Honor Council.

D.

That written notification confirming the above points as well as information about the operation of the Honor Council will be issued at least 24 hours prior to the hearing, except when the accused waives this provision.

2.1.3.8.2

The student may appear in person and present a defense to the judicial body. The student may also elect not to appear before the judicial body. In this case, the hearing shall be held in his or her absence. The failure of a student to appear shall not be taken as

indicative of guilt and must be noted without prejudice.

2.1.3.8.3

The student may be accompanied by a counsel of his or her choice.

2.1.3.8.4

The student or counsel may ask questions of the judicial body. If the testimony from one or more students is used as evidence of guilt, the accused student or his or her counsel will have the right to question the accusing student(s) during a meeting of the Honor Council.

2.1.3.8.5

The student may refuse to answer questions without implication of guilt.

2.1.3.8.6

The student is entitled to an expeditious hearing of the case.

2.1.3.8.7

The student may request and receive an explanation of the reasons for any decision rendered against him or her.

2.1.3.8.8

The student shall be notified of his or her right to appeal the decision of the Honor Council to the Campus Appeal Board. Should the student appeal, any judgment assessed by the Honor Council shall be held in suspense until acted upon by a higher body.

2.2

Academic Evaluation Grievance Procedure

2.2.1

Students have a right to expect that their professors are competent to render fair evaluations of student academic work, and that such evaluations will be free of prejudice and caprice. When students have cause to believe that these rights have been violated they may avail themselves of the following procedures:

A.

Lack of Information

Instructors are expected to make their grading practices, attendance policy, and assignments clear to students. Where these matters are not sufficiently understood, students have a responsibility to request clarification. If a student feels that his or her grade in a course is inconsistent with explicit standards then he or she should first make an effort to resolve the matter by registering a complaint with the instructor. In the event that this fails to produce a resolution the student may submit a formal petition to the department in question. This petition should express the grievance and give just cause for the department to intervene. Should the department support the actions of the instructor then the matter is closed with no further institutional recourse to the student. A department may wish to refer the issue to the Dean of the College for final resolution.

B.

Competence

Students should be advised that to challenge the professional integrity of an instructor is a grave matter. Should a student feel that his or her academic evaluation has been unfairly rendered as a result of professional incompetence then he or she may formally request a departmental review of the evaluation. If the department endorses the original evaluation then the matter is closed with no further institutional recourse. Alternatively, a department may wish to refer the issue to the Dean of the College for further action.

C.

Prejudice

Instructors are expected to render academic evaluations that are free of any considerations extraneous to those of an academic nature. Should a student feel that an evaluation is prejudicial he or she may formally request a departmental review of the evaluation. If the department endorses the original evaluation then the matter is closed with no further institutional recourse. Alternatively, a department may wish to refer the issue to the Dean of the College for further action.

Article III: Protest (Adopted by Board of Regents May 23, 1970) [top](#)

3.1

Luther College affirms its belief in the importance of freedom of expression and in the right of all members of the college community to protest actions with which they disagree, and it is for the protection of these activities that this policy on demonstrations is adopted.

3.2

Peaceful and non-obstructive demonstrations are among those activities in which members of the college community are free to engage.

3.3

Because the college is obligated to maintain an atmosphere conducive to academic work and social responsibility so that its educational mission will not be prevented and in order that the rights of individual members of the college community and of campus visitors may be protected, obstructive or non-peaceful demonstrations will not be permitted on the Luther College campus.

3.4

Luther College recognizes that no definition of "obstructive" can meet all possible situations, but as a general guideline defines obstructive demonstrations as those at which there is deliberate

and continued impeding or disruption of access to or conduct of institutional activities relevant to the college's educational mission. Any non-peaceful demonstration, regardless of duration, is prohibited.

3.5

Off-campus demonstrations will be regulated by the civil and criminal laws governing the community. Those associated with the college should be aware that individuals planning a demonstration or parade in the City of Decorah should confer with the Decorah Police Department as to the date, time, and the route to be used.

Article IV: Privacy [top](#)

4.1

Entering Student Rooms

4.1.1

Entry by unauthorized student or college personnel into student rooms, unless by prior consent of occupant(s), is forbidden. Hall Directors and Resident Assistants are authorized to enter student rooms for purposes of enforcing stated college regulations. Entry of this nature does not require an authorization to search.

4.2

Inspection of Student Rooms

4.2.1

Residence Halls and College-Owned Houses

4.2.1.1

Rooms may be inspected in the interest of maintaining or protecting college property at any time by those in charge of the hall/house or by administrative staff and maintenance employees of the institution.

4.2.1.2

Any college property provided for use in lounges or other public places found in the room of any student may be removed without recourse of search procedures and any room may be inspected at any time for the purpose of locating misplaced property of the college. Disciplinary action may be initiated subsequent to the recovery of the property.

4.2.2

Off-Campus Housing

4.2.2.1

Rooms occupied by students in off-campus housing may be inspected in the interest of maintaining or protecting the landlord's property at any time by the landlord.

4.2.2.2

Any college property provided for use in lounges or other public places found in the room of any student may be removed without recourse to search procedure and any room may be inspected at any time by college officials for the purpose of locating misplaced property of the college. Disciplinary action may be initiated subsequent to the recovery of the property.

4.3

Search of Student Rooms and Personal Possessions of Students

4.3.1

Residence Halls, College-Owned Housing, and Off-Campus Housing

4.3.1.1

Except under emergency circumstances in which the safety of life of a person(s) is in danger, students' rooms and possessions of students shall not be searched unless appropriate authorization

has been obtained.

4.3.1.2

The Dean for Student Life or any member of his or her staff so empowered by him or her shall provide the searcher written authorization before the search is conducted specifying the reasons and the objects or information sought.

4.3.1.3

The student should be present, if possible, during the search.

4.3.1.4

Students may be subject to search by local authorities under warrants issued in a court of law.

Article V: Access to and Confidentiality of Student Records [top](#)

5.1

Introduction

5.1.1

The following statement and policies reflect Luther's compliance with FERPA, the Family Educational Rights and Privacy Act of 1974, commonly known as the Buckley Amendment. A college acquires a great amount of information regarding its students. Because Luther College respects the students' rights of privacy, this information is considered confidential. These records are essential if administration and faculty are to understand individual students and assist them in facilitating their development. Due to the confidentiality of these records a student has the right to expect the college not to release information about him or her to anyone other than those prescribed by law, unless it has his or her written consent. Only legal compulsion or the immediate security of persons or college property justifies the college's revealing to unauthorized personnel, without the student's permission, anything more about the student than the dates of

his attendance, the nature and date of the degree awarded, place of residence while at the college, and other directory information in 5.2.1. below.

5.1.2

Students will be informed annually of their privacy rights with respect to their educational records.

5.2

The following guidelines are adhered to by Luther College in regard to student records.

5.2.1

Certain information about students is considered "Directory Information" and considered generally available to the public. Such information includes: name, phone numbers and addresses (college and permanent, e-mail address, classification (year in school, major(s)), honors, awards, degrees conferred, dates of attendance, participation in sports and activities, height and weight of athletic team members, date and place of birth.

5.2.2

Information considered confidential is filed in many offices, including, but not limited to: Student Life, Registrar, Health Service, Career Center, Student Academic Support Center, Student Support Services, Financial Services, Financial Planning, and the Counseling Services. Professional staff members of each respective office are the only personnel authorized to disclose or release information from a student's folder. A student 18 years or older, or a parent of a student under 18, shall have the right to inspect and review any official records.

5.2.3

Two primary files will be maintained by the college: (a) academic and (b) personal.

5.2.3.1

The student's academic file is kept by the Office of the Registrar. This is a permanent record and includes the Secondary School Record, the courses taken and when, the grades received, test data (e.g., the Scholastic Aptitude Test), the student's area of specialization and degree received, grade point data, and any action by the college resulting in the student being placed on academic probation or his suspension due to academic reasons. The report on each semester's work, which includes cumulative hours of credit and grade points, is sent to the student. The offices of Student Life and Counseling Services have access to this information electronically.

5.2.3.2

The student's personal file is kept in The Student Life Office. It includes information such as the application for admission, housing application, miscellaneous records such as financial aid, and general correspondence.

5.2.3.3

The personal record file in the Student Life Office does NOT include the summary of interviews of counseling or the records of medical diagnosis and treatment. These records are kept in separate files in Counseling Services and Student Health Services, respectively. Also kept in the counseling file are brief records of high school rank, admissions test scores, and results of self-report inventories.

5.2.4

All persons who handle student records shall be instructed concerning the confidential nature of such information and the student's right to privacy. They shall be advised of their legal and professional responsibilities regarding all student records.

5.2.5

Release of Information. The respective offices will not release records of a student without the written consent of the student (or parent of student under 18), except of the specific occasions cited under Article 5.2.5.2. This written consent would include the

type of record to be released and identification of the recipient. Copies of the released information will be sent or given to the student (or parent) when requested.

5.2.5.1

Luther College is required to release official information when the information is furnished in compliance with a judicial order or pursuant to a subpoena. In such an instance, an attempt will be made to notify the student (or parent) in advance of compliance.

5.2.5.2

Information from the above offices may be released to the following without written consent:

A.

Authorized federal representatives who request information in connection with an audit or evaluation of federally-supported education programs.

B.

Officials of other schools to which a student intends to transfer.

C.

Educational officials or teachers who request information for educational purposes. This includes the National Direct Student Loan Clearinghouse.

5.2.5.3

Any of the above representatives or officials will be required to note reason for inspection of official records. The information can be released only upon the condition that the third party (a,b,c above) will not permit access to others without written consent of the student.

5.2.5.4

Only information defined as directory information may be

released by telephone.

5.2.5.5

To minimize the risk of improper disclosure, official college disciplinary records shall be kept in the Student Life Office under separate cover. Folders of disciplinary cases are maintained in an active file for a period of two years after the latest incident recorded in the folder. After a period of two years, all such folders are destroyed, with the following exceptions:

A.

students who have a "hold" placed on their registration and transcript.

B.

students involved in incidents that result in suspension. The folders on the above exceptions are transferred to an inactive file for two years after the "hold" is initiated or the student is suspended. When action is taken to release a "hold" or allow a suspended student to return to school, the folders are returned to the active file. They are maintained there for a period of two years from the date of the action or any later additions to the folder at which time they are destroyed.

5.2.5.6

Information may be released for research purposes only under carefully prescribed guidelines. In releasing any data for research purposes, the identity of the student shall be scrupulously protected. If there is a question about the limits of confidentiality, the written permission of the student will be obtained prior to releasing information about him or her. The Dean for Student Life or Registrar will be assured that the department or persons engaged in the research will follow professional standards of confidentiality.

5.2.5.7

The Student Life Office will not keep membership lists of student

organizations. It will record the name of the faculty adviser and officers of the organizations for identification purposes only, and will destroy all such records at the end of each academic year. The names of advisers and officers will be released upon request.

5.2.6

Review of Official Records

5.2.6.1

Upon request of a student, or parent as appropriate, and within 45 days of the request, a student may review his or her records. This request must be made to the office or service where the records are maintained. Information such as intelligence, aptitude, psychological and interest inventories, and health record entries will be interpreted by a staff member of the appropriate office.

5.2.6.2

In the event the student finds what he or she regards as inaccurate or misleading information, that student may request that the record be corrected or amended. If the request is denied, the student may request a hearing to modify or remove the material. If dissatisfied with the results of the hearing, the student may place in the file a statement of disagreement.

5.2.7

Destruction of Students' Personal Records. Luther College terminates its responsibility for personal records at the end of the sixth year after the student leaves the college. At the end of the sixth year the records shall be destroyed in a manner which prevents unauthorized retrieval. Any portion of the record may be destroyed at an earlier date if the person under whose jurisdiction the record was originally created feels it should be destroyed. Maintenance and preservation of the academic record shall be in perpetuity.

Article VI: All-College Regulations Governing Student Conduct [top](#)

Introduction

Violation of the regulations listed in this code by an individual student or by an approved student organization, either on campus or at any off-campus college-initiated functions, is subject to disciplinary action according to the judicial procedures described in Article VII as well as civil law enforcement in the event that violations of these regulations are also a violation of civil law. Although the off-campus activity of individual students is subject to civil and/or criminal action and redress, and the college usually would not exercise jurisdiction, some off-campus actions may so disrupt or interfere with the life of a student or students on campus that the college reserves the right to initiate disciplinary action. Luther College has the authority to adjudicate complaints of interpersonal violence, whether the incident occurred on or off campus. Students may be held accountable under this policy as long as they are enrolled at Luther College. Former students, who were enrolled at the time of the incident, may be held accountable for a period of two years after the alleged incident. The College may also take administrative action on complaints related to on-enrolled persons such as prospective students. Persons (victims or others) who wish to make a complaint against a student for violating any of the following regulations should contact the campus judicial officer in the Student Life Office for further information. If an informal (unwritten) complaint is made, an investigation of the situation will be made, and discussion about possible actions will occur. If the judicial process outlined in Article VII is to be utilized, a written report must be made by the complainant.

6.1

Violent, Abusive, or Obscene Acts.

Separate policy statements regarding OFFENSES WHICH EXPLOIT OTHERS, SEXUAL HARASSMENT, and DISCRIMINATING OR HARASSING CONDUCT, which are excerpted from the Faculty Handbook, and are considered to be part of the student conduct code, may be found on pages 38-41.

6.1.1

Violent, abusive, obscene, or excessively noisy acts, including

physical abuse, threat of physical abuse, harassment, or provocations of any person are prohibited.

6.1.2

Sexual Abuse is prohibited. Sexual abuse is defined as unwanted sexual activity including, but not limited to rape. Sexual abuse occurs whenever either party has not consented to engage in intimate sexual behavior. Consent is defined as positive verbal affirmation each party has to receive a verbal "yes." Sexual abuse also includes taking sexual advantage of any person incapacitated by drugs or alcohol.

PLEASE SEE EMERGENCY PROCEDURES,
FOR RESPONSE TO SEXUAL ASSAULT.

Examples of Sexual Abuse:

Sexual Abuse includes rape: forcible sexual penetration, however slight of another person's anal or genital opening with any object: sexual coercion prior to intercourse, as exhibited in menacing verbal pressure or misuse of authority by the offender without physical threats or force; unwanted sexual contact without intercourse; kissing or fondling subsequent to the use of menacing verbal pressure, misuse of authority, threats of harm or actual physical force. Sexual abuse is also the unwanted touching of a person's intimate parts (defined as genitalia, groin, breasts, or buttocks or clothing covering them) or forcing an unwilling person to touch another's intimate parts. Sexual abuse can be said to have occurred any time sexual activity occurs without positive verbal affirmation - - a verbal "yes."

Behavioral Examples of Sexual Abuse:

The following are specific examples of incidents that would be termed sexual abuse. These examples are by no means exclusive. Note that students are used in the examples: however, such incidents occurring between a Luther student and a nonstudent may also come under the jurisdiction of the college:

1.

Two students are at a party off campus. They meet, student A invites student B to her/his room and they engage in kissing and

touching. Student A removes student B's clothes without gaining positive verbal affirmation.

2.

Two students are at a party and both become intoxicated. Student A is too intoxicated to give positive verbal consent yet student B proceeds to engage in sexual intercourse.

3.

Two students become involved in kissing and fondling. Both students have given positive verbal consent. Further along in the evening student A says "no" yet student B continues fondling student A.

4.

Two students are engaged in sexual intercourse both having given positive verbal affirmation. Student A's friends join in without positive verbal affirmation from student B.

5.

Two individuals are sitting in student A's room and student B begins giving student A back rub. Student B then begins touching the breasts and/or genitalia of student A without gaining verbal affirmation.

6.1.2.1

Offensive sexual behavior, including, but not limited to, sexual harassment, verbal sexual innuendo, threats, and obscene gestures is prohibited. Examples of offensive sexual behavior: verbal sexual innuendo and insults, direct or indirect threats based on sexual favors, inappropriate humor and jokes about gender specific traits or sexual orientation, sexual propositions, suggestive or insulting sounds and actions including whistling, leering, and obscene gestures.

6.1.3

Telephone harassment, including obscene, annoying, or

disruptive and repetitive calls, is prohibited.

6.2

Hazing

6.2.1

Hazing is prohibited. Invasions of private rights which cause bodily harm, physical exhaustion, suffering, or personal offense, or which interfere with regular academic work, constitute hazing. Any person who participates in hazing another or any organization which knowingly permits hazing to be conducted by its members shall be in violation of this regulation.

6.3

Obstruction of Activities and/or Causing a Disturbance

6.3.1

Obstruction of teaching, research, college disciplinary procedures or any college activities and/or causing a disturbance of any kind is prohibited.

6.3.2

Failure to comply with the request of a college employee as they attempt to carry out their responsibilities.

6.3.3

Failure to comply with official college disciplinary sanctions.

6.4

False Testimony

6.4.1

Intentional use of false testimony, oral or written, before any judicial body or official is prohibited.

6.5

Falsification of Official Papers

6.5.1

False use of or misleading statements on admission, registration, permission, identification, or other official papers involving the college is prohibited.

6.6

Theft

6.6.1

Theft, to include shoplifting and/or unauthorized removal of college-owned property from its designated areas, is prohibited.

6.7

Damage or Vandalism

6.7.1

Damage or vandalism to college or personal property is prohibited.

6.8

Unauthorized Entry, Use of College Facilities or Property

6.8.1 Unauthorized entry, use of college facilities or property is prohibited.

6.9

Use of College-Owned Equipment or Facilities for Unlawful Purposes

6.9.1

Use of college-owned equipment or facilities to produce, for unlawful purposes, such documents as identification cards, driver's licenses, or draft cards is prohibited.

6.10

Fire Alarm and Fire-fighting Equipment

6.10.1

Tampering with or misuse of fire alarm or fire-fighting equipment is prohibited.

6.11

Purchase, Possession, Use, Sale, or Distribution of Illegal Drugs. Also, please refer to federally mandated Drug/Alcohol policy.

6. 11.1

The purchase, possession, use, sale, or distribution of illegal drugs is prohibited.

6.12

Possession or Use of Alcoholic Beverages (Initially adopted by Board of Regents May 24, 1975 with additional revisions). Also, please refer to federally mandated Drug/Alcohol policy.

6.12.1

The possession, consumption, or sale of alcoholic beverages at any campus event is prohibited. Further, no college or residence hall funds may be expended for the purchase of alcoholic beverages.

6.12.2

The consumption of alcoholic beverages in the lounges, corridors, and other public areas of the residence halls, as well as in any other college buildings or on any college grounds, is prohibited.

6.12.3

Students living in residence halls, who have reached the legal drinking age in the state of Iowa, are allowed to make their own

decisions in relation to the possession and consumption of alcoholic beverages in their rooms. However, no kegs or amounts of alcohol in excess of personal use are allowed.

6.12.4

Students are responsible for their own and their guests' behavior at all times. The use of alcoholic beverages shall not impinge upon the freedom and rights of roommates, residents in neighboring rooms, and other students. All members of the Luther community should assume responsibility for referring persons who need assistance for alcohol-related problems to Student Life professionals. Disruptive, destructive, or illegal behavior related to the consumption of alcoholic beverages is subject to college disciplinary action and/or civil enforcement.

6.12.5

The alcohol policy includes alcohol-related violations such as vandalism, excessive noise, harassing behavior, or disruptive behavior where there is alcohol present or the evidence of alcohol use.

Alcohol-related violations include, but are not limited to the following examples:

1)

An R.A. goes to confront students in a room which is excessively noisy and finds students who are drinking. If any of them are underage, it is a clear alcohol violation. If all are over 21, cooperate about providing ID's, and lower the noise level, it would normally be treated as a noise violation.

2)

There is a party going on in a room that overflows into the hall or cluster. The alcohol present exceeds "personal use" or there are open containers in the hallways.

3)

There is vandalism or damage done to property or other people

by a student who evidences alcohol use.

4)

A student harasses or is abusive to college authorities, in conjunction with any of the above scenarios, and there is evidence of alcohol use.

6.12.6

If a student is found to be responsible for an alcohol or alcohol-related violation, the sanctions will be based upon the nature and severity of the violation. Normally, the following sanctions will be in effect:

1st Offense

Student will have a conference with the hall director; R.A. may attend at the hall director's discretion.

Usual sanctions include a letter of probation and a mandate to attend a two hour alcohol education class. A cumulative file is started at this point, which will chronicle all alcohol-related violations. Violations will be considered on a year-to-year basis; however, the file will be available for review in determining sanctions in future years.

Discretionary actions include:

1)

Referral to the Student Life Office, which may contact parent or guardian;

2)

Referral to Campus Hearing Board;

3)

Referral to an 8-hour alcohol education program;

- 4) other educational activities.

2nd Offense

Student will have a conference with the Director of Residence Life or the Associate Dean for Student Life.

Usual sanctions include all of the following:

- 1) Notification of cocurricular activity director(s) and Academic Advisor;
- 2) Notification of parent or guardian;
- 3) Attendance at an 8-hour alcohol education program ; and
- 4) A fine of \$100 and/or 12 hours of community service, at the discretion of the college official handling the offense.

Discretionary actions include:

- 1) Referral to the Campus Hearing Board for consideration of suspension or expulsion from college;
- 2) Residence hall eviction;

- 3) Referral for alcohol or psychological counseling, at the student's expense;
- 4) Other educational activities.

3rd Offense

Student will have a conference with the Associate Dean for Student Life.

Usual sanctions include all of the following:

- 1) Renotification of cocurricular activity director(s) and Academic Advisor with a decision made about the student's continued participation in such activities
- 2) Renotification of parent or guardian
- 3) An off-campus psychological and alcohol/chemical abuse evaluation, at the student's expense
- 4) A requirement that the student must follow up with the recommendations of the evaluation in 3) above

Discretionary sanctions include:

- 1) Referral to the campus hearing board for consideration of suspension or expulsion from college

2)
Residence hall eviction

6.13
Alcohol and Other Drugs Policy for Student Groups Traveling Off Campus

Luther College is committed to maintaining a safe and healthy living and learning environment free from alcohol and chemical abuse. Students should understand the importance of maintaining a healthy environment within the student organizations to which they belong. When student groups represent Luther College at an official college-sponsored activity off campus, or when students make a visit as part of a class off campus (including study abroad programs), they have the responsibility of being positive individual representatives of the college. Whenever the group travels off-campus, members should be reminded that they are seen as representatives of Luther College. Membership in a group recognized by Luther College is a privilege, and each student's actions reflect on our community.

With this in mind, the college encourages students to develop healthy habits and attitudes related to the use of alcohol and other drugs. Abstinence is always an appropriate option; moderation is acceptable if it does not violate either college policies or the law. The abusive, illegal, or irresponsible use of any drugs will not be tolerated.

It is the responsibility of students to be knowledgeable of the physical and mental effects of alcohol and other drugs (AOD) and the risks associated with use. It is also the responsibility of students to be aware of relevant college policies and federal, state and local or foreign laws related to AOD use. Please consult the student handbook, articles VI and III, as well as the drug/alcohol policy for the campus community, found in the back section of the Student Handbook, for other applicable policies.

In the following policy, "group leader" is defined as the faculty or

staff member responsible for the group, such as the instructor, advisor, coach or music director. The group leader is expected to follow the same guidelines as the group.

POLICY:

A.

The group leader of each student group will meet with the organization to clarify the approach that the group will take on the use and abuse of alcohol and other drugs. The AOD Policy will be distributed to all members at that time.

B.

The following are minimum guidelines, to be followed by every student group that travels off campus. A group or a group leader could develop stricter guidelines for the group to follow. For instance, a group leader may decide that the activity is not compatible with alcohol or other drug use in any way, and may add that to the policy at his/her discretion. In like manner, the students may recommend this action to their group leader. In study abroad programs, these guidelines are subject to host nation laws and cultural customs as identified by the group leader.

C.

Underage drinking and drug use are illegal and will not be tolerated. Any member who provides alcohol to an underage person or is found to be in possession of illegal drugs will be subject to disciplinary action.

D.

Students who are of legal drinking age are expected to act responsibly and follow the following guidelines:

1.

On the day of an activity no alcohol or other drug use during or prior to a performance, event or activity.

2. No alcohol or other drug use on college vans, buses, or any other means of private transportation associated with the trip, event or tour.
3. Members of legal drinking age are expected to use good judgment if consuming alcohol at private homes, at group meals, or other settings during non-program hours.
4. If a group spends the night in a hotel, it is incumbent upon each member to behave responsibly as representatives of the college. No abusive, illegal or irresponsible use of alcohol and other drugs will be tolerated. Hotel management will be encouraged to deal with disruptive or illegal activities just as they would with other hotel guests, which may include police involvement.
5. Members should help one another in dealing with alcohol and other drug abuse, and should discourage one another from drinking to excess. Members who have an alcohol or drug abuse problem should be encouraged to seek counseling and treatment.

Procedures Followed for an Alcohol or Other Drug Violation

In many cases, two separate processes can be utilized to address violations of policy. First, for violations of student handbook policy, college judicial process will be utilized when the student returns to campus. These processes and possible sanctions are described in the Student Handbook. If there are other violations, in addition to alcohol or other drug use, they would also be addressed through campus judicial processes.

Second, if a group member is found to be responsible for an alcohol or

other drug violation while on a Luther sponsored trip off-campus, the group leader may, upon discussion and an informal hearing, immediately impose one or more of the following sanctions at their discretion, independent of college judicial proceedings.

- The student may be suspended from participation in one or more activities during the travel period.
- The student may be immediately dismissed from the tour or event, and may have to travel home at their own expense. Underage or illegal use of alcohol or other drugs are grounds for such dismissal.
- The student may be suspended from the group for a specific time period, after returning from the event.
- Other educational sanctions as determined by the group leader, in conjunction with above sanctions.

Finally, the Vice President and Dean for Student Life and/or the student's parents may be contacted about the incident, either at the time of the event, or after their return to campus.

6.14

Firearms and Other Weapons

6.14.1

Ammunition and weapons such as firearms, swords, bows and arrows, sling shots, and bayonets shall in no case be kept in student rooms. Hunting knives with blades over six inches in length are weapons.

6.14.2

Any student living in college-owned housing who wishes to have a weapon for hunting purposes must store their weapons and ammunition with the Decorah Police Department (phone 382-3667).

6.14.3

The discharge or use of any weapon, anywhere on campus, including firearms, swords, bows and arrows, sling shots, knives,

and bayonets is prohibited except as authorized by the department of physical education. The threatening use of any kind of weapon is prohibited.

6.15

Fireworks, Explosives, Incendiaries or Chemicals

6.15.1

The possession or use of fireworks, explosives, incendiaries or dangerous chemicals is prohibited.

6.16

Changes in College Regulations. Any member of the college community can suggest to the Community Assembly changes in regulations governing student conduct. Official changes in college regulations shall be published twice in the Daily Announcements and shall go into effect immediately following the second publication unless a later date is specified.

Article VII: Judicial Process [top](#)

7.1

Introduction

7.1.1

Any student and/or organization accused of violating a regulation shall have the right to appear before one or more members of a duly constituted judicial body. All such bodies shall adhere to the basic fundamentals of due process as stated below.

7.1.2

At times when members of the appropriate judicial body are not available (such as during finals, break periods, or the summer), administrative hearings may be conducted through the

appropriate administrative office. A student may appeal such a decision through the normal administrative chain of command.

7.1.3

Students who participate in off-campus sponsored events and academic programs (including study abroad) are subject to disciplinary action while on those programs, via informal administrative processes by the group leader of his/her designee. They are also subject to disciplinary action upon their return.

7.2

Due Process

Luther College recognizes the student's right of respect and consideration and to the constitutionally guaranteed freedoms of speech, assembly, and association. The college further recognizes the student's right within the institution to freedom of inquiry and to the reasonable use of the services and facilities of the college which are intended for his or her education.

In the interest of maintaining order on the campus and guaranteeing the broadest range of freedom to each member of the community, some rules have been laid down by the students and other members of the college community acting in concert. These rules reasonably limit some activities and proscribe certain behavior which is harmful to the orderly operation of the institution, and the pursuit of its legitimate goals. All students are held to be informed of these rules which are printed in the Student Handbook and distributed at registration.

If any student is accused of a violation of any of these rules and he or she denies responsibility, he or she is guaranteed a speedy and fair hearing before an appropriate hearing board. Appropriate due process safeguards have been built into the procedures which govern each of these boards so that no permanent or recorded penalty shall be meted out until the student accused shall have had a fair chance to be heard. Appropriate appeals are allowed from the decisions of these boards.

7.2.1

The following procedural guidelines are established for the direction of all bodies conducting formal hearings in disciplinary matters.

7.2.1.1

The student shall be notified by an appropriate college official that he or she is accused of violating a regulation.

7.2.1.2

The student shall be notified that he or she may elect one of three courses of action.

A.

The student may admit the alleged violation and request, in writing, that the college official take whatever action seems appropriate. Should the student elect this course of action, he or she shall be notified that the decision may be appealed to the Campus Hearing Board. If the student appeals the case to the Campus Hearing Board, he or she must present a written complaint to the board touching on one of the following issues:

1.

Did the student receive due process?

2.

Was the evidence substantial enough to warrant a decision against the student?

3.

Was the sanction imposed in keeping with the gravity of the wrongdoing?

B.

The student may admit the alleged violation and request a hearing before the appropriate judicial body.

- C. The student may deny the alleged violation, in which case the college official shall make a referral to the appropriate judicial body.

7.2.1.3

At least 48 hours prior to the hearing, the student is entitled to the following:

- A. Written notification of the time and place of the hearing.
- B. A written statement of the charges of sufficient particularity to enable the student to prepare a defense.
- C. Written notification of the names of the witnesses who are directly responsible for having reported the alleged violation to the college official, or, if there are no such witnesses, written notification of how the alleged violation came to the official's attention.

7.2.1.4

The student may appear in person and present a defense to the judicial body, and may call witnesses in his or her behalf. The student may also elect not to appear before the judicial body. In this case, the hearing shall be held in his or her absence. The failure of a student to appear shall not be taken as indicative of responsibility and must be noted without prejudice.

7.2.1.5

Legal counsel will not be allowed to participate in any student judicial hearing. Both the accuser and the accused may be accompanied by counsel (person to act in support or advisory

role) of his or her choice appropriate to the judicial body hearing the case.

7.2.1.6

All hearings of the Campus Hearing and Interpersonal Violence Hearing Boards will be closed to the public. In hearings involving more than one student, severance shall be allowed upon request.

7.2.1.7

The student may ask questions of the judicial body or of any witnesses to the alleged violation.

7.2.1.8

The student may refuse to answer questions (without implication of responsibility).

7.2.1.9

The student is entitled to an expeditious hearing of the case.

7.2.1.10

The student is entitled to an explanation of the reasons for any decision rendered against him or her.

7.2.1.11

The student shall be notified of his or her right to appeal the decision of the hearing board. Should the student appeal, any judgment assessed by the hearing board shall be held in suspense until acted upon by a higher body.

7.2.1.12

Accusers alleging to have been victims of violent crimes, including sexual assault, shall be informed regarding the outcome of disciplinary hearings. An accuser has the right to provide a written and/or verbal impact statement to the Board, in the absence of the accused, which may include her/his opinions regarding possible sanctions.

7.2.2

The above serves as procedural guidelines with respect to the conduct of informal hearings in disciplinary matters. The several duly-constituted judicial bodies (Traffic Board, Campus Hearing Board, the Interpersonal Violence Hearing Board, and Campus Appeal Board) shall implement these guidelines.

7.3

Judicial Structure

7.3.1

The guidelines herein above stated shall be implemented by the following judicial bodies:

7.3.2

Traffic Hearing Board

A Traffic Hearing Board shall be established for the purpose of arbitrating grievances between the office responsible for campus motor vehicle regulations and persons subject to these regulations, and to impose sanctions and render judgments (adjusting citations, reducing the amount of fines, restricting parking privileges, etc.) which are not unilaterally made by persons charged with policing parking facilities and motor vehicle operations.

7.3.2.1

Composition: The Traffic Hearing Board shall be made up as follows:

A.

Three full-time students, one commuting student, and two resident students, appointed by the Community Assembly, from nominees submitted by the Student Senate

- B. One member of the faculty selected according to the pattern employed for establishing the membership of faculty on college committees

- C. One member of the administration (excluding the Chief Administrative Officer in charge of traffic) selected by the President of the College

- D. One support staff member determined by the Support Staff

- E. Two students, one faculty, and one administrator shall also be selected in the same manner as prescribed above to serve as alternates. In cases where regular members are absent from the campus or are unable to attend, the chairperson shall have authority to call alternate members in order that a quorum may be established.

- F. The administrative officer responsible for traffic and parking policies or his/her representative shall serve as an ex-officio member, with no vote, as adviser to the board. He or she shall not be present during the contemplation of the board's eventual decision.

- G. The members of the board shall not be members of the Campus Betterment Committee of the Community Assembly, members of any of the other college hearing boards or members of the Campus Appeal Board.

- H. At the first meeting of the academic year, the voting members of the Traffic Hearing Board shall select from among their number a

chairperson. The chairperson shall appoint one member of the board to serve as secretary.

- I. Appointment of members to the Traffic Hearing Board (as prescribed above) shall take place during the fall of each year and be affirmed by a majority of the members of the Community Assembly. They shall assume their duties at the beginning of the fall semester.
- J. Removal of members shall be initiated by the Community Assembly and affirmed by two-thirds of the members of the Community Assembly.

7.3.2.2

Jurisdiction: The Traffic Hearing Board shall have jurisdiction in the following areas:

- A. Original Jurisdiction: The board shall have original jurisdiction over:
 1. Cases involving offenders and violations indicating disciplinary action in addition to or rather than a fine.
 2. Cases involving offenders who have received a citation or citations and have failed to comply with the payment of fines.
 3. Cases involving requests for re-registration of a motor vehicle after a person's registration has been suspended or denied re-registration by an administrative officer.

- B. Appeals: The board shall consider all appeals from persons of the Luther community concerning automobile registration, parking, and traffic fines.

7.3.2.3

Process: The procedural rules of the Traffic Hearing Board shall include the following:

- A. In cases of original jurisdiction or appeals, the accused shall be accorded the full right of due process as outlined in Paragraph 7.2.
- B. Appeals of registration, parking, and traffic citations must be submitted through the Campus Services Office, in writing, within five (5) days after their issuance.
- C. Alleged violations involving original jurisdiction shall be reported to the Student Life Office in writing. A member of the Student Life staff shall inform the accused verbally concerning the alleged violation, inform the accused of his or her rights of due process and arrange for a hearing before the Traffic Hearing Board.
- D. The board shall meet with frequency to insure efficient and timely adjudication, with no less than a quorum of five members, and each decision shall be affirmed by a majority of the board.
- E. The board shall not consult the past record of the accused before deciding guilt or innocence. The board does have the right to look at the offender's past record once it has determined guilt, to set

an appropriate sanction.

F. Reasonable time extensions for the student's inability to appear shall be granted.

G. Records of proceedings shall be kept, including the name of the officer issuing the citation and the accused involved, the violation, the decision of the board, the reasons therefore, and the sanction imposed. All records of the Traffic Hearing Board proceedings shall be secured under separate file in the Campus Services Office.

7.3.2.4

Decisions:

A. Cases involving original jurisdictions: After hearing a case, the board may decide as follows:

1. Not held responsible: No violation of traffic regulations have been determined.

2. Responsible: A violation of a traffic regulation has been determined. In this case, the Traffic Hearing Board shall have the specific power to reduce the amount of the fines, if in the board's opinion extenuating circumstances warrant it. In the case where the individual is held responsible, in addition to any fines already assessed or reduced, the board may select from the following penalties.

a. Warning Probation: A probation indicating that further motor vehicle violations may result in more serious disciplinary action.

This probation shall be imposed for a specified period of time, and the subject shall be automatically removed from probation when the imposed period expires.

b.

Restricted Permit: The board may suspend the subject's registration and reduce the operation of a motor vehicle to restricted permit provisions. The suspension shall be imposed for a definite period of time not to exceed six months.

c.

Suspension of Registration: The board may suspend the subject's registration and operation of a motor vehicle on the Luther campus and Decorah area for a definite period of time not to exceed one year.

B.

Cases involving appeals: After hearing an appeal, the board may decide as follows:

1.

Appeal upheld: No violation of traffic regulations has been determined in which case the citation shall be waived.

2.

Appeal denied: A violation has been upheld in which case a \$2.00 cost will be assessed in addition to the previous fine.

3.

Appeal denied in part: A violation of a traffic regulation has been upheld, but extenuating circumstances, in the board's opinion, warrant a reduction in the amount of the fine. A \$1.00 cost will be assessed in addition to the adjusted fine.

7.3.2.5

Appeals: Decisions of the Traffic Hearing Board may be

appealed to the Campus Hearing Board. The Campus Hearing Board may, after reviewing the case, decide as follows:

- A. There are sufficient reasons to accept the appeal. In this case, the Campus Hearing Board will normally review only the record from the Traffic Hearing Board. In rare circumstances, however, the Campus Hearing Board may ask for an oral presentation concerning the grounds for appeal, and rebuttal.
- B. There are not sufficient reasons to accept the appeal. In this case, the decision of the Traffic Hearing Board shall stand.
- C. In either case, hearings of the Traffic Hearing Board appealed to the Campus Hearing Board terminate at this level.

7.3.3

Campus Hearing Board

A Campus Hearing Board shall be established and shall serve as the highest hearing board in the college's judicial system.

7.3.3.1

Composition: The Campus Hearing Board shall be made up as follows:

- A. Four students
 - 1. Vice President of Student Senate
 - 2. Vice President of IGC

3. Two non-fraternity/sorority members, one being a Resident Assistant, and the other appointed from Community Assembly

- B. Three faculty members, including a chair, nominated by the Campus Life Committee

- C. One Student Life staff member

- D. Terms of committee members:
 1. All terms shall be annual appointments that run parallel with the academic year.

 2. Resignations must be submitted to the President's Office. Replacements for that particular area will be assigned by the President of the College.

- E. The members of the board shall not be members of any of the other college hearing boards or members of the Campus Appeal Board.

- F. The Dean for Student Life shall appoint one member from his or her staff who will serve ex-officio with no vote. This person shall serve as secretary to the board.

- G.

Appointments shall be made in the fall of each academic year and affirmed by the Community Assembly.

H.

Removal of members shall be initiated by the Community Assembly and affirmed by two-thirds of the members of the Community Assembly.

7.3.3.1.1

Interpersonal Violence Hearing Board

A.

The Campus Hearing Board shall have a separate branch, known as the Interpersonal Violence Hearing Board, where cases may be referred that deal with cases of sexual abuse or other forms of interpersonal violence

B.

The board will consist of eight members, four students and four employees of the College (from the ranks of faculty, administration, or support staff). A sufficient extra pool of board members will be appointed to insure the convening of at least six members for hearings. A simple majority of those present is sufficient for decision. Decisions will be made, as in other judicial cases, on the preponderance of evidence standard.

C.

Annual appointments to this board will be made in the spring, for service the following academic year. The President will make these appointments in consultation with the Dean of Students and appropriate faculty and student committees/organizations.

7.3.3.2

Jurisdiction

A.

The Campus Hearing Board shall have jurisdiction over:

1. Cases involving alleged violations of regulations which are referred to the board by the Student Life Office. (See 7.2.1.2)
2. Cases involving request for re-admission from suspension for non-academic reasons after a student has been suspended or denied re-admission by an administrative officer.
- B. Appeals: The board shall consider appeals from students or organizations who object to the ruling of a lower judicial body (Traffic Hearing Board, 7.3.2), or who have been asked to appear before such a body and have been denied a hearing; or from students or student organizations who are appealing administrative decisions of a disciplinary nature.
- C. The "right" of appeal does not entitle a student or organization to a full rehearing of the entire case. Rather, the board shall limit its review to the record of the original hearing.
 1. Did the original hearing conduct itself in such a way that the accused had an adequate opportunity to prepare and present his or her defense? (i.e., Did the student or the organization receive "due process"?)
 2. Was the evidence presented at the hearing "substantial" enough to justify a decision against the student/organization?
 3. Was the sanction imposed in keeping with the gravity of the

wrongdoing?

D.

If, in the opinion of the board, the appeal lacks merit, it has the power to refuse to accept it.

E.

If the board does accept the appeal, it normally reviews only the record from the original hearing. In rare circumstances, however, the board may ask for an oral presentation concerning the grounds for appeal, and rebuttal.

F.

The decision of the board is final. If the board accepts the report of the Traffic Hearing Board (whether it lowers the sanction or not) the matter is deemed final; except that either party may petition the original hearing board to reopen the matter upon the discovery of new evidence. The Traffic Hearing Board will judge the sufficiency of the new evidence, and no appeal can be taken from its decision.

7.3.3.3

Process: The procedural rules of the Campus Hearing Board shall include the following:

A.

In cases of original jurisdiction or appeals, the accused shall be accorded the full right of due process as outlined in Paragraph 7.2. The board shall not conduct its proceedings as if it were a court of law. However, because the procedures of this board are more complex than those of other boards, it is necessary to meet the higher standards of "due process" required by the more serious nature of the cases it considers and the sanctions it may impose.

B.

Alleged violations of the college regulations shall be reported to

the Student Life Office in writing on a witness statement provided for that purpose. A member of the Student Life staff shall inform the accused verbally concerning the alleged violation, inform the accused of his or her rights of due process, and arrange for a hearing before the Campus Hearing Board.

C.

The board shall meet with frequency to insure efficient and timely adjudication, with no less than a quorum of five members, and each decision affirmed by a majority of those present. Decisions will be made on the preponderance of evidence standard.

D.

The board shall not consult the past record of the accused before deciding guilt or innocence. The board does have the right to look at the offender's past record once it has determined responsibility, to set an appropriate sanction.

E.

Reasonable time extensions for the accused's inability to appear shall be granted.

F.

Records of proceedings shall be kept including the name of the accuser and the accused involved, the violation, the decision of the board, the reasons therefore, and the sanctions imposed. In addition, all cases shall be tape recorded. The tapes will not be made available for public use. All records, including tape recordings, of the Campus Hearing Board shall be secured under separate file in the Student Life Office.

G.

A member of the staff shall be present at the hearings to present evidence and testimony. Only the members of the board shall be present during the contemplation of the board's eventual decision.

7.3.3.4

Decisions: After hearing a case (of original jurisdiction), the board may decide as follows:

A.

Not held responsible: No violation of a regulation has been determined.

B.

Responsible: A violation of a regulation has been determined. In cases of interpersonal violence where the accused is held to be responsible, the board should always give serious consideration to suspension or expulsion as sanctions. The board will also take into consideration the degree of the violation as well as a victim impact statement, if provided.

The level of proof and how it corresponds to the offense may also influence board decisions. For instance, they may feel comfortable with holding the accused accountable for some behaviors, yet find evidence lacking for the accusations of more egregious behavior.

When responsibility has been determined, the board may select from the following penalties:

1.

Restitution: Reimbursement for damage to or misappropriation of property.

2.

Probation: A probation indicating that further violations of regulations will likely result in more severe disciplinary action. This probation shall be imposed for a specified period and the student or organization shall be automatically removed from probation when the imposed period expires.

3.

Probationary Sanctions: Probationary sanctions may

include notations that further violations may result in residence hall eviction or suspension from college. In addition, the board may notify the student's parents of his or her probationary status, and may withdraw any or all of the following privileges:

- a. The holding of an office in a campus organization.
- b. The representation of the college in any inter-college events.
- c. Remunerative work made possible through the college.
- d. The suspension of organizational privileges such as: the use of meeting rooms, the right to draw for an organizational floor, the right to raise funds on campus.
4. Suspension: The board may suspend a student for a definite period of time not to exceed two years and may require the student to make application for re-admission.
5. Revocation of Charter: The Campus Hearing Board may decide to revoke an organization's charter for a definite period of time not to exceed two years. At the end of such time period the organization will need to submit an organizational charter in order to be recognized.
6. Educational sanctions: In addition to any of the above sanctions, the hearing board may also render creative or

educational sanctions, which are designed for the individual(s) and violations involved.

7.

Expulsion: Expulsion is an option in cases of interpersonal violence.

C.

Both the accused and the complainant shall be advised by the judicial officer regarding the sanctions(s) given and the rationale for the board decisions.

7.3.3.5

Social Fraternity/Sorority Hearing Board

The Campus Hearing Board shall also function as the Social Fraternity/Sorority Hearing Board. The purpose of this committee will be to investigate and determine responsibility in grievances filed against social fraternities, sororities, and/or particular individuals, and to assess the proper sanctions to an organization found guilty.

A.

The board shall use the following principles to guide their deliberations:

1.

Membership selection practices shall allow for fair access to all students seeking membership.

2.

Pledge activities shall be conducted in such a manner as to respect the dignity and self-esteem of each pledge both on and off campus.

3.

Greek organizations shall conduct themselves both on and off campus in ways that reflect favorably on the college and do all in their power to eradicate negative behaviors.

4.

Greek organizations shall foster attitudes and practices that respect individual differences in behavior, opinion, and practice.

5.

Greek organizations shall foster attitudes and encourage the achievement of academic excellence by all of its members.

6.

Greek organizations shall follow practices which uphold the dignity of all human beings and avoid practices that are sexist or racist in character.

7.

Members and officers of Greek organizations shall be responsible both individually and collectively for the activities of all of their members both on and off campus at all organizationally sponsored events.

B.

Grievance Procedure. A grievance may be filed by anyone and submitted to the committee chairperson or sent to the SPO of the Campus Hearing Board. Grievances must be filed within two weeks of the alleged violation. The committee will make the necessary investigation which includes notification of the organization involved. They will then decide responsibility by a simple majority vote.

C.

Sanctions. The following sanctions may be imposed by the Campus Hearing Board upon individuals or the entire organization:

1. First offense
 - a. Damage to personal property:
 - i. Written apology to party involved with a copy sent to chairperson or SPO of the Social Fraternity/Sorority Hearing Board.
 - ii. Make proper restitution (financial).
 - iii. Perform a service project to party involved approved by the Hearing Board.
 - iv. Organizational fine: \$5 per member payable to Campus Hearing Board (includes whole membership and not just parties involved).
 - b. Damage to public property:
 - i. Written apology to local newspaper with a copy sent to the Hearing Board.
 - ii. Make proper restitution.
 - iii. Perform a public service project approved by the Hearing Board.

- iv. Organizational fine: \$5 per member payable to the Campus Hearing Board.

- c. Public embarrassment to the college:
 - i. Written apology to Luther College students and administration as well as the public with a copy sent to the Hearing Board.

 - ii. Perform a public service project approved by the Hearing Board.

 - iii. Organizational fine: \$5 per member payable to the Campus Hearing Board.

 - d. Infringement on pledge's civil rights (drinking, hazing, etc.):
 - i. Loss of advertising privileges, fund-raising activities, and self-sponsored campus events.

 - ii. Luther College service project approved by the Hearing Board.

 - iii. Organizational fine: \$5 per member payable to the Campus Hearing Board.

- 2. Second offense

- a.
 - Damage to personal property
 - i. Same as first offense with the following exception: Organizational fine \$10 per member payable to the Campus Hearing Board.
 - b. Damage to public property:
 - i. Same as first offense with the following exception: Organizational fine \$10 per member.
 - c. Public embarrassment to the college:
 - i. Same as first offense with the following exception: Organizational fine \$10 per member.
 - d. Infringement on a pledge's civil rights:
 - i. Loss of next pledge class.
- 3. Third offense
 - a. Organization: Recommendation for immediate revocation of charter.

- b. Additional information:
 - i. Second offense does not have to be under the same category of the first offense.
 - ii. Organizational fines must be submitted to Campus Hearing Board within five days from the date of judgment with penalty being the suspension of one's charter until payment is due.

7.3.4 Campus Appeal Board

- A. Campus Appeal Board shall be established and shall hear only appeals, and only from the Campus Hearing Board and Honor Council.

7.3.4.1
Composition: The Campus Appeal Board shall be made up as follows: The President of the College, the President of the Luther College Student Senate, and the Chairperson of the Faculty Interests Committee.

7.3.4.2
Jurisdiction: The Campus Appeal Board has appellate jurisdiction over the Campus Hearing Board and Honor Council. It has no "original" jurisdiction and is the final arbitrator in matters of campus discipline.

7.3.4.3
Process:

- A.
- The "right" of appeal does not entitle a student or organization to a full rehearing of the entire case. Rather, the appeal board shall limit its review of the Campus Hearing Board/Honor Council's record to three issues:
1. Did the Campus Hearing Board/Honor Council conduct itself in such a way that the accused, student or organization, had an adequate or receive "due process" opportunity to prepare and present his or her defense?
 2. Was the evidence presented at the hearing "substantial" enough to justify a decision against the student/organization?
 3. Was the sanction imposed in keeping with the gravity of the wrongdoing?
- B.
- The appeal board shall not hear an appeal unless the accused presents the board with a written complaint touching on one or more of the above issues. The appeal board shall limit its inquiry to the issue, or issues, put forward in that complaint.
- C.
- If, in the opinion of the board, the appeal lacks merit it has the power to refuse to accept it.
- D.
- If the board does accept the appeal, it shall review the record from the Campus Hearing Board/Honor Council, and shall also meet with that student and the Campus Hearing Board/Honor Council.

E.

The decision of the appeal board is final.

If the appeal board accepts the report of the Campus Hearing Board/Honor Council (whether it lowers the sanction or not), the matter is deemed final; except that either party may petition the original hearing board to reopen the matter upon the discovery of new evidence. The Campus Hearing Board/Honor Council will judge the sufficiency of the new evidence, and no appeal can be taken from its decision.

7.3.4.4

Decisions: After hearing an appeal the Campus Appeal Board may decide as follows:

A.

Accept the report and decision of the Campus Hearing Board/Honor Council.

B.

Direct the Campus Hearing Board/Honor Council to rehear the case in keeping with suggestions that the appeal board may make.

C.

Reverse the Campus Hearing Board/Honor Council's decision and dismiss the case.

D.

Accept the decision of the Hearing Board/Honor Council, but reduce the sanction imposed. The appeal board may not increase the sanction.

7.3.5

The President

The Articles of Incorporation of Luther College give power and authority over the supervision of the curriculum, instruction, and policies of the college to the Board of Regents. The board, in turn, delegates the responsibility for the leadership and implementation of policies to the President as the executive head of the college and chairperson of the faculty. The President, in turn, delegates much of this responsibility to vice presidents and to faculty committees.

The faculty has the responsibility for establishing departments, deciding upon courses of study, and determining requirements for admission and graduation. Faculty also has the responsibility for establishing rules and regulations for college governance and for the suspension and expulsion of students.

Because the ultimate institutional responsibility for the exercise of decision rests with the President, he may deem it necessary to recall his delegation of power and exercise it himself. Certainly this would be a rare instance. Technically, the President could have the absolutely final approval (subject to the Board of Regents) of any decision reached by any of the hearing or appeal boards. However, the President would certainly be concerned only with the most unusual and serious cases heard by the Campus Hearing Board and Campus Appeal Board; and as a member of the appeal board he would have an opportunity to review almost any conceivable case. In a technical sense, the hearing boards do nothing more than "recommend" disciplinary action to the President, and he, by his failure to intercede, accepts their recommendation. In essence, then, the President delegates power and discretion over student disciplinary matters with the hearing and appeal boards in all possible cases, exercising his own prerogatives only when it is inescapably necessary to avoid damage to the institution. Even then, the President can only intervene to lessen or to waive sentence. He could not increase it without violating the student's right to "due process."

7.3.5.1

Temporary Suspension Power:

The President, in consultation with the appropriate administrative personnel, may in emergency situations suspend any student from the college and/or residence halls when the behavior of that student threatens the safety of other members of the community. The Campus Hearing Board shall be convened as soon as practical to review, as a matter of original jurisdiction, the action of the President. It will render its judgment regarding continuation of suspension and/or other sanctions according to its usual processes.

Article VIII: Campus Organizations [top](#)

8.1.1

Luther College recognizes that students bring to campus a variety of interests and develop other new interests as members of the community. Therefore, students are free to organize and join associations to promote their common interests. Student organizations shall have the right to assemble as long as they do not: a) violate the civil law or the college code of conduct, b) destroy property, c) disrupt classes and the other regular and essential operation of the college, d) or in any other way infringe upon the rights of other individuals and organizations.

Organizations who wish to be officially recognized by the college and are not directly responsible to a college department or office, must submit an organizational constitution to the Community Assembly. All constitutions must include a statement of aims and purposes of the organization as well as the bylaws of the organization. Constitutions must be approved by the Community Assembly, and based on this, the organization shall be considered officially recognized. This will entitle the organization to the following rights: a) to reserve college facilities; b) to apply for organizational floors; c) to run campus fund-raising activities; d) to advertise (see advertising section); e) to apply for funding through Community Assembly. If the Community Assembly declines to approve a constitution, it shall provide the organization with a written statement of the grounds for its decision.

Any student organizations, not just social organizations, that choose to host alcohol related events should be in compliance with section 8.1.7.

8.1.2

Organization (social) advisers shall be chosen primarily from the teaching faculty. A maximum of one fourth of the organization advisers may be chosen from nonteaching faculty, staff, or administration. Each adviser chosen from outside of the teaching faculty must be approved by Community Assembly. The adviser shall be kept fully informed of all activities of the organization and be invited but not required to attend all meetings and social events. The adviser may resign his or her advisory role if the informing and inviting provisions are not met. In the event an adviser should resign for cause this resignation should include a report stating the reasons for resignation and be sent by the adviser to the Social Fraternity/Sorority Hearing Board and Community Assembly for appropriate action. The organization shall have not more than 30 days from the date of a resignation to recruit a new adviser or lose recognition by the college. The adviser's purpose shall be to advise organizations in the exercise of responsibility, but the adviser shall not have the authority to control the policy of the organization, except as noted above, and will not be held liable for any action of the organization.

A.

Social Organizations will select faculty or staff advisers for the coming academic year by May 10th of the previous spring. The Inter-Greek Council (IGC) will then inform the Faculty Organization Committee of the names of the faculty advisers. The committee will then count this advising role as a committee assignment for those faculty members.

B.

1.

The first orientation session will be a joint session of faculty/staff

advisers, officers of Greek organizations, and members of the Inter-Greek Council. The sessions will include information on legal liability issues, planning for the fall pledging process, prevention of hazing, and the registration process for alcohol-related events.

2.

Other adviser sessions will be designed to cover topics to meet the needs of the adviser group, such as the use of alcohol in social organization activities, leadership opportunities for group members, service-learning opportunities, and ways to share ideas across groups.

3.

Another major duty of the faculty/staff adviser is to attend a minimum of two of the organization's meetings or events each semester, in order to build a positive relationship between adviser and members.

8.1.3

At the beginning of each academic year, each social organization must submit a prospectus to Student Senate. The prospectus consists of: a) adviser's name; b) officers' and current members' names; c) goals and objectives that outline the organization's anticipated activities and projects; d) a list of a minimum of one civic and two college community projects. Prospectuses must be submitted to Student Senate on or before the last Tuesday of September. Failure to meet the deadline will be cause for loss of rights as stated in Article 8.1.1. The prospectus will be kept in the records of LCSS, and a copy will be placed in the library archives. Organizations are encouraged to utilize their adviser in developing this and other reports. Annual charter applications must be submitted by April 10 (see 8.1.7.1).

8.1.4

Election of social organization officers will be held during December of each year. The new officers will not take over their responsibilities until after the leadership workshop. This

workshop will be required for all social organization presidents and will be open to all organization officers. The purpose of the leadership workshop is to assist in the development of quality and consistent leadership.

8.1.4.1

Pledging

A.

Pledge activities will not commence until fall semester of one's sophomore, junior, or senior year.

B.

Activation must take place by November 1st each year.

C.

All prospective pledges will be required to attend an information session covering the pledging process, alcohol use, hazing, and other pertinent issues, the evening before pledging commences.

D.

Rush activities may begin on March 1st and will be restricted to two weeks during March or April. The dates are to be set by IGC. Rushing will be defined as pre-pledging activities designed for the purpose of providing information to prospective members.

8.1.5

The Inter-Greek Council will schedule regular meetings. Attendance at these meetings is required of all social organizations. Each organization will be represented by an officer. Failure to attend will be cause for disciplinary action.

The purpose for the meetings is to share ideas, coordinate activities, discuss problems, develop leadership, organize pledging activities, and discuss other issues which are pertinent to the social organizations. Through these meetings the advisers of IGC will offer programming assistance for the purpose of

enhancing the range of activities in which the organizations may choose to participate.

Prior to the commencement of pledging, each organization must submit a list of all planned activities to their respective council adviser. All pledging activities must be approved by the council adviser prior to pledging.

8.1.6

The advisers to the IGC will develop a format for all prospectuses. Each organization president will meet with the organizational adviser to prepare its prospectus at the beginning of each fall semester prior to submitting it to LCSS. Each prospectus will state the goals and objectives that outline the organization's anticipated activities, projects, and guidelines for responsible use of alcoholic beverages. The Student Senate requires that each organization do service projects as stated in Article 8.1.3. These must be whole organization activities, not pledge activities.

8.1.7

Each organization's prospectus will include guidelines for responsible use of alcoholic beverages. Reports of violations of these guidelines made by members of the Luther community to the Student Life Office shall be referred to Campus Hearing Board under 8.2.1 and 8.2.2. The guidelines must include, but are not limited to, the following:

A.

That the possession, use, sale and/or consumption of alcoholic beverages at any organizational activity or function shall be in compliance with all applicable laws and Luther College policies.

B.

That the organization will encourage moderation and lawful consumption in regard to alcoholic beverages. They will also discourage irresponsible consumption of alcoholic beverages. To this end, food and alternative non-alcoholic beverages will be

available in the same manner as alcoholic beverages at all organizational functions.

- C. That if the organization hosts an off-campus event involving alcohol, it will develop and implement programs such as buddy systems, designated drivers, Students Against Drunk Drivers (SADD) contracts, designated bartenders, and will meet with the Chemical Health and Wellness Educator for an information and discussion session on legal and responsible alcohol use.
- D. That any activity designed for the purpose of initiating or activating pledges into the social organization on either pledge night or activation night will involve no alcohol.
- E. That there shall be no required alcohol consumption.
- F. That when alcohol is available at an off-campus event sponsored by a campus organization, the event shall be in a setting where alcohol sales are legal, provided by a private, licensed vender on a per drink basis, with no profit from alcohol sales going to the sponsoring organization.
- G. That the organization shall register its event with, and receive approval from, its adviser, indicating the place, time, anticipated number of guests, and methods to comply with "a" through "f" above. Such methods may include, but are not limited to, employing local law enforcement officers at the event. A copy of the registration will be sent to the Student Life Office.

8.1.7.1

Social Fraternity/Sorority Charter Review Board

The Cocurricular Committee shall function as a board to review all annual charter applications from social fraternities and sororities wanting official Luther College recognition.

A.

Application deadline: Applications for all existing social fraternity and sorority charters must be submitted by April 10 each year. The review board shall open all applications to campus-wide review for a period of 3 days. The review board shall finish acting upon all applications on or before May 10.

B.

Duties and responsibilities

1.

Review the annual detailed evaluation of each organization.

2.

Review the disciplinary file of each organization.

3.

Review the annual prospectus of each organization.

4.

Review any objections from the Luther community in regard to a charter approval.

5.

Make available for community inspection all charter applications for a period of three days.

C.

Criteria for charter acceptance:

1.

No illicit use of drugs or alcohol.

2.

No abusive use of alcohol.

3.

Three or more acceptable service projects per year; one must be a community service, and two must be campus service projects.

4.

Incidences and nature of disciplinary action.

5.

Objections to approval from the Luther community.

6.

Support for approval from the Luther community.

7.

Contribution to quality of student life and campus life.

8.

Compliance with the college Mission Statement.

D.

Powers: The review board shall have the power to:

1.

Accept the charter submitted.

2.

Accept the charter with conditions or restrictions.

3.
Refuse the charter application.

E.
Grievance and appeal: Any organization wishing to appeal a board decision must submit a written petition to the Cocurricular Committee Chairperson within five (5) days after being notified of the denial of their charter. The written petition may include a request for a hearing with the review board.

8.1.8
Organizations are subject to Article 6.12.4 as are individuals should an event they sponsor result in organization members or guests violating 6.12.4.

8.2.1
Student organizations with a constitution or those groups which are accorded these same privileges are subject to college policies, advantages and regulations the same as individual students. Organizational violations of college regulations on campus or at college-sponsored events off campus shall be cause for disciplinary action against the organization and/or individuals of the organization.

8.2.2
In concurrence with Article 7.3.3.4, the student organizations are subject to sanctions for violating college policy, regulations, and guidelines. These sanctions are noted in 7.3.3.4 and 7.3.3.5.

8.3.
On-Campus Activities

8.3.1
Procedures and Responsibilities

8.3.1.1

The student organization must assume the responsibility for the proper conduct of the activities in accordance with the prevailing federal, state, and local laws as well as college regulations and policies. The responsibility to see that the social activity is conducted in accordance with these regulations and policies rests with the student organization officers. This responsibility should include:

- A. Preventive measures. Inform members of the organization of what is expected in regard to social activities.
- B. The conduct of the activity be such that individuals in attendance can participate or refrain from participating on a voluntary basis without undue peer pressure.
- C. Observe stated college regulations, federal and state laws concerning alcoholic beverages and drugs. Local ordinances regulating disturbances of the peace must also be observed.

8.4. Off-Campus Activities

8.4.1 Student organizations are responsible to the college for the activities of their members as follows:

- A. Students who are traveling in a college-initiated function, such as groups representing athletic or forensic teams, musical or dramatic performances, activities of student congregation, etc.
- B. Students and student organizations traveling to and from and in

attendance at college-initiated functions.

C.

Students participating in activities organized or sponsored by a student group, but not necessarily college-initiated.

8.4.2

Luther College does not bear responsibility for student-initiated off-campus activities. Groups engaged in such must assume responsibility for their conduct to themselves, the public, and the civil authorities.

Article IX: General [top](#)

9.1

Orientation of New Students Regarding Their Rights, Responsibilities and Conduct.

9.1.1

It is the responsibility of the Student Life Office that all new students be given an appropriate orientation during orientation week regarding the rights, responsibilities, and conduct of students at Luther College.

OTHER COLLEGE POLICIES [top](#)

Advertising Guidelines [top](#)

I.

General Guidelines

A.

Any advertising that explicitly invites people to alcohol-related events is prohibited.

- B. Any advertising that suggests, refers to, or implicitly invites people to alcohol-related events is also prohibited.
 - C. Any publicity (flyers, posters, etc.) must be approved by the hall director and/or Residence Life Office (for advertising in the residence hall) or the SAC Office (for advertising in the Union) before posting and/or distributing.
 - D. Website advertising must follow all advertising guidelines.
- II. Approved locations of advertisements
- A. Advertisements which imply that alcohol is available are not allowed in any campus building.
 - B. All publicity materials to be posted in the Union or residence hall must be approved (stamped) by the Coordinator for Student Activities and the Union or the Residence Life Office.
 - C. Ads may be posted on Union or residence hall bulletin boards ONLY! (Ads placed in other non-designated areas will be removed.) Advertising is limited to one poster per bulletin board. No advertising along wall or hallway outside of cafeteria without special permission. Advertising is not permitted in stairwells or landings due to fire code regulations.
 - D. Chalking is not permitted under overhangs and entrances to the buildings.
- III.

Who is Allowed to Advertise?

- A. Recognized campus organizations.
- B. Churches and nonprofit organizations may publicize events located off campus.
- C. Businesses may not advertise unless a recognized campus organization is sponsoring the activity.

IV. Specifics on Advertising

A. Allowable

- 1. In accordance with the policy stated in I above, advertisements are restricted to the following guidelines:
 - a. Advertising must describe the event.
 - b. Advertisements should give the location of the event.
 - c. Advertisements should list the time of the event.
 - d. All advertisements must state the name of the organization

sponsoring the event.

B.

Non-Allowable

1.

Any event or advertisement which is an affront to personal dignity, violates individual rights, reflects an ethnic or racial prejudice, or causes personal offense is prohibited.

2.

Any graphics depicting alcoholic beverage containers, persons consuming beverages, or obscene acts are prohibited.

3.

Advertisements calling the event an "all-campus party."

C.

General

1.

To assist advertisers and to help comply with I.C. above, we recommend that all advertisements be approved by either the Coordinator for Student Activities and the Union or the Associate Dean for Student Life.

2.

The print shop will not print ads without notification of approval.

3.

To enhance your event, we recommend you have a theme. This will help with identification of the event and advertising.

4.

The word party may only be used when it is used as part of the

theme or used as a noun in the advertisement (i.e., Halloween Party, Christmas Party, Beach Party).

5. The Luther Post Office also abides by the above guidelines.
 6. Final decision on acceptable advertisements is up to the discretion of the Coordinator of Student Activities and the Union and the Associate Dean for Student Life.
- V. Infractions of this policy are cause for disciplinary action (i.e., loss of advertising privileges, probation, etc.).

AIDS Policy [top](#)

Luther College's Institutional AIDS policy is available at Student Health Service and the Student Life Office. Confidential HIV testing is available at Winneshiek County Memorial Hospital. This test is free and does not require a physician's order. Persons needing the test for purposes such as Peace Corp applications are not eligible for this program. The test is done by oral swabbing. Call 382-2911 for an appointment. Educational materials on HIV and AIDS are widely available on campus, specifically at Health Service.

Bicycle Ordinance (City of Decorah) [top](#)

An ordinance regulating the use of bicycles within the City of Decorah, Iowa, providing for the registration and licensing thereof, and fixing penalties for violation:

27.1 License required. Every person living within the City of Decorah, Iowa, who owns a bicycle, shall cause the ownership thereof to be registered at the office of the Police Department.

In accordance with the above city ordinance, students are advised to register and license their bicycles with the Decorah Police Department. Registration will benefit the owner in the event of theft.

Class Attendance [top](#)

Regular class attendance is expected at Luther. Each instructor determines the attendance policy for his or her classes. If an instructor requires attendance, he or she has the authority to excuse a student. It is the responsibility of the student who is absent from class, whether excused or unexcused, to take the initiative to see the teacher and remove whatever penalty is attached to the absence. When a student's absence from class jeopardizes his or her class standing, it may be reported to the Student Academic Support Center (SASC).

Film Selection Procedures [top](#)

All films considered for selection by the SAC Film Committee will be films rated by the Motion Picture Association of America (MPAA), with the exception of unrated foreign films, documentaries, and films released prior to the establishing of the MPAA code.

A preliminary list of selected films will be published and distributed to students, faculty, and staff by the SAC Film Committee no later than December 1 for J-term and 2nd semester, and May 1 for 1st semester, for a period of two weeks. Written justification will be provided for any X-rated film included in the list. Films chosen will be drawn from the original list. Other films may be added to the list if they are announced at least a month prior to the intended date of showing. Where last minute substitutions are required by unforeseen circumstances and cannot be made from the preliminary list established in the spring, addition of a film to that list may be arranged by the Student Activities Council Co-Chairpersons and approved by the Coordinator for Student Activities and the Union.

If there is a question about the suitability of a film for showing at an institution with the stated goals and purposes of Luther College, any member of the Luther community may submit a written protest (which is to include a rationale) to the SAC Film Co-Chairpersons, who will forward it to the SAC Executive Board, within two weeks of publication of the original list or later additions to it. The executive board will render its verdict within a week of receiving the protest. If the board supports continued inclusion of the film in the SAC film series and interested parties wish to pursue the issue further, the judgment of the SAC Executive Board may be appealed in writing to the Cocurricular Activities Committee of the Community Assembly for final review. This committee will meet publicly to carry out its review. Final decision rests

with the Coordinator for Student Activities. However, no decision contrary to that of the SAC Executive Board will be made apart from this review process unless established procedures have not been followed; and any such decision will be communicated to the President of SAC and the Films Co-Chairpersons in writing with an accompanying rationale.

The above paragraph will be published in the spring along with the film list so that the appeal process may be generally known.

The final list of films selected during the spring semester will be published and distributed to students, faculty, and staff by the end of the first week of classes in the fall.

Fund-Raising Guidelines [top](#)

I.

Whereas most student organizations are not funded by Luther College in any direct way, Luther College recognizes the need of officially recognized organizations to raise operating funds for their activities.

A.

The following is a set of guidelines for planning and implementing fund-raisers on campus:

1.

Student groups planning to engage in fund-raising efforts in which fellow students, faculty, and staff are the persons from whom the funds are raised must seek and obtain permission from the Coordinator for Student Activities and the Union. Included in the category would be on-campus events for which admission is charged, the sale of goods or services, and direct solicitation for worthy causes.

2.

College organizations selling products need to also adhere to these additional guidelines:

a.

Items must be reasonably priced and represent a fair deal for purchase.

b.

Items must be quality products.

c.

Items must be in good taste.

d.

Items must not be messy, loud, or offensive; they must also be non-disturbing.

e.

If items directly compete with the Book Shop, Gift Shop, or Oneota Coffee Shop, clearance must be obtained from the supervisors of those operations.

B.

Locations for fund-raisers:

Student Union: Fund-raisers are allowed in specific areas of the Centennial Union with the approval of the Coordinator of Student Activities and the Union.

The time limit for each fund-raiser will be determined by the Coordinator for Student Activities and the Union in conversation with the representatives of the organization sponsoring the event.

Academic Buildings: Fund-raisers are not allowed in any building that is designated primarily as classroom space.

Residence Halls: Fund-raisers in the residence halls should be cleared with the hall director or the director of housing. Door-to-door soliciting is not allowed in the residence halls.

C.

The aforementioned guidelines are not negotiable and all student groups must abide by them. Organizational representatives must meet with the Coordinator for Student Activities and the Union at least two weeks prior to the proposed event to review these policies before receiving permission to fund-raise and sign a statement that holds them responsible for compliance with such guidelines. The student representatives will also need to obtain the signature of the organization's adviser and the appropriate supervisor if the fund-raiser is in direct competition with any of the previously mentioned services, or occurs during a major weekend such as, Family Weekend, Homecoming, Juletide/Messiah Weekend or Commencement.

If a recognized organization wishes to raise funds during a home athletic event, permission must be given from the Athletic Department prior to completing the fund-raising form.

If these guidelines are abridged in any way, the Coordinator for Student Activities and the Union may deny future fund-raising privileges for a period not to exceed one year.

D.

Organizations raising funds for charity must provide evidence that the funds were received by the charitable organization.

II.

Individuals, businesses, or groups not affiliated with Luther or Luther groups which are not officially recognized are prohibited from selling products or services and from raising funds on campus.

Involuntary Administrative Withdrawal [top](#)

Standards for Withdrawal

A.

The following standards do not preclude removal from the college or college housing, in accordance with other college contracts or regulations. All references contained herein may be applied to college housing, as well as withdrawal from the college.

B.

A student will be subject to involuntary administrative withdrawal from college housing, or from the college, if there is convincing evidence, that the student:

1.

engages, or threatens to engage, in behavior which could cause significant property damage, or directly and substantially impedes the lawful and rightful activities of others, or

2.

engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others.

Violations of Disciplinary Regulations

C.

A student accused of violating college disciplinary regulations may be diverted from the disciplinary process and withdrawn in accordance with these standards, if the student:

1.

lacks the psychological capacity to respond to disciplinary charges, or

2.

did not know the nature of wrongfulness of the conduct at the time of the offense.

Referral for Evaluation

D.

The Dean for Student Life, or staff member designated by the dean, may refer a student to the college counseling staff for evaluation, if there is reasonable belief that the student meets the

previously noted criteria for withdrawal. At the dean's discretion, the student may be referred to an independent mental health professional chosen by the college for evaluation, under the condition that the student shall sign a release of information allowing the college to disclose to the mental health professional the student's current behavior and reasons for referral.

E.

The dean shall set the conditions for evaluation (such as time frame and reporting requirements). A student who fails to meet the conditions for evaluation may be withdrawn on an interim basis or be subject to a hearing without the requested evaluation. Conditions of the evaluation include release of the evaluation information to the dean.

Interim Withdrawal

F.

The dean, or staff person designated by the dean, may implement an interim withdrawal if the student fails to complete a requested evaluation. Also, an interim withdrawal may be implemented immediately if the dean determines that because of the student's psychological state, the student's behavior poses an imminent danger of:

1.

causing significant property damage, or directly and substantially impeding the lawful and rightful activities of others, or

2.

causing serious physical harm to the student or others.

G.

The dean or designee shall be responsible for advising the student regarding terms of the interim withdrawal, and the processes for an upcoming informal hearing to resolve the student's status. When feasible, the student shall be afforded the opportunity to review with the dean the rationale for the interim

withdrawal. The student may have support persons present, such as parents or therapist.

H.

Following an interim withdrawal an informal hearing to determine student status shall be set by the dean. The time of this hearing shall be set to permit ample time for information gathering related to the student's behavior and psychological state, enabling the college to make a sound decision. This may include an indefinite period of interim withdrawal. The student is required to request an informal hearing at such time when the student desires to return to college.

Informal Hearing

I.

Students subject to an involuntary withdrawal shall be accorded an informal hearing before the Dean for Student Life, or designee.

1.

The dean, or designee, shall convene the meeting. Individuals deemed necessary to present a case for withdrawal or to respond to questions by the student may be included.

2.

The student may be accompanied by advocates or support persons, such as a family member, faculty or staff, or an outside mental health professional.

3.

The informal hearing shall be non-adversarial and conversational. The dean will lead the meeting, and may exclude any person who disrupts the meeting. The hearing may be conducted in the absence of the student if the student has been given sufficient notice.

4.

The dean's decision shall be rendered within a reasonable period of time, and if withdrawal is indicated, the written decision shall include rationale and the process by which the Student requests reinstatement. The decision shall be final and not subject to appeal.

J.

For administrative purposes students who have been involuntarily withdrawn may be considered to be on academic/medical leave.

Reinstatement

K.

Reinstatement after involuntary withdrawal would be processed by petition to the Dean for Student Life, or designee. The dean may act individually, or in conjunction with college counseling staff, to reinstate the student or deny the request. The written response shall include rationale for denial, or any specific conditions which might be included as part of reinstatement.

Deviations from Established Procedures

L.

Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student may result.

Motor Vehicle Registration, Parking Regulations, and Fees [top](#)

The motor vehicle registration and parking program at Luther College is designed to provide a maximum of parking area consistent with the maintenance of the natural beauties of the campus, the use of available parking space in the best interests of the total college, and the achievement of as equitable an arrangement as possible for allocating parking privileges to students on the basis of residence in relation to

distance from the campus.

A complete listing of regulations is available at Information and Security Services in the Union. Some of the regulations are summarized below:

1.

Every student, including commuters, who owns or operates any motor vehicle (which includes mopeds and motorcycles) within the Decorah area at any time must register such vehicle (or vehicles) officially with the college. The vehicle registration must be completed at the time the student registers for classes or within 72 hours of the initial operation of the vehicle in the Decorah area. In all cases the motor vehicle must be registered. The failure to register will result in an initial fine followed by subsequent disciplinary action and vehicle impoundment.

2.

Traffic regulations must be followed as stated in the detailed written regulations available upon receiving the permit. A speed limit of 15 miles per hour is in effect on campus, unless posted otherwise.

3.

Temporary registrations may be obtained at Information and Security Services in the Union.

4.

Students may appeal motor vehicle registration and parking fines to the Traffic Hearing Board. Appeal forms are to be filed through Information and Security Services in the Union within five days after the issuance of the citation. Please refer to Article VII, Section 7.3 of the Luther Code for further information.

A percentage of the parking permit fee is placed in reserve and is used to improve student parking lots.

Committees reviewing vehicle regulations have recommended that the cost of administering the motor vehicle policy be borne in the main by the students who have vehicles in the Decorah area. These same

committees have also requested that the college make a greater effort to be more consistent in the continued enforcement of policies on speeding, blocking driveways or sidewalks, and parking violations. Vehicle registration fees do not cover the campus costs created by motor vehicles.

Personnel Policy for Work-Study Students Issued Work Assignments from the Luther College Office of Student Employment [top](#)

1.

Work Assignment

Your work assignment is based on the assumption that you are a full-time student and will be on the Luther College campus during the semester(s) for which you are assigned. January term is included with second semester assignments unless other arrangements are made with your work supervisor. Should you decide to participate in an academic program off campus or extracurricular activities which make it impossible for you to work, you will be expected to provide the money not earned.

2.

Performance

Every effort is made to coordinate your student work hours to your class schedule and to the work needs of the college. You, in turn as a student and employee, are expected to fulfill the responsibility of your work assignment. If after reasonable effort on your part, you are still unable to obtain work, please contact the Office of Student Employment.

3.

Absences

If, for any reason, you are unable to work on a given day, you must notify your supervisor in advance of your usual reporting time. In certain departments, you may be required to find a replacement. Never "just fail to show."

4.
Termination/Reprimands/Appeals

- a.
Work assignments are normally terminated only at the end of a semester or the end of an academic year. However, if you wish to reduce or terminate your work assignment before the end of a semester or academic year due to academic difficulty or illness, you may do so by receiving permission from your supervisor. A two-week notice is requested in order to find a suitable replacement.

Should you terminate your work assignment before the end of the semester without specific permission for this termination from your supervisor, this will be viewed as a break of assignment by the student and will be recorded as a disciplinary termination on the student work records.

Your student work assignment may be terminated by your supervisor for such things as refusal to work, violation of job rules, insubordination, habitual tardiness, unexcused absences, misconduct, endangerment to life and property, possession of alcohol or drugs or under the influence of the same while working, or deliberate action to make equipment function improperly.

- b.
When reprimands are necessary, they will be in writing with copies to you and to the Office of Student Employment. Should three such notices be sent to you in a school year, your student work allocation will be terminated. In this event, Luther College is not responsible to help find you another job or make up the unearned amount in other forms of financial aid. Appeals to the decision should be made to the Office of Student Employment. A record of the number of reprimands will also be included on departmental reports for the perusal of all student work supervisors.

C.

As a student, you may appeal a termination decision via the Director of Student Financial Planning.

Possible outcomes to this appeal procedure include: reinstatement, immediate reassignment without penalty, placement on waiting list for a position opening, forfeiture of right to any student work assignment.

5.

Payment

PLEASE NOTE: It is only necessary to complete these requirements once during your college career. It is the responsibility of each student to have a valid W-4 and I-9 filed with the Office of Student Employment. If a W-4 is not received in this office a figure of zero (0) allowances will be used in figuring your tax withholding on your student work. Time cards will not be processed until the I-9 is validated and a "stop work" will be issued on students who have neglected this obligation.

You are paid on an hourly basis for each hour of work you perform. By law, you must record only those hours actually worked and those hours must be recorded on the actual date worked. The time cards for the previous month must be turned in to your supervisor no later than the 3rd of each month. Any cards turned in after the 3rd will not be processed until the following month.

An earnings statement will be sent to you as near to the 18th of each month as possible for earnings through the last day of the previous month. This statement will indicate whether you are to pick up your check or endorse it in the office of Financial Services. The statement will also indicate your year-to-date earnings. You should monitor this figure closely to ensure that you will earn the amount originally assigned in your financial aid package or that you do not go over your assigned work allocation.

Please note that all student employment is considered to be part

of your financial aid and, as such, all earnings will be credited to your account as long as you have unpaid bills for the academic year. Students may not accept or be paid via cash or vouchers separate from student payroll.

6.

Unless specifically authorized, student workers are not authorized to clean ANY spills of body fluids (blood, vomit, urine, feces) while employed at Luther College.

Procedure for Withdrawing from Luther College [top](#)

Students planning to withdraw from Luther College are requested to contact the Student Life Office. Following an interview with the Dean for Student Life, a withdrawal form is completed by the student.

Religious Groups, Organizations, and Activities at Luther College [top](#)

Luther College is an educational institution of the Evangelical Lutheran Church in America (ELCA), partially funded by annual appropriations from that church and controlled by a legally independent corporation whose annual meeting is convened at the time and place of each of the ELCA national conventions, with the delegates to that convention also serving as a large proportion of the delegates to the Luther College corporation meeting. The following policies of the college in respect to religious groups, organizations, and activities on its campus as well as the ministry and teaching of religion are consistent with its denominational identity.

A.

Luther College affirms the ecumenical concerns and interdenominational relationships of the ELCA and seeks to promote knowledge of and respect for all religious beliefs. Its practices of interfaith religious services and activities will be consistent with the policies of the ELCA.

B.

The college desires to cooperate with local congregations of all denominations in ministering to students of each such denomination enrolled at Luther College. The college will provide a list of students according to the student's own identification of denominational affiliation to each such denominational congregation in the Decorah community. The college will also assist those congregations in their ministry to students by publicizing congregational worship services and programs designed to serve those students.

C.

The college reserves the right as a church institution to determine which religious organizations, groups, and activities are consistent with its ecumenical goals and to promote their growth and function while at the same time reserving the right to limit access to the campus to groups and organizations which it deems inconsistent with these goals.

D.

Christian ministry and teaching on the Luther campus shall be conducted only by those clergy or lay church leaders who are employed by the college or are formally invited by the proper authorities of the college for that purpose. No advocate of any religious faith or persuasion may have access to the campus for the purpose of propagating that belief without formal permission from the campus pastor.

E.

Weddings. Because of the special significance which the institution of marriage has for the church, the college must be assured that weddings held on the campus respect the church's convictions. To this end, the approval of the campus pastor must be secured before any wedding is scheduled. Weddings will be held in the Center for Faith and Life. The general public will be charged the regular rental fee for the use of any facility in these buildings. Students, graduates, and others officially connected with the college will be allowed to use the main auditorium in the CFL or other spaces in the CFL free of charge (except for any extra custodial costs that may be involved). Arrangements for

use of the organ in the CFL must have the approval of the college organist.

Surveys and Research

Students, and other participants, should be aware of their rights and potential outcomes when participating in any survey or research. To that end, any human subjects related research and survey conducted at the college must have prior approval from the Human Subjects Review Board (HSRB). For more information or approval requests, contact Julie Potter, Psychology Department.

Smoking Policy [top](#)

Luther College recognizes that smoking is a serious health hazard. In an effort to promote good health on campus, the following policies were implemented.

A.

Smoking is not permitted in public areas of campus buildings except in designated areas. Public areas are defined as those areas regularly open to Luther College students, faculty, staff, and guests. Public areas include, but are not limited to, hallways, lounges, restrooms, classrooms, meeting rooms, and dining rooms. (Currently there are no indoor designated smoking areas.)

B.

The sale of tobacco products is not permitted on the Luther College campus.

C.

The residence halls are smoke free environments.

D.

Smoking is permitted only at designated building entrances on the Luther campus. All other building entrances are non-smoking. (See map available from the Student Life Office or Campus

Services for designated areas where smoking will be permitted.)

DISCRIMINATORY AND HARASSING CONDUCT [top](#)

The following policy **excerpts** from the Faculty Handbook are intended to highlight the conduct expected of both students and college employees, as well as provide guidance for dealing with concerns. Please note that these are edited significantly and students are invited to read the complete text in Preus Library.

408.0 PROFESSIONAL CONDUCT

Luther College, in keeping with its mission to be "a community of faith and a community of learning," is committed to creating and maintaining an atmosphere in which all members of the community—students, faculty, staff, and administration—are treated with respect and dignity. The following policies were designed not to limit the legitimate exercise of academic freedom, but rather to achieve and maintain the common good. Faculty members are expected to comply with them; non-compliance may be subject to sanction as described in Section 409.

408.1 Inappropriate Conduct and Anti-Harassment Policy

All members of the college community are responsible for the maintenance of an atmosphere which fosters openness, tolerance, and diversity. Toward this end, the College is committed to maintaining a campus environment that is free from discrimination and harassment. Discrimination, harassment, and other inappropriate conduct that is based on sex, race, color, national origin, ancestry, religion, disability, age, sexual orientation, or any other unlawful basis is against College policy and will not be tolerated. Voice-mail and electronic communications (such as e-mail and Internet use) are covered by this policy in the same manner as other communications and actions. The College encourages its employees and students to report any incident of possible discrimination or harassment to the College Officers identified in Section 408.1.4.1.

408.1.1 Prohibited Conduct Defined

For the purpose of this policy, prohibited conduct relates to another person's sex, race, color, national origin, ancestry, religion, disability, age, sexual orientation, or other status protected by law. It includes verbal, visual, or physical conduct where such conduct may have the

purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Prohibited conduct may include, among other things, telling racist or sexist jokes or making offensive or derogatory remarks about another person's race, ancestry, national origin, age, sexual orientation, or disability. Prohibited conduct may occur through personal contact, comments, telephone communications, visual displays, e-mail, Internet sites, or other material or information intentionally displayed on computer monitors.

Prohibited conduct also includes sexual harassment as defined in the following section.

408.1.2 Sexual Harassment Defined

408.1.2.1 Unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment and are prohibited, where:

- 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status; or
- 2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting that individual; or
- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

408.1.2.2 Sexually harassing conduct may include, among other things, use of suggestive sexual comments, jokes, or innuendo; persistent, unwanted flirtation or invitations for dates or other social activities; unwelcome sexual advances or passes; sexual remarks or questions about a person's body, clothing, or sexual activities; patting, pinching, or other offensive touching; or displays of sexually suggestive pictures or objects.

408.1.3 Persons Covered

Unlawful discrimination and harassment is prohibited whether it is committed by faculty members, administrators, supervisors, co-workers, or non-employees, including students, vendors, or suppliers. Similarly, College personnel must not engage in prohibited conduct

against students, College employees, or employees of the College's vendors or suppliers.

408.1.4 Complaint Procedure

408.1.4.1 Individuals who become aware of or think they have been subject to discriminatory or harassing conduct are strongly encouraged to contact the College's Harassing Conduct Officers, Ann Highum, Lise Kildegaard, Cindy Leonhart, and Lee Zook. These officers are appointed annually by the President of the College (see Section 202.4).

408.1.4.2 Individuals who become aware of or think they have been subject to discriminatory or harassing conduct may also wish to talk to a member of the Counseling Staff, members of the Health Service professional staff, or to one of the College Pastors. Because these staff members are professionals with special requirements regarding confidentiality, they are not required to report the incident to the College's Harassing Conduct Officers unless the individual decides to release the information.

408.1.4.3 After these discussions, if the individual decides to file a complaint with one of the Harassing Conduct Officers a written summary will be completed by the complainant or the Officer in conjunction with the complainant. The summary will include the following information: Name, address, and phone number of the complainant; name of the accused; nature of the complaint; date(s) and location(s) of the alleged incident(s); evidence on which the complaint is based.

408.1.4.4 Once the written summary has been completed, the Officer will begin an investigation of the complaint as soon as possible (see Section 408.1.6). The Officer will also inform the faculty member's Department Head and the Dean of the College about the investigation.

408.1.4.5 Even if a written complaint is not filed, the College may undertake an independent investigation as circumstances warrant and implement remedial measures (see Section 408.1.6.1).

408.1.6 Investigation and Response

408.1.6.1 The Harassing Conduct Officers will take prompt action to investigate complaints of discrimination or harassment. The investigation will gather sufficient information from both the complainant and the accused in order to determine an appropriate response.

408.1.6.2 Upon conclusion of the investigation, the College will take

immediate and appropriate action to resolve the complaint informally or through formal sanction proceedings as described in Section 409. Any employee found to have engaged in unlawful discrimination, harassment, or other prohibited conduct will be subject to appropriate discipline, from an oral or written warning up to and including discharge. Immediate and appropriate steps will also be taken if any non-employee (such as a student, vendor, or supplier) is found to have unlawfully discriminated against or harassed any students, College employees, or employees of the College's vendors or suppliers.

408.1.6.3 The College reserves the right to institute temporary measures to respond to reported incidents of harassment or discrimination pending the completion of any applicable complaint resolution process.

408.1.6.4 In cases of incidents of anonymous harassment as determined to be serious by the appropriate harassment officers, a timely, campus-wide release of information regarding the incident will be ensured by the Office of the President.

408.1.7 Files and Confidentiality

408.1.7.1 Files related to complaints of discriminatory or harassing conduct will be kept confidential to the extent possible, consistent with the need for a thorough investigation.

408.1.7.2 The Officer(s) shall record the following information in a confidential file for each complaint:

- a) names of the complainant, the accused, the Officer;
- b) written summary of the complaint;
- c) notes pertaining to the investigation;
- d) findings of the investigation;
- e) measures related to the resolution of the complaint.

408.1.7.3 The files of the Officer(s) will be stored in the Office of the President, not in personnel or student files. Files of the Officer(s) will be retained for seven years after the most recent complaint against the individual, and then destroyed.

408.1.8 Non-Retaliation

The College will not retaliate or take any form of reprisal against any victim of or witness to discrimination or harassment, and any such retaliation or reprisal by a College employee is forbidden. Any employee who retaliates against another employee, student, or witness

because of a complaint of discrimination or harassment, or because of participation in any investigation, may be subject to discipline, up to and including termination of employment.

408.1.9 Implementation

The College's intent in preparing, implementing, and distributing this policy is to maintain a campus environment free from inappropriate conduct and harassment. The College expects the cooperation of all employees in making this policy work in compliance with federal, state, and local laws. Questions about this policy should be directed to the College's Harassing Conduct Officers, Ann Highum, Lise Kildegaard, Cindy Leonhart, and Lee Zook.

408.2 Consensual Relations Policy

A dating, romantic, or sexual relationship between a faculty member and a student carries risks of conflict of interest, breach of trust, and abuse of power. Under some circumstances - such as those involving teaching, supervising, advising, or counseling students - a student's freedom of choice is greatly diminished, even in relationships that appear to be based on mutual consent, because of the power differential between the faculty member and the student.

Luther College faculty and staff shall not engage in a dating, romantic, or sexual relationship with students who are currently enrolled in their courses or who are under their direct supervision in any way. In all other situations, faculty and staff considering a dating, romantic, or sexual relationship with a student are required to consider seriously the exploitative possibilities that may be inherent in such relationships. Such relationships are strongly discouraged by the College. Individuals engaging in such relationships render themselves vulnerable to later allegations of sexual harassment or other serious legal claims, as well as the possibility of disciplinary action for unprofessional conduct (see Section 409).

408.4 Confidential Information Policy

Many faculty members have access to information about College students, prospective students, employees, and alumni. Most of this information is confidential and must not be disclosed or used for any purpose other than the proper discharge of an individual's duties at the College. Inappropriate disclosure of confidential information may be subject to sanction, up to and including dismissal, as well as legal

action. Questions about whether disclosure of certain information is appropriate should be referred to the faculty member's Department Head.

408.5.2 Employees are encouraged to report immediately any threatening behavior or the presence of weapons or other prohibited substances on College property or at College-sponsored events to their Supervisor or Department Head and to the Director of Security and Information Services. Reprisals against an employee who reports or experiences any form of workplace violence will not be tolerated.

408.5.3 If the situation warrants, employees should not hesitate to alert local authorities by calling 911.

408.6 Drug and Alcohol Policy

Luther College highly values its students and employees and is therefore committed to maintaining a safe and healthful workplace and learning environment free from drug and alcohol abuse. Being under the influence of drugs or alcohol on the job may pose serious safety and health risks to the user and all those who work with the user. The use, possession, sale, transfer, manufacture, distribution, and dispensation of alcohol or illegal drugs also poses unacceptable risks to the maintenance of a safe and healthy workplace.

408.6.1 The following conduct is prohibited:

408.6.1.1 Employees may not consume, possess, sell, manufacture, or transfer alcohol on College property, or while operating College equipment, machinery, or vehicles. The College may make exceptions to this rule for certain business, social, or religious functions sponsored or approved by the College.

408.6.1.2 Employees may not work on campus or at College-related events while impaired by the consumption of alcohol.

408.6.1.3 Employees may not use or possess illegal drugs while working, while on College property, or while operating College equipment, machinery, or vehicles.

408.6.1.4 Employees may not work or report to work under the influence of illegal drugs or with detectable levels of illegal drugs or the metabolites of illegal drugs in their systems.

408.6.1.5 Employees may not manufacture, distribute, dispense, transfer, or sell illegal drugs.

408.6.2 Employees who violate any of these rules will be subject to discipline, up to and including immediate discharge.

408.6.3 Any employee who has reason to believe that the use of legal drugs, such as a prescribed medication, may pose a safety risk to any person or interfere with the employee's performance of his or her job must report such legal drug use to his or her Supervisor or Department Head. The College shall then determine whether any work restriction or limitation is indicated.

408.6.4 The College encourages employees with substance abuse problems to seek help for their problems before performance problems or other violations of this policy result in disciplinary action or termination of employment. The College will support employees who voluntarily come forward to obtain assistance with substance abuse problems before those problems result in performance problems. If an employee has a substance abuse problem that requires professional treatment, the College's benefit plans and/or insurance policies may cover some or all of the costs of such treatment.

408.6.5 See Section 606.3 for the College's statement of compliance with the "Federal Drug Free Workplace Act."

409.4 Informal Resolution Process

In many cases, concerns regarding faculty conduct or performance can be resolved informally. Except in cases of serious misconduct, the College will ordinarily attempt to achieve an informal resolution before invoking formal sanction procedures.

409.4.1 Initial Report

In cases of conduct alleged to be in violation of the College's Inappropriate Conduct and Anti-Harassment policy (see Section 408.1), individuals should report their concern to the College's Harassing Conduct Officers, Ann Highum, Lise Kildegaard, Cindy Leonhart, and Lee Zook.

In all other cases, when an individual becomes aware that a faculty member may have engaged in misconduct or other unprofessional behavior, the individual should first communicate that concern to the faculty member's Department Head. If reporting to either would be

uncomfortable or inappropriate, the issues should be discussed with the Dean of the College.

STATE AND FEDERAL REGULATIONS: COMPLIANCE AND STATEMENTS [top](#)

Annual Campus Safety and Security Report (Clery Act) [top](#)

This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Luther; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. You can obtain a copy of this report by contacting Robert Felde, Associate Dean for Student Life, or [see it online](#).

Drug/Alcohol Policy [top](#)

Luther College policy to comply with the Federal Drug Free Workplace Act of 1988 and Drug-Free Schools and Communities Act of 1986 and Amendments of 1989. (The Drug Free Workplace Act [1988] applies to employees of the college and students who are Pell Grant recipients. It requires the college to certify that as a federal grantee it will provide a drug-free workplace. The Drug Free Schools and Communities Act [1986] and Amendments [1989] require that as a condition of receiving funds or any other form of financial assistance under any federal program, an institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students. While these are distinct regulations, the college is stating with this single policy its intent to comply with both.)

Luther College highly values its students and employees and is therefore committed to maintaining a safe and healthful learning environment and workplace free from chemical substance abuse. To help fulfill this commitment the college has established and filled a chemical health educator staff position. The following policy outlines ways the college will also fulfill this commitment while complying with the provisions of the Drug Free Workplace Act (1988) and the Drug

Free Schools and Communities Act of 1986 and Amendments of 1989. This policy will be shared annually with all students and employees by the Student Life and Human Resources offices.

I.

The college prohibits its employees ("employees" or "employee" includes student workers in this policy) from reporting to work or performing work for the college while impaired by or under the influence of illegal drugs or alcohol. (Stipulation of the Drug Free Workplace Act.)

The illegal use, possession, dispensation, distribution, manufacture, or sale of alcohol or other drugs by an employee in the workplace, or while the employee is on duty or official college business, or by a student is prohibited. This standard of conduct applies to all college sponsored on-campus and off-campus activities. The college's policy on possession or use of alcoholic beverages is outlined in section 6.12 of the Student Handbook.

II.

Federal law contains further prohibitions against the manufacture, possession with the intent to distribute, or distribution of controlled substances, including narcotic drugs, marijuana, depressant or stimulant substances.

Iowa law prohibits the manufacture, delivery, possession with the intent to manufacture or deliver, and possession of controlled substances.

Local and state laws prohibit possession of open containers of alcoholic beverages outside of a residence or licensed liquor establishment. Possession of alcoholic beverages is prohibited for persons under the age of 21. Operating a motor vehicle while intoxicated is also prohibited.

The college recognizes all these regulations in its commitment to maintaining a healthful campus and workplace. A detailed summary of federal, state, and local sanctions applicable to violation of item I above are on file in the offices of Human Resources and Student Life.

III.

Luther College promotes wellness and recognizes chemical dependency as a major threat to wholeness of personal health. The college is therefore committed to seeing that all its students and employees understand that:

A.

the use of alcohol and/or illegal drugs can interfere physically, mentally, socially, and spiritually with the ability to perform important functions.

B.

these drugs impair physical coordination and mental alertness and may damage the immune system, resulting in irreversible health problems and death.

C.

social behavior following use of alcohol or illegal drugs may be destructive to relationships.

A summary of the effects of using controlled substances is available from the chemical health educators, who will coordinate programs to inform employees and students about the dangers of drug and alcohol abuse, the college's policy, counseling or rehabilitation programs in the community, and penalties for violations.

IV.

The Luther College Counseling Service provides evaluation and counseling for students in relation to abuse of alcohol and other drugs and refers students to other resources that might be appropriate for them. Lists of community and area evaluation and counseling services are available from the following offices: Counseling (1375), Health Service (1045), and Chemical Health and Wellness Educator (1059).

V.

Violations of the standards of conduct described in Section I will

result in

- A. disciplinary action up to and including dismissal as described in the respective staff, student, and faculty handbooks, and students' residence hall contracts and/or
- B. required satisfactory participation in a drug and alcohol abuse evaluation or rehabilitation program.

Any employee or student employee who is convicted of violating any criminal drug statute in such work place situations as described in item I above, must report that conviction to the office of personnel services no later that five days after the conviction. (Stipulation of the Drug Free Workplace Act.)

Within 10 days after receiving notice of such conviction from an employee who is a participant in a federal grant or contract, the Office of Human Resources will notify the granting agency of an employee's conviction for violation of the standards of conduct identified for the workplace. Within 30 days of the employee's conviction the college will impose sanctions on the employee, and/or require satisfactory participation in the drug abuse assistance program. (Stipulation of the Drug Free Workplace Act.)

- VI. This substance abuse policy is effective immediately. The Director of Human Resources will coordinate a biannual review of the policy with representatives from the student life, academic affairs, health service, chemical health educator, student financial planning and president's offices.

September 7, 1990

Controlled Substances Crimes and Penalties: Federal and Iowa Law* [top](#)

Both state and federal laws prohibit distribution of, manufacture of, or possession with intent to distribute a controlled substance or a counterfeit controlled substance. State penalties range up to Life confinement and a fine of \$1,000 to \$1,000,000 depending upon the type and quantity of drug involved. Specific drugs, amounts and penalties are described in Code of Iowa, Chapter 124.

Penalty Enhancement: The maximum term and fine is increased significantly if state and federal penalty enhancement rules apply. Factors which raise maximum penalties under state penalty enhancement rules include death or serious bodily injury; prior drug conviction; placing at risk or distributing a drug to a person under 18 years old; using a person under 18 years of age to assist in the drug violation; using firearms or dangerous weapons in the commission of the offense; and distributing or manufacturing a drug within 1,000 feet of school property.

Possession: State laws prohibit possession of a controlled substance. The maximum state penalty for possession varies depending on the amount and type of drug possessed. The maximum term and fine increases significantly in the event that state penalty enhancement rules apply. Possession of relatively small quantities of certain drugs can be a felony under Iowa Drug Stamp tax laws, resulting in up to 5 years in prison and civil penalties.

Driving While Intoxicated: Under state law, a person found guilty of operating a motor vehicle while under the influence of drugs or alcohol, or with a blood alcohol concentration of .10 or greater shall be imprisoned for not less than 48 hours and fined up to \$1,000 for the first offense. For the second OWI offense the minimum period of confinement is seven days and a fine of up to \$1,500. The minimum period of confinement for the third or subsequent OWI convictions is thirty days and could be up to five years, with a fine up to \$2,500. All fines are accompanied by a 30% surcharge. Defendants are also required to pay court costs and make restitution of court appointed attorney fees and subject to paying high risk insurance for 3 years. Drunk drivers also lose driving privileges for 180 days for first offense, and up to six years for third offense.

Other Alcohol-Related Offenses: Under State law, the drinking age is 21. State law prohibits:

a) Consumption or possession of an alcohol beverage in a public place;

- b) Public intoxication;
- c) Carrying an open container with an alcoholic beverage in public;
- d) Giving or selling an alcoholic beverage to anyone intoxicated;
- e) Possession of an alcoholic beverage under legal age; and
- f) Having open containers in a motor vehicle.

A person who is legal age who sells, gives, or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section commits a serious misdemeanor punishable by a minimum fine of five hundred dollars. A person who is of legal age who sells, gives, or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section which results in serious injury to any person commits an aggravated misdemeanor. A person who is of legal age who sells, gives or otherwise supplies alcoholic liquor, wine, or beer to a person who is under legal age in violation of this section which results in the death of any person commits a class "D" felony. Second and third offense public intoxication or consumption in a public place is serious or aggravated misdemeanors, with penalties enhanced accordingly.

*Laws are subject to change.

Equal Opportunity [top](#)

It is the policy of Luther College to provide equal opportunity for all qualified persons in its educational programs, activities, and employment. In full and affirmative compliance with the laws of the United States and of the State of Iowa, and all applicable regulations thereto, the college does not discriminate on the basis of race, creed, handicap, color, national origin, age, or sex. Students who have a complaint of possible equal opportunity discrimination should contact a member of the Student Life staff or Director of Human Resources.

Voter Registration [top](#)

Iowa and Federal laws require that colleges provide voter registration materials to students. In compliance with these laws, students are advised that voter information and [The National Voter Registration Form](#) is accessible via the World Wide Web or the [Iowa Voter Registration Application](#) is available from the Iowa Secretary of State . Students who desire may seek assistance or obtain forms via the

Student Life Office. Please note that states have different policies and deadlines for voter registration and that acceptance of photo copied forms may vary from state to state.

EMERGENCY INFORMATION [top](#)

Emergency Phone Numbers [top](#)

9-911 Emergency (Ambulance, Fire, etc.)

2111 Campus (Emergency Calls Only)

9-382-3667 Decorah Police

1111 Non-Emergency Security Contact

Fires and Other Evacuations [top](#)

Luther is concerned about student safety in the possible event of a residence hall fire. The college takes measures to avoid unnecessary risk to persons and property.

The purpose of the fire alarm system is to bring about the evacuation of a building due to fire, gas, bombs or the like. Students are to leave the building in an orderly fashion through the nearest exit. Elevators may not be used. Residents are to stay at least 300 feet away from the building until further instructions are given.

The fire alarm evacuation procedures are described in the following. Upon hearing the fire alarm sound in the residence hall:

1.
 - Keep low to the floor if smoke is in your room.

2.
 - Close your windows.

3.
 - BEFORE opening the door:
 - a.
 - Feel the knob. If it is hot, do not open the door.

 - b.

If the knob is not hot, brace yourself against the door, and open it slightly. If heavy smoke or fire is present, close the door and stay in the room.

If you CAN leave the room:

1.
Be sure to have clothing appropriate for the weather.
2.
Be sure to bring your key.
3.
Leave your lights ON.
4.
CLOSE and LOCK your door.
5.
Leave by the nearest safe exit.
6.
Do not use an elevator.
7.
If ALL exits are blocked, return to your room.
8.
Once outside quickly move at least 300 feet from the building.
9.
Do not return to the building until signalled by staff to do so.

If you CANNOT leave the room:

1. CLOSE your door.
2. Seal cracks around the door with towels or bed clothing to keep out smoke.
3. Open your window.
4. Do Not jump if you are above the second floor.
5. Hang something from your window to attract attention or shout for help.

Tornadoes and Severe Winds [top](#)

Decorah has a system for warning its residents of an approaching tornado or severe wind. Some areas of the campus may not hear the signal, a three-minute continuous whistle. The college will attempt to pass the word following notification by civil authorities.

The National Weather Service uses a two-stage system to alert people to tornado danger. The watch tells you that atmospheric conditions are ripe for a tornado, although none has been spotted, visually or on radar. If the word is passed concerning a tornado warning or severe wind for this area, the following response is suggested:

Use center hallways or rooms or areas away from windows. If time and space permit, move to lower floors. Stay away from windows and doors. Cover yourself when possible to protect against flying debris; a transistor radio and flashlight may be useful. Stay out of auditoriums, gymnasiums, and other structures with wide, free-span roofs.

Sexual Assault If It Happens To You [top](#)

Any kind of coercive sexual contact, either by a stranger or someone

you know, is sexual assault. (Please also refer to [Article VI of the Luther Code](#).) If you are sexually assaulted, tell someone who can help. Don't try to handle it alone.

Promptly

1. Contact one of the following resources:
 - a. Health Service (387-1045; Larsen Hall)
 - b. Domestic and Sexual Abuse Resource Center 24-Hour Crisis Line (382-2989). A trained advocate can talk with you by phone or meet with you and can provide needed support and information about medical, legal, and counseling resources.
 - c. Your Hall Director or RA

and/or

2. Secure immediate medical attention at Winneshiek County Memorial Hospital Emergency Room (382-2911). Do not remove any clothing, shower, douche, or do anything that might destroy physical evidence of the assault. This evidence will be highly valuable if you later decide to take action against your assailant. A Luther staff member or Domestic and Sexual Abuse Resource Center advocate can accompany you to the emergency room. A victim may receive free medical assistance through the Iowa Sexual Abuse Examination Payment Program.
3. Make a prompt report to the Decorah Police Department (382-3667). A Luther staff member or Domestic and Sexual Abuse Resource Center advocate can assist you. Making a report does not obligate you to press formal charges.

Campus Resources

(Monday-Friday, 8 a.m.-5 p.m.)

The following resources are directly available to you for support and information about medical, legal, campus judicial, and counseling options and resources.

1. Counseling Service (Phone 1375; Union 217)
2. College Ministries (Phone 1040; CFL 107)
3. Student Life Office (Phone 1020; Union)
4. Residence Life Office (Phone 1330; Union 208)
5. Contact the Dean for Student Life (Phone 1020; Union) to make an official report if you would like to investigate campus judicial proceedings against your assailant.

Education, Rights, and Responsibilities

Education. Various educational programs (including literature and orientation opportunities) are offered to promote the awareness and reduce the risk of sexual assault. There are several areas where you may become involved in these efforts. Please contact the Student Life Office for further information or for clarification of rights and responsibilities as outlined in the [Luther Code](#) or the faculty and staff handbooks.

Disruption to Victim. Victims of sexual assault may request changes in academic or living arrangements if such are reasonably available.

Discipline. Students are encouraged to report sexual assault to civil authorities and may seek assistance from Student Life Staff in doing so. Students may also elect to pursue campus judicial action via the processes outlined in [Article VII of the Luther Code](#). Reporting and specific questions should be directed to the Student Life Office. Students are advised that the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary hearing; and both the accuser and the accused shall be informed of the outcomes of such proceedings. Disciplinary sanctions may include arbitration, education, probation, residential restrictions, and other options including suspension.

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