



Concordia
UNIVERSITY • SAINT PAUL

STUDENT POLICIES HANDBOOK

Policies for Undergraduate Students

www.csp.edu | Rev. 9/14/2022

The mission of Concordia University, St. Paul, a university of The Lutheran Church—Missouri Synod, is to prepare students for thoughtful and informed living, for dedicated service to God and humanity, and for the enlightened care of God’s creation, all within the context of the Christian gospel.

Concordia University reserves the right to amend or deviate from the policies or portions of the Student Policies Handbook at its discretion. This handbook applies to all undergraduate students enrolled at Concordia University - St. Paul.

Please direct any questions related to the Student Policy Handbook to the Dean of Students, Heidi Goettl, at goettl@csp.edu

*Last Revised: September 14, 2022
The most current policies will be found on CSP Connect.*

This Handbook is available in an alternate format by calling 651-641-8272.

STUDENT POLICIES HANDBOOK - Undergraduate

Table of Contents

ACADEMIC POLICIES

Academic Integrity
Adding/Dropping/Withdrawing from Courses
Administrative Withdrawals
Auditing Courses
Class Attendance
Course Placement
Course Repetition
Course Substitutions
Declaring a Major/Application for Graduation
Final Grade Changes
Grading, Pass – No Pass
Grading System
Graduation Requirements
Independent Study
In-Progress Grade
Off-Campus Study
Satisfactory Progress Policy
Special Health Needs
Student in Good Standing
Study Abroad Policy
Withdrawing from the University
Withdrawals Due to Active Military Service

ADMINISTRATIVE POLICIES

FERPA: Confidentiality of Student Education Records
Financial Holds
Grades
Health Insurance
Immunization Requirements
Official Communication by Email
Probation, Suspension, or Expulsion from the University
Refunds
Release of Personal Information
Student Hospitalization or Surgery
Tuition Payment Method
University Closings

STUDENT ACCESSIBILITY SERVICES

Definition
Accessing Support and Services
Confidentiality
Accommodations
Admissions, Disqualification Appeals, Readmission
Waivers, Modifications, Course Substitutions
Late Withdrawals
In-Progress Requests

CAMPUS HOUSING POLICES

Residence Hall Housing Agreement
Residents: Rights and Responsibilities
Alcohol in Residence Halls
Alcohol and Other Drugs in Residence Halls
Break Periods
Early Return or Arrival
Sales and Solicitation
Visitation in First-Year Halls

Weekends
Missing Student
Apartment Housing

PARKING POLICIES

Parking for Students

STUDENT CODE OF CONDUCT

Purpose
Definition of Terms
Judicial Authority
Proscribed Conduct
Conduct Rules and Regulations
Disciplinary Review Process
 Submitting an Allegation
 Sanctions
 Appealing Decisions
Student Code of Conduct Committee (FH, Bylaws)
Incident Reporting
Amnesty

STUDENT ORGANIZATION POLICIES

Student Association Constitution
Student Senate Duties
Concordia Activities Board Guidelines (C.A.B.)
By-Laws of the Student Association Constitution
Selection of C.A.B. Members
Election of Executive Board Members
How to Start a New Club/Organization
Fundraising

TECHNOLOGY POLICIES

Concordia University E-mail Account
E-mail Forwarding
Social Networking
University Network Access
Acceptable Network Use
Electronic Records Retention Policy

UNIVERSITY COMMUNITY POLICIES

Access
Animals on Campus
Alcohol Crimes/Penalties under Minn. Law
Arrest
Controlled Substances Crimes/Penalties under Minn. Law
Convocations
Emergency Procedures
Inquiry and Resolution Process
Guns /Fire Arms/Lethal Weapons
Inclusive Language (FH 6.88)
Non-Discrimination
Purchasing Items for Personal Use
Searches
Title IX
Tobacco and Smoking on Campus
University Open Burning and Recreational Fires

ACADEMIC POLICIES

<https://www.csp.edu/academics/academic-catalog/>

ACADEMIC INTEGRITY (FH 6.87)

A. Definition of Terms

1. Academic integrity is essential to any academic institution and is in keeping with the mission of Concordia University. In order to protect the rights of students, the disciplinary procedure for dealing with cases of academic dishonesty follows these broad guidelines. Violations of academic integrity include “cheating”, “plagiarism”, and “recycling” as defined by the university’s Student Code of Conduct (SCC).

2. The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff (4) academic deception (e.g. fabricating data, misrepresenting sources, misleading presentations, lying) in written or oral form.

3. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

4. The term “recycling” may be new to some. Instructors expect that work submitted in a course is original work done for that course. These are two examples of recycling:

- Submitting your own work, which has been submitted and graded for an earlier course, for a second course.
- Submitting your own published work as original work for a course.

B. Implementation of Academic Integrity Policies

1. The instructor will gather and document all evidence of academic dishonesty in a clear and concise manner.

2. The instructor will present this evidence to the student.

3. The instructor may prescribe academic penalties, including but not restricted to, the requirement of additional work, an assignment of a failing grade on the work in question, or failing grade for the entire course. Any prescribed penalties must be in writing.

4. The instructor will file an electronic Report of Classroom Incident Form (found on the University Portal.) This file will be shared with the Vice President for Academic Affairs’ Office. The VPAA will forward the incident form to the Dean of the college responsible for the class in which the incident occurred. The Dean will notify the student via email of the charge(s), decision, and appeal process.

5. If this is a repeated occurrence, the Department Chair, Dean of the College and the Vice President for Academic Affairs may impose additional penalties, including but not limited to dismissal from the departmental program, suspension from the university, or expulsion from the university.

6. A student has the right to appeal the charge and/or academic penalties imposed by the instructor by filing an appeal with the Dean of the college within three university business days

7. The Dean of the college reviews the form and determines if the appeal should be approved or denied. The Dean will make the decision based on information provided in the appeal; the incident is not reheard. The Dean will email the student and the reporting faculty member with a decision of the appeal and will also include information on the final appeals process to the Vice President for Academic Affairs. This response regarding the appeal is normally received within ten university business days.

8. A student has the right to a final appeal by emailing the Vice President for Academic Affairs with reasons for appeal within three university business days from the notification send date of the Dean's appeal decision. The Vice President for Academic Affairs will make the final decision and notify the student via email along with the reporting faculty member and Dean. No further appeals will be heard.

ADDING/DROPPING/WITHDRAWING FROM COURSES (FH 7.26)

A. Definition of terms

1. Drop without record: No entry is recorded on the student's permanent record.
2. Withdrawal (Drop with record): A "W" grade is entered on the student's permanent record. A "W" grade does not affect a student's grade point average but does count toward credits attempted and may impact the student's satisfactory progress. Standards for satisfactory progress are defined in **7.33 Satisfactory Progress Policy** and recorded in the academic catalog.
3. Courses: A "course" is defined as any credit-bearing traditional or web-based class, field experience, internship, or independent study in the traditional programs.
4. Effective dates: The date that the course addition or withdrawal is effective is the date that all required forms with all required signatures are received by the Registrar.

B. Deadlines for adding a course

1. After classes have begun for fall and spring semester, students may add half-semester and full-semester courses within the first five academic calendar days of the course (not including weekends and holidays). Internship and independent study courses may be added within the first ten days of the semester.
2. Students may add a course, internship, or independent study for a summer term through the end of the first days of class of that term. This includes submitting paperwork for an internship or independent study.

C. Withdrawal dates and times

1. Dropping without record
 - a. Full-semester courses: Students may drop without record within the first ten

- academic calendar days (not including weekends and holidays) of full-semester courses.
- b. Half-semester courses: Students may drop without record within the first five academic calendar days (not including weekends and holidays) of half-semester courses.
 - c. Less than half-semester courses: Students may drop without record through the first one- seventh of the class meeting times.
2. Withdrawal (Drop with record)
- a. Full-semester courses: Students may withdraw from full-semester courses anytime from the eleventh class day (not including weekends and holidays but including class days when the particular course does not meet) through the fiftieth class day and receive a “W” grade.
 - b. Half-semester courses: Students may withdraw from half-semester courses anytime from the sixth academic calendar day (not including weekends and holidays) through the twentieth- fifth class day and receive a “W” grade.
 - c. Less than half-semester courses: Students may withdraw from less than half-semester courses and receive a “W” through the first five-sevenths of the class meeting times.

ADMINISTRATIVE DROP/WITHDRAW (7.29)

A. Administrative Drop (Day 1 of semester through the last day to drop without record)

If a student has not:

- attended any registered courses
- communicated with instructors or advisor
- participated in the course(s) through attendance, discussion board postings, web-ex sessions and/or submitted any assignments or exams,

that student will be dropped from all registration for the term and withdrawn from the university. This will be completed by the last day to drop a course(s) without record. Their Academic Advisor will attempt to contact the student via phone and email to inform him/her that this process has been initiated. The student will be given 48 hours to declare their intent to continue in the registered course(s). If by the last day to drop a courses there is no response from the student, the Academic Advisor will complete the University Withdrawal Form on behalf of the student indicating that the student never attended.

B. Administrative Withdraw (After last day to drop without record through the last day to withdraw)

If, after beginning and participating in classes, a student then stops:

- attending class(es) for at least 10 or more consecutive days for 16 week classes and 7 or more consecutive days for 8 week classes
- communicating with instructors or advisor

- participating in the course(s) through attendance, discussion board postings, web-ex sessions and/or submitting any assignments or exams,

the Academic Advisor will attempt to contact the student with a participation warning. The student will have 48 hours after final notice to declare their intent to continue or show engagement in the course(s). If there is no response from the student, the Academic Advisor will complete the University Withdrawal Form on behalf of the student to have them withdrawn from the course(s) indicating the last date of attendance (if available). The student will receive a grade of "W" for the course(s).

AUDITING COURSES (FH 7.28)

- A. Students who satisfy the requirements for admission may register to audit a course without receiving academic credit for the course. Registration procedures are the same as for credit bearing courses. The course fee is at a reduced rate unless the course fits under the regular credit limit of 19 credits per semester.
- B. Auditing students need not meet regular course requirements but should confer with the instructor as to their privileges and responsibilities in the course. Upon completion of the course, a grade of "V" is recorded on the student's permanent record.
- C. Students may find it helpful to audit a course to review materials for a more advanced course or to enrich an interest area. Auditors are excluded from laboratory and studio participation.
- D. Students may change regular registration to an audit before the end of the eighth week of the semester. Registration may be canceled for non-attendance.

CLASS ATTENDANCE (FH 7.40)

- A. Students are expected to attend all class meetings and laboratory sessions for the courses in which they are enrolled.
- B. Excessive absences as determined by the instructor and written in the course syllabus may result in disqualification or failure.
- C. Instructors must include policies for handling absences and make-up work in the syllabus. Instructors may not penalize students who are required to be absent from class because of official university activities. Examples of such activities are intercollegiate athletics, university music tours, theater productions, and so forth. In addition, instructors may not penalize students who are required to be absent from class because of mandatory military training of up to two weeks per semester that cannot be deferred. CSP recognizes exceptions to this policy may be required for nursing clinicals. Students, however, are responsible for informing the instructor in advance of the impending absence (according to a timetable determined by the instructor) and for making up any missed work at a time determined by the instructor. Instructors have the right to contact the appropriate person to determine the legitimacy of the intended absence.
- D. Instructors planning field trips or any other official university activities must secure the appropriate approvals as outlined in Faculty Handbook Policy 6.65.

- E. Instructors must be able to determine the student's last day of attendance.

COURSE PLACEMENT (FH 7.23)

Where placement is required for general education courses, the department with the content expertise is responsible for placement. Content areas in which placement may be required are writing, reading, foreign language, and mathematics.

COURSE REPETITION (FH 7.25)

- A. Students may repeat a course. The exception to this rule is CSP Seminar and College Turning Points, which cannot be dropped and/or retaken. International students may not be able to drop some courses based on placement scores.
- B. If students repeat a course, only the higher/highest grade is used in computing cumulative grade point average (CGPA).

COURSE SUBSTITUTIONS (FH 7.24)

- A. The Registrar will evaluate new student transcripts and apply general education credits according to University policy. Students wishing to apply additional transfer courses to general education credits, other than those initially accepted by the Registrar, must petition an exception using the Course Substitution Request form. A course syllabus for the transfer course must be included. This petition must be approved by the student's advisor and the General Education Committee. The request will be retained in the student's academic file.
- B. Students wishing to apply transfer courses to their major, minor, or emphasis must petition for approval using the Course Substitution Request form. A course syllabus for the transfer course must be included. The petition must be approved by the student's advisor and the chair of the department offering the major, minor, or emphasis. The request will be retained in the student's academic file.
- C. Students wishing to substitute a different Concordia University course for one required by a current major, minor, or emphasis must petition for approval using the Course Substitution Request form. The petition must be approved by the student's advisor and the chair of the department offering the major, minor, or emphasis. The request will be retained in the student's academic file.

DECLARING A MAJOR AND APPLICATION FOR GRADUATION (FH 7.81)

- A. Students must declare a major or two minors upon completing 45 credits. Students may declare a major or two minors at any time prior to 45 credits.
- B. Students must apply for graduation in accordance with the procedures set by the Registrar.

FINAL GRADE CHANGES (FH 6.70, H and I)

- H. Grades (A, B, C, D, F, P/N) given in a specific course may not be changed after they have been reported to the Office of the Registrar by the instructor, unless it is found that an error has been made in calculation or recording. Grades earned in a course may not be changed due to work submitted in a later term. Errors in recording or miscalculation must be changed no later than the end of the semester following the error. Academic integrity violations have no time limitations. Grade changes must have accompanying documentation and be approved by the faculty member, the Department Chair, and the Dean of the College.
- I. Students who wish to appeal final course grades must do so within 90 days from the date the grade is posted by the Registrar.

PASS-NO PASS GRADING (FH 7.31)

A. In courses usually graded A-F

1. A course usually graded A-F may be taken P-N by a student if the course is an elective. A course is designated as elective when it is not used by a given student to meet any specific area or course requirement including the general education program, major, minor, or emphasis. To take a course usually graded A-F as a P-N course, a student must file the appropriate P-N form with the Office of the Registrar before the end of the seventh week of the term, or its equivalent for a half-semester course.
2. The "P" grade is equated to the normal "A" to "C-" grade range. P-N courses transferred in by students as required courses (a course is designated as required when it is used by a given student to meet any specific area or course requirement including the general education program, major, minor or emphasis.) are acceptable only from colleges where the grading system is the normal system as described above.
3. There is a four-credit limit of P-N courses per semester for sophomores, juniors and seniors. Other courses and internships (see below) which are graded by the P-N system do not count towards these limits.

B. In courses only graded P-N

1. Field experiences such as internships and student teaching, and intercollegiate athletic activities are offered ONLY on a "Pass-No Pass" basis.
2. A student may earn a maximum of eight credits in the combined music/ theatre area and one credit in each area of athletics that are applicable to the total credits for graduation requirements. The maximum credit limit applies to students who are not music/ theatre majors, minors or emphases.
3. Although these courses apply toward graduation requirements, they are not calculated into the cumulative grade point average.

GRADING SYSTEM (FH 7.30)

| | | | | | |
|-----------|---------------|------|-----------|---------------|------|
| A | Superior | 4.00 | | | |
| A- | | 3.67 | C- | | 1.67 |
| B+ | | 3.33 | D+ | | 1.33 |
| B | Above Average | 3.00 | D | Below Average | 1.00 |
| B- | | 2.67 | D- | | 0.67 |
| C+ | | 2.33 | F | | 0.0 |
| C | Average | 2.00 | | | |

| | |
|----------|---|
| P | Pass |
| N | No Pass |
| X | Continuing registration for more than one term |
| V | Audit |
| W | Withdrawal – Student officially withdrew from a course during the third through eighth week of the semester. |
| I | In Progress – This grade is given to students who have missed part of their assigned work due to circumstances beyond their control, but who were otherwise doing satisfactory work. (See FH 7.301.) |

GRADUATION REQUIREMENTS (FH 7.10)

- A. A student is required to earn a minimum of 120 college-level semester credits.
- B. Typically, at least 50% of a major, minor or emphasis must be completed through Concordia University, St. Paul unless approved by the appropriate department(s).
- C. A student must earn a cumulative grade point average of 2.00 or above.
 - a. A cumulative grade point average of at least 2.00 is required in all majors and minors. Some programs require a higher grade point average. Students should refer to the academic catalog for further information.
 - b. If the minimum cumulative grade point average of 2.00 is not attained in a minor or second major, it will not be listed on the transcript.
- D. A student is required to earn a minimum of one major or two minors.
 - a. A student may declare more than one major, minor, or emphasis if any two specialties have a commonality of a maximum of three courses, or one-fourth of the total credits, whichever is higher except in the case of multiple teaching licensure.
- E. A student is required to complete the general education curriculum.
 - a. Transfer students must meet modified course requirements within the total number of credits required in each area of the curriculum, as evaluated by the registrar. If a student transfers to Concordia with an associate of arts degree from an accredited institution or has met the state general education requirements all general education requirements will be satisfied with the exception of the theology requirement.

- F. A student must complete all assessment activities and outcomes examinations required for majors and minors.
- G. Students must meet the requirements listed in the university catalog for the year of entrance or as modified at a later date if it is to their advantage.
 - a. Students confronted with options in majors in transition are permitted to take the option most favorable to meet their needs and requirements.

INDEPENDENT STUDY (FH 6.62)

A. Definition:

Independent study is an educational experience, designed for enrichment, offered for credit outside the regularly scheduled classes. It may be an approved student/faculty designed course or may be based on an existing course. Instructors are responsible for the academic soundness of the independent study proposal and its implementation. The dean of each college in consultation with the registrar may designate low enrollment courses as independent studies.

B. Criteria:

- a. Eligibility for independent study is limited to students in good standing.
- b. Acceptable criteria for approval of an independent study shall be a) to resolve schedule conflicts of existing courses, or b) for advanced study or enrichment. Existing courses may be taken only if there are insurmountable schedule problems which might delay a student's graduation.
- c. For existing courses, the approved course syllabus shall be followed. For instructor/student-designed courses, objectives, learning experiences, expectations, and evaluation methods shall be written.
- d. Students should be registered and complete all coursework in the same semester. Students may register for more than one independent study for an extended project.
- e. Each credit hour represents approximately 35 clock hours of student work, including meetings with the instructor.
- f. Students are normally limited to four semester hours of independent study per semester. A maximum of twelve hours may apply towards graduation requirements.
- g. Registration for independent study shall normally occur when students register for their next semester's classes. Completed forms are due no later than the end of the second week of classes in the term.
- h. Independent studies should be identified for registration by the departmental prefix followed by 488.

C. Administration

- a. A number of 488 prefixed by course letters (i.e., HIS-488, ENG 488, etc.) shall be used to designate independent study courses unless a standard course number already exists.
- b. The chair of the department and the dean of the college are responsible for interpreting the independent study policy and approving any exceptions.
- c. The dean of each college is responsible for assigning service load credit to independent studies.

EXAMINATIONS THE LAST WEEK OF THE SEMESTER (FH 6.71)

If a student has more than two exams scheduled on the same day during the last week of classes, the student may seek relief through discussions with their instructors. Conflicts will be resolved by the department chairs of the respective courses. Departments are encouraged to work with departmental colleagues to schedule exams based on common courses that students take within the department.

IN-PROGRESS GRADE (FH 7.301)

A. In-Progress ("I") grades may be given to students who have missed part of their assigned work due to circumstances beyond their control, but otherwise have done satisfactory work. Students who are unable to finish all the required coursework for a course may request an "I".

B. Instructors must submit the In-Progress Grade Request by the grading deadline to the registrar's office. It is the students' responsibility to initiate an In-Progress Grade Request. However, instructors may deny an In-Progress Grade Request.

C. Guidelines:

1. All course requirements to remove an In-Progress grade and in some cases to remove probationary or disqualification status must be completed within four weeks of the last day of class.
2. If students are unable to complete the work within four weeks, extensions may be requested from the instructor for a maximum of six months from the last day of the course.
3. If the work is not completed within the agreed upon time, the instructor will submit a grade, based on course grading procedures specified in the syllabus.
4. If a grade is not submitted to the Registrar by the agreed upon time, the recorded "I" will become an "F" or "N".

SATISFACTORY ACADEMIC PROGRESS (SAP) POLICY FOR UNDERGRADUATE STUDENTS (F.H. 7.33)

- A. To be eligible to register continuously without conditions, an undergraduate student must maintain a 2.0 cumulative grade-point average (CGPA) and complete a minimum cumulative of 67% of all attempted undergraduate level coursework to achieve satisfactory academic progress. Concordia will follow federal-financial-aid policy on satisfactory academic progress as long as Concordia accepts federal funding.
- B. When a student does not maintain satisfactory progress, the University will impose certain restrictions that will affect the student's eligibility for enrollment:
 1. **Academic Warning:** Academic Warning occurs when a student fails to meet Satisfactory Academic Progress. A student on Academic Warning will remain

eligible to enroll for one subsequent/future semester. Any student failing to meet Satisfactory Academic Progress upon conclusion of his/her Academic Warning semester will be immediately suspended from the University. Undergraduate students on Academic Warning will be limited to a maximum of 16 credits. Students will be notified of Academic Warning via email from the Registrar. Students may NOT appeal while on Academic Warning.

2. **Disqualification:** Disqualification/Suspension occurs when a student fails to meet Satisfactory Academic Progress during two consecutive semesters. Additionally, first-year undergraduate students with no prior college credits earned must achieve a minimum cumulative Grade Point Average (GPA) of 1.0 upon conclusion of his/her first semester. Any first-year student that fails to meet a 1.0 cumulative Grade Point Average (GPA) the end of his/her first semester will be immediately Suspended/Terminated from the University. Students will be notified of Disqualification/Suspension via email from the Registrar. Students may appeal to be re-admitted by completing the Disqualification Appeal Form.
3. **Academic Probation:** A student who is Disqualified/Suspended from the University, and has submitted an approved appeal will be placed on Academic Probation. A student on Academic Probation will be issued an Academic Plan by his/her Advisor, and will have one semester (unless approved for additional semesters) to achieve Satisfactory Academic Progress. Any student failing to meet the terms outlined by the Academic Plan and or Satisfactory Academic Progress will be immediately suspended from the University. Undergraduate students approved for Academic Probation will be limited to a maximum of 16 credits.

STUDENT IN GOOD STANDING (FH 7.41)

Students who are not in good standing may be ineligible for certain privileges or activities. A student in good standing at Concordia University, St. Paul is one who:

1. is registered for the current term,
2. is attending class in accordance with Concordia's class attendance policy,
3. is not delinquent in meeting financial obligations to the University,
4. is not on disciplinary probation, and
5. is not on academic (financial aid) probation.

GENERAL PETITIONS POLICY (FH 7.43)

When a student believes their current circumstances warrant an exception to a Concordia University policy or procedure, they may file a General Petition. Petitions apply to situations in which students are experiencing undue personal hardship or other conditions beyond their control. Students wishing to submit a petition to the University must first consult with their academic adviser.

Students normally have six months to petition a policy at Concordia. Petitions that require additional information from the student must be provided within two weeks of the request.

STUDY ABROAD POLICY

Credit Policy (FH 6.63)

Credits earned as part of a study abroad experience at a foreign institution approved through the Center for Student Engagement will be entered as “Pass” grades and do not count in GPA calculation. Students must earn a “C-“ or higher to earn credit. Grades earned in Concordia University courses taught by CSP faculty abroad will be figured into the student’s GPA.

Petition Process

Students interested in a study abroad program outside Concordia’s partner programs may petition to use another program. The petition process should be used when none of Concordia’s partner programs meet the student’s specific academic needs and objectives. Students will turn in the Petition Form with a detailed explanation of the quality of the desired program and reasons for seeking an outside program along with a completed Concordia Study Abroad Application by the appropriate deadlines. The Study Abroad staff will make the final decisions regarding student petitions.

Eligibility Requirements

Students must meet the following criteria to be eligible to study abroad through Concordia University-St. Paul:

- A. Have a minimum GPA of a 2.5 at the time of application. Specific programs may require a higher GPA. Students interested in studying abroad with a GPA lower than 2.5 should confer with Study Abroad staff before submitting an application.
- B. Be in good academic and disciplinary standing at CSP. Students on academic or disciplinary probation are not eligible to study abroad. Students who are placed on academic or disciplinary probation after admittance to a study abroad program may be withdrawn from the study abroad program. In that instance, the student would be responsible for all non-recoverable costs incurred.
- C. Not have an outstanding balance or any financial obligations to CSP before going abroad.
- D. Demonstrate an ability to successfully adjust to new cultural, living, and academic conditions.

For Semester or Year-long study abroad opportunities only:

- E. Hold sophomore, junior, or senior status at the time of study abroad participation. Transfer students must complete one semester at CSP before they may participate in a study abroad program.

Notification

All students should report in writing to the Study Abroad staff any accident or illness that results in hospitalization as a result of program participation.

WITHDRAWAL FROM THE UNIVERSITY (FH 7.27)

1. Students who wish to discontinue from the university by withdrawing from all courses **must** complete the University Withdrawal Form in person or online.

2. The withdrawal date is determined at the time a student completes an University Withdrawal Form or otherwise notifies the University in writing of the intent to withdraw. Should a student fail to notify the Academic Advising office of the withdrawal, the withdrawal date is considered to be the last date of participation in any academically related activity, or, lacking that, the midpoint of the term.

WITHDRAWAL DUE TO ACTIVE MILITARY SERVICE

(Minnesota Statutes 2003, Chapter 192, 192.502 Protections)

A. 192.502 Protections.

A member of the Minnesota National Guard or any other military reserve component who is a student at a postsecondary education institution and who is called or ordered to state active service in the Minnesota National Guard, as defined in section 190.05, subdivision 5, or who is called or ordered to federal active military service has the following rights:

1. with regard to courses in which the person is enrolled, the person may:
2. withdraw from one or more courses for which tuition and fees have been paid that are attributable to the courses. The tuition and fees must be credited to the person's account at the postsecondary institution. Any refunds are subject to the requirements of the state or federal financial aid programs of origination. In such a case, the student must not receive credit for the courses and must not receive a failing grade, an incomplete, or other negative annotation on the student's record, and the student's grade point average must not be altered or affected in any manner because of action under this item;
3. be given a grade of incomplete and be allowed to complete the course upon release from active duty under the postsecondary institution's standard practice for completion of incompletes; or
4. continue and complete the course for full credit. Class sessions the student misses due to performance of state or federal active military service must be counted as excused absences and must not be used in any way to adversely impact the student's grade or standing in the class. Any student who selects this option is not, however, automatically excused from completing assignments due during the period the student is performing state or federal active military service. A letter grade or a grade of pass must only be awarded if, in the opinion of the faculty member teaching the course, the student has completed sufficient work and has demonstrated sufficient progress toward meeting course requirements to justify the grade;
5. to receive a refund of amounts paid for room, board, and fees attributable to the time period during which the student was serving in state or federal active military service and did not use the facilities or services for which the amounts were paid. Any refund of room, board, and fees is subject to the requirements of the state or federal financial aid programs of origination; and
6. if the student chooses to withdraw, the student has the right to be readmitted and reenrolled as a student at the postsecondary education institution, without penalty or redetermination of admission eligibility, within one year following release from the state or federal active military service.

B. The protections in this section may be invoked follows:

1. the person, or an appropriate officer from the military organization in which the person will be serving, must give advance verbal or written notice that the person is being called or ordered to qualifying service;

2. advance notice is not required if the giving of notice is precluded by military necessity or, under all the relevant circumstances, the giving of notice is impossible or unreasonable; and
3. upon written request from the postsecondary institution, the person must provide written verification of service.

C. This section provides minimum protections for students. Nothing in this section prevents postsecondary institutions from providing additional options or protections to students who are called or ordered to state or federal active military service. HIST: 2002 c 284 s 2
Copyright 2003 by the Office of Revisor of Statutes, State of Minnesota

FINANCIAL HOLDS

If you are not current in your payments to Concordia University (on an approved payment plan) or have an unpaid balance on your student account, you may be placed on financial hold. While you are on financial hold:

- You will be deregistered for or not allowed to attend the next term.
- Your unpaid balance is subject to finance charges or late fees.
- Since you are not registered, financial aid for the next term will be canceled.
- If you do not register for the upcoming term, your student loans will lose current in-school deferment and may go into repayment status.
- You will be responsible for payment of all costs associated with the collection of your unpaid balance, including finance charges, collections fees, and attorney's fees.
- You may not receive any transcripts or diploma.
- If you are a veteran, your benefits will be discontinued.

GRADES

Final grades are posted on students' accounts (accessed through CSP Connect) approximately one to two weeks after the grade submission deadline for faculty. Students are responsible for monitoring their grades and academic status.

PROBATION, SUSPENSION, EXPULSION, REJECTION, OR DISMISSAL FROM THE UNIVERSITY

The University reserves the right at any time to refuse admission or re-admission, to place on disciplinary probation or academic probation, or to suspend or to expel students for cause.

REFUNDS FOR FULL SEMESTER (16-WEEK) COURSES

Please refer to our Academic Catalog for more information and the full refund policy is published. There is also specific information for our Portland campus.

Traditional Students: <https://catalog.csp.edu/university-information/tuition-fees/#refundpolicytext>

Adult Undergraduate Students: <https://catalog.csp.edu/university-information/tuition-fees/#refundpolicyadultundergraduategraduateatetext>

Definitions

Business Day: Defined as Monday through Friday, excluding posted University holidays.

Business Service Hours (on campus): Defined as Monday through Friday 8:00 am – 4:30 pm, excluding posted university holidays.

Business Service Hours (online): Defined as 24 hours per day, 7 days per week, including university holidays.

Total Drop: A drop from all registered courses done before the start of the 11th day of the term. Dropped courses do not appear on a transcript and do not affect academic standing. See refund schedule below.

Total Withdrawal: A withdrawal from all registered courses from the 11th business day through the end of the 50th business day of the term. Withdrawal courses appear on a transcript as a “W” and have a direct impact on academic standing and financial aid status. See refund schedule below.

TOTAL DROP PERIOD

100% refund before the start of the 6th business day of the term

75% refund 6th business day to before the start of the 11th business day of the term

TOTAL WITHDRAWAL PERIOD

50% refund 11th business day to before the 16th business day of the term

25% refund 16th business day to before the 21st business day of the term

0% refund 21st business day of the term to end of 50th business day of the term

Partial Drop: A drop from at least one, but not all registered courses. No refunds are granted for partial drops. Dropped courses do not appear on a transcript and do not affect academic standing.

Partial Withdrawal: A withdrawal from at least one but not all registered courses. No refunds are granted for partial withdrawals. For the current add/drop/withdrawal schedule see the Academic Catalog.

REFUNDS FOR HALF SEMESTER (8-WEEK) COURSES

You have until the day before the start of the sixth day of the term to drop a course without record or charge. After that deadline you will receive no refund and a “W” grade will be recorded for the course.

RELEASE OF PERSONAL INFORMATION

- A. The University reserves the right (on its own initiative) to inform family, e.g., a parent or legal guardian:
 - 1. that a residential student is expected to be hospitalized for more than 24 hours;
 - 2. that a traditional student has been suspended or expelled from the University or from University housing.

- B. Under federal law, the University may contact parents or guardians if a student under the age of 21 violates University rules or other laws regarding alcohol and controlled substances.

- C. The University also reserves the right (on its own initiative or in conformity with the law) to inform any other person(s), based upon information given to a member of the Concordia community (even in “confidence”), that their health or safety may be endangered.

ADMINISTRATIVE POLICIES

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Confidentiality of Student Education Records

- A. Students enrolled in Concordia University, St. Paul are required to give certain information in order that the University may make reasonable judgments about them, provide services, and give informed advice regarding courses to be followed. Such personal data and information may become part of the student education record. Students may make the justifiable assumption that the University, as custodian of this data, will preserve the data’s private nature. By requiring or requesting such information, Concordia University gives assurance that the information will be protected against improper disclosure.
- B. Concordia University observes the following principles as outlined in FERPA:
1. Appropriate Concordia University officials are held directly responsible and accountable for the careful protection of student education records against possible misuse.
 2. Within Concordia University, student education records will be used only for appropriate research, educational, and administrative functions. Access to those records is allowed only to those members of Concordia University community whose designated responsibilities reasonably require access or to persons to whom the student has given written permission for access.
 3. Concordia University officials responsible for the use of student records require that there be no communication of such records outside of Concordia University except under proper written authorization or as provided elsewhere in this policy statement.
 4. Students have the right to access, inspect, and obtain copies of all information in their student education records **except**:
 - a. Financial information submitted by parents
 - b. Confidential letters and recommendations collected under established policies of confidentiality or to which the student has waived in writing the right of inspection and review.
 - c. As outlined in specific procedures required for access to judicial records (see below).
 - d. Additionally, the University may deny access to private records of instructors, administrators, or other staff kept for their own use; and alumni records that contain only directory information and information collected after the student has left the University.
 5. Students have the right to request amendment of the contents of student education records, to have a hearing if the result of the request for amendment is unsatisfactory, and to include a statement for inclusion in the record if the decision resulting from the hearing is unacceptable to the student.
 6. Concordia University notifies students annually in this document of their privacy rights, their right to file complaints concerning alleged failures of Concordia University to comply with their privacy rights, and where copies of the Concordia University policy and procedures on access to student records may be obtained.
 - a. For the steps to access an academic record, students contact the Registrar.
 - b. For the steps to access a judicial record, students contact the Judicial Officer or Dean of Students (see details below).
 - c. To file a complaint concerning alleged failures of Concordia University to comply with FERPA requirements, individuals contact the Family Policy Compliance Office, U.S. Dept. of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605.

Directory Information

Certain information in the student record, termed "directory information," may be released in answer to inquiries without requiring authorization from the student. This information is outlined in two categories below. Students may choose to have the University withhold directory information from the public at any time during their enrollment. To request withholding, students complete the Student Information Suppression/Release Form, available from the Registrar's office. After this form is processed, the entire student record is suppressed until the student submits the Student Information Suppression/Release to release information. Possible repercussions of student record suppression are listed on the form.

A. Category I

The student's name, address, electronic (e-mail) address, home town, telephone number, dates of enrollment and enrollment status (full time, part time, not enrolled, withdrawn and date of withdrawal), major, minor, adviser, photo, college and class, academic awards and honors received (including dean's list recognition), curricular and co-curricular activities, and (in the event of the student's graduation) the degree(s) received/conferred (including dates), are matters of public record or directory information. Therefore, Concordia University officials and departments may provide this information, in answer to inquiries, without requiring authorization from the student. However, students may prohibit disclosure of directory information at any time during their enrollment. The entire student file may be marked confidential if the student completes a Student Information Suppression/Release Form. The form is available on the Student Blackboard page. Records remain suppressed until a Student Information Suppression/Release Form is completed to release information.

B. Category II (For Athletes Only)

Past and present participation in university sponsored sports, physical factors (height, weight of athletes), and birth date are considered directory information for athletes only.

Non-Directory Information

Student education records, in addition to directory information, include, but are not limited to: transcripts, test scores, college advising records, disciplinary files, financial aid information, housing records, and records of educational services that are provided to students. Such records are not disclosed to anyone **except:**

1. The student and others on written authorization by the student;
2. Persons within Concordia University who need access to the information to carry out their employment responsibilities for educational, administrative, or research purposes;
3. Other educational institutions in which the student seeks to enroll, provided the disclosure is limited to official copies of student transcripts or test scores from the appropriate Concordia University office;
4. Other organizations conducting educational research studies provided the studies are conducted in a manner that will not permit identification of students and the information will be destroyed when no longer needed for the purpose for which the study was conducted;
5. Persons in compliance with a court order or lawfully issued subpoena, provided that a reasonable attempt is made to notify the student in advance of compliance thereof;
6. Appropriate persons in connection with an emergency, provided the information is necessary to protect the health or safety of the student or other individuals;
7. Accrediting organizations and state or federal education authorities when the information is needed for auditing, evaluating, or enforcing legal requirements of educational programs, provided the accrediting organizations and authorities protect the data in a manner that will not permit the personal identification of students and personally identifiable information is destroyed when no longer needed;
8. Appropriate persons or agencies in connection with a student's application for or receipt of financial aid to determine eligibility, amount, or conditions of financial aid;
9. Parents of a dependent student, as defined under the Internal Revenue Code. (Each time a parent requests access to records the parent must submit a current tax statement listing the dependent student.)

Judicial Records

The University maintains a file in the office of Judicial Affairs for each person found to be responsible for a Code of Conduct violation. Judicial Affairs may, under FERPA exception, disclose information related to student conduct records to Concordia University officials with legitimate educational interests. This includes academic and extra-curricular departmental programs and it may affect eligibility for programs. The Office of Judicial Affairs may, at the student's request, reveal the contents to other University departments, employers, schools and others. The Judicial Officer is required to provide access to a student's file when subpoenaed by a court or federal agency, or as otherwise required by law.

A student wishing to view his or her conduct file should contact the Office of Judicial Affairs to schedule an appointment. Federal Law requires that the requested file be reviewed and information on any other student be redacted. The requesting student will be permitted to view his or her prepared file, but will not be allowed to copy, take pictures, or otherwise record the documents. This request will be fulfilled within 45 days of the written request. Student judicial files are normally kept for seven (7) years.

Other Records

Concordia University maintains other records that contain information about students.

- A. Information in medical or psychological counseling records, including results of examinations or assessments by Concordia University personnel, is afforded greater protection and is governed by State and federal laws regarding records of that nature. Concordia University obtains such information with a commitment as to its highly private nature. Such records will not be disclosed to anyone, including other University personnel, except (a) under direct written authorization by the student, (b) pursuant to a court order signed by a judge, or (c) as otherwise required by law.
- B. Concordia University Security and Human Resources records contain information about students, but are not student education records and are not covered by this policy. University offices which are responsible for such records observe information release policies which protect the subjects of such records against improper disclosure and are consistent with applicable laws.

Student Consumer Information

Concordia University fully complies with Public Law 101-542 The Student Right-to-Know and Campus Security Act, as amended by Public Law 102-26, the Higher Education Technical Amendments of 1991. Under these laws, retention and completion rates for entering students are kept by the director of institutional research and are available to all current and prospective students. The Safety and Security office makes available to all students various policies and statements regarding campus security, including statistics on various types of crime that may have occurred. A copy of the campus Alcohol and Drug Policy can be found in this handbook.

FINANCIAL HOLDS

If you are not current in your payments to Concordia University (on an approved payment plan) or have an unpaid balance on your student account, you may be placed on financial hold. While you are on financial hold:

- You will be deregistered for or not allowed to attend the next term.
- Your unpaid balance is subject to finance charges or late fees.
- Since you are not registered, financial aid for the next term will be canceled.
- If you do not register for the upcoming term, your student loans will lose current in-school deferment and may go into repayment status.
- You will be responsible for payment of all costs associated with the collection of your unpaid balance, including finance charges, collections fees, and attorney's fees.
- You will not receive any transcripts or diploma.
- If you are a veteran, your benefits will be discontinued.

GRADES

Final grades are posted on students' accounts (accessed through CSP Connect) approximately one to two weeks after the grade submission deadline for faculty. Students are responsible for monitoring their grades and academic status.

HEALTH INSURANCE FOR TRADITIONAL STUDENTS

The Affordable Health Care Act requires that everyone has health insurance and provides access to coverage. With this change to the law, Concordia University also expects that all students carry health insurance. It is the student's responsibility to provide payment or insurance for any physical or mental health medical needs.

Concordia University assumes no liability for student illness or injury and no responsibility for medical bills and/or services contracted for or by students. It is the responsibility of the student to carry the insurance card at all times to have available in case of illness or injury.

Students and families that are concerned about health insurance should know that the Affordable Care Act requires everyone to have health insurance. There are many options available to students, including, being covered on their parent's policy until age 26 or purchasing coverage through an insurance exchange. The insurance exchange is an online resource where you can find information about different health plans and coverage. Healthcare.gov is the federal insurance exchange. Residents of Minnesota can look under MNsure.org where you can access the cost for each plan and enroll or find out whether you qualify for financial assistance based on annual income.

IMMUNIZATION REQUIREMENTS FOR TRADITIONAL STUDENTS

Minnesota State Law (statute 135A.14) requires that traditional students taking face-to-face classes must submit their immunization records to have on file at the university **prior to attending their first semester**. Students who do not submit these records will have a **HOLD** placed on their academic records until this requirement is met.

Concordia Admissions Department will inform students how to submit the immunization information. It must be done electronically.

REQUIRED immunizations are:

- 1) **Tdap** (Tetanus-Diphtheria-Pertussis) **Must be given less than 10 years ago.**
- 2) **MMR** (Measles, Mumps, Rubella)

RECOMMENDED immunizations are for:

- 1) Hepatitis B series
- 2) Meningitis
- 3) Varicella (chicken pox)
- 4) Hepatitis A series
- 5) Human Papilloma Virus series
- 6) Annual Flu shot
- 7) COVID-19 Vaccine

Students living and studying in close contact are more susceptible to some illnesses/infections/diseases so please consider that when deciding on immunizations.

Please check with your health care provider about receiving these immunizations and submit this information along with the required immunization information.

EXEMPTIONS:

Minnesota Law provides these exemptions from immunizations:

- 1) Conscientious Objection based on held beliefs. This exemption must be received prior to the students first term, signed by student (or parent/guardian) and NOTARIZED.
- 2) A Medical Exemption may be issued because of a contraindication to an immunization based on some medical condition. Medical exemptions must be signed by a LICENSED MEDICAL PROVIDER.

If there is an outbreak of the disease of objection, the student will need to be immunized at that time or excluded from classes until the outbreak is over.

UNABLE TO LOCATE DATES OF IMMUNIZATIONS

If a student cannot locate immunization records the options are:

- 1) Get the required immunizations again and submit the date/s.
- 2) Have a blood test (titer) to determine the immune status and submit the information.

OFFICIAL COMMUNICATION BY EMAIL (FH 7.36)

- A. Official University communication to individual students often contains private and/or time-sensitive material. In order to ensure that information is being sent only to the enrolled student (and not co-workers or family members), Concordia University sends official communications electronically to its students through the University's email system, the @csp.edu address.
- B. Because much of the information includes materials that must be completed or responded to by a deadline that can affect such things as enrollment or financial aid, students are expected to read and respond to all official communications sent by the University to their @csp.edu address in a timely way.

PROBATION, SUSPENSION, EXPULSION, REJECTION, OR DISMISSAL FROM THE UNIVERSITY

The University reserves the right at any time to refuse admission or re-admission, to place on disciplinary probation or academic probation, or to suspend or to expel students for cause.

REFUNDS FOR FULL SEMESTER (16-WEEK) COURSES

Definitions

Business Day: Defined as Monday through Friday, excluding posted University holidays.

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Total Drop: A drop from all registered courses done before the start of the 11th day of the term. Dropped courses do not appear on a transcript and do not affect academic standing. See refund schedule below.

Total Withdrawal: A withdrawal from all registered courses from the 11th business day through the end of the 50th business day of the term. Withdrawal courses appear on a transcript as a “W” and have a direct impact on academic standing and financial aid status. See refund schedule below.

TOTAL DROP PERIOD

100% refund before the start of the 6th business day of the term

75% refund 6th business day to before the start of the 11th business day of the term

TOTAL WITHDRAWAL PERIOD

50% refund 11th business day to before the 16th business day of the term

25% refund 16th business day to before the 21st business day of the term

0% refund 21st business day of the term to end of 50th business day of the term

Partial Drop: A drop from at least one, but not all registered courses. No refunds are granted for partial drops. Dropped courses do not appear on a transcript and do not affect academic standing.

Partial Withdrawal: A withdrawal from at least one but not all registered courses. No refunds are granted for partial withdrawals. For the current add/drop/withdrawal schedule see the Academic Catalog.

REFUNDS FOR HALF SEMESTER (8-WEEK) COURSES

You have until the day before the start of the sixth day of the term to drop a course without record or charge. After that deadline you will receive no refund and a “W” grade will be recorded for the course.

RELEASE OF PERSONAL INFORMATION

- D. The University reserves the right (on its own initiative) to inform family, e.g., a parent or legal guardian:
1. that a residential student is expected to be hospitalized for more than 24 hours;
 2. that a traditional student has been suspended or expelled from the University or from University housing.
- E. Under federal law, the University may contact parents or guardians if a student under the age of 21 violates University rules or other laws regarding alcohol and controlled substances.
- F. The University also reserves the right (on its own initiative or in conformity with the law) to inform any other person(s), based upon information given to a member of the Concordia community (even in “confidence”), that their health or safety may be endangered.

STUDENT HOSPITALIZATION OR SURGERY

- A. Students who live in campus housing must notify the Director of Residence Life when they have been hospitalized or undergone surgery during the academic year.

- B. Upon discharge from the hospital or surgery, students may not return to the campus residence unless they are able to perform all of their own self-care measures and can return to normal activities of daily living.
- C. Upon return to the campus residence following hospitalization or surgery, students must present documentation from their health care provider indicating their ability to perform self-care to the director of health services and appropriate campus housing official.
- D. The Dean of Students and Residence Life has the right to notify family members of a hospitalization when appropriate. If the student desires that his/her course instructors be informed of his/her absence, the Director of Advising may be asked to assist in this communication. Communication with Student Accessibility Services may also occur if students are needing accommodations (short- or long-term).
- E. Any students that would like assistance in notifying their professors should contact the Academic Advising Office.

TUITION PAYMENT METHOD

All credit card payments on student accounts must be made on-line. The University does not accept credit card payments through the mail, in person, or over the phone. On-line payment is made through the CSP Connect portal. The student is responsible any service charge for a credit card transaction. Accepted credit cards include MasterCard, American Express, and Discover. On-line payments can also be made from checking or savings accounts. Checks may also be sent to the Concordia lockbox at Concordia University, NW 5884, PO Box 1450, Minneapolis, MN 55485, or brought in person to the Cashier window.

UNIVERSITY CLOSINGS

- A. The personal safety of students, faculty and staff is vital to the Concordia University. While Concordia University expects that individuals make a good faith effort to travel to campus during inclement weather conditions if the university is operating and does not declare an emergency closing, it is also important for individuals to use their own discretion in determining whether it is safe for them to travel to campus.
- B. On rare occasions when weather has been determined to pose a potential threat to the life or safety of students, staff, and faculty, the decision to close the university will be made using these guidelines:
 1. By 7:00 a.m. decisions regarding closing and cancellation or delay of day classes will be announced.
 2. By 11:00 am decisions regarding cancellation of afternoon classes will be announced.
 3. By 2:00 p.m. decisions regarding cancellation of *face-to-face* evening classes or University sponsored evening events will be announced.
 4. **Notices regarding closings, cancellations or delays will be immediately posted on the Concordia University Campus Portal web page.** This should be used as the primary resource for students, staff and faculty, since detailed information will be included in this location.
 5. The university will notify local media stations after posting on the campus portal. You will see these notices on KARE11, WCCO, and KSTP. We are unable to control how rapidly these external media sources update their announcements. So relay on the portal as your authoritative source on campus closure.
 6. All students, faculty and staff are signed up for Concordia Campus Alert. This system will automatically send an email and text message alerting to campus closures and emergencies.

Student Accessibility Services (SAS):

Student Accessibility Services (SAS):

Concordia University--St. Paul is committed to providing an accessible education to students in compliance with all relevant federal and state laws, including section 504 and 508 of the Rehabilitation Act, Americans with Disabilities Act (ADAAA, 2008) and the Minnesota Human Rights Act. Student Accessibility Services (SAS) is available for any qualified student in traditional, undergraduate, graduate, online and continuing education courses. The courses can be half semester or full semester courses. We serve students with appropriate evidence of disability or those who need academic accommodations for short term medical conditions. We also provide referral to on campus and outside resources, such as tutoring, counseling services or testing evaluations.

Our goal is equal access for our students to provide the same educational opportunities as students without disabilities.

Student Accessibility Services is the office responsible for determining both disability status of students and providing reasonable accommodations in academic and residential settings at CSP in order to ensure equal and fair access in a timely manner. Human Resources is the office responsible for determining both disability status of students and providing reasonable accommodations in on-campus work settings. Students who work outside of the scope of these policies or do not follow SAS procedures may not be eligible for services and therefore not provided accommodations in a timely way. Accommodations are not required to be retroactive. It is a student's right not to disclose if they have a disability or utilize accommodations. If a student decides not to disclose a disability, utilize accommodations, check with instructors to ensure accommodations are in place, or is diagnosed after completing work that does not accurately reflect his/her ability, accommodations are not required to be provided.

Student with a Disability Defined:

- "A person who is substantially limited in a major life activity and also meets academic and technical standards for admission or participation in the institution's educational program or activity." (The student must be admitted, currently enrolled and not disqualified.)
- Student has evidence of, or is regarded as having, a long or short term impairment that significantly and functionally limits the individual.
- Documentation is required to verify the existence of the condition and limitations it may pose to the learning environment. For short term conditions or pending diagnosis, documentation timelines may be extended at the discretion of SAS staff.
- SAS staff reserves the right to make the determination of if a medical condition rises to the level of disability and also to request additional supporting documentation.

Common examples of disability (non-exhaustive list): Learning Disability, ADD/ADHD, Mental Health (depression, anxiety, bi-polar disorder, PTSD), significant emotional acute trauma (short term), physical disabilities, visual disabilities, attentional disorders, spectrum disorders, Deaf or hard of hearing, short term surgical or medical impairments that substantially limit a major life activity.

Common examples that may not rise to the level of disability: Colds, flu or other short term illness or medical issues that do not functionally limit a major life activity and are expected to resolve fairly quickly. Visual impairments that are corrected by corrective lenses also are generally not covered.

A special note about pregnant students: Students who are pregnant may also be covered under the ADAAA and Title IX. Due to the unique modifications that are required for pregnant students, referral to a Title IX Coordinator will be made in these cases.

I. Accessing Support and Services through Student Accessibility Services:

Students may be referred by faculty, staff, parent/guardians or other specialists but the legal responsibility for contact and follow up is that of the qualified student. Parents, guardians or other parties cannot negotiate accommodations on behalf of a student.

Steps To Set Up Services:

1. **Contact SAS Staff:**

- **Schedule an Intake appointment** to determine accommodations or referral for your specific concerns: SAS@csp.edu
- **An intake appointment with staff is required as part of this process.**
Call: 651-641-8272 or 651-641-8462 or email SAS@csp.edu to schedule a time.

2. **Provide documentation of disability to SAS staff:**

- Students obtain this information and provide it to SAS, but SAS staff can assist via providing a form for a care provider to complete. **This documentation will remain confidential.**
- **Documentation is required before accommodations are implemented.** Documentation must be received before the start of classes/program or as soon as possible after an impairment is diagnosed.

3. **A qualified care provider**, such as a specialist, psychologist, or physician **authorizes the documentation** along with information on how the student is functionally impaired.

4. **After documentation is received and intake appointment completed:**

- SAS staff will develop an official **Verification of Individualized Services and Accommodation (VISA) form**. Staff will discuss specifics of accommodations or provide policy information to the student at that time—it may also be sent via email.
- The VISA is the student's official verification that specific accommodations have been approved and are generally recommended. Not all accommodations will work for every class or program and therefore, interaction with appropriate staff or instructors on reasonableness of listed accommodations is still often required.

5. **Provide VISA to instructors prior to, or the first few days of class.**

- Email is an acceptable way to provide information to instructors.
- SAS staff can provide VISA/accommodation forms to instructors, **but students are encouraged to send their own VISA plans.**
- Faculty may contact SAS staff for verification of accommodation needs.
- It is the responsibility of the student to ensure that the faculty member has received the VISA form and is aware of accommodations—SAS staff does not automatically check. Student must ask SAS to send out his/her accommodation plan each and every semester/term. SAS will not send it out unless asked by student.

6. **Work with your faculty member/SAS staff and to complete course requirements:**

- Students are expected to complete all course assignments/expectations with or without accommodation and communicate with instructional staff/faculty about their needs.

If there are concerns regarding accommodations, please let SAS staff know early in the class or semester!

II. Confidentiality:

Student Accessibility Services is committed to ensuring that all information and communication regarding students and their disabilities is confidential except when disclosure is authorized by the student, permitted by law and/or required.

SAS staff takes confidentiality seriously. Every student is provided information on confidentiality and asked to sign a confidentiality agreement in order to ensure clarity of limitations and responsibilities. Parameters of confidentiality can change without notice pursuant to changing legal requirements.

Students have the right to decline to sign confidentiality documents; however, this does not change how SAS will respond to issues involving confidential information.

Important things to know:

1. The goal of confidentiality procedures is to ensure that a student with a disability will not be discriminated against based on his/her disability. As an adult participant in the accommodation process, students can disclose what they want to or not to others.
2. Once a student becomes 18, the FERPA (Federal Educational Right to Privacy Act) and ADAAA comes into effect. This means that information regarding student's academic history and other protected information cannot be released to anyone, including parents, without the *express consent of the student, and only in a limited fashion (this is called proxy access)*. **FERPA also prohibits students from sharing CSP passwords with others.** This includes access to CSP email, or blackboard as this may disclose information about other registered students on campus.
3. **Parents or outside parties cannot advocate for, or negotiate on behalf of, the student even if proxy access and SAS releases are signed.**
4. Students need not disclose their specific disability to faculty or staff. The accommodation form (VISA) will provide information that faculty or staff need to know in order to implement accommodations for a course or program, which does not indicate disability.
5. As some of the information provided may be medical in nature and covered under HIPPA, no one within the university community has access to a student's medical disability-related information except in very specific and/or emergency situations.

To protect confidentiality, all disability-related diagnostic documentation will be kept in a file separate from a student's academic record. This information will be shredded seven years after a student has graduated or withdrawn from CSP.

6. **Releases for Financial Aid or other agencies on the CSP campus do not apply to Student Accessibility Services.** Students must sign an addition release that will indicate who is authorized to discuss information with SAS staff including care providers, parents, other educational institutions. A release must also be signed to share information with other internal agencies (such as counseling).

Exceptions to Confidentiality:

1. Once a student discloses disability or medical information to someone outside of SAS (e.g., faculty or other staff members) there is no guarantee that diagnostic information can remain confidential.
2. **Information about a student's accommodations or working with SAS** can be disclosed to staff, administration and faculty who have an academic "need to know".
3. **What is a "Need to Know" basis?** As a rule, faculty and staff need to know what accommodations are appropriate and necessary to meet the student's disability related needs.

However, in some instances, a faculty or staff person may request a more in-depth discussion to better facilitate the student's learning or provide support for the student or resolve a concern. In that case, SAS may have conversations with staff or faculty members without student consent as long as disability information is not disclosed.

The law requires release of otherwise confidential information in the following circumstances:

- if the student indicates intention to harm others, or harm self.
- if the student reports or describes any physical abuse, neglect, or sexual abuse of children or vulnerable adults within the last three years. (This includes the occurrence of abuse or neglect if they were under the age of eighteen at the time of the abuse).
- if the student reports the use of an illegal drug for non-medical purposes during pregnancy.
- if the student reports or describes sexual exploitation by counseling or health care professionals.
- SAS *can* disclose specific information to parents/guardians under Minnesota State Law if the student is an immediate threat to themselves or others on campus.

III. Reasonable Accommodations and Services:

Reasonable accommodations are modifications that eliminate as much as possible, physical or instructional barriers to learning encountered by the student with a disability.

- **Accommodations are individualized and dependent on the nature of the specific disability or disabilities and supporting documentation.** Concordia University, St Paul and specifically, Student Accessibility Services, determines reasonableness, and may also consider “equally effective” accommodations in lieu of requests that may be cost or administratively prohibitive.

Students should be aware that 504 Accommodations provided in high school do not automatically transfer over to college due to differences in laws that cover K-12 and collegiate environments. Students should not expect to receive modifications that *lower* class or course expectations or to automatically receive accommodations provided at other institutions.

- **Reasonable accommodations are an interactive process between the student, CSP faculty and staff and SAS.** Although we consider every request individually, physician recommendations/letters do not guarantee a specific accommodation. This is why we want to talk to you in person!
- **Accommodations are free for students.** There is no cost and no indication on an academic record that accommodations have been implemented.
- **Students are responsible for compliance with SAS and CSP policies and procedures, including stated deadlines and behavioral expectations.**

Common reasonable accommodations/services: extensions of time in the testing environment, supplemental notes, alternative text materials, limited extensions for assignments, limited attendance flexibility (based on requirements of the course), modifications of residence life environments, allowance of service/ESA animals where other animals are restricted, interpreter services, route of travel modification/assistance.

Accommodations that are generally considered unreasonable: personal assistive devices (e.g., hearing aids, glasses, wheelchairs, walkers), personal aides, private tutoring outside the scope of CSP's tutoring/writing services, modification of exams to only one format (e.g., oral only exams for all courses), reducing assignments or course expectations, computers or specific computing hardware. SAS cannot waive course attendance or assignments. Any request that would fundamentally alter, result in administrative or undue financial burden is also not considered reasonable.

Modifications of a course are DIFFERENT than accommodations. At times, a modification of a course or program that lowers the standard or may alter essential components of the class may not be accommodated.

For each accommodation or service, there are specific procedures and timelines. Specifics on policies are provided to students during the intake process and multiple times throughout the semester. Students are more than welcome to email SAS staff or even better, schedule an appointment.

IV. Services and Testing Accommodations:

Students with disabilities may be approved for a wide variety of services including note taking, books in an alternative format, and access to other auxiliary aids that are appropriate. Specific policies, procedures and timelines for these services are provided to students via meetings through SAS staff.

Testing policies and procedures (as well as all service procedures) are provided to students with their accommodation plan. As testing is our most used service, some important information is noted below:

<https://docs.google.com/a/csp.edu/forms/d/1BYBKd7V6J0t8O1AVuicyGRFkSqDJGmokWcMOQqU1aJY/e/dit>

TWO full school days notice for most daytime, traditional proctored exams
THREE full school day notice for evening exams
ONE WEEK'S NOTICE: Final exams, Senior Outcome Exams, CLEP testing.

We will consider all requests from a student regarding alternative testing, but due to administrative need to schedule space, proctors and obtain exams, we reserve the right to decline requests outside of these timelines.

V. Retroactive (Requested "After the Fact") Accommodations or Accommodations Requested Late in a Course or Program:

It is a student's right not to disclose if they have disability or utilize accommodations. If a student decides not to disclose a disability, utilize accommodations, check with instructors to ensure accommodations are in place, or is diagnosed *after* completing work that does not accurately reflect his/her ability, accommodations are not required to be provided.

The student in this situation is encouraged to take steps to ensure accommodations are in place for future assignments or activities by contacting Student Accessibility Services. The student should also contact faculty to initiate the accommodations process if the students is registered with SAS but have not followed up on their accommodation plan until late in the semester.

It is always the responsibility of the student to both request accommodations in a timely way and ensure notification to instructors has been made early in a course.

VI. Waivers, Modifications or Course Substitutions Due to Disability:

The Rehabilitation Act 504 requires post-secondary institutions to consider to academic adjustments to ensure that such requirements do not discriminate against qualified students with disabilities. Academic requirements that are essential to programs, directly related licensing requirement, or if making modifications would fundamentally alter nature of the program are not required. (AHEAD, 2010).

Students with disabilities who are requesting waiver, course substitution or modification to the program due to disability related impact should:

- 1) Meet with the Director of Student Accessibility Services for specific steps and timelines.
- 2) Petition the request through the course substitution request form (online under Advising).

- 3) Provide appropriate and recent documentation from a care provider who can appropriately provide diagnosis, supporting the need for the course substitution.

Due to accreditation requirements or State of MN technical standards for specific programs, not all waivers/substitution requests can be granted. CSP also reserves the right to offer equally effective accommodations or substitutions in lieu of complete waivers or course substitutions.

The Director of Student Accessibility Services may need to work with Advising or other administrators in the determination of appropriate modifications, which may require disclosure of confidential information/documentation. Students will be notified of this need.

SAS staff does not make final decisions on requests for modifications or waivers, these are determined by the Course Substitution Committee made up of staff and faculty members.

VII. Late Withdraw Requests:

In some cases, due to severe or sudden disability or an unavoidable and traumatic life event the student may be required to withdraw from classes outside of traditional timelines. In most cases, students are encouraged to withdraw within the timelines set forth by CSP policies. Students will be responsible for the cost of attendance and receive a "W" for their courses.

Late withdraws are intended for unavoidable medical or traumatic life circumstances that impacted the student's ability to be effective in courses and withdraw on time. In most cases, late withdraws will require the student to withdraw from all courses.

Requests for a withdraw are not guaranteed or may have un-intended implications on financial aid, housing, and other policies outside of CSP. Formal verification from an outside party may be required in the event of a traumatic life event or disability related impact.

Requesting a Late Withdraw:

- 1) Student contacts Financial Aid advisor or other program (NCAA) advisors to determine effect of a late withdraw *before* completing the petition form.
- 2) Student completes/provides:
 - a. General Petition form (goes to Registrar's Office) stating the withdraw request for medical reasons:

<http://registrar.csp.edu/general-petition-form/>
 - b. Documentation from a care provider or other evidence by **the last day of the classes** to SAS staff or the registrar directly.
- 3) Documentation outlines the **a) reasons for withdraw and b) why the student was unable meet standard timelines for that withdraw** (e.g, hospitalization, chronic condition that rapidly worsened, death in the family, etc).
- 4) Late withdraws are typically granted for one semester. CSP reserves the right to decline additional late withdraw requests, or to decline re-admission to a student after a late withdraw if the below criteria are not met:

Returning from a Late Withdraw:

- 1) Student re-applies for admission if more than one semester has passed.
- 2) Student provides documentation from a care provider to SAS or Registrar indicating the student able to return and any limitations or accommodations. (This may be waived in the case of a compassionate withdraw, but student should still contact SAS staff or the Registrar).
- 3) If the timeline between when a student is medically withdrawn and able to return is very short (less than a few weeks), CSP reserves the right to decline a return for the next semester/course. These determinations are made on a case by case basis and based on the reason for the initial request.
- 4) A "Hold" is placed on the student's account until authorization is received either by the Registrar or SAS offices that the student is cleared to return.

- 5) Students may have a financial aid hold on their account, and will need to work with financial aid advisors/office. In some cases, the Financial Aid office may require additional information in keeping with federal guidelines.
- 6) Students who are part of military or other specific programs (e.g., NCAA) will also need to check with advisors/coaches on specifics for their program.

VIII. In-Progress Requests for Students with Disabilities:

In-Progress requests follow the same policies and procedures for all students requesting extensions. In-Progress requests are intended not as a regular modification to classes, **but for instances that are unavoidable**. Faculty have to agree to in progress grades-it is not a legally required accommodation and not intended to continually extend a course or program even with a disability need.

In-progress grades extensions are generally offered for 2-4 weeks (traditional) and 1-2 week (online) and are not intended to extend a course indefinitely and are required to be requested prior to grades being turned in by a faculty member.

Any requests for In Progress Grades must be made through the Registrar's office.

IX. Residence Life and Housing Accommodations:

Concordia is committed to providing equal access for students with disabilities that **substantially limit a major life activity and significantly affect living arrangements**. *Students* are responsible to provide this information to Student Accessibility Services (SAS) and Residence Life by stated deadlines. Residence Life and SAS staff review all requests individually and determine any possible configurations/alternatives on a case by case basis. Final decisions are based on a variety of factors including impact of disability and possible alternatives.

Students who are unable to meet the deadlines indicated for housing accommodation requests may be charged additional fees for specific room configurations.

The housing accommodation policy is intended for students who have disability concerns that substantially limit the major life activity and require a reasonable accommodation to effectively live in a cooperative environment. This policy is not intended for students who have a housing preference or have a financial need.

Unique Considerations:

- **The availability of single rooms is limited and therefore, granted infrequently.** We attempt to make thoughtful roommate matches instead of separating students. In addition, single rooms are granted based on a care providers requirement **that the student is unable to effectively live in a roommate set up** (E.g., significant cognitive/mental health issues, physical limitations visual or service animal needs.)
- **Fully accessible housing units are also limited;** students with mobility impairments should discuss their options with SAS very early in the admissions process.
- **Service Animals/Assistive or Support Animals in Housing:** Please contact SAS regarding policies and procedures for service and other assistive/support animals in Residence Life environments animals. There are specific deadlines for these requests to ensure access for the student requesting an animal in the housing environment and equal access for others in a communal living space (e.g. those with allergies to animals, phobias, etc).
- **Students with asthma or other breathing issues** that rise to a significant and disabling level should be aware that most rooms are carpeted, and completely "allergen free rooms" cannot be guaranteed, but we will assist in modifications, including air purifiers if needed.

- **Requests to be removed from meal plans:** we make every attempt to keep students on meal plans even with allergies or sensitivities to remain an active part of the Student Life Center. SAS staff is happy to assist with coordinating a meeting with Sodexo staff.
- **Request for removal from housing contracts.** The mission of Concordia University, St Paul is one of thoughtful, informed community living. Therefore, students with disabilities who are unable to live in any current housing configurations (including a single room) will be provided this accommodation.
- **Living independently.** Students are required, with or without accommodation, to be able to *live independently while on campus*. This means physical care for self (bathing, eating, clean environment), and emotional care for self (not requiring monitoring of roommates or other support staff) to live successfully on campus. Students who are not able to function independently and are a disruption to the campus environment may be subject to behavioral conduct/judicial proceedings.

Steps for Housing Accommodations:

1. Complete the **Residence Life Housing ACCOMMODATION form**.
 2. Complete the **GENERAL Residence Life/Housing Application** (by stated deadlines).
 3. Submit **deposit** for housing (by deadline).
-

These steps must be completed prior to housing accommodations being considered.

DEADLINES TO SUBMIT HOUSING ACCOMMODATION REQUESTS TO STUDENT ACCESSIBILITY SERVICES FOR CONSIDERATION. LATE SUBMISSIONS WILL BE CONSIDERED ON A CASE BY CASE BASIS AND SPACE AVAILABILITY.

SUMMER SESSION: APRIL 15

FALL SEMESTER: APRIL 30

SPRING SEMESTER: NOVEMBER 15

X. Admissions, Disqualification Appeals, Re-Admission:

Student Accessibility Services cannot make recommendations for students on admittance, re-admissions or appeal decisions (for example, writing letters of support for admission or re-admission). Neutrality is maintained to order to ensure un-biased and equal process for all students.

Students who are not admitted on the basis of academic qualifications and wish to appeal based on disability impact should do so through the admissions appeal process, and can provide documentation to Student Accessibility Services at that time. Provision of documentation to our office does not guarantee admittance or re-admittance.

Student Accessibility can only confirm the existence of documented disability, interaction with our office and any reasonable accommodations with the student's permission.

XI. Inquiry and Resolution Procedures for Qualified CSP Students with Disabilities:

The mission is to foster an inclusive environment in which all students have the opportunity to equally participate in the academic experience.

CSP Contacts for inquiries for disability related issues:

Initial Contact: SAS Staff at 651-641-8272 (V) or via email: SAS@csp.edu

504/ADA Compliance Officer (inquiries):

Milissa Orchard

HROrchard@csp.edu

(651) 641-8268

Ries Tower – 9th Floor, Suite 900

Process:

The law is a guide that cannot and does not contemplate all possible situations. It is essential for all parties to understand that reasonable minds may differ in a given situation regarding a student with a disability. Individuals who believe they have been discriminated against, retaliated against and/or denied a reasonable accommodation are encouraged to follow the steps for the inquiry and resolution procedure as outlined below. Due to the fluid nature of such disputes and the need to resolve them expeditiously, students are encouraged to utilize informal procedures prior to using the formal inquiry and resolution procedure.

Students are not required to remedy complaints through internal informal or formal procedures and can contact outside agencies at any time.

A. Informal and Internal Inquiry and Resolution Procedure

The University encourages the use of informal inquiry and resolution procedures to resolve any conflicts. This process allows for more flexibility and will, in most cases, result in the fastest resolution to any conflict. **Students who have a concern about the SAS office or its staff should contact the 504 Coordinator directly.**

Informal Complaint Steps:

1) The student expresses concerns to SAS Director in writing (a formal email from the student's CSP account). The SAS Director will meet with the student to resolve concerns about accommodations. This meeting will take place within 7 school days of the written inquiry (schedules dependent, but every reasonable effort is made to coordinate the meeting within that timeframe).

2) During this meeting, the student inquiry will be discussed and any possible resolutions. Case note records are taking during this meeting. If the student remains concerned or feels additional follow up is required for resolution, progression to Step 3 will follow: All necessary information will be collected in order to make a determination regarding the inquiry. If necessary and/or beneficial, the Director will meet with all parties involved to reach an appropriate resolution.

3) Upon collection of all relevant information and discussion/final meeting with the appropriate parties, the SAS Director will issue an email. This memorandum will be issued to the all parties involved student within 7 school days of this meeting.

4) Upon receiving the SAS Director Memorandum, the student may:

- Accept the findings of the SAS Director, or
- Accept the finding of the SAS Director in part and seek to have the findings modified through a second meeting, or
- Reject the findings of the SAS Director and continue on through the formal process.

B. Formal and Internal Inquiry and Resolution Procedure

The formal inquiry and resolution procedure is more involved and requires a greater level of documentation than the informal process. The formal process is an avenue a student can access if he/she wants to appeal the findings made in the informal inquiry and resolution procedure, or if the student prefers to bypass meeting with the SAS Director.

- 1) The student will file a formal inquiry and resolution procedure with the ADA/Section 504 Compliance Officer (whose role is to handle official inquiries), via formal letter or by completing the online inquiry and resolution form.

https://cm.maxient.com/reportingform.php?ConcordiaUnivStPaul&layout_id=4

The report should state clearly the grounds for the inquiry. It should also clearly identify the disability issues involved, including names, dates, and witnesses and any actions taken to date.

- 2) The ADA/Section 504 Compliance Officer upon receipt of the letter, will then notify the involved university employee(s) that a formal inquiry, based on disability discrimination, has been filed. The Vice President for Academic Affairs will also be notified that a formal inquiry has been filed if this involves a faculty/instructional staff, and Human Resources for other staff members.
- 3) The ADA/Section 504 Compliance Officer will coordinate a formal meeting with all parties within 14 school days of the inquiry (scheduling dependent, but as soon as possible to this timeline). All parties involved may present evidence and testimony regarding the concerns of the student. Students should be aware that when a formal inquiry is filed, faculty/staff members have a right to respond to an inquiry or be present at any meetings.

Any participant in this formal meeting is welcome to bring one support individual, but legal counsel for any parties at this meeting will be declined at this step.

- 4) The meeting will be recorded and maintained for two years; therefore, individual recordings are prohibited.
- 5) All parties will have a chance to talk, discuss their concerns and respond accordingly in order to resolve the concern or work out a reasonable alternative.
- 6) It is anticipated that this formal process will resolve the inquiry and a reasonable solution will be determined. The ADA/504 Coordinator will send a formal memorandum (email) to all parties outlining this resolution and any remedies within 72 hours (or three full school days), of this meeting.
- 7) If it is found that the University and/or its employee(s) has engaged in discriminatory activities or failed to provide reasonable accommodations, the 504/ADA Coordinator will make directives with appropriate offices (including department chairs Deans or HR) to correct the situation.

The decisions that result from a formal inquiry and resolution procedure can be appealed by using the Appeal Procedure outlined below.

C. Appeal Procedure

The student complainant will decide if the matter has been resolved by the formal inquiry and resolution procedure or if he/she wishes to appeal that decision. If the matter is to be appealed, the following applies:

- The student's appeal will be heard by the University's Educational Concerns Committee. The Educational Concerns Committee is a joint committee of faculty and students. For additional information on the role of this group, please refer to the **Educational Concerns Committee** section.
- The ADA/Section 504 Compliance Officer will disseminate notice of the meeting and of any decisions by the committee and will be responsible for correspondence with the student.
- The ADA/Section 504 Compliance Officer may also be present at the Educational Concerns Committee during the proceeding, but will not be involved in the issuance of a final decision.

CAMPUS HOUSING POLICIES

The Residence Hall Housing Agreement 2022-2023

Concordia University and the Concordia student recognize that living in the residence hall should be an environment where the student benefits academically, socially, personally and spiritually. In this joint endeavor Concordia and the Concordia student strive to establish and maintain an environment that is safe, pleasant and wholesome for the entire Concordia community. To this end, the Concordia student refrains from any actions that abuse or endanger people, property or the academic enterprise. The Concordia student should strive to be a positive and helping influence in this community. The University complies with all federal legislation regarding employment, and the Human Resources Department serves as the key facilitator of compliance. The Human Resources Director facilitates compliance and accommodation for the diversity needs of students and all legislation governing diversity, including Title IX. The University's Senior Vice President and Chief Operating Officer oversees and ensures compliance with accessibility issues related to the Americans with Disabilities Act. The University maintains an office for Student Accessibility Services, which facilitates meeting the classroom and lifestyle needs of students with disabilities.

Students who choose to live in the residence halls understand that they are at risk of contracting a communicable or infectious disease. By choosing to stay in the residence halls for the period designated herein, residents assume the risk of contracting a communicable or infectious disease from other residents, other users, or other sources. Residents agree to waive any claims or demands against Concordia University and its agents, employees, or servants, for damages, arising from contracting a communicable or infectious disease while residing on campus.

1. This Agreement is for the 2022-2023 academic year or balance thereof and Summer 2023. By completing and signing the Housing Application the terms and conditions of this Agreement are accepted by the student. The University reserves the right to amend this agreement. The most up-to-date copy is available upon request.

2. Eligibility. Enrolled full time students in good standing are eligible for a residence hall assignment. PSEO students and high school graduates who are not 18 years old by the end of fall semester are normally not eligible for a residence hall assignment, must petition to live on-campus, and on-campus housing is not guaranteed. Mary and Martha Halls will not be given new assignments this term. The university reserves the right to refuse any application. Students living in residence halls are expected to live independently and be able to complete daily living. Students needing accommodations must meet with Student Accessibility Services.

A. In situations where the University believes that emergency or medical assessment and/or intervention is required, it is the student's responsibility to pay for any charges related to the assessment or intervention (including, but not limited to hospitalization, transportation, follow up assessments/care and treatment).

B. Students who may need assistance in an emergency evacuation due to medication, anxiety, or injury must notify Student Accessibility Services and Residence Life for accommodations.

C. Students are expected to follow all local, state and federal guidance/mandates.

D. To be eligible for summer housing, students need a university-related purpose to be on-campus (i.e. athletics, on-campus work, enrolled in classes).

3. Down Payment. Each returning student resident must annually submit a \$125 housing down payment for the academic year and a \$50 down payment for summer. The down payment will be applied to the student account for the first semester of housing. Down payments are non-refundable after June 1. Housing assignments will not be made without a down payment. New first-year and transfer students do not need to submit the down payment.

4. Term of Agreement. The housing agreement is for the academic year, fall and spring semester, or balance thereof and for the summer following. Room and board charges include a meal plan through the University's food service, Sodexo. A meal plan is not included during the summer. Mary and Martha Hall residents are not required to be on a meal plan.

Fall Semester:

-Move-in Dates:

- September 1, 2022 for all new students (first-year and transfer)

- September 4, 2022 for all returning students

Each resident will be notified via email or mail of their move-in time and location.

*Residents wishing to move in early must complete the Request for Early Arrival Form. Additional charges may apply for non-university related reasons for moving in.

-Closing Date: December 21, 2022 at 7pm - All residents in Luther and Wollaeger Halls must be out of the residence hall by this time. Holst, Hyatt, Mary and Martha residents are allowed to remain in their room over break, but must sign up for break housing.

Spring Semester:

-Luther and Wollaeger will reopen with permission – January 2, 2023.

- All halls open/Move-in for new students: January 6, 2023.

- Closing Date: May 3, 2023 at 5pm – All on-campus residents must be checked out of their residence hall room. *Exceptions are made for those participating in the graduation ceremonies, athletes needing stay for in season, and summer residents. All extensions must sign up for housing extensions.*

Summer Semester:

- Students wishing to stay for summer must have a University-related reason to live on campus. A separate application will need to be submitted for summer housing.

5. Cancellation/Release. This agreement obligates the resident for the entire academic year. Residents may cancel their application without penalty if notice is received by June 1 prior to fall semester start. New residents must contact the Office of Admission. Returning students must provide written notice to the Residence Life office. Notice of cancelation after June 1 for fall semester will result in the forfeit of the down payment.

Fall Semester Cancellation: A fee is charged for canceling this agreement once the resident has moved in to the residence hall prior to the refund date. The cancellation fee is based on the date the cancellation request is received and/or date student moves out.

August 1 – August 22 - \$300 plus down payment

August 23 – September 7 - \$500 plus down payment

Spring Semester Cancellation: A fee is charged for canceling this agreement at the end of fall semester. The cancellation fee is based on the date the cancellation request is received.

Request received by Nov. 15 \$200 cancellation fee

Received Nov. 16- Dec. 15 \$300 cancellation fee

Received after Dec. 16 \$400 cancellation fee

No penalty is imposed if the request and supporting documentation is received by November 15 prior to spring semester for the following reasons: a) graduation; b) study abroad; c) Concordia University System simultaneous enrollment; d) internship; e) student teaching; f) marriage during the semester; g) leave of absence or withdrawal from the University.

Cancellation the first day of classes or later due to withdrawal from the University and getting card activated will result in cancellation charges and forfeiture of the down payment.

A resident who separates from the University must complete the University Withdrawal form. If a student chooses to cancel their housing assignment once classes began, they must notify Residence Life. The resident is to vacate University housing, deactivate card, return keys (if assigned), and cease using food service within 48 hours or less. Charges will be determined by the last day of residence, the return of residence hall keys, and/or check out of the residence hall. This date may be later than the last date of class attendance for those students who withdraw from the University.

Refund Schedule for Traditional Students Withdrawing from the University or University Housing

- 100% refund before the start of the sixth business day of the term
- 75% refund before the start 11th business day of the term
- 50% refund before the start of the 16th business day of the term
- 25% refund before the start of the 21st business day of the term
- 0% refund on or after the 21st business day of the term

If the University should be forced to shut down a residence hall and/or dining services due to fire, pandemic concerns or other means, the University will place a refund on residents' accounts.

Housing Refund Schedule for Residents when the University closes the Residence Halls

The University's goal is to have the residence halls remain open even if classes are moved to a fully on-line format. There are 16 weeks in each semester. Should the University have to close a residence hall and students must move out, refunds will be placed on accounts based on the week it is in the semester. No additional refunds for partial weeks will be given.

Dining Refund Schedule for Residents when the University closes the Residence Halls

Dining refunds will be based on the meal plan and the amount that should be used based on the amount a student should use each week. If less than this amount is left, no refunds will be given. If more is left, there will be a refund given to equal this amount.

6. Personal preference and/or economic status are not criteria for modifying this agreement. These issues are addressed through the Student Policies Committee, the Dean of Student's Office and the Financial Aid office. The resident remains bound by this agreement for charges until a modification has been approved in writing by Residence Life.

7. A Room or Apartment Condition Report is to be completed by the resident and approved by the RA within the first 48 hours of occupancy. Failure to complete the condition report relinquishes a resident's ability to appeal any damage or cleaning charges at check-out. The Report is used in "checking out" a resident at the end of occupancy under the direction of the Residence Life staff. Damage to the room, apartment, or its equipment subsequent to moving out will be charged to the room occupant(s). Residents are also responsible for checking out with an RA, cleaning the room/apartment, and removing all trash. Failure to do so will result in fines. Any abandoned items will be disposed of and the resident may be charged a disposal fee. Final damage and cleaning fines will be made by the Residence Life professional staff.

8. Card access is available on the first day of occupancy. Residents who lose or have their University ID stolen must report the loss to Card Services and/or Security within 48 hours. Failure to report lost or stolen University ID may result in disciplinary action. Possession of unauthorized card access and/or the sharing of University ID and card access is forbidden and will result in disciplinary action.

Residents are to carry their Student ID with them at all times. Residents who lock themselves out of their room must contact their RA or Security. Lock-outs will result in a \$5 charge to your student account and may result in additional disciplinary sanctions and/or fines.

9. In accordance with University policy, first and second year students are required to live in university-owned housing. First- and second-year is defined as the first and second full-time academic year in which the student enrolls. PSEO does not count towards full-time enrollment. A petition form must be filled out by any first- or second-year student not wishing to live on-campus. Exceptions to this policy include enrollment in less than 12 credits, living with parent/guardian, 21+ years of age, married, or students with dependents. Petitions can be found in the Student Life Office and online.

10. The resident agrees to meet the deadline for payment of all fees due the University as specified in the Catalog and/or on billings. Failure to do so may result in the loss of on-campus housing.

11. The resident agrees to abide by all University policies, rules and regulations as outlined in the Student Policies Handbook and Academic Catalog. Residential students should specifically note that:

a. smoking (tobacco, narcotics, and synthetics, vaporizers, e-cigarettes) is not allowed in any residence hall. This applies to all interior space including rooms, lounges, corridors, and stairwells;

b. alcohol, narcotics, and controlled substances are prohibited. Alcohol is permitted in Holst, Mary and Martha Halls on a privilege basis. Empty alcohol containers are not allowed in any residence hall, even when used for decorations. See the Student Policies Handbook for more information and the full Alcohol Policy.

c. possession of firearms or other weapons*, explosives, fireworks or dangerous chemicals on University premises is prohibited.

*Weapons include, but are not limited to lasers, stun guns, pellet guns, air soft guns, and/or any knife (other than an ordinary pocketknife carried in a closed position, with a blade of three inches or less or cutlery of a reasonable size, when used in a kitchen or other food preparation).

12. Guests of the opposite gender may be invited into residence hall rooms only within established visitation hours for that hall. Visitation hours for Luther and Wollaeger Halls and Hyatt Village are 10 a.m. to 12 midnight Sunday-Thursday and 10a.m. – 1a.m. Friday-Saturday. Holst, Mary and Martha Halls do not have set visitation hours; however, guests of the opposite gender are not allowed to spend the night. The following locations are 24-hour lounges: Luther Lounge near the main 2nd floor entry, Wollaeger 2nd and 3rd floor main lounges, Hyatt B11, Hyatt pod lounges, and the Holst Hall lobby areas.

13. In Luther and Wollaeger Halls and Hyatt Village in-room resident use of sound systems, televisions, coffee pots, small refrigerators (4 cu. ft. or less) and the like is permitted. The use of refrigerators larger than 4 cu. ft., electric heaters, microwave ovens, toaster ovens, hot plates, grilling machines, window air conditioning units and the like are not permitted in any residence hall. The University provides microwave ovens for student use. St. Paul city ordinances prohibit food preparation in residence hall sleeping rooms.

Holst, Mary and Martha Hall apartments are furnished with a stove, microwave oven and refrigerator. Cooking is permitted in the kitchen area and cooking appliances such as toasters may be used in the kitchens. Students responsible for activation of fire safety systems due to negligent cooking and or

negligent use of kitchen appliances will be subject to judicial consequences. Personal refrigerators, electric heaters and hot plates are not permitted in Holst, Mary and Martha Halls.

All appliances should be turned off or unplugged when not in use.

14. In Holst, Hyatt, Luther and Wollaeger, the University provides each resident with a bed, mattress, desk, desk chair, closet and dresser space, and the room with window coverings. In addition, Holst Hall apartments are provided with living room furniture, dining table and chairs. Furnishings are not to be removed from the room or apartment in any residence hall. Personal beds are not permitted in the residence halls unless it is an approved accommodation through Student Accessibility Services.

The University does not furnish Mary or Martha apartments.

All Residence Halls are provided with washers and dryers at no additional cost.

15. The resident will furnish all bed linens (extra-long twin), personal towels, blankets, and pillows.

16. The resident agrees to keep the room clean and tastefully decorated. Equipment and furnishings must be kept in good repair. Students should clean up after themselves in the common areas of the building.

Garbage and refuse must be promptly taken by the resident to the proper receptacle designated for that purpose. Leaving garbage in the hallway or other common areas may result in an individual or collective fine or other sanctions. Personal trash and recycling should be taken outside to the appropriate receptacle.

No painting or wall repair is to be done. Tape and/or nails should not be used to hang pictures.

Decorations and other items may not be hung from the suspended ceiling or sprinkler heads. For safety and security purposes, decorations, signs and other items that may block views may not be placed in or hung from windows. No political signs may face a polling location. Rope lights are not allowed in any residence halls.

17. The resident may not keep or bring pets other than fish anywhere in the residence hall. Aquariums may be no larger than 10 gallons. Modifications to this policy for individuals requiring the use of a service or emotional support animal will be considered on a case by case basis. Please contact Student Accessibility Services.

18. Room changes cannot take place without the prior approval of the Residence Life professional staff. Changes made without the proper authorization will result in disciplinary action and those involved may be required to move back to their assigned room.

19. The resident must take part in all fire drills and severe weather drills and must not tamper with or disable any fire safety equipment. Such equipment includes but is not limited to smoke detectors, carbon monoxide detectors, fire extinguishers, exit signs, door closers and sprinkling systems. Tampering with or disabling fire equipment will result in judicial sanction.

20. The resident is expected to attend routine and special meetings called by the RA and is encouraged to take part in the social, recreational, and devotional activities arranged for members of the living unit.

21. If a student is hospitalized for any reason (illness, surgery, mental health, injury, etc) a release to come back to campus and class is requested from the doctor. It is the student's responsibility to turn in the form to Student Accessibility Services.

22. All residents are expected to check-out following the guidance given by Residence Life staff when moving out of their residence hall. All personal belongings should be out of the room and the room should be clean. Failure to follow check-out guidelines will result in an improper check-out fine of \$50 and forfeits the ability to appeal any additional charges. Any personal belongings left in the room will be disposed of and the resident may be charged a disposal fee. Residents will also be charged a cleaning fee if the room is not clean. Damages that cannot be assessed to one person will be split amongst all roommates.

23. Screens and glass inserts are not to be removed from windows.

24. The University lounge and common area furniture are for the use of all residents. Residents may not move furniture from a lounge area to their room.

25. Residents are responsible for their guests and their actions. Guests are to be escorted by a host resident at all times. Guests should not be left unattended. A guest is any person not assigned to live in the room or apartment. Roommate(s) must agree with the guest being in the room.

In accordance with St. Paul fire code, the total number of people allowed in each residence hall room:

Hyatt Village – 6 (double)

Luther Hall – 6 (double)

Wollaeger Hall – 6 (double); 9 (triple)

Holst Hall – 12 (4-bedroom); 6 (2-bedroom); 3 (studio)

Mary and Martha Halls – 6 (1-bedroom)

26. Opposite gender guests are not permitted to stay over-night in the residence halls. The resident is to inform the RA if he/she intends to host a guest. Not more than two guests may stay up to three consecutive nights, or a total of 10 days per semester. Roommate(s) must approve of the guest staying over.

27. Appropriate dress is to be worn at all times in residence halls common areas. These areas include lounges, stairwells, entryways, laundry rooms, etc. Inappropriate dress is such that the attire could be considered provocative or would make others uncomfortable in your presence.

28. Guests are not permitted to use the shower in the bathroom of any room, suite, apartment, or building occupied by students of the opposite gender. Guests of the opposite gender visiting Luther and Wollaeger Halls should use the designated guest bathroom as they are not permitted to use the designated resident bathroom.

29. In case of prolonged absence from the residence hall, with approval in advance from the Residence Life Professional, a pro-rated weekly charge may be assessed, and appropriate credit authorized. The amount of credit is determined by a Residence Life Professional.

30. Unusual furnishings and modifications to the room must be approved by the Residence Life Professional. The University reserves the right to make the final determination regarding whether or not such modifications are appropriate, and if determined inappropriate, the resident will be required to remove such furnishings and modifications. No part of the building other than the floor may be used for structural support of a loft.

31. Entry and Search of Rooms

The University recognizes residents' desire for privacy, particularly in the context of their living situation, and will do all it can to protect and guarantee their privacy. However, the University's designated staff member reserves the right to enter a resident's room at any time for the following purposes:

- a. To determine compliance with all relevant health and safety regulations (e.g. fire alarms, lock downs, health and safety checks, etc.),
- b. To provide cleaning and/or pest control,
- c. To conduct an inventory of or search for missing University property,
- d. To silence unattended loud alarms and music,
- e. Where there is an indication of danger to life, health, and/or property,
- f. Where there is a reasonable suspicion to believe that a violation of University policies is occurring,
- g. To perform maintenance work. For most maintenance concerns, prior notice will be given whenever possible.

A room search by a designated staff member is possible but rare. For such a search to take place, the conditions for room entry must exist, and permission from the Residence Life Professional or a designee must be obtained. Items that violate university or housing regulations may be confiscated. A room search by law enforcement officials must be accomplished through the use of a valid search warrant, or the student may sign a release (or give verbal permission) to allow the room to be searched by law enforcement.

Failure to admit authorized individuals investigating probable violations in a timely manner obstructs the University's attempt to provide an orderly, safe living environment and is considered a serious breach of this agreement.

32. The University accepts no responsibility for personal items which may be lost, stolen, or damaged (including normal wear and tear). The University urges the resident to arrange for adequate insurance of personal property.

33. The University holds residents responsible for University property entrusted to their individual and collective care. Residents will be charged, individually when identifiable, or collectively in the alternative, for excessive cleaning, replacement or repair of University property lost, stolen, or damaged.

34. While every effort will be made to grant student preferences for roommate, hall, and room choices, the University reserves the right to make the final determinations. The University reserves the right to reassign if deemed necessary or desirable.

35. If space is available, Luther and Wollaeger Halls and Hyatt Village residents may request a single room. Additional charges will apply.

There are a limited number of studio and two-bedroom apartments available in Holst Hall. An additional charge of \$1,400 is assessed per semester to those whose request is granted. Interested residents should request the room at the time of application. Residents who request but are not assigned a studio or two-bedroom apartment may be placed on a waiting list.

36. If one resident vacates a room, the remaining resident agrees to accept another roommate, or to move to another room, if requested. The resident may request to remain in his or her room without a roommate by paying the additional charge for a single room.

37. Factors of race, color, or national origin will not be considered in making hall, room, or roommate assignments.

38. Requests for specifically named roommates must be reciprocal and received before the room assignment has been made.
39. Violation of any University policy or regulation, or any conduct deemed to be such as to require removal (e.g. danger to self or others) of the resident from the residence hall, shall be grounds for the termination of this agreement and could also lead to disciplinary action, including the loss of rights and privileges (e.g., visitation rights), disciplinary probation, and/or the loss of the privilege of living in University housing.
40. Residence halls are for residential purposes only. Residents may not conduct business or other activities inconsistent with this purpose.
- Students should not use their CSP email address or residence hall apartment information for conducting business. CSP should in no way be mentioned with the business.
 - Students may not sublet their residence hall room/apartment.
 - Students should not host or conduct meetings, gatherings, or other means of selling product out of a residence hall room/apartment.
 - Students should only store items in their room as long as they have the OK of their roommate(s) and the product does not take up a large portion of the common area(s) in the room/apartment.
 - If students wish to host or conduct meetings, gatherings, or other means of selling product they should request the reservation of a room on campus using the FER application on CSP Blackboard.
41. For fire safety reasons halogen lamps, candles and incense are not permitted.
42. In accordance with St. Paul city ordinance, any adapter or power strip used must be both UL approved and surge protected. Connecting power strips together is prohibited. Only one adapter may be plugged in per outlet.
43. The University provides cable television, online streaming and wireless internet to residents of Holst, Hyatt, Luther and Wollaeger Halls.
44. 'Sports' (including but not limited to throwing Frisbee, football, kicking soccer ball, playing hockey, riding bike, skateboarding, using drones, hoverboards, etc.) may not be played inside a residence hall (rooms, stairways, hallways, lounges, etc.). In addition, it is against University policy to store hoverboards on campus.
45. Student storage space is not available in the residence halls. Mary and Martha Halls have a storage area in the laundry room for residents and storage assignments will be made upon your check in with a Residence Life staff member.
46. The resident is not to permit anyone into the residence hall unless that person is his/her guest.
47. Residents are not allowed to prop open entry or wing doors. Students may choose to prop their residence hall room door, but should not leave it unattended.
48. The use of live or resin-bearing Christmas trees or wreaths is not permitted in the residence halls. Christmas/holiday lights may only be used from November 1st until the halls close for Christmas break, may not be strung over ceiling grids or hung from the ceiling, and must be turned off when unattended. Decorations may not cover exit or emergency signs, or fire extinguishers. All Christmas decorations must be taken down before the Christmas break. No other holiday or decorative (ropes, strands, etc.) lights may be used at other times throughout the year.

49. Quiet hours for all halls are Sunday –Thursday 10 p.m. – 9 a.m. and Friday-Saturday 12 midnight – 10 a.m. During these hours music, voices, etc are to be contained within the room or apartment. Courtesy hours are always in place and noise levels need to be kept at a reasonable level.

50. Bicycles may only be stored in student rooms or on provided racks. Bicycles may not be left in common areas or chained to stairwells, lights poles and the like.

51. Ceilings may not be tampered with. Residents may not hang anything from ceilings in any Residence Hall. Drop ceiling tiles should not be moved for any reason.

52. Hookahs and are not permitted in the Residence Halls. No smoking of any kind is allowed in the Residence Halls. See the University Smoking Policy for more information.

53. For information about Concordia's food service contract please check the Dining Services website for up-to-date schedules and options. Luther, Wollaeger and Hyatt residents are required to have the full meal plan. Holst residents can choose to opt out, have the Holst meal plan, or upgrade to the full meal plan. Meal plan flex points are not refunded and do not carry over from semester to semester.

54. Residence Life will abide by all federal, state, local and university guidance for health and safety concerns. Residence Life has the right to place additional restrictions throughout the year as needed to follow said guidance.

ALCOHOL IN RESIDENCE HALLS

Each member of the University community must make a personal decision whether or not to drink alcohol. The choice not to drink is an entirely acceptable one. The choice to drink carries with it the obligation to drink responsibly. The University has clear guidelines and definitions for students regarding alcohol consumption. In *Holst Hall and the campus apartments*, the privileges to drink are clearly defined by the state and federal laws regarding the consumption of alcohol and the University's alcohol policies. Luther Hall, Wollaeger Hall, and Hyatt Village are "dry" halls, meaning no alcohol is allowed in the hall despite the age of the resident. Residents of Holst Hall, Mary Hall, and Martha Hall may have alcohol in their rooms on a privilege basis. Any Concordia student 21 years of age or older may drink in Holst Hall, Mary Hall, and Martha Hall, however, s/he must follow Concordia's Alcohol Policy and fill out the application and be approved for alcohol privileges.

Concordia University complies with the laws of the State of Minnesota. Important parts are those summarized below:

- No person may sell, furnish, or give any alcoholic beverage to a person under the age of 21, and no person under the age of 21 may purchase alcoholic beverages. (Reference: Minnesota Alcoholic Beverage Control Act, Section 25658)
- It is unlawful for a person under the age of 21 to possess alcoholic beverages on any street or highway or in any public place or in any place open to public view. (Reference: Minnesota Alcoholic Beverage Control Act, Section 25662)

The University further specifies:

- a. **Eligible Act** – All residents and their guests must be 21 years of age to possess, transport, store, or consume alcohol. Storage of alcohol in a room where a minor resides is prohibited.
 1. Students wishing to receive alcohol privileges must successfully complete a quiz on CSP's alcohol policy.
 2. Students must reapply for privileges each academic year.
- b. **Eligible Use in "Wet" Rooms Only** – Students who make the choice to consume alcohol and wish to do so on-campus must adhere to the following guidelines:
 1. Only persons 21 years of age or older are allowed to consume alcoholic beverages on campus.
 2. Students must have privileges prior to possessing or consuming alcohol in their room. Approved applicants information is kept in a shared document between Residence Life, Security, and Judicial Affairs. Drinking privileges must be renewed yearly. Those who

- possess, store or consume alcohol before their drinking privileges have been approved or renewed will be in violation of policy.
3. Those with drinking privileges may consume alcohol in “wet” rooms only. A “wet” room is defined as any room in which all residents of that apartment are of legal drinking age and have received on-campus alcohol privileges. Any Concordia student in the room must also have alcohol privileges. All those present must adhere to policies governing noise and other common courtesies. The apartment door must be closed and alcohol must be consumed in a manner that does not disturb surrounding residents’ rooms. Alcohol consumption is not permitted in any public areas within the University. Alcohol is not allowed in Luther Hall, Wollaeger Hall, or Hyatt Village despite the age of the residents.
 4. All individuals in a “wet” room must have a University ID if a Concordia student and a valid, state-issued ID if not a student.
- c. **Open Containers** – No one, regardless of age, may have an open container of alcohol (e.g. can, cup, bottle) in a public area (including grounds, parking lots, hallways, lounges, fitness room, mail room, etc) at any time.
 - d. **Common Sources of Alcohol** – Kegs (including those which are empty or untapped), party balls, bulk sources of alcohol, or any item used to facilitate the rapid consumption or distribution of alcohol is not permitted. Alcohol may not be manufactured or produced.
 - e. **Personal and Guest Behavior** – Obvious intoxication is not appropriate in the University community. The consumption of an intoxicating beverage is not considered an excuse for irresponsible behavior. Individual residents are responsible for their own actions as well as the actions of their guest(s).
 - f. **Irresponsible Drinking and Excessive Use** – Irresponsible drinking on or off campus, especially when it directly affects the individual and members of the Concordia University community, will not be tolerated. Those of legal drinking age are reminded to act responsibly when drinking. Individuals should not “protect” severely intoxicated individuals from coming to the attention of University staff or emergency personnel. A person or group who fails to seek assistance for an individual suffering from severe intoxication may be subject to judicial action.
 - g. **Providing Alcohol to Minors** – Providing alcohol to minors is a serious breach of state law and University policy. Students who are found to have provided alcohol to minors, including hosting alcohol parties with or for underage individuals, will face disciplinary sanctions.
 - h. **Alcohol Confiscation** –Security may confiscate the alcohol containers if the possession of alcoholic beverages is in violation of state law and/or University policy.
 - i. **Safety** – The inability to exercise care for one’s own safety or the safety of others due in whole or part to alcohol consumption is considered a violation of policy.
 - j. **Collections/Displays** – Alcohol container collections and/or displays (empty or unopened) are not permitted.

ALCOHOL AND OTHER DRUG POLICIES IN RESIDENCE HALLS — LIABILITY AND ENFORCEMENT

- A. The presence of alcohol or alcoholic beverage containers in a room may subject all persons in the room as well as residents of the room to disciplinary consequences.
- B. People under the influence of alcohol will be held responsible for their actions.
- C. Violators are to be brought to the attention of the Judicial Advisor (if in the residence halls, by the RA’s or security staff).
- D. If there are damages, restitution must be made.
- E. Violations shall be reviewed by the Judicial Affairs/Student Conduct.
- F. Parents of dependent students may be contacted as a result of the student’s breach of alcohol policies.
- G. RAs can and are willing to provide information and resources regarding the impact of using either legal chemicals or controlled substances.

BREAK PERIODS

The schedule of the opening and closing dates for the residence halls and the start and stop dates for food service are published annually the dining services website. Luther and Wollaeger Halls close for breaks of more than one week during the academic year. During the time the halls are closed, card access for residents is de-activated and residents will not be able to enter the hall. Residents of Holst, Mary and Martha Halls and Hyatt Village are permitted to stay in their apartment at no additional cost. These residents must sign-up for break housing.

Residents who wish to stay on campus for part or all of a break period when the halls are open must register their intent to stay with the Residence Life staff.

EARLY RETURN OR ARRIVAL

Students are not permitted to move into campus housing earlier than the dates and times published in the housing agreement and assignment letters for new and returning students. Access to rooms is restricted at certain times and students are not to be in any building where they are not authorized.

If the Director of Residence Life determines that it is in the best interest of the University that the student returns early, there is no additional charge or assessment to the student who stays in their regular room. All rules, policies and guidelines remain fully in force during non-academic periods.

SALES AND SOLICITATION

Entrance to residence halls is restricted to residents and their guests. Solicitation in University housing is forbidden, unless approved by the Director of Residence Life.

MISSING STUDENT POLICY

The purpose of this policy is to establish procedures for the University's response to reports of a missing student, as required by the Higher Education Opportunity Act of 2008. This policy applies to students who reside in University operated residence halls, apartment building and houses.

For purposes of this policy it is important to define "*missing student*". A student may be considered to be a "*missing student*" if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, possible victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with persons who may endanger the student's welfare.

A. Procedures for designation of emergency contact information

1. Students age 18 and above and emancipated minors.

Residential students will be given the opportunity upon check-in to a University operated residence hall/apartment/house, to designate an individual or individuals to be the emergency contact for the student. In addition, all students are required to update their emergency contact information each semester. The most current emergency contact will be used. This emergency contact will be contacted by the University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below.

2. Students under the age of 18.

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the University is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

B. Official notification procedures for missing students

1. Any individual who has information that a student may be missing must notify the Security Department as soon as possible. Note: In order to avoid jurisdictional conflicts when an off-campus and/or commuter student is believed to be missing, the Security Department will immediately notify local law enforcement authorities. The Security Department will assist external authorities with these investigations as requested.

2. The Security Department will work with campus offices, the reporting person(s) and the student's acquaintances to gather all essential information about the student (i.e. description, clothes last worn, where student might be, who student might be with, vehicle description, information about the student's physical and mental well-being, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.

3. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student may be endangered (e.g., witnessed abduction), the Security Department will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation.

4. No later than 24 hours after determining that a student is missing, the Dean of Students, or designee, will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

5. For missing students who are 18 years of age or older, and did not designate an individual to be contacted, the Dean of Students will act in accordance with FERPA and Minnesota Government Data Privacy guidelines with regard to contacting a parent/guardian.

C. Campus communications about missing students

In cases involving missing persons, law enforcement personnel are trained to provide information to the media in a manner designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the University Office. All inquiries to the University regarding missing students, or information provided to any individual at the University about a missing student, shall be referred to the Media Relations Office, who shall refer such inquiries and information to law enforcement authorities. Prior to providing the University community with any information about a missing student, the University Crisis Response Team will strive to ensure that communications comply with FERPA and Minnesota Government Data Privacy guidelines and do not hinder the investigation.

RESIDENT RIGHTS AND RESPONSIBILITIES

Concordia seeks to prepare students for thoughtful and informed living. It proposes to provide integrated learning experiences in which the student shares with the faculty and staff the responsibility for the student's own intellectual, social, emotional and spiritual growth. To help achieve this, the student has certain rights and responsibilities. Among these are:

| <i>Rights:</i> | <i>Responsibilities:</i> |
|---|---|
| The right of residence students to read, study, or sleep free from undue interference in and around one's room. | The responsibility to control noise and distractions that inhibit the exercise of study or sleep by another person. |
| The right to recreation in or around the residence hall. | The responsibility to modify recreation so that it does not interfere with the rights of others or cause damage. |

| | |
|---|---|
| The right to personal privacy. | The responsibility on the part of the University to maintain such an environment and for students to assist in this effort. |
| The right to a physical environment that is clean, healthy, safe and orderly. | The responsibility for the University to maintain such an environment and for students to assist in this effort. |
| The right to recourse according to prescribed judicial procedures against anyone who infringes on one's rights or property. | The responsibility to conduct oneself in a manner that does not infringe on the rights of others and to initiate action should the circumstances warrant. |
| The right to participate in the process of self-governance. | The responsibility to be active in the process to insure the voicing of one's opinions and ideas. |

PARKING POLICIES FOR STUDENTS

- A. The University parking policy requires that all motor vehicles that park in any of the campus parking facilities be registered with the Security Department. Vehicles parked in the University's lots must have a Concordia University Parking Permit properly attached to the rear view mirror, facing the windshield. The following information will be needed to receive a **free** parking permit: a CSP ID, vehicle plate number, model and make of the vehicle, and contact information. Students interested in a permit, should register at: parkingpermit.csp.edu and then go to the Security Department located in Meyer Hall room 124 to obtain the parking permit.
- B. Permits are not transferable, and separate permits must be obtained for each vehicle registered.
- C. Guests can receive a temporary parking permit, available at the Security Office.

D. Motorcycles and motorized vehicles are limited to city streets and are not to be driven on sidewalks or parked at the entrance of buildings.

E. Violations of the University's parking policy can result in the ticketing and/or towing of the vehicle. The University reserves the right to tow any vehicle which obstructs emergency services or has been ticketed three or more times. All towing and storage fees are the sole responsibility of the vehicle driver/owner.

F. Students who show contempt for parking regulations are subject to the disciplinary review system as set forth in the Student Code of Conduct.

G. An alleged violator of a University parking regulation, who has been issued a ticket for a monetary fine, may appeal the ticket. The appeal must be made in writing and must indicate the reason(s) for the appeal. Appeal forms can be obtained from the security office. Appeals must be received by the Security Department within five business days of the receipt of the ticket. **All decisions made by the Director of Security are final.** If the appeal is granted, the ticket may be reduced or voided.

H. Special signed parking areas are reserved for the individuals specified on the sign and should not be used by registered vehicles unless prior approval has been given by the Security Department. Handicapped/Disabled parking is available on campus. Only State handicapped parking permits and a valid University parking permit are required to park in these spaces. The Security Department does not provide handicapped parking permits.

I. Parking tickets can be paid at the cashier's window located in the Poehler Administration Building. Unpaid parking tickets will be posted to student accounts a minimum of one time per semester.

J. The University does not control St. Paul City streets. Students are encouraged to sign up for the City of St. Paul snow emergency notifications so that during the winter months they will be informed of the Snow Emergency Routes and their plowing schedule. Lot D can be used for parking during snow emergencies. It is your responsibility to be aware of any city parking restrictions.

K. Lot closures will be communicated to students through signage, posted in appropriate areas on campus and the entrance and exits of the lot being affected. Vehicles not moved by the appropriate closure time will be towed from the lot. All towing and storage fees are the sole responsibility of the vehicle driver/owner.

L. The Concordia ticket/tow policy and parking lot rules are as follows and is based on the academic year, which may be adjusted due to an emergency situation:

1st two weeks of school: A green courtesy notice is placed on all vehicles that are either unregistered or have expired parking permits displayed

1st parking offense: Written warning

2nd parking offense: Written ticket with warning of a tow on the next offense

3rd parking offense: Written ticket and vehicle towed

4th parking offense: Written ticket and vehicle impounded

Note: Each parking ticket issued by Security is \$25, each tow is \$35, and each impound is \$180 or more

Lot A: Faculty and Staff only

Lot B: Faculty, Staff and Visitors only - The Visitors receive day permits from Security or Admissions

Lot C: Open Parking

Lot D: Open Parking – This is the only Campus overnight lot

Lot E: Open Parking

Lot F: Open Parking, with exception to the five parking spots on the west side of the lot which are permanently reserved

Lot G: Open Parking

Lot H: Open Parking

Please visit <https://concordia.csp.edu/security/parking-information/> to review the full CSP parking guide.

STUDENT CODE OF CONDUCT

PURPOSE

Members of a university community share purposes that require mutual respect and trust and a commitment to provide and foster a living and learning environment of mutual responsibility. The university community has a special interest in the prevention of certain modes of conduct which are harmful to the interests of the members of the university community. The office of Judicial Affairs has been established to act to protect the rights of all students. By serving as "prosecutor" in cases of alleged violations of university policies, the senior student life administrator is protecting the rights of the students as a community.

ARTICLE I: DEFINITION OF TERMS

The following definitions of terms apply to their use in this document. The senior student life administrator and/or senior academic administrator is the person designated by the University President to be responsible for the administration of the Student Code.

- The term “Allegation” refers to an official written statement alleging a violation of University Code of Conduct and includes but is not limited to an Official Security Incident Report, Residence Life Incident Reports, and any/or written statement submitted by a member of the University Community.
- The term “Administrative Appeals Board” means any person or persons authorized by the senior student life administrator and/or senior academic administrator to consider an appeal from a Judicial Body’s determination that a student has violated the Student Code or from the sanctions imposed by the Judicial Advisor.
- The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
- The term “faculty member” means any person hired by the University to conduct classroom activities.
- The term “Judicial Advisor” means a University official authorized on a case-by-case basis by the President to impose sanctions upon students found to have violated the Student Code. The President may authorize a Judicial Advisor to serve simultaneously as a Judicial Advisor and the sole member or one of the members of a Judicial Body. Nothing shall prevent the President from authorizing the same Judicial Advisor to impose sanctions in all cases.
- The term “Judicial Body” Refers to one or more Judicial Officers.
- The term “judicial hearing” is a process in which meetings and investigations with involved parties and or witnesses are held and disciplinary outcomes are determined.
- The term —”Judicial Officer” means the University official designated by the Judicial Advisor to investigate reported incidents and impose sanctions.
- The term “may” is used in the permissive sense.
- The term “member of the University community” includes any person who is a student, staff, faculty member, University official or any other person employed by the University. A person’s status in a particular situation shall be determined by the senior student life administrator.
- The term “organization” means any number of persons who have complied with the formal requirements for University recognition.
- The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
- The term “policy” is defined as the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Student Policies Handbook, Residence Hall Agreement and Academic Catalog.
- The term “shall” is used in the imperative sense.
- The term “student” is defined as any person who is admitted, enrolled or registered for study at CSP for any academic period and/or those who may attend other educational institutions and reside in an CSP residence hall or attend CSP classes. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in, CSP are considered “students”. A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, preseason athletic camps, orientation, placement testing, and residence hall check-in.
- The term “University” means Concordia University, St. Paul.
- The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities.
- The term “University premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).

ARTICLE II: JUDICIAL AUTHORITY

- A. The Judicial Advisor shall determine the composition of judicial bodies and Appellate Boards and determine which Judicial Body, Judicial Advisor or Administrative Appeals Board, shall be authorized to hear each case.
- B. The Judicial Advisor shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings, which are not inconsistent with provisions of the Student Code.
- C. Decisions made by a Judicial Body and/or Judicial Advisor shall be final, pending the normal appeal process.
- D. A Judicial Body may be designated as arbiter of disputes within the student community in cases, which do not involve a violation of the Student Code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.

ARTICLE III: PROSCRIBED CONDUCT

A. Jurisdiction of the University

- 1. Generally, University jurisdiction and discipline shall be limited to conduct which occurs on University premises or which adversely affects the University community and/or the pursuit of its objectives. If the University is made aware of an infraction of the Student Code of Conduct off campus, actions may be taken.
- 2. Students are responsible for the violations of their on-campus guests, and for the damages and/or losses caused by their guests.

B. Conduct – Rules and Regulations

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV, Section B:

- 1. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty;
 - b. Furnishing false information to any University official, faculty member or office;
 - c. Forgery, alteration, or misuse of any University document, record, or instrument of identification;
 - d. Tampering with the election of any University-recognized student organization; or
 - e. Unauthorized use of University copy, telephone and computer systems.
 - f. Attempting, aiding, abetting, being an accessory to or failing to report any act prohibited by the University policy shall be considered the same as a completed violation.
- 2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus or other authorized non-University activities, when the act occurs on University premises.
 - a. Non-compliance with reasonable time, place, or manner restrictions on expression is considered a violation of this section. Such activity includes, but is not limited to, behavior in a classroom or instructional program that interferes with the instructor or presenter's ability to conduct the class or program, or the ability of others to profit from the class or program.
 - b. To remain in the vicinity of activity that is disrupting normal University functions when requested to leave by a University official is prohibited. Bystanders, if their presence incites or adds to the disruption, as well as more active participants in the disruptive activity, may be in violation of this policy as well.
 - c. Disruption includes sports and other activities in hallways, stairwells and office areas that is occurring for reasons outside of education. This includes, but is not limited to, bouncing balls, riding bike, skateboarding, etc.
- 3. Actions which result in physical harm, have the potential for physically harming another person, which create conditions that pose a risk of physical harm to another, or which cause reasonable apprehension of physical harm conditions for person is also prohibited. These actions include,

- but are not limited to physical abuse, verbal abuse, threats, intimidation, harassment, coercion, retaliation and/or other conduct which threatens or endangers the health or safety of any person.
4. Attempted or actual of and/or damage to property of the University or property of a member of the University community or other personal or public property. Theft includes seizing, receiving, or concealing property with knowledge that it has been stolen, is prohibited. Sale, possession, or misappropriation of any property or services without the owner's permission is also prohibited.
 5. Hazing, defined as an act which endangers the mental, emotional or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy and/or complicity in the presence of hazing are not neutral acts; they are violations of this policy.
 6. Failure to comply with directions, failure to identify oneself, and/or failure to answer truthfully when addressed by University officials or law enforcement officers acting in performance of their duties.
 7. Unauthorized possession, duplication or use of keys, access cards or access codes to any University premises or unauthorized entry to or use of University premises.
 8. Violation of published University policies, rules or regulations.
 9. Violation of federal, state or local law on University premises or at University sponsored or supervised activities.
 10. Use, under the influence of, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
 - a. NOTE 1: This includes, but is not limited to, the possession or use of illegal drugs or drug paraphernalia (e.g. hookahs, bong, blow tubes, blunts, look-alike drugs). See Note 1 under alcohol regarding.
 - b. NOTE 2: The unauthorized possession, use, manufacture, sale, or distribution of any counterfeit, illegal, dangerous, "designer," or controlled drug or other substance is prohibited. This includes prescription medications. Violating any other provision of the Code of Student Conduct while under the influence of any illegal or illegally obtained drug is also a violation of this policy. The possession of drug paraphernalia is also prohibited. Any dilute, late, missed, forged, or failed university required drug screen will constitute a violation of this policy.
 1. The drug policy includes, but is not limited to, the possession of a prescription drug not issued to the student, the inappropriate or unlabeled storage of prescription drugs, falsifying prescriptions, and/or furnishing one's prescription drug(s) to another.
 11. Use, possession or distribution of alcoholic beverages or alcoholic beverage containers or public intoxication except as expressly permitted by law and University Policy.
 - a. NOTE 1: The University will also consider ALL individuals found in a location where an alcoholic beverage or drug is present to be in possession of an alcoholic beverage/drug. This would include locations off campus (e.g. underage students drinking in a bar or at a house party). The University reserves the right to, as a condition of enrollment 1) require an offender to enter a University drug or alcohol program, 2) require an offender to get a drug or alcohol assessment from a licensed agency and, if deemed appropriate, complete an approved rehabilitation program, and/or 3) ask participants of co-curricular activities to submit to drug testing, which may be at the student's own expense (failure to comply with this request will result in the participant being barred from further participation in that activity).
 - b. NOTE 2: Minnesota state law prohibits the consumption of alcohol by a person under the age of 21, whether consumed on or off campus. Any underage person who is encountered by Campus officials and is suspected of having consumed alcohol may be subject to a Preliminary Breath Test (PBT) for the purpose of determining if alcohol has been used by the underage student. Any student who refuses to provide a breath sample for a PBT will be considered in violation of this policy and will be subject to discipline for their failure to submit to the PBT test.
 12. Possession of firearms or other weapons including but not limited to, lasers, stun guns, pellet guns, explosives, fireworks or dangerous biological or chemical substances on University premises except in those instances when expressly authorized by University authority for activities properly requiring the use or possession of the item.
 13. Participation in activities which disrupts the normal operations of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; or intentional obstruction

- which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
14. Conduct which is disorderly or indecent; breach of peace; or aiding, abetting or procuring another person to breach the peace on University premises or at functions sponsored by or participated in by, the University.
 15. Conduct which goes against the Concordia University, St. Paul, Network Access and Acceptable Usage Policy.
 16. Abuse of the Judicial System, including but not limited to:
 - a. Failure to obey the summons of a Judicial Body or University official;
 - b. Falsification, distortion, or misrepresentation of information before a Judicial Body;
 - c. Disruption or interference with the orderly conduct of a judicial proceeding;
 - d. Institution of a judicial proceeding knowingly without cause;
 - e. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
 - f. Attempting to influence the impartiality of a member of a Judicial Body prior to, and/or during the course of, the judicial proceeding;
 - g. Harassment (verbal or physical) and/or intimidation of a member of a Judicial Body prior to, during, and/or after a judicial proceeding;
 - h. Failure to comply with the sanction(s) imposed under the Student Code; or
 - i. Influencing or attempting to influence another person to commit an abuse of the judicial system.
 17. Gambling or wagering (except for that provided under Minnesota Statutes).
 18. Sexual misconduct, including lewd behavior (see Sexual Misconduct Policy).
 19. Conduct resulting in breach or potential breach of security (propping doors, using windows for entering/exiting, defeating locks, etc.)
 20. Display of pornographic pictures, vulgar graphics, or drawings offensive to a Christian university community and constituency.
 21. Intentional activation of a fire or smoke alarm when no emergency exists.
 22. Destruction or making dysfunctional any fire alarm or other part of the emergency communication system.
 23. Use, misuse, under the influence of, possession or distribution of mood altering substances except as prescribed by a licensed medical provider.
 24. University Faculty and staff do not monitor online communities. The University does not forbid faculty/staff and students from joining and participating in online communities. Any behavior that violates any University policies brought to the attention of a University official will be treated as an opportunity to educate and a judicial sanction may occur.
 25. Individuals are prohibited from entering community and public bathrooms designated for members of the opposite sex.
 26. Tobacco and Smoking – failure to comply with listed University tobacco and smoking policy.
 27. Retaliation
 - a. Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment or discrimination, supporting a complainant or for assisting in providing information relevant to a claim of harassment or discrimination is a serious violation of University policy and will be treated as an instance of harassment or discrimination.
 - b. Acts of alleged retaliation should be reported immediately to the Title IX/Equity/AA Coordinator or to the VPSA or Dean of Students and will be promptly investigated. Concordia University will take all appropriate actions to protect individuals who fear that they may be subjected to retaliation.
 28. The operation of an unmanned aircraft system (UAS), a drone, is regulated by the Federal Aviation Administrations (FAA). Drones are permitted only for educational and/or research purposes. To operate a done, approval must be obtained from the Director of Security at least three University business days in advance. Email requests should be sent to security@csp.edu and include date, time purpose and length of drone operations and campus location where the UAS will be used.

29. The use and storage of any and all hover board devices (also known as self-balancing scooters or smart boards) is prohibited on University property.

C. Violation of Law and University Discipline

1. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the University community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., "no contest" or "nolo contendere").
2. University disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
3. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a Judicial Body under the Student Code, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

ARTICLE IV: THE DISCIPLINARY REVIEW PROCESS

Administrative Hearing

An administrative hearing conducted by one or more Judicial Officer(s) is the most common way a student conduct case is adjudicated. During the hearing, the student has the right to hear and present information related to the disciplinary process and the allegations against him or her.

A. Submitting an Incident Report/Allegation and Procedures

1. Any member of the University community may bring an allegation against a student for misconduct. Allegations/Incident Reports must be presented to the Judicial Officer via the link found online at www.csp.edu/reporting and should be submitted as soon as possible after the event takes place. Allegations/reports should include the following:
 - a. The date, time, and location of the incident;
 - b. The name(s) of the individual(s) involved;
 - c. The specific details of the allegation; and
 - d. The name(s) of all witnesses and the individual submitting the allegation/report.
2. The Judicial Officer will notify the alleged student(s) of the allegations brought against them in an allegation notice. The allegation notice will be sent via University email to the University provided email account. The alleged student may choose to admit to the allegation in person or in writing using the allegation notice. Failure to respond to the allegation notice by the stated date and time will be considered admission to the allegation. If a student chooses not to schedule and/or attend a hearing, a determination is made about his or her involvement without his or her input, and the student's right to appeal is forfeited.
3. If the student denies the allegations, the Judicial Officer or Judicial Body may conduct an investigation to determine if the allegations have merit and/or if they can be dealt with through the mutual consent of the parties involved.
4. Upon the completion of the investigation, the Judicial Officer or Judicial Body may determine the allegation to be a violation, a non-violation or refer the case to the senior student life administrator.

B. Sanctions

Concordia University, St. Paul has created its policies and guidelines for student behavior with the intention of protecting the rights of the community as a whole while assisting students as they develop and define their personal values and boundaries. When misconduct does occur, the University will make every effort to address each situation individually. In so doing, issues of frequency, attitude and circumstance will be considered with the intent of holding each individual personally responsible for his or her individual actions. The goal is to work with students individually in order to design interventions that will promote growth and healing.

1. Sanctions: One or more of the following sanctions may be imposed upon any student found to have violated the Student Code. The University holds the right to impose sanctions not listed below at the discretion of the Judicial Officer. For life and safety related concerns, referrals may be assigned in conjunction with University Sanctions.
 - a. Warnings: Warnings will be issued in cases of minor misconduct or in cases of unique circumstance. Warnings may include contractual sanctions that would only be enforced if the student repeats the misconduct.
 - b. Fines: As a general rule, fines will be used as the standard for disciplinary sanctions. However, in cases of gross and/or repeated misconduct, the University reserves the right to use additional disciplinary sanctions.
 - c. Restitution: Students should expect to be held financially accountable for the cleaning, repair and/or replacement of lost, damaged or stolen property. Further, compensation for physical injury may be included in the sanctioning process.
 - d. Community Service: The goal of community service is twofold: to provide meaningful service to the local community and to allow the student to build a stronger sense of self through the building of relationships, integrity and a sense of achievement. The University Judicial Officer may assign community service hours to be completed on or off campus.
 - e. Alcohol Education: Students violating the University alcohol policy may be required to attend an approved alcohol education class. The class should address issues of alcohol abuse, alcoholism, family systems, responsible drinking and sources of help for individuals with drinking problems.
 - f. Educational Sanctions: Students may be required to perform community service, write a paper, complete an online educational course, or any other activity deemed appropriate for the violation.
 - g. Hall Restriction: The goal is to help students respect their visitation privileges. Students on hall restriction will not be allowed to meet with members of the opposite sex in residence hall rooms.
 - h. Disciplinary Probation: Disciplinary probation is a strong warning that any further violation of the Student Conduct Code may result in suspension or expulsion from the residence halls and/or the University. Generally, students who are expelled from the residential halls and/or placed on University probation will not be allowed to publicly represent the University (such as in athletics, music, drama, or student government). As the University believes that extra-curricular activities are a valuable component of a university education, students may be allowed to appeal to the Judicial Officer requesting that community service hours be exchanged for the opportunity to represent the University.
 - i. Residence Hall Suspension and Expulsion: Students persisting in misconduct within the residence halls, or in misconduct directly related to life in the residence halls, may be suspended or expelled from the residence hall. A suspension will consist of being removed from the residence hall for a specific period, after which the student may reapply for admittance to the residence hall. Expulsion from the residence halls is permanent.
 - j. Suspension from the University: Students suspended from the University will not be allowed to attend class or participate as a Concordia student in any capacity for a determined period of time. Conditions for readmission may be specified.
 - k. Expulsion from the University: Students expelled from the University will not be allowed to attend class or participate as a Concordia student in any capacity. University expulsion is permanent.
 - l. Disciplinary Hold: Disciplinary holds are used exclusively in cases when students have not completed previously assigned sanctions. When students do not complete sanctions on time,

- a disciplinary hold will be placed on their student account. This hold will prevent the student from registering for class, obtaining grade reports and receiving a student or official copy of their transcript. Disciplinary holds are set and lifted by the Judicial Officer. Holds will be lifted when students complete assigned disciplinary sanctions or develop a written contract with the Judicial Officer outlining when and how sanctions will be completed.
- m. Parental Notification: See Release of Personal Information section in the Student Policies Handbook under Administrative Policies.
2. Student Records: the University maintains two separate sets of records regarding student misconduct.
 - a. Academic Records: Other than expulsion or suspension longer than 30 days from the University (Disciplinary Review, Article IV B.1.j-l), disciplinary sanctions will not be part of the student's permanent academic record. Academic records are maintained by the University Registrar.
 - b. Disciplinary Records: The University maintains a file in the office of Judicial Affairs for each person found to be responsible for a Code of Conduct violation. Judicial Affairs may, under FERPA exception, disclose information related to student conduct records to Concordia University officials with legitimate educational interests. The Office of Judicial Affairs may, at the student's request, reveal the contents to other University departments, employers, schools and others. The Judicial Officer is required to provide access to a student's file when subpoenaed by a court or federal agency, or as otherwise required by law.
 - c. A student wishing to view his or her conduct file should contact the Office of Judicial Affairs to schedule an appointment. Federal Law requires that the requested file be reviewed and information on any other student be redacted. The requesting student will be permitted to view his or her prepared file, but will not be allowed to copy, take pictures, or otherwise record the documents. This request will be fulfilled within 45 days of the written request. Student Judicial files are normally kept for seven (7) years.
 3. The following sanctions may be imposed upon student groups or organizations:
 - a. Sanctions listed in Disciplinary Review, Article IV.B.1, a-m,
 - b. Deactivation for a specified period of time. Deactivation includes the loss of all privileges, including University recognition.

C. Appealing Decisions

1. Right to Appeal: Students have the right to request an appeal based on the criteria discussed below (Article IV C3 a-c). All requests for appeals must be made in writing and submitted to the Judicial Advisor within 72 hours of the decision. If a student chooses not to schedule and/or attend a hearing, a determination is made about his or her involvement without his or her input, and the student's right to appeal is forfeited. Students are allowed one appeal per case, and each case can be only appealed once.
2. Appeal Process:
 - a. A Request for Appeal is made in writing to the Judicial Advisor within 72 hours.
 - b. Request for Appeal is evaluated on the merits of criteria listed below (Article IV C3 a-c) by the Judicial Advisor.
 - c. Administrative Appeals Board evaluates the appeal and makes final decision on the appeal.
 - d. Decision on the appeal is communicated with those parties involved.
 - e. Decisions of the Administrative Appeals Board are final.
3. Reviewing Appeals: Appeals will be reviewed on the following basis:
 - a. That the decision was made contrary to existing University policy or sanctions are outside parameter of violation,
 - b. That information used to reach a decision was incomplete or inaccurate, and/or
 - c. That circumstances beyond the control of the student prevented the student from responding to the allegation in a timely manner.

D. Interim Suspension

In certain circumstances, the Judicial Officer may impose a University or residence hall suspension prior to the hearing before a Judicial Body.

1. An interim suspension may be imposed only:
 - a. to ensure the safety and well-being of members of the University community or preservation of University property;
 - b. to ensure the student's own physical or emotional safety and well-being;
 - c. if the student poses a definite threat of disruption of the normal operations of the University;
 - d. to allow the student to attend to legal matters outside the University.
2. During the interim suspension, students will be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible.
3. Decisions regarding an interim suspension are made by the Judicial Advisor and may be appealed only to the senior student life administrator.

INCIDENT REPORTING

Students should contact the Security Office to file an incident report.

AMNESTY

Underage possession or consumption immunity provided for a person seeking assistance for another Minn. Stat. 340A.503, the law pertaining to underage possession and consumption of alcohol. It provides that if a person contacts a 911 operator to report that the person or another person is in need of medical assistance for an immediate health or safety concern, the person is not subject to prosecution under this law. The immunity applies if the person is the first person who initiates contact. The person must also provide a name and contact information, remain on the scene until assistance arrives, and cooperate with the authorities at the scene. The person who receives medical assistance is also immune from prosecution. The law also applies to one or two persons acting in concert with the person initiating contact provided that all the same requirements are met.

MODIFICATIONS

The University reserves the right to change or modify at any time the Student Code of Conduct, except that any changes will not be applicable to pending cases without the consent of all students involved.

THE STUDENT ASSOCIATION CONSTITUTION

(Approved by the Student Association on 09/22/2017)

Article I

The Student Body

Section 01 Name: The name of this organization shall be the Concordia University, St. Paul Student Body, which may be abbreviated to the Student Body.

Section II Object: The object of this organization shall be to promote the interests and welfare of its members by providing a venue for the opinions of its members, providing organizational structure for the service of its members, and managing the resources given it toward these ends.

Section III Member: Members of this organization shall include all traditional undergraduate students at Concordia University, St. Paul as determined by the registrar.

Section IV Meetings: Meetings of this organization may be called by the President or by the Executive Branch or upon the written request of fifty members of this organization. The purpose of the meeting shall be stated in the call, which shall be sent to all members at least three days before the meeting.

Section V Quorum: Five percent of the traditional undergraduate student population shall constitute a quorum.

Section VI Legislation: All official legislation, proposals, and statements of the Student Body must be passed by the Student Senate.

Article II

The Student Senate

Section 01 Name: All members of the elected leadership not on the Executive Branch shall be called Student Senators.

Section II Qualifications: To be a member of the Student Body in good standing at the time of election and throughout the Student Senator's term of service. To have a GPA of 2.5 or higher at the time of election and throughout the Student Senator's term of service.

Section III Term of service: Each term of service shall consist of two full semesters in an academic year.

Section IV Responsibilities:

1. All legislative powers of the Student Body shall be vested in the Student Senate.
2. To be receptive to the concerns of fellow students; bring such concerns to meetings.
3. To contact the members of the Student Body and keep them informed.
4. To attend all Student Senate meetings.
5. To serve on at least one of the Student Senate committees throughout the year.
6. To review any Student Senate Executive Branch decision regarding CAB and overturn if Student Senate deems it necessary or irresponsible with a majority vote.
7. To review any Student Senate Executive Branch decision concerning finances and overturn if Student Senate deems it necessary or irresponsible with a majority vote.
8. To enact, within its jurisdiction, any measures it believes necessary for the welfare of the Student Body.

9. To provide a medium of expression for the members of the Student Body.
10. To oversee the coordination of student activities.
11. To promote the interests of Concordia University, St. Paul.
12. To uphold and execute The Constitution Concordia University of the Student Body, Concordia, St. Paul and its By-Laws.
13. To be responsible for the administration of the Student Body's funds.
14. To act and speak in ways which support The Constitution of the Student Body of Concordia University, its By-Laws and the Mission Statement of Concordia University.

Section V Voting Members:

1. The Executive Branch
2. Student Senators
 - a) There shall be 20 Student Senators elected at the beginning of each academic year.
 - b) No Student Senator shall be a member of the Executive Branch or the Concordia Activities Board (CAB).
3. Alternate Student Senators:
 - a) There shall be up to four alternates elected at the beginning of each academic year.
 - b) Alternates only have voting power when they have been designated to have the voting power of a Student Body Representative or Executive Branch member.
4. Quorum shall be 60 percent of the voting members.

Section VI Meetings:

1. Shall be held at least once each month.
2. Shall be open to all members of the Student Body and Concordia University, St. Paul unless the Student Senate votes to close the meeting.
3. Shall be held as often as necessary to perform the Student Senate's duties in service to the Student Body.

Article III

The Executive Branch

Section 01 Name: The Executive Branch shall consist of five positions. These positions shall be known as the Executive Branch throughout this document. The five positions shall be called:

1. President of the Student Body
2. Vice President of Senate Representatives
3. Vice President of Finance and Clubs
4. Vice President of Senate Relations
5. Vice President of Public Affairs

Section II Qualifications:

1. Be a member of the Student Body in good standing as defined by the registrar upon election and throughout the entire term of service.

2. Have and maintain a GPA of 2.5 upon election and throughout the entire term of service.
3. Be elected by a majority vote held by a popular election of the Student Body.
4. To have completed at least one full term as either a Student Senator, Concordia Activities Board Member (CAB).

Section III Terms of Service: All Executive Branch Members shall hold office for one calendar year starting from one week before the CSP Graduation Commencement Ceremony and ending at the beginning of the term of the incoming Executive Branch.

Section IV Responsibilities:

1. To propose plans of action to the Student Senate
2. To administer measures the Student Senate has enacted
3. To take leadership in the promotion of student welfare and activities
4. To lead the full senate in supporting all of the activities planned by the CAB
5. To cancel any CAB activity or financial expenditure by vote of simple majority at a full senate meeting that it feels is inappropriate or a waste of Student Body funds.
6. To select a faculty member as an advisor for the Student Senate
7. To facilitate the smooth functioning of the Student Senate
8. To meet before and plan every regularly scheduled Student Senate meeting
9. To uphold the rights of the Student Body as stated in this document
10. To represent and be the voice of the Student Body
11. To act and speak in ways which support The Constitution, Of The Student Body Of Concordia University, St. Paul, its By-Laws and the Mission Statement of Concordia University, St. Paul
12. To uphold and execute the Student Body Constitution and the By-Laws in the light of the Gospel.

Section V: President of the Student Body:

Sub-Section I Responsibilities of the President of the Student Body:

- a) To call and preside over all meetings of the Student Body.
- b) To call and preside over all meetings of the Student Senate Executive Branch.
- c) To oversee the functions of the Executive Branch and CAB, giving attention to areas of concern.
- d) To oversee the review of any CAB or Executive Branch member at any time during his/her term.
- e) To act as the official representative in all relations with faculty, administration, and the general public.
- f) To act as the Student Body's representative at all Concordia University Board of Regents Meetings, or send a representative.
- g) To supervise the biennial examination of The Constitution Concordia University of the Student Body, Concordia, St. Paul, and its By-Laws.
- h) To serve as parliamentarian at all meetings of the Student Body.
- i) Support Executive Branch in recruiting student senators.

Section VI: Vice President of Student Representatives:

Sub-Section I: Responsibilities for the Vice President of Student Representatives:

- a) To serve in the capacity of the President in the case of the absence of the latter or by request of the same.
- b) To assist the President in his/her duties.
- c) To call, preside, and oversee the functions of the Student Senate.
- d) To oversee that the functions, business, and the tasks of the Student Senate are carried out.
- e) Organize recruitment plan for student senators

Section VII: The Vice President of Finance and Clubs:

Sub-Section I: Responsibilities of the Vice President of Finance and Clubs:

- a) To keep account of all expenditures and receipts of the Student Senate, campus clubs, and CAB.
- b) To distribute funds to active clubs as seen fit.
- c) To be the sole executor of all financial functions of the Student Senate, Executive Board and the Concordia Activities Board.
- d) To draw up the annual budget of the Student Body for approval and review at the start of each semester by the Student Senate and the Administration.
- e) To submit a financial report at each Student Senate meeting.
- f) To serve as the chairperson of the Student Activities Council (SAC) and be the communication link between all aspects of clubs and club activity to the Student Senate.
- g) To assist groups of students wishing to form a club.
- h) To maintain a list of all authorized clubs and organizations, including their constitution, officers, adviser and budget information.
- i) To review performance of each club at the end of each semester and recommend delinquent club(s) for probation as set forth in the By-Laws of the Student Body.
- j) Support Executive Branch in recruiting student senators.

Section VIII: Vice President of Senate Relations:

Sub-Section I: Responsibilities for the Vice President of Senate Relations:

- a) To be responsible for all Student Senate, Student, and Student-Faculty standing committees.
- b) To determine the placement of Student Senators in Student Senate Committees following the provisions set forth in the By-Laws of the Student Body.
- c) To guide Student Senators in their committee functions.
- d) To hold Senate Committees accountable for regular meetings outside of Student Senate meetings.
- e) To collect minutes from all committee meetings that Student Senators serve on for the VP of Public Affairs to maintain.
 - f) To serve as a liaison between the standing committees and the Student Senate Executive Branch.
 - g) To serve as a liaison or representative to any outside governing bodies and organizations, including Minnesota Private College Council.
 - h) To assist the President as the official representative to the Student Body in relations with the faculty, administration, and the general public.
 - i) Support Executive Branch in recruiting student senators.

j) Organize and execute Student Senate Elections

Section IX: Vice President of Public Affairs:

Sub-Section I: Responsibilities for the Vice President of Public Affairs:

- a) To record all minutes of the meetings of the Student Body, Student Senate, and the Executive Branch.
- b) To publish and maintain all open minutes, open official correspondence, and open permanent records of the Student Body and the Student Senate.
- c) To maintain all closed minutes, closed official correspondence, and closed permanent records of the Student Body and the Student Senate.
- d) To maintain and be responsible for the communications system on campus.
- e) To assist Conference and Events in the maintenance of Concordia St. Paul's communication system.
- f) To update and maintain the Student Senate social media.
- h) Support Executive Branch in recruiting student senators.

Article IV

Concordia Activities Board

Section 0I Name: The Activities Board shall be called Concordia Activities Board (CAB).

Section II Qualifications:

- 1. Be a current member of the Student Body in good standing as determined by the registrar upon appointment and throughout the entire term of service.
- 2. Have a GPA of 2.5 throughout the CAB term of service.

Section III Terms of Service: All CAB members shall hold office for one year starting at the ratification by the Student Senate and ending the following year at the Traditional Undergraduate Commencement Ceremony the following year.

Section IV Responsibilities:

- 1. To hold events open to the entire Student Body.
- 2. To present an operations budget for the upcoming year to the Vice President of Finance and Clubs.
- 3. To promote sporting events on campus.
- 4. To put together a monthly calendar to be distributed for all students.
- 5. To act and speak in ways which support the Concordia University Student Body Constitution and the Mission Statement of Concordia University, St. Paul.

Section V Appointment:

- 1. Shall be appointed through an interview process conducted at the discretion of the incoming Executive Branch.
- 2. Members of CAB will be ratified by a majority vote held by the incoming Executive Branch and the current Executive Branch and the Student Senate.

Section VI Membership: CAB shall be comprised of one Chairperson and at least three Members

Sub-Section I: CAB Chairperson:

- a) Shall be the communications link between CAB and the Executive Branch.
- b) Shall be responsible for meeting time, agenda, budget, and social media.
- c) Shall be responsible to be present or appoint a CAB Member to be present at all Student Senate meetings.
- d) Shall be responsible to the President of the Student Body.

Sub-Section II: CAB Communication Specialist:

- a) Shall handle all communication of CAB as directed by the CAB Chairperson.
- b) Shall be responsible to the CAB Chairperson.
- c) Shall be responsible for the rules set forth by the CAB Chairperson.
- d) Shall be responsible for attending scheduled meetings and activities.

Sub-Section III: CAB Members:

- a) Shall be responsible to the CAB Chairperson.
- b) Shall be responsible for the rules set forth by the CAB Chairperson.
- c) Shall be responsible for attending scheduled meetings and activities.

Organizational By-Laws

Article I

Rules of Order

Section 01 Rules of Order:

- 1. Robert's Rules of Order shall be followed in all Student Body and Student Senate meetings.
- 2. The Rules of Order for the full senate shall be set out by the Student Senate Executive Branch at the first full meeting of the Student Senate.

Article II

Supplement to the Student Senate

Section 01: Election of Student Senators:

- 1. All elections shall be under the direct supervision of the Student Senate Elections Committee.
- 2. Nominees for Student Senate Representatives shall be permitted and encouraged to campaign prior to the final elections.
- 3. Nominations should be made during the Monday, Tuesday, and Wednesday of the second full week of classes during the fall semester.
- 4. The nominees for Student Senate Representatives shall solicit twenty-five signatures from Student Body members in an amount of time allotted by the Student Senate Executive Branch.
- 5. Elections should be held during the Wednesday, Thursday, and Friday of the third full week of classes during the fall semester.

Section II Resignation of Elected Student Senators:

- 1. In the case of resignation, the Senator shall submit a letter informing the Student Senate Executive Branch of intended resignation.

2. The Vice President of Public Affairs shall present a copy of the letter to the Dean of Students and the Student Senate Executive Branch.
3. The Vice President of Representatives shall inform the Student Senate of the resignation and inform them of the given reasons for resignation.
4. The Vice President of Student Representatives shall then ask the Student Senate for nominations for new Student Senators.
5. The Student Senate Executive Branch will then ask the nominated to serve as Student Senators.
6. If no nominations are received or if the vacant positions cannot be filled, the Student Senate Executive Branch will hold emergency nominations and elections open to the Student Body following similar procedures as fall election of Student Senators.

Section III Review of a Student Senator:

1. This is a process by which the Student Senate Executive Branch or the Student Senate may determine the necessity for initiating an Impeachment Process against Student Senator.
2. One or more of the following conditions must be in evidence during the review to justly initiate an impeachment process of the Student Senator has:
 - a) Been absent without excuse from required meetings;
 - b) Failed to carry out the duties of Student Senate;
 - c) Knowingly acted against this Constitution

Sub-Section I: The Review Process:

- 1) The Review process may be initiated by two concurring Senators of the Student Senate Executive Branch or by means of a petition which bears the signatures of thirty percent of the members of the Student Senate.
- 2) The Student Senator who is to be reviewed shall be invited to the review meeting in order to speak on his/her own behalf.
- 3) The Vice President of Student Representatives is to preside over this review meeting of the Student Senator.
- 4) Voting on the review of any Student Senator shall be done via written secret ballot.
- 5) A vote by the Student Senate Executive Branch shall constitute the Impeachment Process.

Section IV Impeachment of Student Senator:

1. Impeachment is a process by which the Student Senate may determine the necessity of removing from office a member of the Student Senate.
2. Following discussion, the parliamentarian shall ask for a written secret ballot.
3. A vote of the Student Senate shall decide to or not to impeach the Student Senator under consideration.
4. In the event of a vacated position shall be filled according to emergency election procedures.

Section V Recall Procedure for Student Senator:

1. Any impeached Student Senator may be recalled by a majority vote of the Student Body.
2. The recall procedure may be initiated by a petition of the Student Body bearing fifty student signatures.

Article III

Supplement to the Student Senate Executive Branch

Section 01 Election of Student Senate Executive Branch Members:

1. For all election purposes, persons shall be classified as students according to status determined by the Registrar.
2. All Executive Branch elections shall be under the direct supervision of the Elections Committee.
3. Nominations should be made during the first two full weeks of classes following spring break.
4. The nominees for Executive Branch Office positions shall solicit fifty signatures from the Student Body members in the amount of time allotted by the Elections Committee.
5. Candidates for offices shall be permitted and encouraged to campaign prior to the final elections.
6. All candidates must meet the qualifications to be elected into the Executive Branch
7. One or more primary elections shall be conducted, if necessary, during the Monday and Tuesday of the week following the end of nominations.
8. The final elections shall take place during the Wednesday, Thursday, and Friday in the third weeks following spring break.

Section II Resignation of Executive Branch Member:

1. In the case of resignation, the member shall submit a letter informing the Executive Branch of intended resignation.
2. The Vice President of Public Affairs shall present a copy of the letter to the Dean of Students and the Executive Branch.
3. If the President of the Student Body resigns, the VP of Student Representatives shall fill his/her office.
4. The first consideration for filling other vacant offices shall go to the student who ran against the departed officer in the final election.
5. In the event that this person declines the office, and there are no other nominees, the position shall be open to a current senator who meets the requirements as designated by the Registrar.
6. The election committee shall decide upon the timetable for such an election.

Section III Review of Executive Branch Members: This is a process by which the Executive Branch or the Student Senate may determine the necessity for initiating an Impeachment Process against an officer of the Executive Branch Member.

1. One or more of the following conditions must be in evidence during the review to justly initiate an Impeachment Process. The Executive Branch Member has:
 - a) Been absent without excuse from required meetings
 - b) Failed to carry out the duties of his/her office
 - c) Knowingly acted against this Constitution or an official statement of Student Government
 - d) Failed to maintain a 2.5 GPA

Section IV The Review Process:

1. The Review process may be initiated by two concurring members of the Executive Branch or by means of a petition which bears the signatures of seventy five percent of the members of the Student Senate.
2. The Executive Branch member who is to be reviewed shall be invited to the review meeting formally in order to speak on his/her own behalf.
3. The Vice President of Representatives is to appoint a Student Senator to preside over this review meeting of the Executive Branch.
4. If the Vice President of Representatives is to be reviewed the President shall appoint a Student Senator to preside over the review meeting.
5. Voting on the review of any Executive Branch position shall be done via written secret ballot.
6. A majority vote by the Executive Branch and appointed Student Senator shall constitute the Impeachment Process to begin.

Section V Impeachment Initiation of Executive Branch Members:

1. Impeachment is a process by which the Student Senate may determine the necessity of removing from office a member of the Student Senate Executive Branch.
2. The Impeachment Process:
 - a) Following discussion, the Student Senator request a confidential ballot.
 - b) A majority vote of the Student Senate shall impeach the Student Senate Executive Branch Member under consideration.
 - c) The vacated position shall be filled according to emergency election procedures.

Section VI Recall Procedure for Executive Branch Members:

1. Any impeached Student Senate Executive Branch Officer may be recalled by a majority vote of the Student Senate.
2. The recall procedure may be initiated by a petition of the Student Body bearing one hundred student signatures.

Section VII Emergency Election Process for Student Senate Executive Branch Officers:

1. The emergency election process shall commence immediately if an officer resigns and there are no nominees for the vacant position who accept the position, an officer is impeached, an officer-elect resigns before his/her term begins, or an election is deemed fraudulent by a majority vote of the Student Senate.
2. For all election purposes, persons shall be classified as traditional undergraduate students according to status determined by the Registrar.
3. All emergency elections shall be under the direct supervision of the Elections Committee.
4. Nominations shall be made in the first three days of the emergency election process.
5. The nominees for Executive Branch shall solicit fifty signatures from the Student Body members to be submitted to the Elections Committee no later than two days following the close of nominations.
6. Nominees must be approved as candidates by the Elections Committee within 24 hours of submitting the signature sheet.

7. To be approved as a candidate, a nominee must meet the requirements to become a member of the Executive Branch.
8. Candidates shall be permitted and encouraged to campaign prior to the final elections.
9. Primary elections, if necessary, must be conducted before final elections.
10. Voting for final elections shall begin one week after the candidates are approved and shall be open for three business days.
11. Write-in candidates are permitted for an emergency election.
12. Write-in candidates must meet the same requirements of other candidates.
13. A write-in candidate has 24 hours after final elections have ended to accept the Executive Branch position.
14. If the write-in candidate declines, the position is offered to the candidate for that office with the highest number of votes. If the candidate declines, emergency elections must be re-held.

Article IV

Concordia Activities Board (CAB)

Section 0I Review process of a CAB member:

1. A complaint or observed behavior is brought to the President of the Student Body.
2. The complaint or observed behavior will be discussed with the Executive Branch.
 - a) The CAB member in question will have a chance to meet with the Executive Branch and discuss complaint or observed behavior.
3. A plan of action for the CAB member in question will be determined and voted on one week after complaint has been discussed.
4. Vote will be determined by the majority of the Executive Branch.
5. The President of the Student Body and CAB Chair will deliver the plan of action to CAB member in question.
 - a) If the CAB Chair is the member in question, the President of the Student Body and Vice President of Clubs and Finance will deliver the plan of action.

Section II Emergency Appointment: In the event of resignation, termination, or CAB member can no longer fulfill the duties or responsibilities as a member of CAB, an interim member of CAB will be appointed by the President of the Student Body through an interview process with approval of the Executive Branch and majority vote of the Student Senators.

- a) A previously interviewed candidate may be selected as an interim CAB member.
- b) If a previously interviewed candidate is not interested, the Executive Branch shall open up applications to the entire student body, and restart the interview process.

Section III Mandatory Events: It is expected that CAB members attend the following events:

1. Welcome Weekend
2. Homecoming Week
3. Knollapalooza

Article V

Student Senate Committees

Section 01: Undergraduate Academic Policies Committee (UAPC): The Concordia University St. Paul Student Senate will operate under a four committee system. The four new committees will assume the role of the previous eight committees. The previous committees shall become subcommittees that will collectively communicate and serve the student body.

Campus Communication Committee: The Campus Communication Committee holds the rights and responsibilities of keeping the student body informed about the actions of the student body as well as promoting the actions of the student senate. The Campus Communication Committee shall also be responsible for keeping an active social media to inform the student body. This committee will also be responsible for conducting fact finding for the student senate.

Health and Wellness Committee: This committee will act as the liaison between the senate and the food service provider at Concordia University. This committee will also be responsible for assisting in the maintenance and update of the workout facilities with other campus partners.

Student Life Committee:

- a) To address any concerns brought forth by members of the Student Body concerning all aspects student life.
- b) To meet as a committee at least once a month.
- c) To work closely with the Assistant Director of Residence Life and the Resident Assistants to promote clear communication between the groups.
- d) To better all student life overall.
- e) To assure students that their concerns and questions are being heard, discussed and responded to by Resident Life Services.
- g) The Assistant Director of Residence Life shall serve as the Faculty/Staff advisor for the Resident Life Committee.
- h) The Residence Life Committee shall determine their chair from within the committee at the beginning of the academic year. This committee will also deal with all parking issues on campus as well as many issues that deal with commuter as well as distance learning students.

Academic Affairs Committee: The Academic Affairs committee will be responsible for communicating with the UAPC, the Graduation Committee, and faculty senate. This committee will also will be responsible for the conduction of elections.

Article VI

Clubs and Organizations of the Student Body

Section 01: All Student Senate sponsored and funded Clubs and organizations shall be organized into a representative body known as the Student Activities Council (SAC) to facilitate communication with Student Senate and with each other.

Section II: Duties and Responsibilities of all Student Senate sponsored and funded clubs are:

1. To have representation at all meetings of SAC.

2. To submit an end of the semester report to the Chair of the Student Activities Council.
3. To submit Event Evaluation Forms after Club functions to the Chair of the Student Activities Council.
4. To submit Finance forms as directed by the Vice President of Finance and Clubs and/or the Chair of the Student Activities Council.
5. To submit a constitution at the beginning of each academic year to the Chair of the Student Activities Council.
6. To submit a roster of students and faculty adviser at the beginning of each academic year to the Chair of the Student Activities Council.

Section III: The Powers and Duties of the Chair of the Student Activities Council are:

1. To publish and maintain a list of all active Student Senate sponsored and funded clubs and organizations.
2. To distribute all necessary forms to the leaders of all Student Senate sponsored and funded clubs and organizations.
3. To maintain these forms so that future leaders of Student Senate sponsored and funded clubs and organizations may have access to them for support.
4. To, in conjunction with the Vice President of Finance and Clubs, oversee the distribution of Student Body funds that are allocated to Student Senate sponsored and funded clubs and organizations.
5. To freeze the accounts of clubs that is unaccountable and not spending according to budget projections.
6. To unfreeze the accounts of clubs that returns to good standing.
7. To shift club monies from less active clubs to more active clubs.
 - a) Any club that feels they have not been treated fairly may appeal to the Student Senate.
8. For the 2017-2018 academic year, The Vice President of Finance and Clubs shall also serve as the Chair of the Student Activities Council.

Section IV: Formation of Student Senate sponsored and Funded Clubs and Organizations.

1. Fifteen or more students desiring to propose organized activities of special interest shall submit an application to the Chair of the Student Activities Council.
2. A constitution for the new club or organization is drawn up and approved by the Chair of the Student Activities Council.
3. A faculty/staff advisor is found.

4. This application, together with a list of objectives for the organization, shall be brought to the Student Senate for approval.

5. Membership in a Club of this type shall be contingent upon the scholastic standing of the student and other provisions of the Vice President for Student Affairs.

Section V Club Status:

Sub-Section I Active Club Status:

a) Definition: A Student Club in good standing that receives financial support from Student Senate.

1. Status is maintained by:

a) Having representation at all Student Activities Council meetings.

b) Having two events completed by the club each semester.

c) Meeting the duties and responsibilities of all Student Senate sponsored and funded clubs.

2. Status is achieved by new Student Clubs by:

a) Meeting the requirements of maintaining Active Club Status for the duration of their New Club Status.

Sub-Section II Delinquent Club Status:

a) Definition: A Student Club in poor standing that has failed to maintain active club status.

1. Reasons a club will be considered delinquent:

a) Failure to turn in an updated constitution

b) Failure to have an advisor

c) Failure to have completed at least two events for the semester

d) Failure to attend at least two SAC meetings.

2. Actions required in order for a Club to once again receive good standing:

a) The club must sponsor an event by the end of the first full month of the next semester after falling into delinquent status.

b) The club must be represented at all SAC meetings.

Sub-Section III Inactive Club Status:

a) Definition: A former Student Club that does not receive recognition as a club or financial support from Student Senate.

b) This status is received after being in delinquent club status for two consecutive semesters.

1. Actions required in order for a former club to return to active club status and to receive recognition as a club and financial support from Student Senate:

a) Completion of New Club Formation Procedures as a returning club found in Article VI, Section IV

Sub-Section IV Probation Status

a) Definition: A Club that was not represented at the last SAC meeting.

b) Consequences of Probation Status:

1. The club in probation status will not receive funding for that month and can receive funding again when the next SAC meeting is attended.

Article VII

Definitions

Section 01 Definitions: "Students enrolled at Concordia University" found in the Concordia University, St. Paul Student Body Constitution shall be defined as any student as determined by the registrar.

Article VIII

Ratification and Amendment

Section 01 Ratifications and Amendment: This constitution may be revised, amended, and ratified by a majority vote of the Student Body of Concordia University, St Paul with the necessary quorum being five percent.

Section II Amendments to the Student Body Constitution must be:

1. Proposed by a petition bearing the signatures of one-third of the Student Body or approved by a majority of the Student Senate.
2. Published two weeks prior to being voted on.
3. Changes to the Constitution may be voted on electronically with tracking to avoid persons voting more than once.

Section III: Changes in the Constitution and By-Laws shall be offered only during the fall and spring semesters.

Section IV: This Constitution is in complete effect until a new Constitution is ratified.

Article IX

Supplement to Article I of the Student Body Constitution

Section 01 In Reference to Article I Section V:

1. Quorum will be attempted to be met at a meeting of the Student Body for the purpose of voting on proposed changes to the Constitution of the Student Body of Concordia University, St. Paul.
2. Quorum can be met for voting purposes electronically via CSP email or portal.

Article X

By-Laws to the Student Body Constitution

Section I: The By-Laws to the Student Body Constitution shall exist in order to facilitate the Constitution.

Section II: These By-Laws may be amended to conform to the Constitution and/or any revisions made to it. These By-Laws may also, out of necessity, be of themselves revised independently of the Constitution. In either event, amendments to the By-Laws shall be ratified by a majority vote of the members of the Student Senate. Proposed amendments may be voted on no earlier than one week after the proposal is made.

Section III: Changes in the By-Laws shall be in immediate effect once approved.

TECHNOLOGY POLICIES

CONCORDIA UNIVERSITY E-MAIL ACCOUNT

It is the intent of Concordia University to provide a quality technological environment for the University community in which certain standards are observed. All Concordia University students, faculty and staff authorized by Human Resources and the Registrar are granted an e-mail account. This e-mail account is entrusted to the individual as a student and then as an alumnus/alumna of the university. Termination of a student e-mail account will occur only through the misuse of the account according to other student conduct policies. While csp.edu e-mail accounts will remain active for former students, a former student may request termination of their account only after their time as an active registered student with the university has ended. The termination of e-mail accounts for faculty/staff will occur according to Human Resources procedures.

E-MAIL FORWARDING

The following guidelines govern the forwarding of csp.edu e-mail to a non-CSP account:

1. The individual is responsible for the accuracy of the forwarding address and non-CSP account.
2. Once the forwarded e-mail has left the Concordia network, it is no longer the responsibility of the university.
3. Concordia administrative offices will continue to address and send the e-mail to the CSP account, which then may be forwarded onto the non-CSP account.

SOCIAL NETWORKING

Concordia University faculty and staff do not monitor online communities. Concordia University does not forbid faculty, staff, and students from joining and participating in online communities. Any behavior that violates University policies brought to the attention of a University official will be treated as an opportunity to educate the students, and a judicial sanction may occur.

UNIVERSITY NETWORK ACCESS

A. It is the intent of Concordia University to provide a quality technological environment for the University community in which certain standards are observed. All Concordia University students, faculty and staff authorized to use Concordia University computing facilities are responsible for reading, understanding, and complying with the following policies.

B. Concordia technology resources are available to the following learning communities:

1. Current students, faculty, and staff
2. Persons associated with official programs of the University
3. Visitors and guests associated with official University activities
4. Emeriti faculty (university e-mail account support)
5. Alumni (in good standing)

C. Requirements for use of University technology resources:

1. Comply with the following Acceptable Use Policy
2. Understand and agree that use of Concordia University technology resources indicates acceptance of the policy
3. Obtain necessary accounts and passwords and be responsible for maintaining the security of all accounts
4. Realize public computer facilities and electronic classrooms are established for educational purposes and those purposes must take priority.

ACCEPTABLE NETWORK USAGE

A. The purpose of the Concordia University network is to support education, communication, and research by providing access to unique resources and the opportunity for interaction and collaborative work on the Internet and through E-mail and other applications. The following operations are acceptable uses of the Internet and E-mail network at Concordia University.

1. Instructional use in Concordia University classes
2. Faculty Research
3. Student Research
4. Class Assignments
5. Official work of students, faculty, administration, and staff, recognized student and campus organizations, and agencies of the University
6. Electronic communication that supports instruction, research, or official work of students, faculty, administration, and staff
7. Personal use by authorized users that does not interrupt or diminish access to resources for other users

B. It is contrary to the Concordia University Acceptable Use Policy to engage in any of the following behaviors:

1. Violate the "Statement of Software and Intellectual Rights." Computer software must be used in accordance with license agreements, whether it is licensed to the University or to students/faculty/staff.
2. Violate the Federal Copyright Law by downloading copyrighted audio, video, graphics or text materials from the Internet without proof of proper licensing arrangements.
3. Use another person's account or pin number or give your password, pin number or identification to another person for the purpose of gaining access to a University-owned computer, network or database resource. This includes, but is not limited to, unauthorized use of an account, use of an account for a purpose for which it was not intended or use of another person's e-mail address. Changing another person's password may be considered harassment.
4. Access a file on a University-owned computer or network without the permission of the owner to copy, rename, modify, examine or change file protection or visibility. Lack of protection on a file does not imply right of access.

5. Interrupt or inhibit the access of Concordia University technology resources by actions such as distributing computer viruses, worms, or bulk e-mail. This includes any other procedures that interfere in any way with the information technology resources available to a user. Virus-scanning software is supplied and it is required for all student, faculty and staff to continually update their computers with it.
6. Understand that text and graphic files available over the Internet may be considered offensive by some members of the Concordia community. As potential consumers of these materials, users are expected to exercise proper judgment and sensitivity as to how and where these materials are displayed.
7. Operate a University-owned computer in a manner that is otherwise wasteful of any computing or network resource (for example, setting up file sharing servers/applications on the university network is not allowed).
8. Employ a computer to annoy or harass other users; for example, to send obscene, abusive, or threatening email.
9. Use a computer to violate the principles of academic honesty.
10. Misuse information accessed while performing work as a Concordia University employee. Information stored on administrative computers and microcomputers is confidential. Use or distribution of such information other than as assigned is prohibited by University policy and State and Federal laws.
11. Use or distribute any parts of Concordia University's administrative records that are accessed unintentionally. These include, but are not limited to information stored on disk, tape, hardcopy, microfilm as well as information on terminal screens.
12. Use University-owned computer resources for commercial work except as permitted by faculty and staff handbooks and licensing agreements.
13. Tamper with terminals, microcomputers, printers or any other associated University-owned equipment. Remove computer equipment, disks, paper or documentation from a computing facility. Equipment and software failures should be reported to the Office of Information Technology.
14. Gain access to Concordia University technology resources when one is no longer eligible.

C. Results of failing to follow Concordia University Acceptable Use Policy:

1. Failure to follow the policies set forth in this document constitutes an offense.
2. As with all matters of law and ethics, ignorance of the rules does not excuse violations.
3. Authorized users learning of any policy violations should notify their immediate supervisor, who will notify the CIO and the appropriate division Vice President. Student violations will also be reported to the Dean of the student's college or school.
4. Ethical policy abuses may result with immediate denial of service and penalties that range from the loss of computing privileges through suspension or expulsion from the University.
5. Ethical policy abusers are liable for monetary payment and may also be liable for civil or criminal prosecution under State and Federal statutes.
6. The Office of Information Technology will not provide support to users who fail to follow the Acceptable Use Policy.

Electronic Records Retention Policy

1. Purpose

Employees of Concordia University, St. Paul are expected to create and maintain many documents using computers. Electronic records must be managed similarly to traditional records in order to ensure compliance with state and federal regulations and to preserve the history of Concordia University, St. Paul. The purpose of this policy is to inform Concordia University employees and departmental management of the requirements and responsibilities for management and disposition of electronic records.

2. Scope

The electronic records retention policy set forth herein applies to all employees of the University and applies to all electronic records that are made or received in the transaction of University business.

3. Definitions

The term "electronic record" means any record that is created, received, maintained or stored on University local workstations or central servers. Examples include, but are not limited to:

1. electronic mail (e-mail)
2. word processing documents and spreadsheets
3. databases

The term "legal custodian" shall mean the originator of an e-mail message or the creator of an electronic document if that person is a University employee; otherwise it is the University employee to whom the message is addressed or to whom the electronic document is sent. If the record is transferred, by agreement or policy, to another person for archival purposes, then that person becomes the legal custodian.

"Official" records retention and disposition schedules are the general and departmental program schedules that have been approved by the University.

4. Policy Statement

General Requirements

Maintenance and disposal of electronic records, as determined by the content, is the responsibility of the legal custodian and must be in accordance with guidelines established departmental management and also in compliance with State and University approved records retention and disposition schedules. Failure to properly maintain electronic records may expose the University and individuals to legal risks.

The department head of an office having public records is responsible for ensuring compliance with this Policy and with the Public Records Act. When an employee leaves a department or the University, the department head is responsible for designating a new custodian and ensuring that any public records in the separating employee's possession are properly transferred to the new custodian. The department head is responsible for contacting Information Technology Services to arrange for the transfer of the electronic records to the new custodian before the accounts are scheduled to be deleted.

Electronic Mail

University e-mail addresses are given to employees for work purposes only. Work-related e-mail is a University record, and must be treated as such. E-mail users must take responsibility for sorting out personal messages from work-related messages and retaining University records as directed in official records retention and disposition schedules as determined by the department head. E-mail that does not meet the definition of a public record, e.g., personal e-mail, or junk e-mail, should be deleted immediately from the system.

When e-mail is used as a transport mechanism for other record types, it is possible, based on the content, for the retention and disposition periods of the e-mail and the transported record(s) to differ. In this case, the longest retention period shall apply.

Information & Technology Backup Files

The Department of Information & Technology performs backups on a regular schedule of the electronic files stored on central servers for disaster recovery. These backups are to be used for system restoration purposes only. These backups are kept by the department for a period of 4 weeks at which time the backups are erased. The IT system administrator is not the legal custodian of messages or records which may be included in such

backups. The legal custodian of the documents or emails is personally responsible for ensure any retrievable backups.

Litigation Holds

When litigation against the University or its employees is filed or threatened, the law imposes a duty upon the University to preserve all documents and records that pertain to the issues. As soon as University Counsel is made aware of pending or threatened litigation, a litigation hold directive will be issued to the legal custodians. The litigation hold directive overrides any records retention schedule that may have otherwise called for the transfer, disposal or destruction of the relevant documents, until the hold has been cleared by University Counsel. E-mail and computer accounts of separated employees that have been placed on a litigation hold by University Counsel will be maintained by Information Technology Services until the hold is released. No employee who has been notified by University Counsel of a litigation hold may alter or delete an electronic record that falls within the scope of that hold. Violation of the hold may subject the individual to disciplinary action, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

5. Enforcement

Failure to comply with the Electronic Records Retention Policy and associated guidelines and procedures can result in disciplinary action and penalties applicable by law.

UNIVERSITY COMMUNITY POLICIES

Access

Concordia University, St. Paul strives to provide a safe and secure environment by maintaining proper use and handling of assigned University keys and card access by all students. All keys and key cards are University property and loaned to you during your time at Concordia.

- Access is assigned to students based on their residency status, employment status with Concordia, and any other special needs. NOTE: During University academic breaks and during the summer, those persons not residing on campus will have their access blocked. It will be reissued upon return to school.
- University key/card may not be reproduced, exchanged, or loaned.
- The recipient is personally accountable for all University keys issued to them. The recipient is also personally accountable for any incidents which occur as a direct result of loaning or borrowing the card to another person.
- Lost or Stolen key/card must be reported to Card Services within 24 hours.

Tunnel Hours-

- Tunnel hours are from 6am to 11pm daily. After 11pm the tunnel exterior doors are locked and the tunnel is considered closed. After hours, the tunnel is only accessible through card reader or by calling security. The card reader doors located at the Crossroads entrance may be used to access the tunnel during Residence Hall visiting hours, and the card reader doors on the Hyatt southwest door may be used to access the tunnel after hours. The east door on the Administration Building may be used to access the tunnel by using the call box located inside the double doors to call security. You may also call security from your cell phone and request to be let in by an officer. You must have your student ID to be in the tunnel.
- Tunnel access after 11pm is only allowed to go to the security dispatcher or to return to your residence hall. Individuals who are in the tunnel for reasons other than those listed in this policy will be asked to leave the tunnel area.

ANIMALS ON CAMPUS

The University recognizes the important role animals can play in the lives of employees and students. At the same time, certain animals (pets) are not appropriate to bring on campus and therefore, restricted. This policy addresses animals utilized for disability accommodation services as identified, established and defined by the Americans with Disabilities Act (ADAAA) and the Fair Housing Act (which applies to Residence Life areas only). **Service animals shall not be excluded from CSP campus, programs or activities.**

For more information on policies or procedures, please contact Student Accessibility Services:
SAS@csp.edu.

I. Definitions:

Service Animal: Service animal means a **dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability**, including a physical, sensory, psychiatric, intellectual, or other mental disability and is covered under the American's with Disabilities Act. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. Dogs or other animals, whose sole purpose is to provide protection or emotional comfort, are not service animals under the act.

Emotional Support Animal (ESA): Animals that individuals with disabilities utilize for emotional support, well-being, or comfort. An emotional support animal is an animal that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is an identifiable relationship between the person's disability and the assistance the animal provides. This is established by appropriate documentation. Because they are not individually trained to perform work or tasks, support animals are not service animals and not covered under the ADA. Therefore, access to campus may be limited to specific (e.g., Residence Life) environments and are not automatically allowed the same access as service animals.

II. Policy Statement

Service animals are permitted at CSP without restriction. Individuals with disabilities, including visitors, who utilize service animals on campus grounds are encouraged to ensure animals are vaccinated and well behaved. If the need for the animal is not immediately clear, campus representatives are allowed to determine the following to allow the animal access:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?

Students with service animals who request access to classes are strongly encouraged to affiliate with Student Accessibility Services to ensure space and effective in class accommodations are provided for the student and animal and to limit class disruption. Service animals may not reside in University Housing without notification through SAS.

Emotional Support Animals: Per the Fair Housing Act, CSP provides reasonable accommodations for an emotional support or assistance animal in residential living environments. Typically, an emotional support animal is prescribed to an individual with a disability by a healthcare or mental health professional and is an integral part of a person's treatment process. Students are strongly encouraged to work through SAS regarding policies for emotional support animals.

CSP reserves the right to decline an emotional support animal or to ask additional questions regarding the therapeutic need for the animal if the nexus between the need for the animal and disability is not evident

III. Handler's Responsibilities: The handler is responsible for the care and supervision of his or her service animal or ESA. If the animal behaves in an unacceptable way and the person with a disability does not control the animal, CSP does not have to continue to allow the animal on its premises. Uncontrolled barking, jumping on other people, excessive damage to property or running away from the handler are examples of unacceptable behavior.

The ADA requires the animal to be under the control of the handler. This can occur using a harness, leash, or other tether. However, in cases where either the handler is unable to hold a tether because of a disability or its use would interfere with the service animal's safe, effective performance of work or tasks, the service animal must

be under the handler's control by some other means, such as voice control. In classroom settings, the service animal cannot be disruptive to the operation of the class.

The handler is responsible for all cleaning, upkeep, care and any damage caused by the animal.

Animals can be restricted from environments that the CDC restricts.

The animal must be housebroken.

The animal should be vaccinated in accordance with state and local laws.

An entity may also assess the type, size, and weight of a miniature horse or other ESA determining whether or not it will be allowed access to the facility.

Animals that are illegal to own cannot qualify as either a service animal or an ESA for these purposes.

Any questions regarding the qualification of a service animal or ESA should be directed to Student Accessibility Services.

ALCOHOL CRIMES AND PENALTIES UNDER MINNESOTA LAW

The University is obligated by Minnesota statute to inform all individuals connected with the University how state and federal statutes deal with alcohol and controlled substances.

Minnesota has many statutes that regulate and control the use and abuse of alcohol. In addition to Driving While Intoxicated (DWI) laws, Minnesota has laws regulating the sale, purchase, possession and consumption of alcohol.

DWI Law

There are four DWI and Implied Consent packages that aim at preventing the operation of motor vehicles, boats, snowmobiles/all-terrain vehicles and aircraft by inebriated persons.

Elements of DWI Offense

Minnesota has one of the most comprehensive DWI statutes in the nation. The elements of the offense may be outlined as follows: It is a crime for any person to drive, operate, or be in physical control of a motor vehicle, within this state or upon the ice of any boundary water of this state, while the person is under the influence of alcohol, a controlled or hazardous substance, or a combination of the two, or the person has an "alcohol concentration" of 0.08 or more.

A. Driving, Operating, and Physical Control

1. The statute does not prohibit only "driving" while under the influence, but extends to "operating" and "physical control" of the motor vehicle. While "driving" normally includes steering a self-propelled vehicle, "operating" includes a broader range of conduct, which includes starting motors, steering towed vehicles, etc. "Physical control" is broader yet, and applies to any person who places himself or herself in a position to either restrain a vehicle from being moved or to direct its motion, including persons found alone, asleep, in a parked vehicle.

B. Motor Vehicle

1. The law applies to any kind of motor vehicle including farm tractors, bulldozers, front-end loaders, mopeds, garden tractors and riding lawn mowers.

C. Under the Influence

1. "Under the Influence" is defined in terms of impaired ability to drive safely. It is not synonymous with an "alcohol concentration" of 0.08 or more. On the contrary, an alcohol concentration of "more than 0.05 and less than 0.08" is relevant evidence of whether or not the person is under the influence of alcohol. In

reality, most human beings are visibly impaired at alcohol concentrations well below 0.08. Accordingly, it cannot be assumed that it is “legal” to drive so long as one remains below the 0.08 line.

D. Criminal Penalties

1. Generally, a first time offense is a misdemeanor, with a maximum sentence of 90 days in jail and a fine of \$700. If the person has a prior “impaired driving conviction” within the previous five years, or two or more prior “impaired driving convictions” within the previous ten years, the crime is a gross misdemeanor, raising the maximum sentence to a year in jail and a fine of \$3,000. “Impaired driving convictions” include adult convictions and juvenile adjudications.

E. Driver License Revocations

1. First offense: not less than 30 days;
2. Second offense in less than five years: not less than 90 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed. After second offense, subsequent offenses call for longer periods of revocations; and under certain circumstances the registration plates and registration certificates of all motor vehicles registered in the name of any person whose license is revoked may be impounded. Prior juvenile adjudications as a DWI violator count as prior “convictions” for purposes of revocations.

F. Implied Consent

1. The Implied Consent statute provides that by driving a motor vehicle in this state, a person implicitly consents to submit to testing for intoxication. If testing is refused, you may be subject to criminal penalties, and your right to drive will be revoked for a minimum period of one year. If a test is taken and the results indicate that you are under the influence of alcohol or a controlled substance, you will be subject to criminal penalties, and your right to drive may be revoked for a minimum period of 90 days.

Liquor Control Violations for Persons under the Age of 21 Years

A. Consumption

1. It is a misdemeanor for any liquor licensee (such as a bar or restaurant) to permit any person under the age of 21 to consume alcoholic beverages on the premises. It is a misdemeanor for any person under the age of 21 years to consume any alcoholic beverages unless that person is in his parents’/guardians’ home and with their permission.

B. Purchasing

1. It is gross misdemeanor for any person to sell, barter, furnish, or give alcoholic beverages to a person under 21 years of age; except for the rights of parents/guardians as outlined under consumption.
2. It is a misdemeanor for any person under the age of 21 years to purchase or attempt to purchase any alcoholic beverage.
3. It is a gross misdemeanor for any person to induce a person under the age of 21 years to purchase or procure any alcoholic beverage, or to lend or permit the use of a driver’s license, permit, Minnesota identification card, or other form of identification, to a person under the age of 21 for the purpose of purchasing or attempting to purchase an alcoholic beverage.

C. Possession

1. It is a misdemeanor for any person under the age of 21 years to possess any alcoholic beverage with the intent to consume it at any place other than the household of person’s parent or guardian.
2. Mere possession at any place other than the home of the person’s parent or guardian is prima facie evidence of an intent to consume.

D. Entering Licensed Premises

1. Persons under the age of 21 years may not enter any licensed premises for the purpose of purchasing, being served or delivered, any alcoholic beverage.

E. Misrepresenting Age

1. It is a misdemeanor for any person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.

F. Proof of Age

1. Proof of age must be established by a valid driver’s license, Minnesota identification card or, in the case of a foreign national, by a valid passport.

G. Driver License Suspensions for Illegal Purchase of Alcohol

1. The Commissioner of Public Safety shall impose a 90-day suspension of driving privileges of any person (a) who is under the age of 21 years and is convicted of purchasing or attempting to purchase an alcoholic beverage if the person used a driver's license, permit, or Minnesota identification card in making the purchase or attempted purchase or (b) who lends a driver's license to someone under 21 to use to purchase alcoholic beverages.
- H. Zero Tolerance of Underage Drinking and Driving
1. If a person under the age of 21 drinks ANY amount of alcohol and then drives, the violator will lose his or her driver's license (30 days for the first offense, six months for a second and subsequent offense). More than a restriction, the cost of license reinstatement is substantial. Minnesota Statute 169.1218

Social Host Liability

Anyone over 21 who knowingly serves alcohol to someone under 21 may be held civilly liable for any damages subsequently caused by the person under 21.

Social Host Ordinance (Sec. 239):

Holds an individual criminally responsible for hosting or allowing an event or gathering on private or public property where persons under 21 years of age possess or consume alcohol, regardless of who supplied the alcohol.

Penalty for Violating the Social Host Ordinance:

A violation of this ordinance is a misdemeanor, subject to a maximum penalty of:

- 90 days in jail and/or
- \$1,000 fine

First-time offenders of this ordinance are eligible for a diversion program:

- A panel discussion between students and neighbors
- \$150 fine and/or 16 hours of community service

ARREST

Students who are arrested by any law enforcement agency are required to inform the Dean of Students within 72 hours of their release. Students arrested may be subject to University disciplinary action when their conduct violates University standards. Failure to report this information to the Dean will result in a "Failure to Comply" charge and may result in further disciplinary action.

CONTROLLED SUBSTANCES CRIMES AND PENALTIES UNDER MINNESOTA LAW

- A. The degrees of drug crimes in Minnesota and the sentencing limits for each degree as set by Minnesota legislature in 1989 and amended in 1990 are indicated below. The "guidelines" listed for each degree refer to the lengths of time that a person convicted of an offense at that degree would serve in prison. These guidelines are set by the Minnesota Sentencing Guidelines Commission. The actual length of sentence is determined by the defendant's criminal history. For instance, a person convicted of a second degree drug offense who has no prior convictions will get a shorter sentence than another person also convicted of a second degree drug offense who happens to have a prior record. In addition, pursuant to 1989 legislation, a judge may increase a sentence if the drug offense took place in a school zone or a park zone. If the guidelines call for probation, the defendant can be sentenced to serve up to 12 months in the local jail or workhouse.
- B. First Degree
 1. Sale: 10 grams crack, 50 grams cocaine/heroin/methamphetamine, 200 doses hallucinogen, 50 kilos marijuana.
 2. Possession: 25 grams crack, 500 grams cocaine/heroin/methamphetamine, 500 does hallucinogen, 100 kilos marijuana.
 3. Penalty: 0-30 yrs, 4 yr mandatory minimum if prior drug felony; up to \$1 million fine.
 4. Guidelines: 86 to 146 months.
- C. Second Degree
 1. Sale: 3 grams crack, 10 grams cocaine/heroin/methamphetamine, 50 doses hallucinogen, 25 kilos marijuana, or sale of any Schedule I or II narcotic drug either to a person under 18 or in a school zone or park zone.

2. Possession: 6 grams crack, 50 grams cocaine/heroin/methamphetamine, 100 does hallucinogen, 50 kilos marijuana.
3. Penalty: 0-25 yrs, 3 yr minimum if prior drug felony; up to \$500,000 fine.
4. Guidelines: 48 to 98 months.

D. Third Degree

1. Sale: Crack/cocaine/heroin, 10 doses hallucinogen, 5 kilos marijuana, or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell same.
2. Possession: 3 grams crack, 10 grams cocaine/heroin/methamphetamine, 10 kilos marijuana, and any amount of a Schedule I or II narcotic drug in a school zone or park zone.
3. Penalty: 0-20 yrs, 2 yr mandatory minimum if prior drug felony; up to \$250,000 fine.
4. Guidelines: For possession of crack and cocaine, 48-98 months; for all other third degree offenses, probation to 54 months.

E. Fourth Degree

1. Sale: Any Schedule I, II, or III drug (except marijuana), or sale of marijuana or any Schedule IV or V drug to person under 18.
2. Possession: 10 doses hallucinogen.
3. Penalty: 0-15 yrs, 1 yr mandatory minimum if prior drug felony; up to \$100,000 fine.
4. Guidelines: Probation to 32 months.

F. Fifth Degree

1. Sale: Marijuana, or any Schedule IV drug.
2. Possession: All Schedule I, II, III, or IV drugs except 1.5 ounces (42.4 grams) or less of marijuana.
3. Penalty: 0-5 yrs, 6 month mandatory minimum if prior drug felony; up to \$10,000 fine.
4. Guidelines: Probation

G. Possession of 1.5 ounces (42.5 grams) or less of marijuana is a petty misdemeanor punishable by a fine of up to \$200 and required attendance at an approved drug education program. Failure to comply with those sanctions or a second conviction within two years constitutes a misdemeanor. Possession of more than 1.4 grams of marijuana in an automobile continues to be a misdemeanor under Minnesota law.

H. In addition to charging offenders with possession and sale crimes, Minnesota prosecutors can charge drug offenders with, depending on the circumstances: (1) failure to purchase drug tax stamps from the State Commissioner of Revenue; (2) money laundering, if the person conducted a financial transaction with money that he knew was the proceeds of a felony drug crime; and (3) racketeering, under which a dealer can be fined up to three times his gross profits.

CONVOCATIONS

Convocations are University community gatherings for lectures or presentations by scholars or experts on topics of particular relevance to our campus, for the benefit and edification of all. Classes and meetings are not to be scheduled during this period so that all students can attend presentations. Requests for convocation dates and topics are directed to the Director of the Faculty Scholarship Center.

EMERGENCY PROCEDURES & DETECTION SYSTEMS

Fire

Call 911 in the event of any fire. Activate the local alarms and leave the building. Remember—the fire alarm does NOT inform the Fire Department about a fire; it is intended to alert people to leave a building. When calling the Fire Department, precisely identify the building, using the building address and inform Security at 651- 641-8777. Then stand ready to direct the firefighters.

Smoke Detectors

All residence hall rooms and apartments are equipped with a smoke alarm. This device provides warning of fire or smoke. If the alarm is activated due to smoke or fire, residents are to vacate the room or apartment, close the door, and pull the nearest fire alarm.

Smoke detectors are tested twice each year by university staff. If at any time the detector begins to “chirp”, please notify Residence Life Staff. Batteries can be obtained from the Maintenance Office, Safety or Security. Individual occupants may be subject to citation and fine from inspectors or the fire marshal if the detector is removed or tampered with in any way.

Threats

If a person or property is threatened, call the Concordia Security line at 651-641-8777. If it is not an emergency, notify security by calling 651-641-8278. A security officer will respond to your call, assess the situation and decide if the police should be contacted. Police can be contacted in a non-emergency situation by dialing 651-291-1111.

WEATHER-RELATED INFORMATION

Severe weather can strike at any time. Having a plan that includes knowing where to go and what to do in the event of severe weather is critical to your safety and that of others. Each individual of the campus community has the responsibility to know the safe area of their building and move there in the event of an emergency.

Watches

Watches highlight the area where severe weather or tornadoes are most likely to develop. Continue with your normal activities, but keep informed of the latest weather information, and be ready to get to shelter in case tornadoes develop quickly.

Warnings

Warnings are issued when severe weather has been reported or is imminent. Seek shelter immediately if you are in or near the path of the storm. Warnings are issued by county names. Concordia University, St. Paul, is located in Ramsey County.

Safety Precautions

In an apartment, school or office building, move to the innermost room on the lowest level or to a pre-designated shelter area. Stay away from windows. If in a hallway, crouch down and protect your head from flying debris. Avoid areas with glass and large roof expansions. Remain in the designate safe area until the all clear has been given by security staff.

CONCORDIA UNIVERSITY “SAFE AREAS” LIST

1371 Marshall (interior hallways or restrooms)

Apartments (Mary and Martha) (basement storage areas)

Arndt Science Building (inside the bottom of either stairwell)

Athletic Performance Center (field side of building)

Buenger Education Center (lower level tunnel area)

Buetow Music Center (band room, choir room or piano practice room)

Center for Hmong Studies (basement)

Central Midway Building (first floor)

Concordia Art Center (lower level area outside of offices)

E.M. Pearson Theater (basement dressing rooms)

Fandrei Center (Basement or main level restrooms)

Gangelhoff Center (locker rooms; under bleachers)

Graebner Memorial Chapel (basement)

Holst Hall (main floor hallways away from exterior doors)

Hyatt Village (laundry room; then lower level of Concordia Art Center)

Library Technology Center (basement level)

Luther Hall (Tunnel in or just outside the Multicultural Lounge)

Lutheran Memorial Center (basement tunnel or tunnel from LMC to Dining Hall)

Meyer Hall (Tunnel along walls)

Pearson Commons (lower level of LTC)

Ries Tower (first floor inner rooms)

Seafoam Stadium (restrooms under bleachers or rear of 1371 Marshall Avenue building)

Thompson Hall (lower level hallway)

Winget Student Life Center (Tunnel to classroom or tunnel connecting LMC and dining hall)

Wollaeger Hall (basement)

Know What To Do!

During severe weather warnings:

1. Seek safety immediately. Do not go outside to “watch the weather.”
2. Do not open windows. This can increase your chance of injury as well as damage to the building.
3. Stay away from windows and exterior doors. Seek shelter in basements or interior hallways and rooms on the lowest floor.
4. Follow the directions given by the Security officer. They will give the “all clear” when the threat has passed.

If severe weather strikes:

1. Report all injuries and damage to the Security Department at 651-641-8777. If you are a residential student, notify your RA.
2. After the all-clear siren sound, evacuate damaged buildings and do not attempt to return to the building unless directed to do so by the Safety Department, Security Department or the Maintenance Department.

Inquiry and Resolution

I. Introduction

Concordia University is committed to a policy of treating fairly all members of the University's community in regard to their personal and professional concerns. However, times do occur in which students think they have been mistreated. This procedure is provided in order to ensure that students are aware of the way in which their problems with a University employee can be resolved informally and to provide a more formal reconciliation process when needed.

II. Definition

An inquiry is defined as dissatisfaction occurring when a student believes that any conduct or condition affecting him or her is unjust or inequitable, or creates unnecessary hardship. An inquiry arises when a student believes, based on established administrative policies and procedures, that he or she has been treated in an arbitrary or capricious manner by a university department or a representative of the university.

An inquiry against a university official arises when a student believes he or she has been subjected to inappropriate behavior or lack of a timely resolution by a department or university employee acting within their role and duty.

An inquiry of personal misconduct by a university employee arises when a student believes he or she is the subject of inappropriate behavior outside of the employee's role and duties within the university.

III. Informal and Internal Inquiry and Resolution Process

Prior to bringing an inquiry, students are highly encouraged to attempt a good-faith resolution of the inquiry. This attempt may be made with the party directly involved with the disputed matter, or with the head of the department in which the inquiry arises. Attempts at informal resolution should be initiated within 30 days of the incident.

IV. Formal and Internal Inquiry and Resolution Process

Should a situation arise in which a student is unable to resolve his or her inquiry informally, the university's formal and internal inquiry and resolution process may be employed. This process, outlined below, should also be initiated 30 days of the failed informal resolution.

Step 1: A formal inquiry is filed electronically using the Inquiry and Resolution Form. This form can be found on CSP Blackboard. This report is submitted to the Dean of Student's Office, the Vice President for Academic Affairs Office and the Director of Human Resources Office.

Step 2: Upon receipt of the formal inquiry, a designee is appointed by the Dean of Students to investigate the dispute. Depending upon the inquiry, pertinent data will be gathered by the investigator. This data is then presented to the Dean of Students and/or department head (overseeing the staff/faculty member mentioned in the inquiry) for resolution. If the inquiry is based on personal misconduct by a faculty or staff member or other university employee, Human Resources will be notified.

GUNS/WEAPONS/EXPLOSIVES

Weapons, firearms, ammunition, fireworks, explosives and all lethal weapons are strictly prohibited on campus and are subject to confiscation. Weapons include, but are not limited to tazers, stun guns, pellet/bb guns, and knives (other than an ordinary pocketknife carried in a closed position with a blade of three inches or less or cutlery of a reasonable size when used in a kitchen or other food preparation). The possessor is also subject to disciplinary action. Possession of a license to possess or use any of the above items shall not constitute a defense of any violation of this section, unless otherwise noted in other University policies.

INCLUSIVE LANGUAGE (FH 6.88)

The University's mission statement commits the institution to preparing students "for dedicated service to God and humanity." In keeping with this mission, the University encourages communication that shows respect for all individuals. Therefore, all members of the university community will avoid language and illustrations that reinforce discriminatory attitudes or misleading stereotypes about people. Every official University communication, whether written or oral, shall use inclusive language.

All supervisory personnel will be responsible for assuring that this policy is followed.

NON-DISCRIMINATION

Concordia University, St. Paul admits students of any age, race, color, disability, sex, national and ethnic origin to all rights, privileges, programs, and activities generally accorded or made available to students at the university. It does not discriminate on the basis of age, race, color, disability, gender, familial status, sexual orientation, religion, national and ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, athletic, and other university-administered programs.

Concordia does not discriminate on the basis of disability (cf. Section 504 of the Rehabilitation Act of 1973 as amended).

Any persons having inquiries concerning Concordia University's compliance with the regulations implementing Title VI, Title VII, Title IX or Section 504 or Americans with Disabilities Act are directed to contact one of the following:

Milissa Orchard
Associate Vice-President of Human Resources & Compliance
Title IX Coordinator
504/ADA Compliance Officer
Concordia University
1282 Concordia Avenue
Saint Paul, MN, 55104-5494
(651) 641-8268 or HROrchard@csp.edu

Persons may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the institution's compliance with the regulations implementing Title VI, Title VII, Title IX Section 504, or Americans with Disabilities Act.

PURCHASING ITEMS FOR PERSONAL USE

University funds are not to be used to purchase items for the personal, non-university related use of students, faculty or staff. As a result, goods or services purchased with University funds remain the property of the University and under the control of the University (for example, a shirt purchased with general university funds, issued to a student and not returned to the university at the end of practices or performance, is no longer under the control of the university even though it may technically remain university property).

- A. In the event that any University-owned property is no longer needed by the University, it should be designated as surplus by the department which controls it. It is placed at the disposal of the Vice President for Finance and Operations, who liquidates it according to the university's established policies.

- B. Agency accounts contain funds held by the University, which serves as an agent for other entities or individuals. Items purchased from agency account funds can be issued to individuals who are appropriately connected with the intended purpose of the agency account (for example, an agency account established to enhance the volleyball program, containing funds raised by student-athlete volleyball players and/or coaches, may be used to purchase jackets for program participants). Regular purchasing procedures, including completing requisitions and obtaining a purchase order in advance of acquisition, must be followed.
- C. If an item is to be used as a part of an official uniform or costume and is to remain in the possession or control of the person to whom issued, the University may subsidize up to one-third of the cost of the item. The person to whom the item is issued must pay the balance of the actual cost before receiving the item. The University's portion will be paid only if the purchase has been budgeted and approved in the budgeting process.
- D. Consumable items are not intended to be covered by this policy. Consumable items are items which are used up, or items which cannot be used by others.
- E. Exceptions to this policy in extraordinary circumstances must be approved by the program area's Vice President and the University President. Approval must be secured in advance of any order or purchase.
- F. The following exceptions have been made:
 1. an orientation T-shirt, available to all new students as a welcome gift;
 2. a T-shirt awarded to intramural champions in lieu of a trophy; and
 3. shirts for RAs and Student Senate leaders which serve as identifiers.

SEARCHES

Any person present on University premises or at off-campus University-sponsored functions who is in possession of a bag, purse, backpack, or any other container where contraband, weapons, alcohol, or any other prohibited substance could be contained is subject to search by a University official. This includes, but is not limited to, vehicles parked on University premises when there is reason to believe the vehicle contains any prohibited item.

SEXUAL MISCONDUCT & CIVIL RIGHTS EQUITY RESOLUTION PROCESS

In accordance with Title IX of the Educational Amendments Act of 1972 and its implementing regulations, Concordia University, St. Paul (CSP) prohibits discrimination on the basis of sex, including sexual harassment, in its education programs or activities. This prohibition on sex discrimination includes, but is not limited to, admission and employment as well as other benefits, programs, and activities.

Other forms of sex- and gender-based discrimination are addressed by separate University policies, including, but not limited to, Equal Employment Opportunity and Anti-Discrimination and Non-Harassment. All Covered Persons are expected to strictly adhere to all applicable policies.

To affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, and to ensure compliance with federal and state civil rights laws and regulations, Concordia University, St. Paul has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in sexual misconduct allegations. The policy below defines the forms of sexual misconduct and sexual harassment prohibited by Concordia University, St. Paul, describes options for reporting, and identifies the process Concordia University, St. Paul will use to investigate and respond to reports of alleged violations.

When an alleged violation of this policy is reported, the allegations are subject to resolution using CSP's procedures as detailed below. The policy which follows is not intended, nor implied, to be a contract and is solely a policy for addressing grievances of sex discrimination or sexual harassment.

Scope and Applicability

This policy applies to all Concordia University, St. Paul students, employees (faculty, staff, and student employees), members of the Board of Regents, contracted partners, volunteers, visitors, and participants in University-sponsored activities and/or events.

This policy governs conduct by or against a Covered Person on the Concordia University, St. Paul campus or at a University-sponsored event.

Definitions

Terms used in this policy have the following meanings:

“Advisor” means a person selected by the Complainant or Respondent, or appointed by CSP, who may be present during the Formal Resolution Process and meetings related thereto, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any. An Advisor may be an attorney.

“Alternative Resolution Process” is the process outlined herein for resolving a Formal Complaint with the voluntary written consent of both the Complainant and Respondent and consistent with the other conditions and procedures set out in the Resolution Process.

“Amnesty” means that a student who reports sexual misconduct in good faith, either as a Reporting Party, as a Third-Party Reporter, or as a witness in an investigation, will not be subject to disciplinary action under student conduct policies for their own personal consumption of alcohol or drugs in connection with the reported incident.

“Coercion” is conduct, including intimidation and express or implied threats of physical, emotional, or other harm, which is employed to compel someone to engage in sexual activity. Coercion may be physical or verbal. Consent may not be obtained through coercion.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment and who is participating in, or attempting to participate in, an educational program or activity of CSP at the time the report is filed.

“Confidential Resource Persons” are campus members who provide confidential assistance and support to individuals who have experienced or witnessed an event that falls under the University’s definition of Title IX-Based Sexual Misconduct. Confidential Resource Persons are not required to notify the Title IX Coordinator or law enforcement about alleged sexual misconduct unless the allegations involve the physical or sexual abuse of a child or a vulnerable adult or there is imminent danger to the life of any person. Confidential Resource Persons may be available off campus through community resources or via an agreement with a contracted partner agency of the University. The Confidential Resource Persons available at Concordia University, St. Paul include members of the campus ministry team and Student Accessibility Services and Health Resources employees.

“Consent” is knowing, voluntary and clear permission, by word or action, to engage in mutually agreed upon sexual activity by a party of legal age to provide consent per state law. Since individuals may experience the same interaction in different ways, each party must make certain the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if an individual kisses someone, the person kissed can kiss the first individual back if they wish without the need to explicitly obtain consent to being kissed back. A current or previous relationship is not an indication of consent nor is silence or failing to resist a sexual act. A person cannot consent if they cannot understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including alcohol or other drug use. Consent can be withdrawn by words or actions at any time during sexual activity.

“Covered Person” means a student, employee (faculty, staff, or student employee), member of the Board of Regents, contracted partner associate, volunteer, visitor, or participant in University-sponsored activities and/or events.

“Education Program or Activity” includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurred, whether such programs or activities occur on-campus or off-campus. This generally includes all buildings and physical spaces owned and/or operated by Concordia University, St. Paul, and all off-campus University-sponsored events.

“Employee” is a person in an employment relationship with the University or any of its units, including full- and part-time faculty, staff, and student employees, but not including volunteers or emeritus status individuals or retirees of the University.

“Finding” is a conclusion by the preponderance of evidence that the conduct did, or did not, occur as alleged.

“Fondling” means the touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including in instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

“Force” is the infliction, attempted infliction or threatened infliction of bodily harm or the act or threat of any other crime, violent activity, or wrongdoing. Force may include the use of physical violence, threats, or intimidation (implied threats). Forced sexual activity is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced.

“Formal Complaint” refers to a document submitted or signed by a Reporting Party or signed by the Title IX Coordinator alleging sexual harassment (as defined within this policy), against a Respondent and requesting that CSP investigate the allegation or address it through an Alternative Resolution Process.

“Formal Resolution Process” is the response and resolution process as defined within the policy.

“Hearing Officer” means the individual designated by Concordia University, St. Paul that hears and reaches a determination regarding a Formal Complaint alleging sexual harassment. The Hearing Officer is responsible for managing the conduct of a hearing on a Formal Complaint of sexual harassment.

“Hearing Panel” is the group of individuals (comprised of the Hearing Officer and at least one member of the Title IX committee) who attends and observes the live hearing and is responsible for determining sanctions when the Hearing Officer determines that a Title IX violation has occurred.

“Incapacitation” is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, or how of their sexual interaction). This definition also applies to parties whose incapacity results from mental disability, involuntary physical restraint, and/or from the taking of, or being administered, incapacitating drugs.

“Investigator” means an internal (University employee) or external individual assigned to gather facts during the Formal Resolution Process. The role of the Investigator is to conduct a prompt, thorough, and impartial review of the information regarding a Formal Complaint and to provide an investigation report and file of evidence for use in a live hearing.

“Investigative Report” is a written report prepared by the Investigator that fairly summarizes relevant evidence gathered in an investigation and relating to a Formal Complaint.

“Official with Authority (OWA)” means a University official authorized to institute corrective measures on behalf of Concordia University, St. Paul related to sexual misconduct prohibited in this policy. The Title IX Coordinator and Deputy Coordinator are Officials with Authority.

“Parties” include the Complainant(s) and Respondent(s), collectively.

“Preponderance of Evidence,” also referred to as the “more likely than not” standard, is the evidentiary standard that the University uses to determine if a Respondent is responsible for a Sexual Misconduct policy violation. This standard requires the Hearing Officer to consider the relevance and reliability of all evidence and facts known to the Hearing Officer and to determine whether it is more likely than not that a policy violation occurred.

“Report” is an informal oral or written statement by a Reporting Party or a Third-Party Provider alleging sexual misconduct by or against a Covered Person. A report may be resolved by providing supportive measures to the Complainant or through a resolution process as defined in this policy.

“Reporting Party” means an individual who experiences conduct that they believe is or may be sexual misconduct prohibited by this policy.

“Required Reporter” is an employee of CSP who is required by this policy to promptly report knowledge, notice, and/or reports of discrimination, harassment, and/or retaliation with the Title IX Coordinator and includes:

1. Director of HR Operations
2. Associate Vice-President for Student Life
3. Dean of Students
4. Housing Officers including Graduate Assistants for University Housing
5. Security Director and Officers
6. President
7. Provost
8. Vice-Presidents
9. College Deans
10. Athletic Director and Coaches.

“Respondent” means an individual alleged to be the perpetrator of conduct that could constitute sexual harassment.

“Sanction” is a consequence imposed by CSP on an individual who has been found to have violated this policy.

“Sexual Harassment” is conduct on the basis of sex that meets conditions further defined in this policy.

“Sexual Misconduct” includes sexual harassment, sexual assault (including actual or attempted non-consensual sexual contact and actual or attempted non-consensual sexual penetration), sexual exploitation, dating violence, domestic violence, and stalking. Each is further defined in the Title IX-Based Sexual Misconduct section of this policy.

“Supportive Measures” means non-disciplinary, non-punitive, individualized services designed to restore or preserve equal access to Concordia University, St. Paul’s educational programs and/or activities. Supportive Measures may be offered to a Complainant and/or Respondent before or after filing a Formal Complaint or where no Formal Complaint has been filed. Supportive Measures may include, but are not limited to:

- Counseling
- Coursework adjustments
- Modifications of schedules
- Campus escort services
- Mutual restrictions on contact
- Changes in work or housing locations
- Leaves of absence
- Increased security or monitoring

Supportive Measures provided to a Complainant or Respondent will be kept confidential to the extent feasible.

“Third-Party Reporter” means an individual, other than a Reporting Party, who notifies an Official with Authority that they have received information from a community member who believes they have experienced conduct that the individual believes is or may be sexual misconduct prohibited by this policy.

Jurisdiction

This policy addresses Concordia University, St. Paul's response to reports of sexual harassment, as defined herein, in an education program or activity of Concordia University, St. Paul occurring against a person in the United States. The Title IX Coordinator is responsible for determining whether matters fall under the jurisdiction of this policy. Alleged conduct that may violate Concordia University, St. Paul's prohibition on sex discrimination, sexual misconduct that does not constitute sexual harassment or conduct that may violate other Concordia University, St. Paul policies will be addressed under procedures applicable to those policies.

This policy addresses two categories of sexual misconduct: Title IX-based sexual misconduct as defined by federal regulations and non-Title IX-based sexual misconduct, which covers a broader range of prohibited conduct.

Title IX-Based Sexual Misconduct

Title IX Sexual Harassment is a specific form of discriminatory harassment based on sex. Acts of Title IX Sexual Harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. Title IX-based sexual harassment includes verbal and/or physical conduct and may have occurred between people of the same gender or different genders.

Federal regulations require universities to address Title IX-based sexual misconduct in specific and prescribed ways that do not apply to non-Title IX-based sexual misconduct prohibited by Concordia University, St. Paul. Specifically, federal regulations stipulate the requirement of a live hearing to adjudicate Title IX-based sexual misconduct under certain circumstances.

Title IX Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

- 1) **Quid Pro Quo Harassment**, when an employee of Concordia University, St. Paul conditioning the provision of an aid, benefit, or service of Concordia University, St. Paul on an individual's participation in unwelcome sexual conduct;
- 2) **Hostile Environment Harassment** where unwelcome conduct determined by a reasonable person to be so **severe, pervasive, and objectively offensive** that it effectively denies a person equal access to Concordia University, St. Paul's education programs or activities.
- 3) **Sexual assault**, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the [Federal Bureau of Investigation. Relevant elements of the definition include the following:](#)

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

Sodomy: Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Fondling: The touching of the private body parts of another person for the purposes of sexual gratification without the consent of that person, including instances where that person is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

- 4) **Dating violence**, meaning violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be

determined based on the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship;

5) **Domestic violence**, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Minnesota or Oregon, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Minnesota or Oregon; or

6) **Stalking**, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

A determination of conduct that constitutes sexual harassment is made based on the facts and circumstances involved in the situation. Most often, a finding of harassment requires a pattern of unwelcome conduct however, a single incident may constitute harassment depending on the facts and circumstances. This policy prohibits any form of sexual harassment, including forms of sexual harassment that would not meet the definition of Title IX-Based Sexual Misconduct.

Non-Title IX-Based Sexual Misconduct

To ensure fair and equitable treatment, the University follows the same process for sexual misconduct complaints regardless of whether the allegations are Title IX-based or non-Title IX-based. However, the University does not utilize live hearings to adjudicate reports of non-Title IX-based sexual misconduct unless the process could result in a student's suspension or expulsion.

1) **Sexual Harassment** is any form of sexual harassment, including forms of sexual harassment that would not meet the definition of Title IX Sexual Harassment. Sexual harassment is unwelcome sexual- or gender-based verbal, written, online, and/or physical conduct.

Sexual harassment creates a hostile environment and may be disciplined when it is sufficiently severe, pervasive, persistent, **or** objectively offensive that it:

- has the effect of unreasonably interfering with, denying, or limiting employment opportunities or the ability to participate in or benefit from the University's educational, social, and/or residential program, **or**
- is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

2) **Non-Consensual Sexual Contact with an Object**, defined as any intentional sexual touching; however slight; with any object; by a person upon another person; that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual or any other bodily contact in a sexual manner.

3) **Sexual Exploitation** to include taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute Title IX Sexual Harassment under this policy.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy.
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
- Prostituting another person

- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Creation, possession, or dissemination of child pornography

Title IX Coordinator

Concordia University, St. Paul has designated Milissa Orchard to serve as its Title IX Coordinator. Their contact information is:

Milissa Orchard
 Title IX Coordinator
 Meyer Hall 210
 651.641.8268
 TitleIX@csp.edu

When the Title IX Coordinator becomes aware of an incident or allegation of sexual misconduct, they will take the necessary steps to initiate the response and resolution procedures outlined within the policy. The Title IX Coordinator is responsible to ensure the uniform application of this policy and related procedures as well as ensuring incidents and allegations by or against a Covered Person are addressed timely and appropriately. The University recognizes that each case is unique and specific to the involved parties and reserves the flexibility, at the discretion of the Title IX Coordinator their designee, to authorize departures from the procedures as warranted by the circumstances and consistent with state and federal laws and regulations.

In cases involving domestic violence, dating violence, sexual assault, stalking, and other cases where safety is of concern, the safety of the Reporting Party and the University community is of primary importance. The University will discuss these concerns with the Reporting Party and with other resources to determine, under the specific circumstances, how to proceed in a way that protects the safety of those involved.

Inquiries about the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator.

Reporting

Concordia University, St. Paul is committed to preventing, investigating, and resolving all forms of sexual misconduct. Any person—regardless of whether the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment—is strongly encouraged to report their experience as soon as possible. Reports may be made in person, by mail, by telephone, by email, or by filing a confidential report located on the CSP website (<https://www.csp.edu/student-life/title-ix/>). Reports may be made at any time and by any person who has experienced or witnessed a potential violation of this policy.

Under no circumstance may a University employee who has received a report of sexual misconduct suggest that a Reporting Party is at fault for the incident or that the Reporting Party should have behaved differently to avoid being victimized. Moreover, the University is committed to treating all members involved in a complaint with dignity, while also supporting a fair, consistent, and impartial process.

Upon the receipt of a report, the Title IX Coordinator will assess the report to determine processes that may apply and coordinate resources and supportive measures (with or without the filing of a Formal Complaint). The University response and resolution procedures will be initiated when an Official with Authority becomes aware of an incident or allegation of sexual misconduct involving a Covered Person.

For additional information regarding reporting a potential violation to a University employee, please see the definitions above for **Confidential Resource Persons** and **Required Reporters**. Employees who are not assigned to either of these categories are encouraged to recommend that a reporting party discuss their concerns with the Title IX Coordinator but are not required by law to do so.

In addition, the following resources are available to Covered Persons as follows:

- **On-Campus Emergencies** should be reported to Campus Security by dialing 8777.
- **Off-Campus Emergencies** should be reported by dialing 911 from the nearest telephone.

Individuals who have personally experienced sexual misconduct have several options for sharing their experience and seeking support and resolution.

- **Confidential Resource Persons** are available through Counseling Services and Campus Ministry as soon as possible. This option is available for individuals who wish to keep the details of the incident confidential or who are uncertain whether they intend to pursue formal resolution but wish to seek supportive measures. If you are uncertain if someone is designated as a Confidential Resource Person and is able to maintain confidentiality about a situation, ask the individual before revealing confidential information. Note that even when speaking with a Confidential Resource Person, information that may risk the safety and well-being of any community member may not be able to be maintained as confidential. In most cases when a report is necessary, the Confidential Resource Person may withhold the name and other identifying details upon request of the Reporting Party when contacting the Title IX Coordinator.
- **Law Enforcement** resources are available for individuals who have experienced misconduct that may violate criminal laws. Parties wishing to seek this option have the full support of Concordia University, St. Paul who will promptly assist with making such reports. The University also recognizes a Complainant's right to decline law enforcement assistance and support. Upon request by law enforcement officers, the University will assist with obtaining, securing, and maintaining evidence in connection with sexual misconduct allegations. Only at the request of a Complainant, or when subpoenaed, will the University share data related to the reported misconduct with law enforcement officers conducting a criminal investigation to the extent permitted by student data privacy laws.
- **Anonymous Reports** may be filed by using the reporting form on the University's Title IX page at www.csp.edu/student-life/title-ix/. Please note that, per state law, CSP is not obligated to investigate anonymous reports and such reports often hinder the University's ability to investigate and respond appropriately to such incidents.

Upon the determination of appropriate processes in response to an allegation of Sexual Misconduct, the Title IX Coordinator will request to meet with the Complainant within five (5) business days to discuss and provide for supportive measures and determine the appropriate resolution process. If the Complainant chooses not to file a Formal Complaint, the Title IX Coordinator may choose to do so. The Title IX Coordinator may also advise the Complainant about other available procedures and Supportive Measures.

If the Complainant or the Title IX Coordinator chooses to file a Formal Complaint, such Formal Complaint will be handled in accordance with the Formal Resolution Process within University policy at the time the complaint is filed.

When to Report

Reporting parties are encouraged to make a report of sexual misconduct as soon as possible so that the Complainant may receive information regarding accessing support measures and processes available. The University encourages that all violations be reported regardless of whether the Complainant knows the identity of the Respondent and regardless of whether the Complainant wishes to engage in a University resolution process.

There is no time limitation on providing reports and Formal Complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be limited or impossible.

Acting on reports and Formal Complaints at the discretion of the University based on the availability of witnesses and evidence. Regardless of when a report is made and the University's ability to provide an equitable process for resolution, supportive measures and resources will be made available.

Required Reporting by Concordia University, St. Paul

Under the Clery Act, the University has a responsibility to track and publish information about certain types of sexual misconduct and to report certain information in the University's annual Campus Security Report. Personally identifiable information is kept confidential and will not be included.

Under Minnesota law, the University has a responsibility to track and publish certain information about sexual assault and to report certain related statistics on its website and to the Minnesota Office of Higher Education. Personally identifiable information and other data collected by the University is kept confidential, will not be published except in accordance with Minnesota law, and otherwise is available only to university employees whose work assignments require reasonable access.

The University is also required to issue timely warnings for reports of incidents it becomes aware of that pose the potential for a serious and continuing threat to members of the University community. Personally identifiable information of Reporting Parties will not be published in these timely warnings, but every effort will be made to provide enough information to protect all community members and help ensure the safety of the University community.

Confidentiality

If it is determined that there is an obligation to investigate an incident or allegation, the University will maintain confidentiality to the extent reasonably possible and consistent with a prompt, equitable, and impartial resolution process. This process will also be conducted consistent with applicable laws and University policies. In addition, the University will take steps to address any safety concerns for an individual or the greater University community. In all cases, the individuals responsible for investigating and facilitating the resolution process for reports of Sexual Misconduct are permitted to share information about the incident or allegation, investigation, and response, within and outside the University on a "need to know" basis. Complete confidentiality, however, is generally not possible due the University's obligation to respond.

Reporting and Responding Parties have the right to speak or otherwise share information about reports and allegations by or against them and the related response and resolution process. Throughout the investigation and resolution process, both parties must ensure their communications are consistent with the non-retaliation provision of this policy and other applicable University policies. Other individuals involved in the resolution process, including witnesses, support persons, University employees, and other Covered Persons who are not parties in the complaint are expected to maintain the confidentiality of information related to reports, responses, and the resolution process.

Formal Resolution Process

Concordia University, St. Paul's response to a Formal Complaint of sexual harassment will treat Complainants and Respondents equitably and provide a process in which the Title IX Coordinator, Investigator, Hearing Officer, Appeal Panel Member, and any facilitator of an Alternative Resolution Process are free from conflicts of interest or bias against the Complainant or Respondent (or against complainants and respondents generally).

These individuals will receive training on the definition of sexual harassment, the scope of Title IX, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. These individuals will also receive training regarding their specific roles in the process.

Concordia University, St. Paul will strive to complete the Formal Resolution Process within a reasonable time after the receipt of a Formal Complaint (typically within ninety (90) calendar days). The Title IX Coordinator may allow for the temporary delay of all or part of the Formal Resolution Process for good cause and will provide written notice to the Complainant and Respondent of the delay and the reasons therefor.

Presumption

Respondents in a Formal Complaint are presumed not responsible for the alleged conduct until a determination is made regarding responsibility at the conclusion of the Formal Resolution Process.

Written Notice

Within a reasonable period, typically five (5) business days following receipt of a Formal Complaint, Concordia University, St. Paul will provide written notice to known parties:

- Of the Formal Resolution Process
- Of the allegations potentially constituting a violation of the Sexual Misconduct policy, including then-known details regarding:
 - the identities of the parties involved in the incident
 - the conduct allegedly constituting a policy violation
 - the date and location of the alleged incident(s)
- That the Respondent is presumed not responsible until after the process has concluded and a determination is made
- That a determination regarding responsibility is made at the conclusion of the Formal Resolution Process
- Of their right to an Advisor
- Of their ability to inspect and review evidence in connection with the Formal Complaint
- Of their obligation to promptly notify the Title IX Coordinator if at any time they believe the Title IX Coordinator, Investigator, facilitator of any Alternative Resolution Process, Hearing Officer, or Appeal Panel Member has a conflict of interest or bias
- Of any other provision in a policy or code of conduct (student or employee) that may be implicated by the allegations in the Formal Complaint
- Of any Alternative Resolution Process

If, during the course of an investigation, Concordia University, St. Paul decides to investigate allegations about the Complainant or Respondent that were not included in a previous written notice, it will provide notice of the additional allegations to known parties.

Grounds for Dismissal

If at any time subsequent to the filing of a Formal Complaint, Concordia University, St. Paul determines that the conduct alleged, even if proved, would not constitute sexual harassment, or does not otherwise fall under the jurisdiction of this policy, Concordia University, St. Paul will dismiss the formal inquiry with regard to that conduct. Such a dismissal does not preclude disciplinary action under other provisions of Concordia University, St. Paul's policies.

If, at any time subsequent to the filing of a Formal Inquiry: (1) Concordia University, St. Paul is notified by the Complainant that they wish to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed; or (3) specific circumstances prevent Concordia University, St. Paul from gathering evidence sufficient to reach a determination; then Concordia University, St. Paul may, in its discretion, dismiss the Formal Complaint or a portion thereof.

In the event of the dismissal of a Formal Complaint (or a portion thereof) under this section, Concordia University, St. Paul will promptly (within one week) notify the Complainant and Respondent in writing.

Alternative Resolution Process

A Formal Complaint that does not involve allegations of an employee engaging in sexual harassment of a student may be resolved by an Alternative Resolution Process which may occur any time between the filing of a Formal Complaint and a determination of responsibility.

Prior to any Alternative Resolution, both the Complainant and Respondent will be given written notice of: (1) the allegations; (2) the circumstances under which Alternative Resolution precludes them from resuming the Formal Resolution Process, such as voluntarily agreeing to resolution of the Formal

Complaint through the Alternative Resolution Process; (3) their right to withdraw from the Alternative Resolution Process and resume the Formal Resolution Process at any time prior to agreeing to a resolution; and (4) consequences resulting from participating in the Alternative Resolution Process, including records that will be maintained or could be shared.

Concordia University, St. Paul will facilitate an Alternative Resolution Process only after the Complainant and Respondent have received such written notice and provided voluntary, written consent to participate in Alternative Resolution. If an Alternative Resolution is agreed upon, the Title IX Coordinator (or the Title IX Coordinator's designee) will attempt to facilitate a resolution that is agreeable to both the Complainant and the Respondent. Any Alternative Resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of Concordia University, St. Paul to stop, remedy, and prevent policy violations. The Complainant and Respondent equally have the option to discontinue the Alternative Resolution Process at any time and request a formal investigation. The University reserves the right to initiate a formal investigation should the situation warrant it. If at any point during the Alternative Resolution Process, the Complainant or Respondent or Concordia University, St. Paul wishes to cease the Alternative Resolution Process and to proceed through the Formal Resolution Process, the Alternative Resolution Process will stop and the Formal Resolution Process will be invoked.

Investigation

Following the filing of a Formal Inquiry, the Title IX Coordinator shall designate an Investigator for the matter. The Investigator will conduct a prompt, thorough, and impartial investigation and prepare a written Investigative Report (typically within thirty (30) calendar days). The Investigator will meet individually with the Complainant and Respondent at least once during an investigation. The Complainant and Respondent will receive written notice of the date, time, location, and individuals who will be present for any investigative interview or meeting and will be given sufficient time to prepare (no less than two (2) business days' notice). The Complainant and Respondent may be accompanied by one Advisor at any investigative interview or meeting.

The Complainant and Respondent may advise the Investigator of any witnesses they believe should be interviewed and any inculpatory or exculpatory evidence including, for example, e-mails, text messages, photographs, video surveillance, and/or other physical, documentary, or other evidence.

The burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University. After the Investigator has gathered evidence, both the Complainant and Respondent (and any Advisor) will be given the opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint. Within ten (10) calendar days, the Complainant and Respondent may submit a written response to such evidence. Any written response(s) will be considered by the Investigator before completing the Investigative Report.

Investigative Report

The Investigative Report will fairly summarize the relevant evidence. In the event that a Formal Complaint proceeds to a hearing, the Investigative Report will be sent to both the Complainant and Respondent (and any Advisor). Within ten calendar days of receiving the Investigative Report, the Complainant and Respondent may provide a written response.

Live Hearing

A single Hearing Officer facilitates a hearing in response to a Formal Complaint. The purpose of the hearing is for the Hearing Officer to objectively evaluate relevant evidence to determine whether the Respondent is responsible for engaging in sexual harassment. If the Hearing Officer determines that the Respondent has committed sexual harassment, he or she is also responsible for determining appropriate sanctions.

Preparation for the Hearing

The Title IX Coordinator or a designee will arrange the administrative details for the hearing, including: (1) selecting the Hearing Officer; (2) arranging a time and virtual platform for the hearing; (3) making the Investigative Report and evidence that is directly related to the allegations raised in the Formal Complaint available at the hearing so that both the Complainant and Respondent will have equal opportunity to refer to such evidence during the hearing; and (4) arranging for a Complainant or Respondent who does not have an Advisor to be appointed an Advisor to conduct cross-examination on behalf of that party at the hearing.

The hearing will occur with the Complainant and the Respondent located in separate rooms with technology enabling the Hearing Officer, the Complainant, the Respondent, the hearing panel, any Advisor(s), and any witness(es) to simultaneously see and hear any party or witness answering questions.

Conduct of the Hearing

The Hearing Officer is responsible for managing the conduct of the hearing and ensuring that procedures are followed. The Hearing Officer facilitates all phases of the hearing and resolves all questions that arise during the hearing, including but not limited to procedural issues and issues regarding the propriety or relevance of specific questions, arguments, and information presented. The Hearing Officer will also seek to ensure an orderly and fair exchange of information during the hearing, and at the discretion of the Hearing Officer, may ask questions of any party or witness. If anyone attending the hearing acts without appropriate respect or decorum, including failure to comply with the Hearing Officer's instructions, the Hearing Officer may take appropriate action, including requiring that person to leave the hearing.

At the hearing, the Hearing Officer and both the Complainant's Advisor and the Respondent's Advisor will have the opportunity to ask the other party and any witnesses relevant questions and follow-up questions. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a question, the Hearing Officer will determine whether the question is relevant. If the Hearing Officer excludes a question as not relevant, they will orally explain their decision to do so.

Questions and evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant unless: (1) they are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or (2) they concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not appear at the hearing, decision-makers can consider other statements made by that individual in the decision-making process. Refusing to answer a question(s) or appear at the hearing may be considered in determining how much weight to give a party's/witness' account or the credibility of their account. The decision-maker may not draw an inference based solely on a party's or witness' absence from the live hearing or refusal to answer questions.

An audio recording, audiovisual recording, or a transcript of the hearing will be made and provided upon request to the Complainant and Respondent for review subsequent to the conclusion of the hearing.

Determination & Sanctions

Following the presentation of information at the hearing, the Hearing Officer will determine whether the Respondent engaged in sexual harassment. In reaching a decision, the Hearing Officer will apply a preponderance of the evidence standard and will conclude that sexual harassment occurred if the evidence determines it is "more likely than not."

If the Hearing Officer determines that the Respondent violated the Sexual Misconduct policy, the hearing panel (comprised of the Hearing Officer and at least one Title IX Committee member) will

then determine appropriate sanctions. Concordia University, St. Paul may implement any of the Supportive Measures outlined above at any time prior or subsequent to any finding of responsibility. However, disciplinary sanctions and remedies will not be implemented unless there is a determination of responsibility.

Possible remedies available in all Alternate or Formal Resolution include:

- A single or series of educational conversations between the Respondent and Title IX Coordinator
- An agreement by the University to provide additional training to the University community or to a particular audience of the University community;
- An agreement by the University to provide agreed support measures to the Complainant;
- A mutual no-contact directive

Possible remedies that include disciplinary sanctions for a Respondent found responsible for a policy violation include:

- Written warning;
- No-contact directive;
- Behavioral agreement;
- Disciplinary probation;
- Requirement for the Respondent to attend educational programs;
- Removal from University housing;
- Removal from specific course(s) and/or activities;
- Restrictions on campus privileges and access;
- Continuing any interim measures in place;
- Suspension; and/or
- Expulsion

Written Determination

The Hearing Officer will issue a written determination regarding responsibility within seven (7) calendar days of the conclusion of the hearing. The written determination will include:

- A description of the allegations potentially constituting sexual harassment
- A description of the procedural steps taken from the receipt of the Formal Complaint through the written determination
- Findings of fact supporting the determination
- Conclusions regarding the application of policy to the facts
- A statement of, and rationale for, the result as to each allegation, including any determination regarding responsibility and any sanctions or remedies
- The procedures and permissible grounds for appeal

The written determination will be provided to the parties simultaneously.

Appeals

A Complainant, Respondent, or Title IX Coordinator may appeal: (1) a determination regarding responsibility; or (2) any dismissal of a Formal Complaint or any portion thereof. Appeals are limited to the following grounds:

- A procedural irregularity, error, or omission occurred that significantly affected the outcome.
- New evidence that was not reasonably available at the time the determination or dismissal was made that could substantially affect the outcome. A summary of this new evidence or its potential impact must be included.
- The Title IX Coordinator, Investigator, or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent and that conflict of interest or bias affected the outcome.

- The sanctions imposed fall outside the range of sanctions the University has designated for this offense and the cumulative record of the responding party.

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within three (3) business days of the delivery of the written finding. Within five (5) business days, the Title IX Coordinator will determine if the submission meets the grounds for appeal and, if so, forward it to a hearing panel for review.

An appeal panel chosen from the Title IX team will be designated by the Title IX Coordinator from those who have not already been involved in the process. The appeal panel will review the appeal request(s). The original finding and sanction/responsive actions will stand if the appeal is not timely or is not based on the grounds listed above, and such a decision is final. The original findings and sanctions are presumed to have been decided reasonably and appropriately. When any party requests an appeal that meets the grounds for appeal, the Title IX Coordinator will share the appeal request with the other party(ies), who may file a response within three (3) business days and/or bring their own appeal on separate grounds. If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within three (3) business days. These responses or appeal requests will be shared with each party.

The Title IX Coordinator will issue a written decision within five (5) business days regarding the result of the appeal and the rationale for the determination to both parties simultaneously. A determination of responsibility or dismissal becomes final either on the date that the Complainant or Respondent receives the written determination of the result of any appeal or the expiration of the deadline for any appeal.

Retaliation Prohibited

Concordia University, St. Paul, and federal and state law, prohibit retaliation against any individual who acts in good faith to make a report, testifies, assists, participates, or refuses to participate in any manner in an investigation, proceeding, or hearing under this policy. Retaliatory actions include, but are not limited to, threats or actual violence against a person or their property, adverse educational or employment consequences, ridicule, intimidation, bullying, or ostracism.

The University will take steps to prevent retaliation and will ensure a strong response to reports of such behaviors. Any conduct by a Covered Person that constituted retaliation is subject to disciplinary action, up to and including dismissal, expulsion, and/or prohibition from campus or University-sponsored activities.

Sanctions may be imposed through the student conduct process or by Human Resources if the University determines that an individual knowingly initiated a false claim of sexual misconduct or knowingly provided false information during an investigation or resolution process in response to an allegation of sexual misconduct.

PREGNANT AND PARENTING STUDENT'S RIGHTS UNDER TITLE IX

At Concordia University, we want you to be successful in your educational endeavors and career goals. Under Title IX you have a right to receive appropriate support to assist you in achieving these goals. The following information will provide you, as a student with children, additional details to assure that you continue to be on track with your education during this time.

Often Title IX is seen as prohibiting discrimination on the basis of sex. However, it also extends into supporting students who are pregnant, parenting, and all related conditions. This means that Concordia University is required to give all students who might be, are or have been pregnant the same access to school programs and other educational opportunities that other students have. Your professors or administrators should not tell you that you have to drop out of your classes or program or change your educational plans due to pregnancy.

Your absences due to pregnancy and or any other related condition must be excused as long as your doctor says it is necessary for you to be absent. If you take a leave of absence, you must be reinstated to the status you were before your leave. Like other students who are requesting for an excused absence due to medical reasons, Concordia may require you to submit a doctor's note explaining this need.

We want you to be successful in the classroom and for that reason, you cannot be penalized for pregnancy and other conditions. If there is a specific “point” system for class attendance, you must be given the opportunity to earn back the credit. You also will be given the opportunity to make up the work that you missed while you were out due to pregnancy or any related conditions, including recovery from childbirth. For example, if you have a doctor’s note that excuses you from class for several weeks because you were on “bed rest” before giving birth, Concordia must provide you with the appropriate assignments and information to make up all of the work that you would have been required to complete while you were out. It is important for you to be in continual contact with your instructor so that you do not fall far behind in making up this work.

Title IX requires that schools, such as Concordia, provide pregnant students with any special services that they provide to other students with temporary disabilities. This requires the coordination and support of Student Accessibility Services who are able to outline and connect you with the necessary services that are available.

During your pregnancy, you also are allowed to continue your participation in program-directed requirements such as internships. However, if you are a graduate assistant, you are considered an employee and your rights are different. It is important for you to work with the Human Resources Director if you are a graduate assistant.

Concordia University may not be terminated or reduce your athletic, merit or need-based scholarship funds based on pregnancy. If you stay in school, you can keep your scholarship during the period of its award. At times it may seem like it would be easier to just take the semester off. This is an option but only if your doctor says it is medically necessary. If it is not medically necessary, you must comply with Concordia’s non-medical leave policy.

Once you return to school, if you are nursing, you should be provided with break times for pumping breast milk. Concordia University does have a Mother’s Room that allows you the privacy and space to do this. Contact the Title IX Deputy Coordinator for assistance with gaining access to this space.

Concordia University is also a harassment-free university, and this includes harassment based on pregnancy. If you experience this sort of treatment at school, please contact the Title IX Deputy Coordinator. The law prohibits retaliation against you for making a complaint or raising a concern. Title IX also may intersect with the Americans with Disabilities Act (ADAAA). While pregnancy alone is not considered a disability, if you have complications from pregnancy that significantly limit a major life activity (e.g., ability to walk normal distances, require bed rest, etc.) you may be considered for a short-term disability under the ADAAA. (Department of Justice, 2010)

If you have questions regarding accommodations for short-term pregnancy issues or for access to the Mother’s Room, please contact Gwynn Thompson (gthompson@csp.edu) or Jill Simon (simon@csp.edu) with Student Accessibility Services. For questions about rights under Title IX for Pregnancy and Parenting, please contact Amanda Johnson, Title IX Pregnancy and Parenting Liaison, at 651-603-6167 or ajohnson@csp.edu.

STORAGE OF BICYCLES

Bicycles may only be stored in student rooms or on provided racks. Bicycles may not be left in common areas or chained to stairwells, lights poles and the like. Unattended bicycles or those that are not stored properly are subject to removal.

TOBACCO AND SMOKING POLICIES

A. All indoor areas are smoke-free, thus creating a “Clean Indoor Air Policy.” Smoking is not permitted in the entrances to buildings, offices, “tunnel” hallways, classrooms, residence halls, dining hall, athletic facilities and all other indoor areas. Note that e-cigs, tobacco, vaping, hookahs and the like are included in the policy and are not permitted inside of buildings on campus.

- The Knoll area of campus (the entire outside inner corridor between Hyatt Village, Arndt Science Building, Beutow Music Auditorium, Pearson Commons entrance, Meyer Hall, and Luther Hall) is a tobacco, smoke and vape free zone.

B. Receptacles for cigarettes, cigars and other tobacco products are positioned near building entrances. Smokers must smoke outdoors, at least 25 feet from any building or in designated areas to ensure that entrances are free of smoke.

UNIVERSITY OPEN BURNING AND RECREATIONAL FIRES

Recreational fires are allowed in the fire ring between Wollaeger Hall and Holst Hall. Students should make Security aware of planned recreational fires and obtain proper receptacles to distinguish fires after use. No fire should be left unattended.

University provided BBQ grills used for the sole purpose of cooking do not require a permit. Safe and proper disposal of charcoal or other ashes is required after use.