

# Student Rights and Responsibilities: A Code of Student Behavior

## 6.0 The Rules

### Behavioral Expectations

The University of Southern Indiana considers the behavior described in the following subsections as inappropriate for the University of Southern Indiana community. These expectations and rules apply to all students, whether undergraduate, graduate, doctoral, or professional. The University of Southern Indiana encourages community members to report to USI officials all incidents that involve the following actions. Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section 7: Conduct Process.

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## 6.1 Alcoholic Beverages and/or Drug/Controlled Substance Use

### 6.1.A. Alcoholic Beverages on USI Property

The manufacture, sale, transfer, purchase, transportation, possession, or consumption of an alcoholic beverage anywhere on University-owned or -controlled property (including University-owned or -leased vehicles, regardless of location), or as a part of any “University Activity” as that term is defined by the University; for alcoholic beverages, is prohibited by the University; exceptions are granted by the President or their designee.

### 6.1.B. Alcoholic Beverages at Student Organization Events

Recognized USI student organizations planning events where alcoholic beverages may be served must adhere to the guidelines established by the University.

#### 6.1.C. Behavior While Under the Influence of Alcoholic Beverages and/or Other Drugs/Controlled Substances

Being under the influence of alcoholic beverages is a violation of this code when a person is on University-owned or controlled property (including University-owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University, and the person: 1) endangers, or may endanger, the safety of others, property, or themselves; or 2) causes a disturbance.

#### 6.1.D. Contributing to the Delinquency of a Minor

Contributing to the delinquency of a minor is prohibited. This includes, but is not limited to, purchasing alcoholic beverages for a minor, giving alcoholic beverages to a minor, encouraging a minor to drink alcoholic beverages, etc.

#### 6.1.E. Alcohol or alcohol-like games

No activity shall encourage excessive or rapid consumption of alcoholic beverages, nor should any activity mock these behaviors. This includes but is not limited to: drinking contests and drinking games (such as beer pong, beer bong, or any games associated with high-risk drinking behavior).

#### 6.1.F. Parties

Using an on-campus apartment/residence hall suite (or allowing others to use it) for alcohol parties is prohibited.

6.1.G. *This policy is no longer applicable.*

#### 6.1.H. Alcohol containers and alcohol paraphernalia

Alcohol containers are prohibited. This includes but is not limited to containers kept as decoration, any paraphernalia and any bottles, cans, or boxes in the apartment/residence hall suite.

### 6.1.I. Driving Under the Influence of Alcohol and/or Other Drugs/Controlled Substances

Driving while under the influence of alcoholic beverages or illicit drugs/controlled substances on University-owned or controlled property (including University-owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University is prohibited.

### 6.1.J. Drug/Controlled Substance Related Violations

Being under the influence, possessing, manufacturing, exchanging, distributing, purchasing, using, or selling of illegal drugs or any controlled substance, including marijuana, synthetic cannabinoids, designer drugs, abuse of over-the-counter drugs, inhalants, prescription drugs, etc., except pursuant to a physician's/ dentist's prescription, or possessing paraphernalia for drug use on University-owned or controlled property (including University owned or leased vehicles, regardless of location), or as a part of any "University Activity" as that term is defined by the University is prohibited.

6.1.J.a Being in the presence of drugs/controlled substance(s)

6.1.J.b Possession of drugs/controlled substance(s)

6.1.J.c Possession of drug/controlled substance paraphernalia

6.1.J.d Use of drugs/controlled substance(s)

6.1.J.e Purchase of drugs/controlled substance(s)

6.1.J.h Possession and or use of prescription drugs without documented prescription

6.1.J.i Manufacturing of drugs/controlled substance(s)

6.1.J.j Distribution and/or sale and/or delivery of drugs/controlled substance(s)

*6.1.K. This policy is no longer applicable.*

## 6.2 Aggressive or Abusive Behavior/Physical or Verbal

### 6.2.A. Physical Violence/Abuse

Physical violence/abuse is prohibited and includes but is not limited to unauthorized touching, use of physical force, violence or intoxicants or other substances to restrict the freedom of action or movement of another person or to endanger the health or safety of

another person.

#### 6.2.B. Threatening or Intimidating Behavior

Behavior that involves an expressed or implied threat, which includes, but is not limited to the use of words verbal, written or electronic (Facebook, Instagram, Twitter, etc.) inherently likely to provide an immediate violent reaction when directed toward a specific individual, or any behavior that has the purpose or reasonably foreseeable effect of creating a hostile environment by, but not limited to, interfering with another individual's personal safety, safety of property, academic efforts, employment or participation in University-sponsored activities and causes that person to have a reasonable apprehension that such harm is about to occur, is prohibited.

#### 6.2.C. Hazing

Hazing is defined as any intentional, knowing, or reckless act, committed by a person (whether individually or in concert with other persons) against another person or persons, regardless of the willingness of such other person or persons to participate, that:

\*is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

\*causes or creates a risk, above the reasonable risk encountered in the course of participation in the University or the organization (such as preparation necessary for participation in an athletic team), of physical or psychological injury, including -

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

This includes, but is not limited to, activities such as physical abuse, forced consumption of substances, sleep deprivation, and any activity that places another person in reasonable fear of bodily harm.

Reports may also be made directly to the Title IX Coordinator and Director of Institutional Equity.

***Title IX Coordinator and Director of Institutional Equity for the University:***

Chelsea Givens, Title IX Coordinator and Director of Institutional Equity

Wright Administration Building, Forum Wing, Room 171A

8600 University Boulevard

Evansville, Indiana 47712

812-464-1703

[Title.IX@USI.edu](mailto:Title.IX@USI.edu) or [ccgivens@usi.edu](mailto:ccgivens@usi.edu) (<https://handbook.usi.edu/ccgivens@usi.edu>)

For more information about the Institutional Equity Office's process, click on this link - <https://www.usi.edu/institutional-equity/overview/understanding-the-complaint-process>.

## 6.3 Animals

### 6.3.A. Definition

Animals, defined as domesticated pets, may be brought on campus under the following conditions:

- The animal is part of a classroom demonstration that has been approved by the faculty. In such cases, the animal should be brought on campus immediately before the class and removed from campus immediately after class. The animal must be on a leash or in a carrying case when in transit.
- The animal is a “service animal” as defined by the current Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and State of Indiana regulations. Under these laws, a “service animal” is defined as an animal that is specifically trained to do work or perform tasks for the benefit of an individual with a physical, sensory, psychiatric/mental, or intellectual disability; and the work or tasks performed by the animal must be directly related to the individual’s disability.

Animals that only provide crime deterrent effects, emotional support, well-being, comfort, or companionship do not fall under the legal definition of "service animal." The University reserves the right at any time to ask if the animal is required because of a disability and what specific work or task the animal has been trained to perform. The University also reserves the right to request that the animal be removed from the property if it does not meet the legal definition of a service animal if the handler fails to keep it under appropriate

control or if it is not housebroken. An animal meeting the complete and proper definition of “service animal” will otherwise be permitted anywhere on campus that is typically open to students and visitors.

- With permission of the President or their designee.
- Animals other than “service animals” may be exercised on exterior areas of campus if they are on a leash and are not taken to any areas where an active program or event is occurring.
- In all cases it is the responsibility of the individual(s) bringing any animal to any University owned or controlled property to be aware of state and local immunization and licensing requirements, to fully comply with those requirements, and to assume all liability associated with failure to do so. Such individuals are responsible for cleaning up after their animal, for maintaining humane control of the animal at all times and are financially responsible for any damage that the animal may cause to University property or injuries caused to other individuals.

Student’s residing in University residence halls or apartments may keep animals in their residences only under the following conditions:

- **Emotional Support Animal (ESA)** - An animal that provides emotional support that alleviates one or more identified effects of a person’s disability.
- **Pet** - A pet is an animal kept for companionship unrelated to a documented or diagnosed disability.
- **Service Animal (SA)** - The animal is a service animal as defined by current Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and State of Indiana regulations. Under these laws, a service animal is defined as an animal that is specifically trained to do work or perform tasks for the benefit of an individual with a physical, sensory, psychiatric/mental or intellectual disability; and the work or tasks performed by the animal must be directly related to the individual’s disability.
- See more information about the Housing and Residence Life Emotional Support Animals, Pet, and Service Animals policies by clicking on this link - <https://www.usi.edu/housing/housing-options/animals/pet>.

### 6.3.B. Service/Assistance Animals for Residents with Disabilities

As part of the University’s commitment to comply with state and federal law and best practices that specifically apply to University housing and residential services for individuals with disabilities, Housing and Residence Life permits the use of service/assistance animals in University residence halls or apartments on a case-by-case basis, on the conditions described under this section.

### 6.3.C. Request to House Service/Assistance Animal

A resident student who wishes to use a service/assistance animal in campus housing must notify Disability Resources no later than sixty (60) days prior to the date prospective housing will be needed. Exceptions to this deadline can be made on a case-by-case basis for those students who are experiencing an unexpected change in their disability status and/or treatment needs.

A student with a disability who requests to live with a service/assistance animal in University housing will first be evaluated by Disability Resources as to whether their animal meets the definition of a “service animal” under the Americans with Disabilities Act (ADA) as described in the animal policy above. If the animal does meet that definition, no further documentation will be required for the animal to be approved to accompany the student in University housing. If the animal does not meet the ADA definition of a service animal, students will then be asked to provide Disability Resources with documentation from the student’s healthcare or mental health provider that clearly documents the following through criteria as established by the Fair Housing Act (FHA): must first provide Disability Resources with documentation from the student's healthcare or mental health provider that clearly documents the following three (3) criteria:

- That the student has a disability
- That the animal is necessary to afford the student an equal opportunity to use and enjoy his/her University residence hall or apartment; and
- That there is an identifiable relationship or nexus between the disability and the assistance the animal provides.

*\*The documentation should be on the health care or mental health provider’s letterhead and signed by the provider in their own hand.*

Upon reviewing the student’s documentation, Disability Resources will advise Housing and Residence Life of the student’s request and a conclusion as to whether the documentation warrants approval of a service/assistance animal in campus housing and whether the animal is approved under ADA or FHA regulations. The University recognizes that a wide variety of domesticated animals may be appropriate for use as an emotional support animal and has no standing prohibition against any specific breed or type or animal. However, the University does reserve the right to conduct an individualized assessment before allowing the use of any specific individual animal in campus housing that it believes may present a danger to the health and safety of the University community or to the animal itself. In cases where an individual animal is determined to be inappropriate for campus housing for health and safety reasons, that student will have an opportunity to select a different animal for use as an emotional support animal.

### 6.3.D. Animal Behavior

If the animal has a history of dangerous behavior, it will not be permitted to reside in campus housing. Once approved by the University, a service/assistance animal may continue to reside in a University residence hall or apartment provided that its behavior, noise, odor, and waste do not create unreasonable disruptions for residents. The University reserves the right to temporarily or permanently exclude a service/assistance animal from University residence halls or apartments if effective action is not taken to control the animal at all times if the animal's presence would result in substantial physical damage to the property of others (unless it can be eliminated or reduced by a reasonable accommodation), if the animal's behavior poses a direct threat to the health or safety of others or if the animal's behavior otherwise creates a significant disruption to the environment or operations of the University. Should the animal be permanently removed from the premises, the owner may request permission from Housing and Residence Life to move out of University housing by following the contract release process. Damage to University property caused by a service/assistance animal will be charged to the student's account. No deposit is required to house an approved service/assistance animal in university housing.

### 6.3.E. Notifications

The University is committed to respecting and protecting the confidentiality of all students with disabilities. However, given the number of staff persons who are responsible for operating and maintaining campus housing, Housing and Residence Life does share limited information about the presence of a service/assistance animal with University staff on a need-to-know basis. Students with an approved service/assistance animal in University housing will be asked to sign an "Authorization to Release Information" form and will in turn be provided with a description of the staff/departments that received notification about the presence of an approved service/assistance animal. Notifications may be sent to staff by email or by written memorandum, and will follow the general format of the sample notification below:

"This message serves as notification that in compliance with state and federal law and best practices concerning individuals with disabilities, (student's name) who lives in (address) is permitted to possess a service/assistance animal in campus housing for (semester and year). As such, the student has a (animal type) in the unit. This information is confidential and is being shared with you because you have a need-to-know based on your potential interaction with this student and your responsibility for their living unit in the normal course of your duties or because you supervise an area that includes this student's living unit. This information must not be shared with others without first consulting with the sender of this message."

It will be the responsibility of students with approved service/assistance animals in campus housing to notify actual or potential roommates that an animal will be residing in that living unit. Such notifications should occur as soon as possible to ensure that the other students will have a reasonable opportunity to make other arrangements and/or to express their concerns to Housing and Residence Life as described below.

#### 6.3.F. Conflicting Disability or Other Concerns of Those Sharing a Housing Unit

Some people may have conditions such as animal-related allergic reactions or phobias that are substantial enough to qualify as disabilities that qualify for accommodations, or there may be other concerns related to the presence of an animal in campus housing. In these circumstances, Housing and Residence Life will consider the needs of both persons and will make a good-faith effort to reasonably accommodate all disabilities and student concerns to the extent that circumstances permit. Such accommodations may include, but not be limited to, relocation to another unit (depending on availability), exchanging living units with another student (depending on the availability of other students willing to make such an exchange), or being released from a campus housing contract with no financial penalty. Students who become aware of the presence of a service/assistance animal in University housing and who believe that they will require such accommodations are encouraged to contact Housing and Residence Life as soon as possible. Depending on the circumstances, the student may be referred to Disability Resources for a determination of the existence of a disability that requires an accommodation.

#### 6.3.G. Control of the Animal

The service/assistance animal must be under the control and supervision of the student at all times within the student's residence hall or apartment. Service/assistance animals may be "exercised" on the exterior grounds as long as they are always under the control of the student. Service/assistance animals may not remain in the residence hall or apartment without the student unless the animal is appropriately secured in the bedroom (caged or crated) during the student's absence. Students who are leaving campus for a period exceeding twelve (12) consecutive hours must make prior arrangements to take the animal with them or to board it off-campus for the duration of their absence.

While not required, students with service/assistance animals in campus housing are strongly encouraged to identify a back-up handler who will care for the animal in case of an emergency and to provide that person's name and contact information to Housing and Residence Life. If an emergency will result in the animal being under the care of the back-up handler for longer than twelve (12) consecutive hours, Housing and Residence Life must be contacted as soon as possible. Emergency situations involving students who have service/assistance animals in campus housing will be dealt with on a case-by-case basis.

Animals may be “exercised” on exterior areas of campus if they are under the control and supervision of the student at all times. However, only animals that also meet the complete and proper federal and state definitions of “service animal” as described below may be taken to the University residence hall or apartment of other students, or to other areas of campus where programs or services are provided (e.g., food service areas, convenience store, classrooms, outside programs/activities, etc.) outside of the student’s own residence.

The animal is a “service animal” as defined by current Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and State of Indiana regulations if that animal is specifically trained to do work or perform tasks for the benefit of an individual with a physical, sensory, psychiatric/mental, or intellectual disability; and the work or tasks performed by the animal must be directly related to the individual’s disability. Animals that only provide crime deterrent effects, emotional support, wellbeing, comfort, or companionship do not fall under the legal definition of “service animal.” Per ADA regulations, the University reserves the right at any time to ask if the animal is required because of a disability and what specific work or task the animal has been trained to perform. The University also reserves the right to request that the animal be removed from the property if it does not meet the legal definition of “service animal,” if the handler fails to keep it under appropriate control, or if it is not housebroken.

#### 6.3.H. Care and Cleaning of the Animal

- The student is responsible for making sure that reasonable sanitary standards are maintained everywhere the animal is present.
- The student is responsible for promptly picking up and properly disposing of all animal waste by immediately disposing of the waste in outdoor dumpsters. Animal waste is not to be disposed of in indoor trash receptacles.
- The student is responsible for feeding and watering the animal within all living areas. If the service/assistance animal vomits or becomes incontinent, it is the responsibility of the student to clean waste immediately. Service/assistance animals should be kept clean and free from odor at all times.
- The student is responsible for providing the service/assistance animal with appropriate veterinary medical care on both an ongoing and an emergency basis.
- The student is responsible for being knowledgeable of state and local immunization and licensing requirements for their service/assistance animal and for fully complying with those requirements.

### 6.3.1. Community Living

The student is responsible for assuring that the service/assistance animal does not interfere with the routine activities of University residence halls or apartments. Sensitivity to residents and staff with allergies or to those who fear animals is an important consideration for the student in order to ensure a community environment that supports the individual needs of all who reside and work at the University of Southern Indiana. It also is important for students with approved service/assistance animals in campus housing to notify actual or potential roommates as soon as possible that an animal will be residing in that living unit so that affected students will have a reasonable opportunity to make other arrangements and/or to express their concerns to Housing and Residence Life.

## 6.4 Attempts to Commit and/or Complicity in Prohibited Acts

Attempts to commit acts prohibited by the standards of this Code of Student Behavior may be sanctioned to the same extent as if one had committed the prohibited acts.

## 6.5 Bad Debts/Financial Responsibility

### 6.5.A. Payment

All students must pay in full any debts to USI, including but not limited to tuition/fees, room and board charges, long-distance telephone bills, and any fines or tickets. Any failure to meet these obligations may result in a denial of registration or graduation privileges, denial of occupancy and/or continued occupancy of any University housing accommodation or a refusal to forward an official transcript.

### 6.5.B. Financial Aid Misuse/Abuse

Misusing financial aid through fraud or abuse is prohibited.

### 6.5.C. Student Organization/Individual Debt

USI bears no responsibility for the financial obligations of individual students or student organizations. Any debts incurred, either on or off campus by students or student groups, will be the responsibility of the student or the organization and its leadership. In the event an

organization dissolves and is no longer in existence, the individuals holding leadership positions at the time the debt was incurred will maintain responsibility for settling outstanding debts.

## 6.6 Community Standards

### 6.6.A. Responsibility to Others

A student has a responsibility to ensure the well-being of their guests and fellow students. If an individual needs emergency medical attention, the student is required to call an ambulance or other appropriate emergency response personnel (University public safety, ambulance, police, fire, etc.) to gain that assistance. If a student fails to carry out this responsibility, the student may be subject to severe University sanctions and may potentially be subject to additional civil and/or criminal liability.

Students are expected to do one or more of the following when in the presence of a potential code violation:

- a) personally, confront the violation;
- b) bring the violation to the awareness of a staff member;
- c) leave the scene of the violation, if not responsible for the space in which the violation is occurring.

Students commit to abide by the USI Creed.

I will practice personal and academic integrity; I will reject and confront all manifestations of discrimination while striving to learn from differences in people, ideas, and opinions; I will demonstrate concern for others, their feelings, their property, and their need for conditions which support their work and development; Allegiance to these ideals requires that I refrain from and discourage behaviors which threaten the freedom and respect every individual deserves.

### 6.6.B. Medical Amnesty

The University recognizes the Indiana Lifeline Law within the Indiana Code, effective July 1, 2012, which outlines when a person who meets the criteria of the act, is immune from criminal prosecution. When a student is intoxicated or under the influence of drugs/controlled substances and seeks medical assistance, they may be granted amnesty from formal disciplinary action by the University for violating alcoholic beverage or drug/controlled substance policies. Upon receiving a report that a student needs medical

assistance, University personnel will respond, and officials will use standard procedures for documenting and collecting information for all parties involved. Conduct charges will be deferred and will be dismissed upon successful completion of an approved alcoholic beverage or drug/controlled substance intervention program, leaving the student with no reportable disciplinary record. Failure to successfully complete an approved alcoholic beverage or drug/controlled substance intervention program, as required, will result in the processing of charges and may result in more severe sanctions. More information on the [Medical Amnesty policy](#) and the [Indiana Lifeline Law - Make Good Decisions program](#). (<https://indysb.org/makegooddecisions/>).

## 6.6.C. Parental/Guardian Drug and Alcohol Notification Policy

### **Background**

This policy action was made possible as a result of an amendment to the Federal Educational Rights and Privacy Act (FERPA) in 1998. Prior to this amendment, universities were prohibited by law from releasing disciplinary records of students 18 years of age or older without their written consent. The amendment provides the opportunity, should a university choose, to notify the parents of students under the age of 21.

### **Goal**

It is the goal of the University of Southern Indiana to expand the partnership between parents/guardians and the University in encouraging students to make healthy, responsible decisions about alcohol and other drugs.

### **Details of Notification**

If a student under the age of 21 is found responsible for a violation of the University code of conduct drug/controlled substance and/or alcoholic beverage policy, Housing and Residence Life or the Dean of Students will notify the student's parents/guardians in writing. This notification will detail the fact that the student has been found responsible for an alcoholic beverage or drug/controlled substance violation. The notification is designed to inform parents/guardians that the violation has occurred and to encourage discussion between parents/guardians and their students regarding acceptable behavior in the USI community setting. Written notice will not include specific details of the incident(s), circumstances surrounding the violation(s), or the specific disposition of the case. Parents/guardians interested in specific information are encouraged to discuss the case with their students. If questions remain, parents/guardians are encouraged to contact the notifying office.

### **Direct Contact**

When there is reason to believe that a student's health and well-being are in jeopardy or that they have placed other members of the University community at risk, the Dean of Students or their designee may contact the parents/guardians directly.

### **Consideration**

An integral part of the conduct adjudication process will be the discussion concerning notification of the parents/guardians. Consideration will be given to situations where notification may be detrimental to the student or family.

## **6.7 Behavior**

### **6.7.A. Computer-Related Inappropriate Behavior**

- Unauthorized use, sharing, lending, or borrowing of an account is prohibited.
- Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing is prohibited. Violation may subject a student to civil and criminal liabilities in addition to University sanctions.
- Using the computer facilities for purposes other than those for which the account was issued is prohibited.
- Storing game programs on allocated disk space or private tape, except when authorized in writing by the Information Technology director or the director's designee is prohibited.
- Using the University's computer systems for commercial purposes without written authorization of the Information Technology director or the director's designee is prohibited.
- Copying, altering, or destroying the files or output of another individual without the express permission of that individual is prohibited.

Contact Information Technology for additional Data Communications and Computer Use policies and procedural guidelines. The entire policy can be viewed on the [IT Security website](#).

## **6.8 Disorderly Conduct/Indecent Behavior**

Disorderly, lewd, indecent, bullying, cyber-bullying or obscene conduct is prohibited, including the expression of such on University-owned or controlled property or at University sponsored or -supervised events, on or off campus.

The essential element to disorderly conduct is intentionally causing or recklessly creating a risk of public inconvenience, annoyance, or alarm without proper authority such as by fighting or engaging in violent behavior, making loud and boisterous activity, unreasonable noise, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, streaking, etc.

## 6.9 Endangerment of Individuals or the Safety of Individuals

### 6.9.A. False Reporting

Initiating or circulating a report or warning concerning an impending bombing, fire, or other emergency or catastrophe knowing that the report is false; making a false report concerning a fire or that a bomb or other explosive has been placed in any University building or elsewhere on University-owned or controlled property; or knowingly transmitting such a false report to an official or an official agency is prohibited.

### 6.9.B. Failure to Comply

Willful failure to comply with orders issued by any University personnel under emergency procedures or directives during a tornado, fire, fire drill, bomb threat, earthquake, or other natural disaster is prohibited.

### 6.9.C. Tampering with fire safety devices/sign

Tampering with any fire protection sign or device or any other emergency equipment including but not limited to fire extinguishers, fire hoses, smoke/heat detectors, and other alarm systems, for reasons other than an actual emergency, except when done with the reasonable belief that such an emergency exists, is prohibited.

### 6.9.D. Damaging or attempting to damage property or structures

Damaging or attempting to damage property or structures on University-owned or controlled property by fire or any other incendiary device is prohibited.

#### 6.9.E. Acts on or off campus related to safety and security

Acts on or off University property related to the safety and security of the University community and its members, the integrity of the educational process, or the interests of the University.

### 6.10 Misuse of Proprietary Information

Unauthorized use of information or misuse of information, in whatever form, proprietary to the University or a University official, employee, or student is prohibited. "Proprietary" means property in which the University or its employee(s) and/or student(s) have a legal interest. This includes but is not limited to copyrightable materials, patents, trademarks, and service marks.

#### 6.10.A. Copyright Policy

All students who use the University of Southern Indiana ("USI" or the "University") computer network are prohibited from downloading or enabling sharing of music, movies, images, and other digital, copyright-protected files without proper licensing. Downloading or enabling the sharing of music, movies, and other digital, copyright-protected files without proper licensing constitutes the theft of copyright-protected material and is subject to both civil and criminal penalties. Companies and agencies that monitor computer networks and Internet Protocol ("IP") addresses inform USI when someone on USI's network is downloading or sharing copyright-protected songs, movies, and other material. USI is considered an Online Service Provider ("OSP") for the users of its computer network. A student's continued use of the University's OSP computer network implies the student's acknowledgment and acceptance of this policy.

If it comes to the attention of USI that an individual is using USI's computer equipment and/or network access to illegally download copyrighted material, the University will take action to stop such activities. If the University detects peer-to-peer file sharing of encrypted content, this will be treated as if it is copyrighted material, and the University will take action to stop this activity as well. The University takes such action in order to comply with provisions within the Digital Millennium Copyright Act ("DMCA") which limits the liability of the University, as an OSP, for certain copyright infringement liability if the University follows applicable procedures. Additional information on the DMCA [can be found online](https://www.copyright.gov/dmca/) (<https://www.copyright.gov/dmca/>). Immediate action by the University will include the immediate disabling of USI network access to all wireless and wired networks and referral to the Dean of Students Office for disciplinary follow-up. Once the conduct process is completed,

whether by the student accepting responsibility or a formal hearing, the Dean of Students Office will inform the appropriate University offices of the outcome and request that access be reinstated, as may be appropriate.

For the complete University Student Copyright Infringement Policy and a detailed outline of the procedures, the University will use to respond to reports of potential copyright infringements, refer to the [Policies and Procedures Section with Computer Access, Copyrights, and Intellectual Property of the Student Handbook](#).

## 6.11 Deception/Falsification/Misrepresentation

### 6.11.A. Dishonest behavior

Dishonest behavior is prohibited. Dishonest behavior includes but is not limited to falsely accusing another individual of inappropriate behavior; possessing, manufacturing, using, or furnishing false identification; and forgery, alteration, misuse, or unauthorized destruction of any University document, record, or identification. Such documents include but are not limited to student identification cards, parking permits, transcripts, charge slips, meal cards, receipts, grade reports, etc.

### 6.11.B. Unauthorized Use

Representing a University entity falsely and/or committing or using the resources of any University entity without proper authorization is prohibited.

### 6.11.C. False Accusations

Making false accusations of inappropriate behavior under this code against another individual; providing false information or falsified evidence with the intent of harming another individual; attempting to intimidate witnesses and/or altering or destroying evidence necessary to conflict resolution pending with the University is prohibited.

### 6.11.D. Notification Failure

Failing to keep the Registrar's Office (Orr Center) notified of current local, permanent and email addresses, or providing a false or fictitious address(es) for the purpose of evading University responsibilities, is prohibited. Contact Information can be updated through the myUSI portal.

## 6.12 Disruption

### 6.12.A. Disruption of University Business

Disruption or obstruction of teaching, research, administration, public service functions, meetings of University committees or boards or of any other authorized University activity or organization on or off University premises (including but not limited to ingress or egress; classes; studying; social, cultural and athletic events; computing services; registration; governance meetings; Housing and Residence Life and Dining Services), such that the function or service is materially or repeatedly or substantially disrupted or obstructed is prohibited.

### 6.12.B. Classroom Disruption

Behavior a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program is prohibited. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. For longer periods of removal from a class see section III: Faculty and Academic Policies of the Faculty Handbook. (<https://handbook.usi.edu/faculty-handbook>).

## 6.13 Emergency Protection Equipment

### 6.13.A. Tampering

Tampering with emergency protection equipment, including but not limited to University fire protection equipment, evacuation route postings, emergency signs, weather radios, exit lights, fire extinguishers, smoke detectors, and alarm systems, is prohibited.

### 6.13.B. Evacuation

When a fire alarm sounds, or when instructed to evacuate by University staff or first responders, all individuals are expected to leave the building immediately.

### 6.13.C. Gambling

Gambling for money or other things of value on University-owned or controlled property on or at University-sponsored activities is prohibited, except as permitted by federal, state, and local law.

## 6.14 Guests, Overnight Guests, and Cohabitation

Visitation in USI housing is a privilege and must be respected in order to maintain an environment conducive to student learning, growth, and safety. Housing and Residence Life may revoke visitation privileges, if necessary, to ensure the safety and privacy of the community. Permission must be given by the roommate(s) for a guest (housing resident or non-resident) to be present in an apartment or residence hall suite.

### 6.14.A. Guests

Residents are responsible for the behavior of their guests. Residents will be charged for any and all violations caused by their guests. If the guest is a USI student, the guest is also responsible for following all policies and procedures.

Guests are prohibited from staying in the apartments or residence halls without the resident. These individuals will be asked to leave by Public Safety officers or Housing and Residence Life staff if found unescorted or unaccompanied in or around University housing property.

Number of Guests - The maximum capacity of any two-bedroom apartment or residence hall suite is eight (8) persons, including both residents and guests. A one-bedroom apartment or residence hall suite has a maximum capacity of four (4) persons, including both residents and guests.

### 6.14.B. Overnight Guests

Any guest staying in University housing must be registered by the resident with Housing and Residence Life. Housing residents also must be registered as guests if staying overnight in another on-campus apartment or residence hall suite. To register a guest, log into myUSI, click on the Housing icon on the left, log into the Housing portal, click on the form.

Unregistered guests will be asked to leave University housing. Guests must be at least 16 years of age.

Overnight guests can stay up to two consecutive nights (no more than once per month).

No more than two guests per resident are allowed to stay overnight in a room and total number of occupants in a room cannot exceed the capacity listed above.

Permission must be given by roommate(s) prior to any guest staying overnight.

Overnight guests must register their vehicle with Parking (in Public Safety), display a temporary parking permit and park only in designated non-resident visitor parking.

#### 6.14.C. Cohabitation

Living or staying for any pattern of time in an apartment or suite without an official current USI housing contract for that particular space will be considered cohabitation. Cohabitation is defined as a person (housing resident or non-resident) staying in an apartment or suite for more than three (3) consecutive nights, or other patterned behavior that is intended to allow an individual to stay beyond visitation hours. Non-registered guests can be considered as an instance of cohabitation. The resident who allows cohabitation to occur can be held accountable. Students found responsible for a violation of the cohabitation policy may be charged a conduct fine of \$50, charged for use of the facility, or charged for each night the non-contracted person spent in residence.

### 6.15 Harassment

Harassment is any conduct based on the victim's actual or perceived identification with a particular protected class or classes that creates an intimidating, offensive, or hostile working or learning environment that interferes with the victim's work or education, or that adversely affects their living conditions. Such harassment can be physical, verbal, or visual, and can be committed by employers, coworkers, faculty, and students. Statements and/or conduct legitimately and reasonably related to the University's mission of education will generally not constitute harassment under this policy.

#### 6.15.A. Stalking

For the purposes of this policy, stalking and assault are considered to be distinct forms of harassment. Stalking is generally defined as a course of conduct directed at a specific person or persons that would cause a reasonable person to feel fear for their safety; fear for the safety of others or suffer substantial emotional distress. The course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Such behaviors and activities may include, but are not limited to:

- Initiating non-consensual communication such as face-to-face communication, telephone calls, voice messages, e-mails, texts, letters, notes, gifts, or any other communications that are undesired and place another person in fear.
- Using online, electronic, or digital technologies to make unauthorized postings of pictures, messages, and/or information about the victim on social networking sites or other internet sites such as bulletin boards, chat rooms, etc.
- Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the victim.
- Conducting surveillance or other types of observation, including staring or “peeping”, or using Global Positioning Systems (GPS) to monitor a victim.
- Making verbal or physical threats.

Reports may also be made directly to the Title IX Coordinator and Director of Institutional Equity.

***Title IX Coordinator and Director of Institutional Equity for the University:***

Chelsea Givens, Title IX Coordinator and Director of Institutional Equity

Wright Administration Building, Forum Wing, Room 171A

8600 University Boulevard

Evansville, Indiana 47712

812-464-1703

[Title.IX@USI.edu](mailto:Title.IX@USI.edu) or [ccgivens@usi.edu](mailto:ccgivens@usi.edu) (<https://handbook.usi.edu/ccgivens@usi.edu>)

For more information about the Institutional Equity Office's process, click on this link - <https://www.usi.edu/institutional-equity/overview/understanding-the-complaint-process>.

#### 6.15.B. Assault

Assault is generally defined as any intentional act involving physical contact or the threat of such contact that places another person in fear of imminent bodily harm, or actually causes physical injury to another person and/or harm to their property. Examples may include but are not limited to:

- Engaging in choking, pushing, hitting, slapping, punching, kicking, etc.
- Initiating any non-consensual physical contact, regardless of whether it causes an injury.

## 6.16 Identification/Failure to Comply with University Personnel or University Policies

### 6.16.A. Failure to Produce ID

Failure to produce either a University identification card or a driver's license upon request by any University official including but not limited to USI Public Safety officers, Housing and Residence Life area coordinators and resident assistants, and program sponsors in the performance of their duties, is prohibited.

### 6.16.B. Failure to Comply with Instructions/Directions

Disrespectful behavior or failure to comply with the instructions or directions of University officials in the performance of their duties is prohibited. Such acts may include but are not limited to intentionally, knowingly, or recklessly obstructing or delaying any University proceedings, failing to cooperate with an investigation, fleeing a University official, and/or failing to comply with assigned University behavior sanctions.

### 6.16.C. Bribery

The offering, giving, receiving, or soliciting of anything of value to influence the official decision or action of a University employee or official or a person in a position of trust or influence, is prohibited.

### 6.16.D. Failure to Comply with University Policies

Failure to comply with any published University policies is prohibited.

### 6.16.E. Failure to Comply with Housing Policies or Terms and Conditions of the Housing Contract

Failure to follow housing policies or the Terms and Conditions of the housing contract is prohibited.

## 6.17 Interference with University Conduct Process

### 6.17.A. Interfering with the discipline procedures or outcomes

Interfering with the discipline procedures or outcomes including but not limited to falsification, distortion, or misrepresentation of information before a hearing officer or hearing panel; knowingly initiating a complaint without cause; harassment and/or intimidation of any member of a hearing panel, witness(es), or University personnel before, during, or after a proceeding; failure to comply with the sanction(s) imposed by either a hearing officer or hearing board, is prohibited.

### 6.17.B. Intimidation or retaliation

Intimidation or retaliation in response to an individual's participation in, or use of, the University conduct process.

## 6.18 Property Violations

Property Violations are exerting unauthorized control over another person's or the university's property and include but are not limited to burglary, robbery, theft, trespassing, or vandalism.

## 6.19 Sales/Solicitation

Unauthorized sales, canvassing, peddling, soliciting, distribution, or posting of any written or printed material by non-University individuals or organizations is not permitted on University-owned or controlled property without the written permission of the President of the University or their designee. This includes the use of electronic mail and web page solicitations. Students and/or student groups seeking authorization should contact Scheduling Services.

## 6.20 Sexual Harassment Policy

The University of Southern Indiana embraces and celebrates the many differences that exist among the members of a dynamic, intellectual, and inclusive community, and strives to maintain an environment that respects differences and provides a sense of belonging and

inclusion for everyone. In accordance with Title IX of the Educational Amendments Act of 1972 and its implementing regulations, the University prohibits discrimination on the basis of sex, including Sexual Harassment (as defined in the policy (<https://handbook.usi.edu/sexual-harassment-policy>)), in its education programs or activities. This prohibition on sex discrimination includes, but is not limited to, admission and employment.

For discrimination or harassment that is not on the basis of sex, does not meet the definitions of Prohibited Conduct in this Title IX Policy, or does not meet the jurisdictional requirements for Title IX, the University will utilize the University Handbook, specifically the Equal Opportunity and Non-discrimination Policy (<https://handbook.usi.edu/equal-opportunity-and-nondiscrimination-policy>), or the *Student Rights and Responsibilities* or other appropriate University policies.

Reports may also be made directly to the Title IX Coordinator and Director of Institutional Equity.

***Title IX Coordinator and Director of Institutional Equity for the University:***

Chelsea Givens, Title IX Coordinator and Director of Institutional Equity

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For more information about the Institutional Equity Office's process, click on this link - <https://www.usi.edu/institutional-equity/overview/understanding-the-complaint-process>.

## 6.21 Social Media Policy

USI will not regularly monitor the language and/or actions of students on social media platforms, including Facebook, LinkedIn, Twitter, etc. However, while the University will defer to the user policies of the individual social medium, USI will hold students accountable for reported related Code of Student Behavior violations by USI students. Students may not post messages that:

- Incite imminent lawless action or violation of University policy, are a serious expression of intent to inflict bodily harm upon a person, are unlawful harassment, are defamatory, or otherwise unlawful.
- Claim or imply that they are speaking on behalf of the University.

## 6.22 Student Organizations

Behavior that conflicts with regulations established by the University for student organizations is prohibited, including but not limited to misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, abuse of student election regulations, or failure to abide by University policies, procedures, and regulations.

## 6.23 Telephone and Related Equipment Abuse

Intentionally making telephone call(s) to or from the University for the purpose of abusing, threatening, annoying, or harassing another person is prohibited.

- Charging, or causing to be charged, any long-distance or other toll telephone calls to University telephone accounts without proper authorization is prohibited.
- Damage or destruction to the University's telephone system and any of its telephone instruments or equipment is prohibited.
- Using or abusing telephone equipment, lines, or accounts belonging to the University or to University employees, students, and/or faculty without authorization, or for purposes other than those originally granted authorization, is prohibited.

## 6.24 Tobacco-Free Policy

It is the policy of the University of Southern Indiana to promote and maintain a clean and healthy working and learning environment for students, faculty, staff, and visitors.

The University expects the cooperation and commitment of all students, faculty, staff, and visitors in maintaining an environment free of cigarette smoke, smokeless tobacco waste, and toxic vapors.

The University of Southern Indiana prohibits the use of all tobacco products including cigarettes; pipes; cigars; smokeless tobacco including snuff, chewing tobacco, smokeless pouches, loose-leaf tobacco; and all electronic vaping devices on University-owned, operated, or leased property and vehicles (see student housing exception below). The use of all the above-mentioned products is permitted only inside personal vehicles.

The use of all previously mentioned tobacco products and electronic vaping devices is prohibited inside all student housing facilities. This includes residence halls, apartments, common areas, balconies, building entries, student rooms, and the Community Center. The use of all tobacco products and electronic vaping devices is only permitted outdoors within student housing areas, per Vanderburgh County ordinance, at least 10 feet outside any

enclosed area where smoking is prohibited to ensure that tobacco smoke does not enter any such enclosed area through entrances, windows, ventilation systems, or any other means.

Enforcement of this policy will depend upon all members of the campus community complying with and encouraging others to comply with this policy in order to ensure a healthy environment to work, study and live. Primary enforcement of this policy will be the responsibility of those persons who head individual units, departments, buildings, student housing units, those who supervise faculty and staff, Public Safety personnel, and others designated by the University.

Violations of this policy will be handled through existing processes already in place for students, faculty, and staff. Student violations will be processed under the *Student Rights and Responsibilities*.

Complaints regarding violations of this policy should be referred to the appropriate dean, director of Human Resources manager for faculty and staff, and the Dean of Students Office for students.

## 6.25 Traffic and Parking Regulations

Students are expected to uphold and abide by all USI traffic and parking regulations. The complete regulations are published in a brochure entitled "Traffic and Parking Regulations," located at the [Parking Enforcement Department of Public Safety](#).

## 6.26 Violations of Law

The University reserves the right to take disciplinary action when a student violates federal, state, or local laws that have a direct impact on the institution or community.

## 6.27 Weapons/Explosives/Hazardous Materials

The transfer, sale, use of, and possession of weapons, including but not limited to: firearms, ammunition, bombs, explosives, clubs, dirks, martial arts weapons (including ninja stars), sling shots, bows and arrows, sabers, swords, knives with blades in excess of three (3) inches except kitchen knives used in the preparation and/or serving of food, war souvenirs, incendiary devices, fireworks, paintball guns, pellet guns, BB guns, stun weapons, Tasers, or look-alikes, dangerous chemicals or fuels or other destructive devices or substances, are not allowed on University-owned or controlled property unless permission for possession

and/or use has been authorized by an appropriate University official. Duly licensed officers of the law are exempt from this policy. For authorization, contact USI Public Safety, phone number 812-464-1845.

Personal safety device (chemical spray) – persons are permitted to carry chemical spray that is sold for personal protection; however, persons choosing to carry pepper spray are responsible for ensuring that they are properly secured, maintained, only used for defensive purposes, and according to manufacturer instructions.

## 6.28 Unauthorized Surveillance

Making unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, including, but not limited to, shower/ locker rooms, residence hall rooms, and men's or women's restrooms, is prohibited. Also prohibited is the storing, sharing, and/or other distribution of such unauthorized images by any means.

## 6.29 Unauthorized Use or Entry

Unauthorized entry into or use of any University building, facility, vehicle, equipment room, or area is prohibited. This includes but is not limited to, unauthorized possession or use of University keys, computers, lock combinations, or passcodes. Unauthorized entry into the performance area or the spectator areas of any University event, including but not limited to athletic contests, exhibitions, and musical or theatrical events.

## 6.30 University Housing Safety and Security Efforts

Due to the nature of the University housing environment, safety and security standards have been established. All students will be held accountable for their behavior in University housing. All students and their guests need to cooperate with efforts to establish a secure campus by complying with policies and cooperating with residence hall staff. The complete University housing policies can be obtained at the Housing and Residence Life Department or via the web at [USI.edu/housing](http://USI.edu/housing). See Housing and Residence Life Policies.

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This *Student Rights and Responsibilities* was approved on August 14, 2023, by Dean Laurie Berry, and implemented on August 15, 2023.

