

University Student Handbook

Computing and Communication Services

Computing Website | [570 - 422 - 3789](tel:570-422-3789)

Acceptable Use of Technology

Use of East Stroudsburg University (ESU) information technology resources is a privilege and signifies agreement to comply with this policy. Users are expected to act responsibly and follow the policies and any applicable laws related to the use of information technology resources.

This policy applies to all faculty, staff, students, contractors, temporary personnel, vendors and visitors. The university reserves the right to limit, restrict, or extend information technology privileges. Information Technology resources are intended to support the university's instructional, research and administrative operations

While ESU recognized the role of privacy in institutions of higher learning and will endeavor to honor that ideal, there is no expectation of privacy of information stored on or sent through the University's resources, except as required by law.

All students are provided with an official ESU email address at registration time. This email address is to be used as the official form of communications between the student and the institution, including communications with ESU faculty and staff members. The official email domains that are hosted by ESU are: "@esu.edu", "@live.esu.edu", "@po-box.esu.edu". Only email addresses ending with the string "esu.edu" are considered Institutional. The official university's email addresses used for mass notifications are "ESUEmail@live.esu.edu" and "ESUEmail@esu.edu". It is the responsibility of the student to regularly check their official student mailbox to stay abreast of current ESU events and official date-to-date notifications.

Acceptable Use Policy Defined

An acceptable use of information technology policy defines the capabilities and limitations of the use of information technology resources to insure that resources are available to all approved users and that the use of information technology complies with state and federal laws.

Information technology resources include, but are not limited to, university owned or operated hardware, software, computing equipment, systems, networks, programs, personal data assistants, cellular phones, fax, telephone, storage devices, cable television, security cameras, input/output, connective devices via either a physical or wireless connection regardless of the ownership of the device connected to the network, and any electronic device issued by the university.

Privacy

Users should have no expectation of privacy of information stored on or sent through the university-owned information technology resources, except as required by law.

Data Network Connectivity

(Hard-Wired Connection) All equipment, devices and computers connected to the data network are the responsibility of the university's Computing and Communication Services. Computing and Communication Services reserves the right, at its discretion, to limit, restrict or terminate the use of equipment or services, unauthorized or authorized, that Computing and Communication Services perceives to be an impediment or compromise to its ability to securely deliver the services for which it is responsible. Any device that needs to connect to the data network must be authorized and configured by Computing and Communication Services. Personally owned equipment, except for equipment owned by residence hall students, is not permitted to connect to the data network without written permission from Computing Services.

Wireless Network Connectivity

A wireless network, where available, is provided as a convenience to any ESU authorized user. Personally owned devices may connect to the wireless network

and, upon doing so, are subject to this acceptable use policy. Technology connecting to the wireless network is subject to a security scan to protect technology resources.

Responsible Use of Technology

1. Respect the intellectual property rights of authors, contributors and publishers in all media.
2. Protect user identification, password, information and systems from unauthorized use.
3. Report lost or stolen devices immediately upon loss.
4. Use technology in compliance of state and federal laws.
5. Adhere to the terms of software licenses.
6. Notify Computing and Communication Services of possible misuse of technology or potential security holes.

Prohibited Use of Technology

1. Use of information technology resources to display, hold, send, view, print, download, retransmit, distribute or otherwise communicate content which the University may deem to be indecent, obscene, sexually explicit, or pornographic is prohibited absent a legitimate academic or research purpose.
2. Use of information technology resources by anyone to display, hold, send, view, print, download, retransmit, distribute or otherwise communicate child pornography is illegal and therefore strictly prohibited. Any occurrence of child pornography material is a violation of federal and state statutes and must be immediately reported to University Police as required by law and University policy.
3. Use of information technology resources by anyone to send threatening or harassing content or messages or to view, download, retransmit, distribute, or otherwise communicate content or messages that may violate the University's policy on Discrimination & Harassment and/or policy on Sexual Harassment and Title IX, is prohibited. Electronic threats and harassment are taken as seriously as any other threats or harassing behavior or communication.
 - a. Anyone who receives a threatening communication should immediately bring it to the attention of University police.
 - b. Anyone who receives a sexually harassing communication should immediately contact the Office of Employee Relations or Title IX

Coordinator.

- c. Anyone who receives a communication that harasses on the basis of any protected classification, including race or national origin, should immediately contact the Office of Employee Relations or Student Affairs.
4. Providing false or misleading information to obtain or use university technology resources.
5. Use of information technology resources for personal financial gain or a personal commercial purpose.
6. Use of information resources are not to be used in support of or for illegal activities.
7. Unauthorized use of another user's account or attempting to gain access to another user's account.
8. Sharing of accounts.
9. Interfering with the normal operation, proper functioning, security mechanisms or integrity of technology resources.
10. Use of technology resources to transmit abusive, threatening or harassing material, chain letters, spam, phishing scams or other communications prohibited by law.
11. Copyright infringement including, but not limited to, illegal sharing of video, audio, software or data.
12. Excessive use that overburdens the technology resources. Computing Services reserves the right to set limits on excessive use.
13. Installing a server or running server software without written permission from Computing Services.
14. Intentionally or knowingly installing or executing a program or file that could result in damage to university technology.

Compliance

Failure to comply with this policy may put University information assets at risk and may have disciplinary consequences for employees and University affiliated organization members, up to and including termination of employment (see item "c" of appeal statement below.) Students who fail to adhere to this policy may be referred to the Student Conduct & Community Standards Office. Contractors and vendors who fail to adhere to this policy may face termination of their business relations.

Alcohol (Student)

The University permits the lawful and responsible consumption of approved alcoholic beverages on its property and property under its control by persons of legal drinking age at events and programs approved by the Office of the President, for valid academic programs approved by the Office of the Provost or Office of the President, or under guidelines established by the Office of Residential Life and Housing. Students participating in study abroad under the authority of the International Programs Office are governed by the Study Abroad Code of Conduct.

Campus Resources (Alcohol, Other Drugs)

The university provides continuous programming to encourage alcohol awareness, education, counseling, and information to assist students in understanding their responsibility to adhere to this policy and to all local, state and federal laws regarding alcohol consumption. Students may be directly referred to the following persons whose departments will assist in the implementation of this policy and will make referrals for counseling, treatment and education:

Kayla Simon, Director,

ksimon6@esu.edu

Health and Wellness

Dr. Jennifer Young, Chairperson,

jyoung@esu.edu

Counseling, Psychological Services, and OASIS

Americans with Disabilities Act Accomodation

East Stroudsburg University, in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (the "ADA"), and the State System of Higher Education, makes every effort to ensure that reasonable accommodations are made to meet the needs of otherwise qualified individuals with disabilities. The University does not discriminate against otherwise qualified students or applicants with disabilities in admission, student programs, activities and services.

The University will provide reasonable accommodations to otherwise qualified employees and applicants for University positions who are protected by the ADA by making changes in the work environment or by changing certain practices and procedures, as long as these changes do not pose an undue hardship on the

University or alter the essential functions of the job. Employees, regardless of whether they are receiving an accommodation, must maintain institutional standards of performance, attendance, and conduct.

Reasonable accommodations are provided for qualified students with documented disabilities in an effort to enhance the learning process and enable individuals to reach their maximum potential.

These provisions are necessary to ensure that otherwise qualified students with disabilities are given the opportunity to fulfill academic requirements and that they are not excluded from programs because of absence of auxiliary aids. The student, however, is expected to meet the standards of each class as determined by the instructor.

Services of a personal nature are the responsibility of the employee or student. For questions or comments concerning disability discrimination or harassment, please refer to the University's Discrimination and Harassment Policy.

Confidentiality

All Medical information related to an individual's request for accommodation is confidential and will be maintained in a secured location separate and apart from an employee's personnel file, applicant's job application or a student's academic file.

Retaliation Prohibited

No retaliatory action is to be taken against any person who requests an accommodation under this policy. Any person found to have engaged in retaliatory action may be subject to discipline by the University. Anyone who believes they have experienced retaliation should promptly contact the Office of Diversity & Equal Opportunity.

Amorous Relationships Policy

A. Purpose

One of the core missions of the State System of Higher Education is to provide a productive educational environment and a professional workplace that is based on

trust, mutual respect and the integrity of all members of the university community. Such trust and respect are undermined when State System employees and officials engage in amorous relationships with students or with employees for whom the individual has supervisory, instructional or professional responsibilities. Due to actual or perceived differences in authority, these relationships create actual or perceived conflicts of interest and raise the potential for exploitation or bias. In order to establish the professional standards expected of members of the university community, the Board of Governors establishes this personnel policy.

B. Definitions

- **“Amorous Relationship”** means a consensual relationship or encounter of a romantic, intimate, sexual or dating nature between persons who are not married to each other. The relationship may or may not involve physical contact and can include relationships conducted via electronic communications, such as text or social media platforms.
- **“Employee”** means an individual who is employed by the State System (either at a State System university or in the Office of the Chancellor) including, but not limited to, faculty members, coaches, staff, managers and graduate student employees.
- **“Official”** means a member of a Council of Trustees or of the Board of Governors or their respective designees.
- **“Volunteer”** means a recognized volunteer or any individual who represents or acts on behalf of the university or whose actions may bind the university, regardless of whether the individual receives monetary or other compensation. For purposes of this policy, employees and officials of recognized affiliated entities, ROTC instructors, visiting professors and unpaid camps and conference personnel will be considered volunteers.
- **“Student”** means any individual enrolled in one or more regularly scheduled undergraduate or graduate courses or noncredit-bearing instruction or certification programs at any State System University. The term “student” may include employees and volunteers.
- **“Supervisory Responsibilities”** means the authority to assign work to another; evaluate the performance or conduct of another; instruct another; or otherwise make, recommend or impact decisions that affect the hiring, appointment, reappointment, promotion, assignment of duties, evaluation or terms and conditions of another’s employment, volunteer status or status as a student.

- **“Instructional Responsibilities”** means the authority to evaluate or supervise the performance or conduct of a student; instruct, advise or coach a student; or otherwise make, recommend or impact decisions that affect the individual's status as a student at a State System University.
- **“Professional Responsibilities”** means job or appointment-related responsibilities that could impact the student's education or professional career.

Members of University Police Departments are deemed to have professional responsibilities for students: any time they are on duty; when the member of the department is involved in an ongoing investigation in which the student is a target, witness, person of interest or subject of an investigation; or the student is involved in a campus administrative action in which the member of the department has a role.

Healthcare professionals, including athletic trainers, are deemed to have professional responsibilities for students they provided service to, including as part of student campus health, counseling or wellness centers. Healthcare professionals shall not provide direct services to a student with whom they have had or are having an amorous relationship (unless it is an emergency and no other healthcare professional is available on campus).

C. Policy

1. Amorous Relationships with Students

All employees, volunteers and officials are prohibited from entering into amorous relationships with students where the employee, volunteer or official has supervisory, instructional or professional responsibilities concerning the student. An amorous relationship between an employee, volunteer or official and a student not otherwise prohibited under this policy is strongly discouraged as it may create an actual or perceived conflict. If there is any doubt whether a relationship falls within the scope of this policy, individuals should disclose the facts to and seek guidance from the Chief Human Resources Officer rather than fail to disclose. Failure to disclose a relationship as required by this policy could result in sanctions. Student members of a Council of Trustees or the Board of Governors are not prohibited from having amorous relationships with other students under this policy because of their status as officials.

2. Amorous Relationships with Employees or Volunteers

All employees, volunteers and officials are prohibited from entering into amorous relationships with other employees, volunteers or officials where one party has supervisory, instructional or professional responsibilities concerning the other party. Amorous relationships between employees, volunteers and officials not otherwise prohibited under this policy are strongly discouraged as they may create an actual or perceived conflict. If there is any doubt whether a relationship falls within the scope of this policy, individuals should disclose the facts to and seek guidance from the Chief Human Resources Officer rather than fail to disclose. Failure to disclose a relationship as required by this policy could result in sanctions. Relationships with Minors Regardless of supervisory, instructional or professional responsibilities, all employees, volunteers and officials are prohibited from entering into amorous relationships with persons under 18 years of age.

3. Disclosure of Relationships

Pre-existing amorous relationships where one party has supervisory, instructional or professional responsibilities concerning the other party are not prohibited under this policy, provided the individual with supervisory, instructional or professional responsibilities discloses the relationship to the designated Chief Human Resources Officer within 30 days of the effective date of this policy, and an acceptable conflict management plan is implemented. The Office of the Chancellor and each University shall publish the name and contact information of the Chief Human Resources Officer on their respective websites.

Consistent with Board of Governors' Policy 2012- 01: Conflict of Interest, employees are required to report any conflict of interest involving an immediate family member, including a spouse, so that necessary and appropriate actions are taken to remedy or avoid the conflict of interest or potential for conflict of interest.

4. Management of Conflicts

For pre-existing amorous relationships, the individual in the relationship who has or may have supervisory, instructional or professional responsibilities must submit a written conflict management plan to the Chief Human Resources Officer explaining in detail how the conflicts will be managed. Such plans shall be submitted within 30 days of the effective date of this policy or upon notice of a change in circumstances that gives one party to the amorous

relationship supervisory, instructional or professional responsibilities concerning the other party.

The Chief Human Resources Officer or their designee, shall review the submitted conflict management plan and work with the parties involved in the amorous relationship and with other appropriate individuals to make any necessary changes to the proposed plan to effectively and appropriately manage the conflicts. The Chief Human Resources Officer (or their designee) is responsible for administering the conflict management plan and will notify appropriate individuals of the existence of the conflict management plan.

Conflict management plans may include, but are not limited to altering supervisory or employment reporting lines; moving a student to another section of the same course; appointing a different individual to serve on an academic, conduct or evaluative committee; moving the parties to other positions of the same or comparable status and duties; or establishing alternative means of evaluation of academic or work performance. If a relationship involves the Chief Human Resources Officer, the matter should be referred to the individual responsible for supervising the Chief Human Resources Officer to address the conflict consistent with the mandates of this policy.

5. Violations

A violation of this policy occurs when an employee, volunteer or official: (1) allows a prohibited amorous relationship to occur; (2) allows a preexisting amorous relationship to continue without disclosing; or (3) fails to cooperate in managing conflicts associated with an amorous relationship covered by this policy. Violations of this policy by an employee or volunteer constitutes misconduct subject to disciplinary action, up to and including discharge or termination, in accordance with any applicable collective bargaining agreement or State System or University policies. Alleged violations by students may be referred by the University for review in accordance with the code of conduct. Alleged violations by officials may be referred to the appointing authority.

Violations of this policy may lead to disciplinary action, as appropriate, regardless of how the violation is brought to the attention of the State System or the University. Amorous relationships under this policy are consensual relationships. Conduct that violates local, state or federal law or relevant State System or University policies should be handled pursuant to applicable

policy or by law enforcement, as appropriate. Violations of this policy that result in administrative or legal claims against the State System or a University may result in representation or indemnification being denied to the employee, volunteer or official pursuant to 4 Pa. Code Chap.39

6. Reporting Violations of this Policy

A violation of this policy may be reported by any individual to the Chief Human Resources Officer or their designee. Due process considerations may limit the ability to investigate or resolve anonymous complaints.

7. Retaliation

No individual shall retaliate against another individual for making a good faith report or participating in a process under this policy. A complaint is not considered a bad faith report merely because the evidence does not ultimately support the allegation. Individuals are prohibited from knowingly filing a false complaint or making misrepresentations. If an investigation results in a finding that a person has willfully filed a bad faith report or made misrepresentations, the reporting party may be subject to appropriate sanctions.

8. Confidentiality

Any disclosures made or conflict management plans developed will be kept confidential to the fullest extent possible under applicable law and policy.

Animal Regulations

Pets are not permitted in any buildings of East Stroudsburg University. Service and emotional support animals are the only exception. Any exceptions must be approved by OASIS.

Confining a pet by chain, leash or other means (i.e. tied to a tree, railing, etc.) on the university grounds is prohibited. Allowing pets to run free on campus is also prohibited.

University Police are authorized to pick up any pets in violation of these rules. Such pets will be taken to the Monroe County SPCA shelter. The pet's owner is responsible for any costs incurred in this process.

These regulations complement existing state and local laws. Any student who has a pet on campus in violation of these rules is subject to disciplinary action under the Student Code of Conduct.

Discrimination and Harassment Policy

East Stroudsburg University seeks to provide an academic and work environment that is free from discrimination and harassment against any person because of race, color, national origin, religion, sex, disability, age, sexual orientation, gender identity or veteran's status in accordance with applicable federal and state laws and regulations.

While the University is committed to the principles of free inquiry and free expression, discrimination and harassment identified in this policy is neither legally protected expression nor the proper exercise of academic freedom.

Discrimination and harassment are prohibited and subject to disciplinary action up to and including termination or expulsion from the University.

Any member of the University community who experiences discrimination or harassment prohibited under this policy should immediately report the incident to the Office of Diversity & Equal Opportunity.

In cases where an individual reports discrimination or harassment prohibited under this policy to an administrator, faculty member, or staff member, the person receiving the complaint should contact the Office of Diversity & Equal Opportunity immediately.

Note: Discrimination and harassment are currently prohibited under federal law by Titles IV, VI and VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendments of 1972 and under state law by the Pennsylvania Human Relations Act. Other statutes that may be involved in this area are the Americans with Disabilities Act and the Age Discrimination in Employment Act. Applicability of any of these statutes to the University is subject to future legislative or court actions.

Enforcement: The University will take action to prevent prohibited discrimination and harassment, including, if necessary and as appropriate, disciplining any individual whose behavior violates this policy. Disciplinary action for violation of

this policy may range from a disciplinary warning to expulsion or termination from the University.

Retaliation: No retaliatory action is to be taken against any person seeking advice, filing a complaint or serving as a witness or otherwise cooperating in an investigation of discrimination or harassment.

Any person found to have engaged in retaliatory action may be subject to discipline by the University.

Retaliation is considered a separate offense from the original complaint, regardless of the outcome of the original complaint. Anyone who believes they have experienced retaliation should promptly contact the Office of Diversity & Equal Opportunity.

False Charges: Accusations of discrimination and harassment are serious matters. False accusations will not be tolerated and may result in disciplinary action independent of the outcome of a complaint.

The University may also take disciplinary action against someone who knowingly provides false information during the investigation of a complaint of discrimination or harassment.

Training: In keeping with the PASSHE Board of Governor's Policy 2009-03: Social Equity, the University recognizes a mandatory obligation to conduct discrimination and harassment prevention training on a yearly basis for all employees, in addition to providing training for new student and employee orientations.

All faculty, staff, and administrators are required to participate in this training within 60 days of commencing employment and at least yearly thereafter.

Training will be available in both classroom format and online.

Additional Rights: Individuals are encouraged to use the procedures for filing a discrimination, harassment or sexual harassment complaint but are not required to do so and may choose to pursue other civil and legal options.

University employees may choose to pursue the complaint through their appropriate collective bargaining agreement grievance procedures.

Students and employees may choose to make use of the procedures of external agencies listed in the Procedures for Nondiscrimination and Harassment. Managers are encouraged to pursue complaints through the merit principle procedures, set

forth in PASSHE Board of Governors Policy 1983-01-A: Merit Principles, before proceeding to an external agency.

The procedures for filing a discrimination, harassment or sexual harassment complaint are not intended to interfere with any legal rights provided under the statutes of the Commonwealth of Pennsylvania or the United States of America, or interfere with any rights an employee may have under their appropriate collective bargaining agreement.

For additional Information or questions, contact the Office of Employee Relations and Workforce Diversity at 570-422-3656.

Drug-Free Schools and Campuses Act

The Federal Drug-Free Schools and Campuses Act Amendments of 1989 (Section 22, Drug Free Schools and Campuses) requires the university to provide students, faculty, and staff with information about drug policies, standards of conduct that prohibit illegal drug and alcohol use, a description of applicable legal sanctions, a description of drug or alcohol support services and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

Various sections of this handbook address the requirements of the law, specifically, those sections listed under university policies: Narcotics and Drugs, Student Alcohol Policy, and under the Student Code of Conduct.

Alcohol and drug use can directly affect a student's educational goals. Drugs interfere with the learning process by disrupting the brain's ability to take in, sort out and synthesize information. Substance Use Disorders are obvious health risks associated with drugs and alcohol and students should note potential additional risks:

- Psychological dependency
- Mental health concerns
- Stress
- Driving under the influence
- Causing physical injury to self and/or someone else because of the impairment
- Loss of self-control
- Distorted sense of reality

- Physical problems (hardening of the arteries, heart palpitations, cirrhosis of the liver, pancreatic cancer, brain disease, lung disease, loss of memory, irritation of the respiratory tract, nausea, dizziness, perception problems)

There are many drug and alcohol educational programs regularly scheduled on campus during the year. Internally, the university can provide students with counseling via the Counseling and Psychological Services Center and support services to combat their substance use. In addition, students who require more in-depth therapy are referred to local rehabilitation and treatment programs or are given information on services located near their home. Also, many agencies and programs within the local community offer assistance and support groups for alcohol and drug abuses. Some are Alcoholics Anonymous, Al-Anon, Drug and Alcohol Commission, and Narcotics Anonymous.

Nationally, there is the National Institute of Drug Abuse hotline, 800-662-HELP, or the website <https://www.samhsa.gov/find-help/helplines/national-helpline> < <https://www.samhsa.gov/find-help/helplines/national-helpline>> for up to date information and referral sources. Students must be aware of the legal ramifications of their actions related to drug and alcohol use.

The possession, use, or distribution of illicit drugs and alcohol at East Stroudsburg University is prohibited. Any violation of this policy can result in the person/persons involved being charged under applicable state and federal law as well as being disciplined by the university.

eCard Policy

I. Intended Use of East Stroudsburg University eCard

- The eCard is an official identification for authorized access to ESU services and facilities. The eCard is the property of ESU and must be surrendered on request from a campus official. ESU reserves the right to deactivate the eCard when it is used outside of its intended use.
 - Surrendered/deactivated eCards – Students whose eCards are surrendered/deactivated may be subject to a fee for issuance of a new eCard.
- The eCard can be used as a debit card with the purchase of eDollars which can be used for on-campus purchases.

- The eCard is used to verify the identity of the cardholder while on ESU property. As a result, no person will be issued an eCard without a recognizable and appropriate facial photograph.

II. Unauthorized Use of East Stroudsburg University eCard

- The eCard is NOT TRANSFERABLE, and is not to be loaned to others. Only the cardholder to whom the eCard is issued is allowed to use the eCard.
 - The eCard cannot be loaned to another individual to make purchases, access ESU facilities/services, or for use as identification.
- The eCard is not to be defaced (e.g. affixing stickers), modified (e.g. punching holes in card), tampered with, or deliberately damaged in any way.
 - Damaged cards may be subject to a replacement fee, which the cardholder is responsible to pay.
- Any transfer, misuse, falsification, and fraudulent or illegal use of the eCard may result in disciplinary action as allowed by ESU policy or the law, including confiscation of the eCard.

FERPA Policy

In compliance with the Federal Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, a student's education records belong to the student. With respect to those education records, students are afforded certain rights including:

1. The right to examine education records pertaining to the student (with certain limited exceptions). Students should submit any such request to the Student Enrollment Center in writing, identifying the records the student wishes to inspect. The Student Enrollment Center will make arrangement for access.
2. The right to request an amendment of the records that the student believes to be inaccurate or misleading. Students should submit any such request to the Student Enrollment Center in writing, clearly identifying the records the student wants to have amended and specifying the reasons the record is believed to be inaccurate. The Registrar/designee will notify the student of its decision and, if the decision is negative, of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student at that time.
3. The right to restrict access to information identified by the institution to be "directory information" and therefore available to the public without permission from the student. ESU will notify students annually of their rights

to withhold directory information. Students wishing to restrict release of directory information must complete A FERPA Restriction Form on their Warriors Connect portal.

4. The right to extend third party access to education records to whomever is identified by the student in writing. Students wishing to release education records to third parties must complete a FERPA Release Form on their Warriors Connect portal
5. The right to control disclosures of their education records except, to the extent that FERPA authorizes disclosure without consent. FERPA permits the disclosure of education records without a student's prior consent in certain limited circumstances, including to school officials with legitimate education interests, health or safety emergency nonconsensual disclosures, grand jury and law enforcement subpoenas, law enforcement records, and INS disclosures (see definitions for "school official"). A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.
6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by an educational institution to comply with the law. The name and address of the office that administers FERPA is:

Family Policy Compliance Office

U.S. Dept. of
Education
400 Maryland
Avenue, SW
Washington, DC
20202-5901

The following information has been designated as directory information and may be disclosed for official University purposes only without the student's prior consent under the conditions set forth in FERPA:

- student name, all addresses and all phone numbers
- Official ESU e-mail address
- Degree sought and time
- Major, Minor dates of attendance, enrollment status (full-time, part-time including credit hours), class year
- Dates of attendance,
- awards, honors (including Dean's List), degrees conferred including dates
- past and present participation in officially recognized sports and activities
- physical factors (height and weight of student athletes)

- Most previous education agency or institution attended by the student
- Fraternity and/or sorority and educational societies.

East Stroudsburg University does not make directory information generally available to the public. East Stroudsburg University limits its release of directory information for official University purposes, e.g., (1) identifying athletic team members; (2) publishing names of scholarship recipients, graduation lists and Dean's Lists; (3) issuing academic awards; (4) verifying enrollment or degree status; and (5) providing such information to organizations that are officially affiliated with the University or with whom the University has a contractual relationship. See 34 C.F.R. §99.37 (d).

In compliance with the Act, ESU requires that all students, university faculty and staff, and affiliated entities receive an annual notification about the Family Educational Rights and Privacy Act (FERPA), ESU's policy to assure compliance, and required procedures.

All school officials are also required to complete annual update training on line and must certify intent to adhere with the **guidelines set forth by the University** in an effort to protect students' privacy.

Hazing Report

East Stroudsburg University of Pennsylvania (the "University") supports activities that are constructive, educational, and contribute to the intellectual and personal development of its students and other individuals. Therefore, the University prohibits hazing within the University community. Any person participating in, suffering from, or witnessing an act in violation of this policy is encouraged to report the incident in a timely manner. Reports may be made to either ESU Police Department or submitted in writing to the Office of Student Conduct and Community Standards.

Hazing means 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:

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

b. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical 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.

Life Safety Policy

This policy is the foundation for a written health and safety program that establishes a safe environment for the campus community. All students, employees, faculty, staff, contractors and visitor's will respond to any actual, suspected or training event on University grounds with the highest regard for their safety, as well as for the safety of all.

Medical Amnesty

The University supports the health and safety of the community, and seeks to remove barriers that may prevent students from requesting assistance in an emergency situation. The campus community should seek immediate medical attention for themselves or for another individual when one's health and/or safety are at risk. Students may be reluctant to seek help if a policy violation has

occurred. The Medical Amnesty process encourages the campus community to call for emergency assistance when needed. Additionally, the Medical Amnesty process allows the University to respond in support of the student without necessitating student conduct action for alleged violations of our community standards.

The University provides amnesty for students involved in substance-related incidents, including alcohol and other drugs, as applicable to the requirements for Medical Amnesty. The University's process for Medical Amnesty does not extend to civil or criminal charges brought by local, state, or federal law officers (including University Police). Civil or criminal charges may fall within the "Safe Harbor" provision for immunity (18 Pa. C.S. § 6308.1) when an individual seeks emergency medical attention.

Legal Immunity

Underage Drinking and Medical Emergencies: In 2011, Pennsylvania Law 18 Pa. C.S. (Crimes and Offenses) was amended to add a subsection (§ 6308.1) creating immunity from prosecution for a person under the age of 21 for the possession or consumption of alcoholic beverages if law enforcement, including University Police, become aware of the possession or consumption solely because the individual was seeking assistance for themselves or someone else. The person seeking assistance must: (1) reasonably believe they are the first to call for assistance, (2) must use their own name with authorities, and (3) must stay with the individual needing medical assistance until help arrives.

Drug Overdoses: In 2014, the Governor signed an amnesty law for drug overdoses. It applies to the person experiencing the drug overdose event as well as the person initiating a request for help when witnessing a drug overdose. The immunity applies if law enforcement, including University Police, only discover the drug overdose because the person is transported for help or treatment. Immunity may also apply if all of the following requirements are met: (1) the caller seeking help made the report reasonably believing that another person needed immediate medical attention to prevent death or serious injury due to drug overdose, (2) the caller provided his/her own name and location and cooperated with law enforcement, and (3) the caller remains with the person needing immediate medical attention until police arrive.

If all requirements are not met, legal immunity may not apply. Legal immunity is separate from consideration of the Medical Amnesty process.

University Requirements for Medical Amnesty

Students are encouraged to call appropriate resources for assistance if a medical

emergency occurs, even if there is a violation of policy related to substance use. For assistance in an emergency, dial 911 or contact the East Stroudsburg University Police at 570-422-3064.

Students who seek emergency medical attention for themselves related to the use of substances (alcohol and/or other drugs) will not be charged with violation(s) of the Student Code of Conduct if the following Medical Amnesty conditions are met.

During the Incident:

- The individual seeking help for a student reasonably believes that immediate medical attention is needed to prevent death, serious injury, or harm due to substance misuse. This includes if a student is seeking help for their own medical emergency;
- The individual seeking help must provide their name, the location of the incident, and must remain with the person needing immediate medical attention until law enforcement arrives; and
- Individuals involved are reasonably cooperative with law enforcement and other University staff assisting with the incident response.

After the Incident:

- The student requiring medical attention responds to the Medical Amnesty process facilitated through the Dean of Student Life/designee;
- The student completes appropriate educational activities as discussed with the Dean of Student Life/designee. This may include, but is not limited to: substance-related prevention education, educational workshops, BASICS and/or CASICS, and/or an Alcohol and Other Drug (AOD) assessment with a licensed clinician.
- Please note that the individual seeking help may be contacted for additional information during the incident review process.

Additional Considerations for Medical Amnesty

- Students reporting an incident related to alleged violations of the University's **Hazing Prevention Policy** and/or the **Sexual Misconduct (Title IX) Policy** may qualify for Medical Amnesty even if the above conditions are not completed at the time of the incident. Please review the related policies for additional information.

The University encourages students involved in medical emergency situations to respond to notices promptly for support and connection with appropriate

resources. This includes the student experiencing the medical emergency and the individual(s) seeking help in the emergency.

If a student does not respond to communications through the Medical Amnesty process, then the incident may be reviewed through the adjudication process outlined in the Student Code of Conduct. Students that do not complete agreed upon educational activities may be referred to the office of Student Conduct and Community Standards.

Limitations for Medical Amnesty

Medical Amnesty is not applicable when an individual experiencing a substance-related medical emergency is found by a University employee. For example, if a Resident Advisor (RA) finds a student in need of medical attention rather than being contacted by the student in need or another concerned party, the student(s) would not qualify for Medical Amnesty. Students are encouraged to call appropriate resources for assistance if they or another individual are experiencing a medical emergency. For assistance in an emergency situation, dial 911 or contact the East Stroudsburg University Police at [570-422-3064](tel:570-422-3064).

The Medical Amnesty process is not intended to shield or protect a student who repeatedly violates the University's community standards outlined in the Student Code of Conduct. In cases where repeated violations occur, the University reserves the right to take action through the Student Code of Conduct on a case-by-case basis regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are egregious.

Student Conduct and Community Standards Response for Medical Amnesty

The office of Student Conduct and Community Standards will make a reasonable attempt to apply the Medical Amnesty process when the reported incident involved a student or member of the campus community seeking medical attention for an individual in a substance-related incident.

The office of Student Conduct and Community Standards reserves the right to contact any student to discuss an incident whether or not the Medical Amnesty process is in effect.

Substance Misuse

The University fully supports the established laws regarding the use of narcotics and drugs and the legal drinking-age for consumption of alcohol. The Student Code of Conduct articulates the process for addressing violations of law and violations of

our community standards. Substance misuse is complex, the University will make every effort to help students. Students may go to Counseling and Psychological Services for confidential services.

Note that substance possession or misuse discovered in the normal course of University operations will be referred to the office of Student Conduct and Community Standards and/or University Police. When necessary, the University may seek assistance with other law enforcement agencies to address significant substance-related incidents. The University will not interfere with any law enforcement agency which feels it must come on campus to resolve unlawful activity related to substance misuse.

The University encourages students to proactively engage with appropriate resources to prevent and address substance misuse. The University encourages students to contact emergency services in the event of a medical emergency for themselves or another individual. Student Conduct and Community Standards affirm that Medical Amnesty will be applied as often as possible based on the circumstances of the incident and the requirements of this process.

Off-Campus Student Address Requirement

Students are required to provide local off-campus addresses and telephone numbers to Student Enrollment Center/Records and Registration. The university has developed a local address and telephone registry to improve communications and provide service to off-campus students. The university depends on local directory information for faculty/staff contact and contacting students in an emergency.

Posting and Chalking Policy

The Posting and Chalking policy regulates the display of signs, posters, notices and banners affixed on university-owned or operated property and on property under the ownership and/or supervision of its affiliates.

Nothing in this policy is intended to infringe on the first amendment rights guaranteed by the Commonwealth and United States constitutions.

Individuals or groups found in violation of this policy, where cleaning entails a cost, may be charged for such cleaning/repair. Individuals or groups who engage in

unauthorized graffiti may be charged for cleanup, in addition to being subjected to discipline or sanctions on a case by case basis.

Indoor Signs

- Bulletin boards in campus facilities are limited to postings related to the academic departments, administrative departments or student activity programs where the Bulletin Boards are located and, where space is available, other activities sponsored by the University, student organizations or University affiliates. Bulletin boards are not public forums.
- Posting of signs and posters within university buildings is prohibited except on bulletin boards provided for the purpose. Postings not on building boards, e.g. on walls, door (especially glass doors), hallways and elevators may be removed by the University except that signs may be used on office doors to announce office hours or post urgent announcements related to change of venue. Additionally, faculty members may place signs on their office doors to serve as message boards.
- All signs and posters must bear the name of the sponsoring department or student organization.
- Only ONE sign or poster per board is permitted for a particular announcement, promotion or advertisement; duplicates may be removed.
- Signs are NOT to be taped to painted surfaces; such signs will be removed. Repeat offenders may face dissimilarly and be charged to restore the painted surface.

Electronic Sign Boards

- Departments, groups or individuals are strongly encouraged to use electronic sign boards installed in buildings for publicizing events and other university wide announcements. All such requests should be made to the Director of Web Services/Webmaster ahead of the event, to allow for processing.

Outdoor Signs

- Outdoor signs may only be erected by the Facilities Management Department, Conference Services staff, University Police or Office of Admissions when applicable; and with the prior permission of the Director of Parking or his/her designee for the purpose of providing directions to or managing traffic and parking associated with an on campus event sponsored or authorized by the University, a student organization or an affiliate.

- Commercial or political signs are not permissible on campus. An exception to this rule is the area outside a designated voting location, which on Election Day, may be used to post names of political candidates.
- Outdoor signs must never be placed in a manner where they become an obstruction for pedestrian or wheel chair bound individuals or cause problems with traffic circulation.

Leafleting and other signage- except as needed by the department of public safety

- Placement of leaflets/flyers or any literature on cars parked on campus is prohibited.
- Affixing any signs on light fixtures, permanent sign posts, trees, bus shelters, and trash containers is prohibited.
- Unauthorized distribution without permission is not permitted,

Banners

- Banners may be used to announce or advertise events sponsored by academic departments, administrative departments or student activity programs.
- The use of banners on campus is limited to banners being hung from the bridge between Stroud Hall and the University Center, University Center balcony and on the entrance to Dansbury Commons, and on Athletic Fields.
- The Assistant to the Athletic Director must authorize banners to be hung in athletic fields.
- The President or his/her designee may authorize large banners to be hung from buildings on special occasions or for limited events.
- Only banners that are on vinyl or suitable fabric will be permitted.
- The maximum size for banners is 4 feet x 12 feet.
- The President or his/her designee may authorize large banners to be hung from buildings.

Chalking

- The University recognizes chalking as protected speech in a designated public forum at the following locations:
 - Walkways in front and behind Stroud Hall
 - Walkways in front of the Hoeffner Science & Technology Center
 - Walkways at entrance to Dansbury Commons
 - Walkways on the Quad
 - Walkways in front of the Fine & Performing Arts Center

- Chalking requires the approval from the Director of Facilities Management (or Assistant Director in his absence) at least 3 business days prior to the event.
- Chalking must be done with water-soluble chalk.
- Chalking may only be done on concrete sidewalks.
- Writing, marking and sketching on vertical surfaces is considered graffiti and an act of vandalism.

Preferred Name Policy

- East Stroudsburg University recognizes that many students use a first or middle name other than their legal name. As long as the use of a preferred first and/or middle name is not for the purpose of misrepresentation, the university acknowledges that a preferred first and/or middle name may be used in the course of university business and education.
- Therefore, the university will permit student who wishes to identify him/herself within the university's information systems with a preferred first and/or middle name in addition to their legal name. Preferred last names do not apply to this policy.
- It is further understood that the student's preferred first and/or middle name should be used in university communications and reporting, **except where the use of the legal name is necessitated by university business or legal requirement.** Examples of records showing a legal name include official transcripts, degree audits, commencement brochures, degree certificates, financial records, W-2 forms, enrollment data, financial aid documents, paychecks and mailing information. To change the name on official records, a student must make a legal name change and then inform the university. A students' legal name will be displayed on official transcripts, enrollment verifications, diplomas, third party database systems, and all external communications.
- The preferred first and/or middle name cannot be changed more than once an academic year and twice during a student's tenure at ESU. The student must return the completed Preferred Name Request Form in person at the Student Enrollment Center. If a student is not able to return the Preferred Name Request Form in person, a completed, notarized form will be accepted.
- THE ABILITY TO USE A PREFERRED NAME IS NOT A RIGHT; IT IS A LIMITED ACCOMMODATION OF A PREFERENCE. THE UNIVERSITY WILL NOT ACCEPT PREFERRED NAMES THAT USE PROFANITY OR HAVE THE EFFECT OF MOCKERY. The option to use the preferred first and/or middle name may be

modified, changed, altered, or rescinded at the discretion of East Stroudsburg University.

- **Preferred first names** will be used in the following systems and records: Student Identification Cards, Online Directory, Official Student Email Display Name, Class and Grade Rosters (for students taking courses), Diploma, Housing Rosters, D2L, Banner, WarriorFish, Press Releases, Social Media Sites, Other Venues, as appropriate
- **Legal names** will continue to be used for official University records including, but not limited to the following: Academic Transcripts, Financial Aid and Scholarship Documents, Degree Verification/Audit. Legal documents and reports produced by the University, Student Account Statement (bills), Enrollment Verifications, Degree Verifications, Student Employment Documents, Employment Verifications, Employment Documents, Paychecks, W2s and other payroll documents, Student Medical Records
- **Reason for Policy:**
- To provide a limited accommodation for students who prefer to use a first and/or name other than their legal name. The University recognizes that some members use first and/or middle names other than their legal names to identify themselves, this option has been developed to respond to the needs of some international students, transgender students and others who choose the use of a preferred name for other reasons.
- As long as the use of this different first and/or middle name is not for the purposes of misrepresentation, the university acknowledges that a "preferred name" may be used where possible in the course of University business and education.
- **Appeal Statement:**
- Students who feel their preferred first name change was denied unjustly may file an appeal with the Vice President of Campus Life & Inclusive Excellence.
- **Definitions:**
- **Legal Name** – A person's legal name is the name they use for official governmental documents, such as licenses, passports, and tax forms.
- **Preferred Name** – A preferred first name is defined as an alternative to the individuals legal name as designated by the individual in university systems.
- **Academic Year** – The Fall and Spring semesters, does not include winter and summer sessions.

Seizure of Contraband

The university has the right to seize any contraband found on campus.

Sexual Harassment

1. Title IX Policy

East Stroudsburg University's **Title IX Policy** is located on the ESU website. Any questions regarding the policy should be directed to:

Christopher Bean

Equal Opportunity and Title IX Coordinator

cbean1@esu.edu

(570) 422-2277

2. Purpose of the Policy

Title IX of the Education Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access educational programs and opportunities.

Adhering to the federal Title IX regulations, the East Stroudsburg University Title IX Policy:

- Protects all students and employees from Sex Discrimination prohibited under Title IX, including by restoring and strengthening full protection from sexual violence and other Sex-Based Harassment;
- Promotes accountability by requiring the University to take prompt and effective action to end any Sex Discrimination in their Education Programs or Activities, prevent its recurrence, and remedy its effects;
- Protects against retaliation for students, employees, and others who exercise their Title IX Rights; and
- Clarifies the steps the University must take to protect students, employees, and applicants from discrimination based on pregnancy or related conditions.
- In addition to federal legislative requirements, Act 16 of 2019 of the General Assembly of Pennsylvania requires all postsecondary institutions in the Commonwealth of Pennsylvania to adopt a clear, understandable written

policy on sexual harassment and sexual violence that informs victims of their rights under federal and state law, including the crime victims bill of rights.

3. Reporting Suspected Violations of the Policy

Use one of the following methods to report suspected violations of the Title IX Policy:

- **Online report** < <https://esu.guardianconduct.com/incident-reporting> >
- Email: titleixreport@esu.edu
- Telephone: [\(570\) 422-2277](tel:(570)422-2277)

PLEASE NOTE: Submitting a reeport is different than filing a formal complaint. A report is defined as notification of an incident of sex discrimination or sex based harrassment to the Title IX Coordinator or Deputy Title IX Coordinator by any person. A report may be accompanied by a request for (1) supportive measures; (2) no further action; (3) filing a formal complaint; and/or (4) a request to initiate an informal resolution process, if available. Again, a report is different than a formal complaint.

Filing a Title IX Formal Complaint: The time frame for the Title IX Resolution Process under the policy begins with the filing of a formal complaint and will be concluded within a reasonably prompt manner, and usually no longer than 90 days after the filing of the complaint, provided that the process may be extended for a good reason, as set forth more fully in the Continuances and Granting Extensions section of the policy. Appeals may extend the time frame for resolution.

To file a formal complaint, a Complainant must provide the Title IX Coordinator with a written signed complaint describing the facts alleged. The University will initiate the Title IX Resolution Process upon receipt of the formal complaint.

If a Complainant does not wish to file a formal complaint, the Title IX Coordinator may determine a formal complaint is necessary. The University will inform the Complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued under the Title IX Resolution Process.

PLEASE NOTE: The Title IX Coordinator does not lose impartiality solely due to signing a formal complaint.

A Complainant who files a formal complaint may elect, at any time, to address the matter through the informal resolution process.

4. Criminal Reporting Options

A Complainant may also seek to initiate a criminal complaint, independent of or parallel with any report or complaint made to the University.

East Stroudsburg University Campus Police

Hemlock Suites, Smith Street, Ground Floor
(570) 422-3064 or 911

Pennsylvania State Police

2730 Rimrock Drive Stroudsburg, PA 18360
(570) 619-6800

PLEASE NOTE: The University's policy, definitions, and burden of proof may differ from Pennsylvania criminal law. Neither law enforcement's decision whether to prosecute, nor the outcome of any criminal prosecution, is determinative of whether sexual misconduct has occurred under this policy.

In cases where there is a simultaneous law enforcement investigation, there may be circumstances when the University may need to temporarily delay its investigation while law enforcement gathers evidence. However, the University will generally proceed with formal complaint even during the time of a pending law enforcement investigation.

Tobacco Use Policy

The Pennsylvania Clean Indoor Air Act, Act 27 of 2008 prohibits "smoking" in all buildings including residence halls, classrooms and laboratories, indoor areas, and in open or partially open space such as sports or recreational facilities, theaters or performance establishments.

For the purposes of this policy, tobacco includes nicotine producing products such as cigars, cigarettes, and pipes. Electronic cigarettes (smokeless) and chewing tobacco are also included. The use of "tobacco" is prohibited in all state system and University owned vehicles, including state system sponsored van pools. Smoking is not permitted within a 25 foot perimeter of a building, building entrance, air intakes and operable windows. Smokers causing smoke to emanate from within the designated smoking areas repeatedly migrating outside the area and impact non-smokers will be asked to relocate to a different approved designated smoking area by the resident director, resident advisor, building manager or staff member, environmental health & safety manager, or campus police officer.

Seven designated smoking shelters have been strategically located throughout the campus.

All university students, employees (faculty and staff) and visitors are urged to comply.

The sale of tobacco products on campus is prohibited.

All groups, athletic teams, student media, clubs, Greek life, and all other organizations affiliated with ESU are prohibited from accepting money or tobacco products, including merchandise from tobacco companies and these organizations may not run tobacco advertisements in college-run publications.

Contact Us

Campus Address **Dean of Student Life**

Sycamore Suites
(570) 422-3798

Jennie Smith
jsmith239@esu.edu
(570) 422-3798