



# STUDENT CODE OF CONDUCT

Revised August 2025



## **OVERVIEW OF THE POLICY**

Cleary University supports a positive educational environment that will benefit student success. In order to ensure this vision, the university has established this Student Code of Conduct to ensure the protection of student rights and the health and safety of the Cleary University Community as well as to support the efficient operation of university programs. In addition, the university has established guidelines to address grievances by individuals accused in such proceedings.

## **JURISDICTION**

This Student Code of Conduct applies to any behaviors that take place on the campuses of Cleary University in Howell, MI, Detroit campus, and at Cleary University-sponsored events on or off campus. This Student Code of Conduct may also apply to off-campus and actions online when the Vice President of Athletics and Student Affairs (or designee) determines that the off-campus conduct affects a substantial university interest. A substantial university interest is defined to include: (1) Any action that constitutes criminal offense as defined by federal or state law; (2) Any situation where it appears that the accused individual may present a danger or threat to the health or safety of him/herself or others; (3) Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; (4) Any situation that is detrimental to the interests of the university; (5) Any online postings or other electronic communication, including, but not limited to, cyber-bullying, cyber-stalking, cyber-harassment, etc.

## **STANDARDS OF PROOF**

In all cases of alleged violations of Cleary University policy, the standard of proof is the preponderance of the evidence (e.g., more likely than not). This standard is also employed when making determinations regarding interim restrictions/actions.

## **DEFINITIONS**

1. The term **"UNIVERSITY"** means Cleary University in Howell, MI and Cleary University Detroit campus.
2. The term **"STUDENT"** means any person who is admitted, enrolled or registered for study at Cleary University for any academic period. A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, orientation, placement testing, and residence hall check-in, preseason athletic camps, summer student employees. This would include but is not limited to undergraduate, graduate, accelerated learning, e-learning, part-time, and full-time students.
3. The term **"UNIVERSITY OFFICIAL"** includes any person employed by the university, performing assigned administrative or professional responsibilities including student employees (e.g., RAs) acting within the scope of his/her assigned position.
4. The term **"MEMBER OF THE UNIVERSITY COMMUNITY"** includes any person who is a student, faculty member, university official or any other person employed by the university.
5. The term **"UNIVERSITY PREMISES"** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the university including adjacent streets, parking lots, and sidewalks.
6. The term **"ORGANIZATION"** means any number of persons who have complied with the formal requirements for university recognition as a student organization (e.g., student clubs/organizations, intramural/intercollegiate teams, music/drama groups).
7. The **"VICE PRESIDENT OF ATHLETICS AND STUDENT AFFAIRS"** is that person designated by the Cleary University President to be responsible for the administration of the Code of Student Conduct. Any question of interpretation or application of the Code of Student Conduct shall be referred to the Vice President of Athletics and Student Affairs or his or her designee for final determination.
8. The **"STUDENT CONDUCT OFFICER"** is the person designated by the Vice President of Athletics and Student Affairs to be the hearing officer for a student conduct case.
9. The term **"BUSINESS DAY"** includes all days that the regular business of the university is ongoing. This may include days and times that academic classes are not in session but the University is open for business.
10. The term **"REPORTING PARTY"** refers to a person that makes a complaint, alleges a violation of university policy, or files a formal allegation against another person.
11. The term **"RESPONDING PARTY"** refers to a person alleged to have violated university policy.

## **STUDENT CODE OF CONDUCT PROCEDURES**

- 1.** Any member of the Cleary University community may file a report against a student for violations of the Student Code of Conduct.
- 2.** Student Code of Conduct violation reports should be directed to the appropriate administrators and submitted within three (3) business days. Appropriate administrators include but are not limited to Vice President for Athletics and Student Affairs, Director of Housing, Residence Life Coordinator, and Director of Campus Security.
- 3.** The Student Conduct Officer (or designee) will conduct an impartial preliminary review of all allegations to determine if the allegations have merit and require an administrative hearing or if they can be dismissed.
- 4.** If it is determined that the allegation has merit, the Student Conduct Officer (or designee) will send the respondent written (electronic) notification that an alleged violation has occurred and provide a date and time in which they are expected to meet with the Student Conduct Officer (or designee) for the administrative hearing within three (3) business days.
- 5.** During administrative hearing, the respondent meets with the Student Conduct Officer (or designee). The Student Conduct Officer (or designee) will review the charges with the respondent. The respondent may accept or deny responsibility for the allegations at this time.
- 6.** If the respondent accepts responsibility for the charges, the Student Conduct Officer will assign sanctions and send the respondent written (electronic) correspondence within three (3) business days outlining the details and appeals process.
- 7.** If the respondent denies responsibility for the allegations, the Student Conduct Officer (or designee) will request that the respondent provide any evidence, witnesses, or additional information to the Student Conduct Officer (or designee) within three (3) business days.
- 8.** The Student Conduct Officer (or designee) will review all of the evidence and interview any witnesses within three (3) business days and schedule a follow-up administrative meeting with the respondent to ask any further questions and determine responsibility.
- 9.** The Student Conduct Officer (or designee) will assign sanctions and send the respondent written (electronic) correspondence within three (3) business days to outline the details and the appeals process.
- 10.** One representative or parent will only be allowed in the administrative hearing and subsequent meetings at the discretion of the Student Conduct Officer (or designee). A FERPA release must be completed prior to inclusion in the hearing process.

## **SANCTIONS**

1. The student conduct officer will take the following factors into consideration when assigning sanctions:

- Seriousness of the violations
- Community impact
- Prior conduct history
- Respondent's intent and motivation
- Conduct precedent
- Credibility of the respondent, complainant and witness.

The purpose of our sanctions are to further a student's development and enable them to become a positive contributor to the community and discourage a student's inappropriate behavior from reoccurring in the future.

2. Disciplinary action taken against a student may include, but is not limited to, one or more of the following:

### **VERBAL WARNING**

Students are given a verbal warning and a notation is made in the student's disciplinary file.

### **WRITTEN WARNING**

A notice in writing to the student that the student is violating or has violated institutional regulations and a copy of the warning letter is placed in the student's disciplinary file.

### **PROBATION**

A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.

### **LOSS OF PRIVILEGES**

Denial of specified privileges for a designated period of time.

### **RESTITUTION**

Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

### **DISCRETIONARY SANCTIONS**

Work assignments, essays, service to the University, or other related discretionary assignments.

### **RESIDENCE HALL SUSPENSION**

Separation of the student from the residence halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. Suspensions may be effective immediately or deferred.

### **RESIDENCE HALL DISMISSAL**

Separation of the student from the residence halls for an indefinite period of time. Conditions for readmission may be specified. Dismissals will be effective immediately.

### **RESIDENCE HALL EXPULSION**

Permanent separation of the student from the residence halls. Expulsions will be effective immediately.

### **UNIVERSITY SUSPENSION**

Separation of the student from the university for a definite period of time (usually a year or less) after which the student is eligible to return. Conditions for readmission may be specified. Suspensions may be effective immediately or deferred.

### **UNIVERSITY DISMISSAL**

Separation of the student from the university for a year or more. The student may be eligible for return. Conditions for readmission may be specified. Dismissals will be effective immediately.

### **UNIVERSITY EXPULSION**

Separation of the student from the university permanently. Expulsions will be effective immediately and can only be imposed by the University President.

### **REVOCATION OF ADMISSION AND/OR DEGREE**

Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of the university standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

### **PARENTAL NOTIFICATION**

The Federal Educational Rights and Privacy Act (FERPA) permits parental notification without their student's consent when the student has violated any federal, state or local law, or any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, if the institution determines that the student has committed a disciplinary violation regarding that use or possession and the student is under 21 at the time of the disclosure.

More than one of the sanctions listed above may be imposed for any single violation.

**3. Sanctions for **ALCOHOL & MARIJUANA** are as follows:**

	<b>SANCTION</b>	<b>EXAMPLES</b>
Level 1	Verbal Warning, Fine, Community Service	<ul style="list-style-type: none"> <li>• Possession of empty alcohol containers or smoking paraphernalia</li> </ul>
Level 2	Written Warning, Fine, Community Service, Alcohol & Drug Education Course	<ul style="list-style-type: none"> <li>• Possession of alcohol or marijuana in the residence halls</li> <li>• Two level one offenses</li> </ul>
Level 3	Probation, Fine, Community Service, Alcohol & Drug Education Course, Suspension from all Extracurricular Activities	<ul style="list-style-type: none"> <li>• Distribution of alcohol or marijuana to an underaged person</li> <li>• Hosting a party with alcohol and/or marijuana present in the residence halls</li> <li>• A combination of level 1 and 2 offenses</li> </ul>
Level 4	Residence Hall Suspension, Fine, Community Service, Alcohol & Drug Education Course, Suspension from all Extracurricular Activities	<ul style="list-style-type: none"> <li>• Manufacturing alcohol or growing marijuana on campus</li> <li>• Selling alcohol or marijuana on campus</li> <li>• DUI</li> <li>• A combination of Level 1, 2, and 3 offenses</li> </ul>

**4. Sanctions for **ILLEGAL DRUGS** are as follows:**

	<b>SANCTION</b>	<b>EXAMPLES</b>
Level 1	Written Warning, Fine, Drug Treatment, Community Service, Suspension from all Extracurricular Activities	<ul style="list-style-type: none"> <li>• Possession or consumption of illegal substances</li> </ul>
Level 2	Probation, Fine, Drug Treatment, Community Service, Suspension from all Extracurricular Activities, Law Enforcement Contact	<ul style="list-style-type: none"> <li>• Repeat offense of possession or consumption of illegal substances</li> <li>• A combination of Level 1 and Level 2 offenses</li> </ul>
Level 3	Residence Hall Suspension, Fine, Drug Treatment, Community Service, Suspension from all Extracurricular Activities, Behavioral Contract, Law Enforcement Contact	<ul style="list-style-type: none"> <li>• Possession or consumption of illegal substances that endangers the life and safety of others</li> <li>• Possession or consumption of illegal substances in combination with violence actions against another individual</li> <li>• A combination of Level 1, 2, and 3 offenses</li> </ul>

## **5. INTERIM SUSPENSION**

In certain circumstances, the Vice President of Athletics and Student Affairs and/or designee, may impose a university suspension prior to an administrative hearing with a student conduct officer.

Interim suspension may be imposed only in the following circumstances:

- To ensure the safety and well-being of members of the university community or preservation of university property; or
- To ensure the student's own physical or emotional safety and well-being; or
- If the respondent poses an ongoing threat of disruption of, or interference with, the normal operations of the university.

Interim suspension will take effect immediately upon the direction of the Vice President of Athletics and Student Affairs and last for no more than ten (10) business days (Saturdays and Sundays are not included). The 10-day period may be extended for good cause by the Vice President of Athletics and Student Affairs or by agreement with the student.

During the interim suspension, a student shall be denied access to the residence halls and/or to the campus and/or all other Cleary University activities or privileges for which the student might otherwise be eligible, as the Vice President of Athletics and Student Affairs may determine to be appropriate.



## **STUDENT CONDUCT POLICIES**

### **APPLIES TO ALL STUDENTS**

**ABUSE/MISUSE OF IT RESOURCES** Theft or other abuse of computer facilities, library and resources, including but not limited to: (1) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose; (2) Unauthorized transfer of a file; (3) Use of another individual's identification and/or password. (4) Use of computing facilities and resources to interfere with the work of another student, faculty member or university official; (5) Use of computing facilities and resources to send obscene or abusive messages; (6) Use of computing facilities and resources to interfere with normal operation of the university computing system; (7) Use of computing facilities and resources in violation of copyright laws; (8) Any violation of the Information Technology Electronic Accounts.

**AIDING OR ABETTING** Attempting, aiding, abetting, or being an accessory to an act that is prohibited by the university shall be considered the same as a completed violation. Students who anticipate or observe a violation of the Code of Student Conduct are expected to remove themselves from association or participation and bystanders are encouraged to report the violation.

**ARREST POLICY** Students who are arrested or taken into custody by any law enforcement agency are required to inform the Director of Campus Operations and Campus Safety or other appropriate university official (e.g., program director, coach) within 48 hours of their release. Students arrested may be subject to university disciplinary action when their conduct violates university standards.

**DINING SERVICES** Only students who have paid for the meal plan and others who are paying full price at the door are allowed in Clancy's. Each student must swipe their own card and cannot use their plan to feed other students since the meal plan is non-transferable. Students with a meal plan can only enter Clancy's once per swipe and may not return for more food, drinks, or desserts. Students are not allowed to take boxes of food unless their coach arranges for it ahead of time or is serving as the RA on duty. Students should not enter Clancy's at any time dining is closed except for student workers that are employed by Dining Services. If a student has been approved for a meal plan exemption due to ADA accommodation, that student should not obtain food or drink directly or indirectly from a campus dining facility. Students must wear a shirt and shoes while in Clancy's per health regulations.

**DISRUPTIVE ACTIVITY/BEHAVIOR** No person or organization may interfere with, disrupt normal activity and operations of, or promote the interference or disruption of students, faculty, administration, staff, or the educational mission of the university or its buildings, equipment or facilities. Any form of expression that materially interferes with such activities and operations or invades the rights of persons is prohibited.

**DOORS** The following situations with doors are prohibited: (1) Propping open campus building entrances or interior floor/wing doors of the residence halls is prohibited; (2) Disabling or tampering with a door latch mechanism that prevents the door from latching/locking; (3) Forcibly opening locked doors; (4) Utilizing an alarmed door for a non-emergency reason.

**DRUGS** All illegal drugs, as defined by Michigan state law, and any type of recreational drugs (including cannabis) are strictly prohibited from Cleary University's facilities and property. Drugs that fall into this category include, but are not limited to, the following: hashish, hash oil, cocaine, crack, LSD, inhalants, stimulants, depressants, hallucinogens, narcotics, designer drugs, anabolic steroids and other substances that alter one's mental state. Students are prohibited from possessing, consuming, transporting, dealing, being in the presence of or exhibiting disruptive behavior influenced by the use of the aforementioned substances. Students are also prohibited from possessing paraphernalia with evidence of illegal drug use such as bowls/pipes, grinders, one-hitters, vaporizer, blunts, etc. Anyone found in violation of this policy may have their housing agreement terminated and may be subject to Cleary University disciplinary action and possible arrest, imprisonment or fine according to state and federal laws. Should an educational program be required, a cost to the student may be incurred.

**EMAIL COMMUNICATION** It is the student's responsibility to read his/her Cleary University (CU) provided email daily. Failure to read one's email does not excuse a student from being responsible for the content provided in the communications and will not be considered as exigent circumstances in the student conduct process.

**FAILURE TO COMPLY** Students are expected to appear at student conduct hearings to respond to allegations or testify as a witness. A failure to properly comply with or complete a sanction or obligation resulting from a conduct hearing or adjudication may also be considered failure to comply with an official request.

**FIRE ALARMS AND FIRE/LIFE SAFETY EQUIPMENT** No person shall make, or cause to be made, a false fire alarm or emergency report of any kind. No person shall tamper with, damage, disable or misuse fire/life safety equipment including, but not limited to, fire extinguishers, fire hoses, fire alarms, fire doors, AEDS, bleeding control bags and Narcan. Tampering with or disabling any fire/life safety equipment in a residence hall may result in a student's immediate removal from on campus housing and a fine. Tampering with or disabling any fire/life safety equipment on campus may result in university suspension and fines. Students are required to evacuate any university building when a fire alarm is sounding and/or when instructed to do so in an emergency or drill by university staff.

**FRAUD/LYING** Lying or fraudulent behavior in, or with regard to, any transaction with the university, whether oral or written, is prohibited. This includes: (1) misrepresenting the truth at a student conduct hearing; (2) Knowingly making a false statement orally or in writing to any university official; (3) Knowingly providing false, misleading, or fabricated information, documentation, or statements to obtain or attempt to obtain an accommodation under the Americans with Disabilities Act (ADA) or the Fair Housing Act; (4) Misrepresenting a disability or medical condition, exaggerating the impact of a disability, submitting fraudulent (including altered) documentation, or knowingly providing false or misleading information to a medical or counseling professional to obtain an ADA or Fair Housing Act accommodation.

**HAZING** Hazing is defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts and are considered violations of the hazing policy.

**INTERFERENCE | OBSTRUCTION OF THE STUDENT CONDUCT | TITLE IX PROCESS** Interfering in any manner with the student conduct/Title IX process is prohibited. Examples of violating this policy include, but are not limited to: (1) Failing to participate in a hearing or investigation; (2) Colluding with or intimidating witnesses; (3) Intimidating any member of a student conduct panel or hearing board; (4) Providing false information or intentionally omitting relevant information from an investigation or hearing; (5) Sharing case information publicly through written, verbal, social media to those not involved in the case who are not acting as a resource or advisory role.

**LITTERING** Littering on university premises is prohibited, including but not limited to the improper disposal of personal garbage (e.g., placing trash in non-designated areas).

**MISUSE OF DOCUMENTS** Forgery, alteration, or misuse of any document, record, or officially- issued or legal identification is prohibited.

**MISUSE OF STUDENT IDENTIFICATIONS** Providing access to unauthorized persons, allowing another person to use your university issued student ID, failing to present a Student ID card when requested by a university official acting in the performance of his or her duties, or possessing or using a fraudulent ID card, may subject the owner and/or the holder to disciplinary action.

**MISUSE OF KEYS** No person may use or possess any university key without proper authorization. No student is allowed under any condition to have a university key duplicated.

**MOTOR VEHICLES** Operating a motor vehicle on university property in a manner that causes or might potentially cause physical harm to an individual or property is prohibited. Failure to register a vehicle with Housing & Residence Life, parking a vehicle in unauthorized parking lots or in unauthorized areas (e.g., parking outside striped double parallel lines and in restricted parking areas), driving or parking a vehicle on the grass or in an unsafe manner anywhere on campus is prohibited. Driving on university-owned or controlled property without a valid driver's license is prohibited.

**ONLINE COMMUNITIES** Cleary University and its faculty and staff do not monitor online communities and e-communication. Further, the University does not forbid faculty, staff and students from joining and participating in online communities as individuals not acting as agents of the University. However, any behavior that violates the Code of Student Conduct which is brought to the attention of a University official will be treated as any other violation and will be referred through channels outlined in the code.

**POSTER AND POSTING** Students, faculty, staff, and student organizations are allowed to post signs, posters, or fliers in designated areas in buildings and residence halls in compliance with established posting procedures. All information must first be entered onto the Campus Calendar and approved for posting by the Student Life Coordinator. Posters and fliers may not exceed 8.5 x 11 inches in size. Any sign bigger than this must receive special approval from the Student Life Coordinator. The name of the sponsoring group must appear on each item approved for display. It is preferred to have the name spelled out (acronyms and logos may be used if they are easily recognizable and easily identify the sponsor). Sponsoring groups shall remove all posters after the advertised event. Signs without approval by the Student Life Coordinator, those left after the expiration date, or those posted in an unauthorized area will be removed. Signs may not be posted on walls (interior or exterior), doors, windows, trees or shrubs, trash cans, elevators, or any other area other than specific bulletin boards or clear plastic flyer holders. Any signs posted in unapproved areas will be removed. Advertising should not include : (1) Words or images which demean the University, any office/organization/entity of the University, or student organization of the University; (2) Words or images which demean an individual/group by targeting an individual/group's race, gender, and/or religion; (3) Words or images which are sexually suggestive; or (4) Words or images of alcohol or drugs.

**RESPONSIBLE EMPLOYEE POLICY** Any member of the University community, guest or visitor who believes that the policy on Equal Opportunity, Nondiscrimination, Sexual Harassment, and Other Forms of Harassment has been violated should contact the Title IX Coordinator, Julie Vartoogian (jvartoogian@cleary.edu). It is also possible for employees to notify a supervisor, or for students to notify a staff or faculty member, or any member of the community may contact Campus Safety. The University website also includes more information on reporting at <https://www.cleary.edu/policies/title-ix-sexual-harassment-policy/>.

**SEARCHES** Failing to comply with a reasonable request to search is a violation of this policy, including events held on university premises or at off-campus University-sponsored functions. Students who are in possession of a bag, purse, backpack, or any other container where contraband, weapons, alcohol, or any other prohibited substance could be contained is subject to search by a university official. This includes, but is not limited to, vehicles parked on university premises, or at off-campus university sponsored events, when there is reason to believe the vehicle contains any prohibited item.

**SMOKING/VAPING** Use of smoking/inhalant/vaping materials within all rooms and buildings and outside within 10 feet of any building entrance or exit except within designated and posted areas is prohibited, including but not limited to cigarettes, electronic cigarettes, cigars, pipes, hookahs, vapes, and personal aromatherapy devices.

**SOLICITATION** Solicitation of any form is not permitted on campus grounds or within campus buildings.

**THEFT** Theft or attempted theft of any kind, including seizing, receiving, or concealing property with knowledge that it has been stolen, is prohibited. Sale, possession, or misappropriation of any property or services without the owner's permission is also prohibited.

## **RESIDENCE HALL POLICIES**

### **APPLIES TO STUDENTS LIVING ON CAMPUS AND THEIR GUESTS**

**ALCOHOL** Alcohol possession, manufacturing, distribution, or being under the influence of alcoholic beverages, or public intoxication in the residence halls is prohibited. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person, regardless of the student's age. Residents should remove themselves from any situation that involves alcohol in the residence halls. Housing & Residence Life staff and Campus Safety reserve the right to contact medical personnel to transport students in physical danger if the staff finds it necessary. Students are also prohibited from using empty alcohol bottles as decorations in campus residences, whether or not they personally consumed its past contents.

**COMMON AREA FURNITURE** Students are prohibited from removing and/or bringing lobby and common area furniture into their own rooms. The furniture in the residence hall lobbies and common areas must remain in their designated areas. Any student found with public area furniture may face disciplinary action up to and including a fine of \$50 to return the furniture.

**DOOR DECORATIONS** The only door decorations that are approved to be on residence hall doors must be created by your RA or an official notification from the Department of Housing & Residence Life. Doors cannot be wrapped in paper or other material except when approved by the Director of Housing or Residence Life Coordinator. Posters and bulletin boards are not permitted on doors.

**ENTRY AND SEARCH OF ROOMS** Failure to give access to a residence hall room when requested to do so by a University official is prohibited. The University recognizes residents' desire for privacy, particularly in the context of their living situation, and will do all it can to protect and guarantee their privacy. However, the University's designated staff member reserves the right to enter a resident's room at any time for the following purposes: (1) To determine compliance with all relevant health and safety regulations; (2) To provide cleaning and/or pest control; (3) To conduct an inventory of University property; (4) To silence unattended loud alarms and music; (5) To follow up on an indication of danger to life, health, and/or property; (6) Where there is a reasonable cause to believe that a violation of University policy(s) is occurring or has occurred; (7) To search for missing university or student property; (8) To perform maintenance work requested by the student. For most maintenance concerns, prior notice will be given whenever possible. For a search to take place, conditions for room entry must exist, and permission from the Director of Housing, Director of Campus Safety, Vice President of Athletics and Student Affairs or a designee will be obtained. A room check may be done by a member of Housing & Residence Life or Campus Safety staff where warranted, per the Housing Agreement Terms. Items that violate university or housing regulations may be confiscated.

**FIRE ALARMS** All students, staff, and guests should immediately exit the building if a fire alarm goes off. The gathering spot for North Hall is at the end of the parking lot by the Lyons Building. The gathering spot for South Hall is at the end of the parking lot by the Chrysler Building. No one should attempt to re-enter the building until the all clear is given by Housing & Residence Life or Campus Safety staff. Failure to exit the building will result in disciplinary action. The Brighton Fire Department will make the determination of the cause of a fire alarm. Any resident found to have tampered with alarms (i.e. covering, altering, dismantling, and destroying) will be held liable for any monetary charges (\$500-\$1000) and could be subject to a misdemeanor charge that comes with jail time in addition to fines.

**GUESTS** Guests must be checked in at the South Hall front desk where their information and their hosts information will be recorded. Guests must provide a form of identification that has their picture on it such as a driver's license, state issued ID, or passport that will be kept at the South front desk until the guest departs the building. The guest will be issued a guest pass and should wear it in a prominent location on their person and be escorted by their host at all times. Guests should turn their guest pass to the South Hall front desk in order to collect their picture identification. Guests may not stay longer than two consecutive nights.

**LAUNDRY ROOM** The use of residence hall laundry rooms by nonresident students is prohibited.

**PETS** The only animal allowed in the rooms are fish living in a 10-gallon or smaller tank. Flesh-eating species (e.g. piranha), birds, reptiles, and rodents are strictly prohibited. Feeding or temporarily housing an animal in and around the residence halls is also prohibited. Service animals and emotional support animals are not subject to this policy.

**QUIET HOURS** Quiet hours are from 10:00pm – 8:00am. Noise should not be heard from outside of the residence hall room and residents must adhere to requests of lowering the volume in their rooms when asked. Quiet hours are enacted 24 hours per day during the week before finals and finals week in order to provide a quiet environment for students to prepare and complete assignments. Residents who do not follow requests may be subject to disciplinary action.

**RECREATIONAL EQUIPMENT** The following items are prohibited from Cleary University residence halls due to being a potential fire or safety hazard:

- |                                     |                           |                                |
|-------------------------------------|---------------------------|--------------------------------|
| • Handguns                          | • Rifles                  | • Shotguns                     |
| • BB Guns                           | • Tasers                  | • Pellet Guns                  |
| • Dart Guns                         | • Paintball Guns          | • Bows and Arrows              |
| • Metal-tipped Darts                | • Projectile Toys         | • Knives (military or hunting) |
| • Swords                            | • Martial Arts Implements | • Live Ammunition              |
| • Fireworks                         | • Self-balancing Scooters | • Hoverboards                  |
| • Battery or Gas Motorized Bicycles | • Electric Scooters       | • Live Trees                   |
| • Candles/Incense                   | • Torches                 | • Space Heaters                |
| • Hot plates                        | • Toasters*               | • Electric Skillet*            |
| • Air Fryers*                       | • Electric Grills*        | • Countertop Burners           |
| • Halogen Lights/Lamps              | • Flammable Liquids       | • Waterbed                     |
| • Window A/C Units                  | • LED Adhesive Strips     | • Extension Cords              |

\* Allowed in North Hall full kitchens

Bicycles, rollerblades, roller skates, and skateboards or other recreationally wheeled devices may not be ridden through doors, into the lobby, or down hallways. Students are prohibited from possessing, displaying or using prohibited items. Anyone found in violation of this policy may have their housing agreement terminated and may be subject to Cleary University disciplinary action and possible arrest, imprisonment or fine according to state and federal laws. Other instruments that may not normally be considered weapons but are used in a manner that threatens the health or safety of any individual are also subject to Cleary University disciplinary proceedings ranging up to and including termination of housing agreement, along with the aforementioned consequences.

**ROOM DECORATIONS** Residents may not paint, wallpaper, alter or redecorate furnishings, change or install locks, install antennas, or alter other provided equipment. Residents should not install screws, fastening devices, large nails, adhesive materials (other than double velcro command strips or art putty), place signs, displays, or other exhibits, on or in any portion of the premises. Alterations to the room and/or the residence hall in general is an acknowledgment and acceptance of damage charges that will be billed to the resident's student account at the semester or academic year's end. Room furniture cannot be removed from the resident's assigned suite. Decorations will not be affixed to the ceiling or suspended from the ceiling in any way, as they present a fire hazard. Live trees are also not permitted for fire safety reasons. Small, potted plants are permitted as long as they are kept away from major heat sources. If a wall is damaged by the use of command strips, the resident will be assessed a fee to repair the wall. Residents should only use double velcro command strips or art putty to hang anything on the wall.

**TORNADOS** When the tornado siren is activated, students are to avoid windowed areas and move to the suite bathrooms to remain safe. Students who live on the upper floors are to move to the first floor hallways and huddle as far from the main lobby as possible. Students may return to their room once the Department of Housing and Residence Life or Campus Safety gives the all-clear.

**VANDALISM** Students are responsible for their shared bedroom, shared bathroom, and shared common space. Individuals who share those spaces are equally responsible for them. Damages or alterations to the spaces, as indicated by differences from the check-in room condition report, will be billed to the suite's residents equally, unless one resident takes full responsibility. Residence hall common areas, such as hallways, lobbies, stairwells, and lounges, are everyone's responsibility. On a case-by-case basis, damages may be billed to the floor or the whole building if there is no clear person at fault.

**WINDOWS** No items may be affixed or block the windows for fire safety purposes. Items can be placed on the sill. Window screens are not to be removed from the windows. Residents are prohibited from hanging out of their windows or using windows as an exit/entrance point unless there is an emergency. During colder months, windows should remain closed to conserve energy.

## **APPEALS**

1. Students should submit their appeal within three days of receiving their student conduct hearing determination in writing by emailing [ombudsman@cleary.edu](mailto:ombudsman@cleary.edu) OR by completing the online student appeal form (<https://www.cleary.edu/student-life/student-ombudsman/>).
2. A decision reached by the Student Conduct Officer (or designee) may be appealed by either the respondent(s) or the complainant(s).
3. The Ombudsman (or designee) shall have the sole authority to determine whether or not an appeal warrants further review.
4. An appeal that has been accepted for review shall be limited to review of the verbatim record of the administrative hearing and supporting documents for one (or more) of the following reasons only:
  - There is substantive new evidence not previously available at the time of the hearing, which could have materially affected the outcome (NOTE: New witnesses or witness statements do not constitute new evidence unless there is a clear basis as to why the witnesses were not presented at the time of the original hearing).
  - There were procedural errors in the case that substantially impacted the student's access to a fair hearing;
  - The severity of the sanction needs to be reviewed based on documented mitigating personal circumstances;
  - The decision of the Student Conduct Officer (or designee) was not supported by the evidence presented at the hearing, or evidence was not sufficient to establish that a Code of Conduct violation occurred.
5. If an appeal is approved by the Ombudsman (or designee), the matter shall be introduced to the Vice President of Athletics and Student Affairs for rehearing and will take into consideration the suggestions made by the Ombudsman (or designee) in addition to the facts that were originally presented. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.