

## **2023-2024 Prohibited Conduct**

Prohibited Conduct includes the defined forms of behaviors listed below.

A sub-set of the prohibited conduct listed below applies ONLY to behaviors that take place or originates in on-campus housing facilities (owned or leased), as well as at on-campus housing sponsored events/programs/initiatives. Those specific prohibited conducts will have “housing” listed in the name.

All other prohibited conduct, not specified, applies to conduct that occurs on ALL University campus or other property owned or controlled by the University (including on-campus facilities) and as further defined under the Code of Student Conduct jurisdiction. For more information on the Code of Student Conduct click [here](#).

Reports of prohibited conduct may be submitted at:

[https://publicdocs.maxient.com/reportingform.php?UnivofLaVerne&layout\\_id=5](https://publicdocs.maxient.com/reportingform.php?UnivofLaVerne&layout_id=5)

### **ABUSE OF ADMINISTRATIVE REVIEW PROCESS & RETALIATION**

Abuse, interference with, or failure to comply with the University administrative review/investigation processes is prohibited. This includes, but is not limited to:

- Falsification, distortion, or misrepresentation of information.
- Failure to provide, destroying or concealing information during an administrative review/investigation of alleged prohibited conduct.
- Influencing, or attempting to influence, another person to commit an abuse of the campus administrative review/investigation process.
- Failing to comply with a reasonable request to participate in an administrative review/investigation process.
- Harassment (verbal or physical) and/or intimidation of a member of a campus administrative review/investigation body prior to, during, and/or following a campus administrative review/investigation proceeding.
- Attempting to discourage an individual’s proper participation in, or use of, the campus administrative review/investigation proceedings.
- A materially-adverse action performed directly or through others, aimed to dissuade a reasonable person from engaging in, or done in retribution for engaging in, exercising rights under this policy, reporting in good faith a possible violation of this policy, or participating in an investigation or proceeding in good faith pursuant to this policy. Retaliation may arise whether or not the underlying allegation was found to be substantiated.
- Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

### **ALCOHOL**

The listed conduct applies to behavior occurring on University property or University sponsored programs/events:

- The purchase, possession, consumption, manufacturing, transportation, or distribution of any alcoholic beverages (including beer and wine) by any student, except as permitted by law AND as sanctioned by the University, is prohibited.

- Being under the influence of an intoxicating liquor and being unable to care for one own safety, interfering with the use of a public way, or interfering with, limiting, or depriving an individual from participating or benefitting from the University's education or employment programs and/or activities is prohibited.
- Selling, either directly or indirectly, any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License AND as sanctioned by the University is prohibited. This includes selling glasses, mixes, ice or tickets for admission.
- Possession of an alcoholic beverage in an open container in a motor vehicle or on a bicycle is prohibited, regardless of who is driving or whether one is intoxicated.
- The manufacturing, use or provision of a false State Identification Card or Driver's License on University Property or a University sponsored program/event is prohibited.
- Driving a motor vehicle, scooter, or bicycle while under the influence of alcohol is prohibited.
- Possessing, collecting, or otherwise displaying empty alcohol containers (i.e. cans, empty bottles) except as sanctioned by the University is prohibited.

In addition, the following prohibited conduct applies to behavior occurring in on-campus housing areas/buildings (owned or leased) or on-campus housing sponsored programs/events:

- The purchase, possession, consumption, manufacturing, transportation, distribution, furnishing, or selling directly or indirectly, of any alcoholic beverages (including beer and wine) by any student is prohibited.
- Being in the presence of alcohol is prohibited.
- Possessing, collecting, or otherwise displaying empty alcohol containers, (i.e. cans, empty bottles) is prohibited
- Possessing, collecting, or otherwise displaying marketing materials, advertisements or items bearing the name, logo or likeness to an alcoholic beverage (i.e. signs or displays) that are visible from outside a student's room is prohibited.

Identified items under this policy are subject to confiscation, disposal and/or destruction.

Note: The alcohol policy in the Code of Student conduct is in alignment and expansion of the University's Policy on Alcohol, Drugs and Controlled Substances (click [here](#) for more information) as it applies to students.

### **ALTERATION OF PREMISES**

- Alterations, changes, modifications, remodeling and/or renovating, including but not limited to, painting of the unit, tampering with the electrical or mechanical fixtures in the unit or public areas, or installing a door or area lock without consent of the University is prohibited. All fixtures that are installed become part of the premises and therefore property of the University.
- Tampering with, or removal of smoke detectors, blinds, windows or window screens from any part of the building is prohibited.
- Installing or placing any equipment or construction of any type on the grounds or in the buildings, without permission of the University, is prohibited.

### **ANIMALS/PETS**

Definitions:

- **"Service animal"** is a dog, (or in certain circumstances, a miniature horse for which the University has determined reasonable modifications can be made), specifically trained to do work or perform tasks for the benefit of and to accommodate the functional needs of an individual with a disability.

- **“Service-dog-in-training”** is a dog tagged as a service dog in training by identification issued by the county clerk or animal control department and accompanied by a handler duly licensed or authorized to train service dogs. Notwithstanding any other provisions of this policy, a service-dog-in-training must be leashed and properly tagged at all times.
- **“Emotional support animal” (ESA)** is any animal that is specifically designated by a qualified medical provider as affording an individual with a disability an equal opportunity to use and enjoy a dwelling , provided there is a nexus between the individual's disability and the assistance the animal provides and has been approved by the University's Accessibility Services Office.
- **“Pet”** means any animal that is not a service animal, a service-dog-in-training, or an emotional support animal. All other animals are considered pets.

Unless otherwise authorized by the provisions of the University's Animal on Campus policy, all individuals, including students and their visitors are prohibited from bringing pets or any other animals onto University property.

Students may request approval for an ESA as an accommodation through the Accessibility Services Office - (909) 448-4938 or <https://laverne.edu/accessibility/>.

Additional information on ESAs and Service Animal policy is available at <https://laverne.edu/accessibility/wp-content/uploads/sites/19/2022/01/Accessibility-Services-Handbook.pdf>

### **APPLIANCES (Housing)**

- Residents shall not bring or maintain any electrical appliances used for heating or preparation of food other than those containing enclosed heating elements. Appliances like toasters, toaster ovens and other cooking devices that do not contain open heating elements are permissible only in the kitchenette or kitchen areas – not in student rooms. Grills and/or the materials for such grills are prohibited (e.g. propane, natural gas, wood/charcoal).
- All appliances and extension cords must be UL (Underwriters Laboratory) List-approved for the intended use.
- Personally owned mini-fridges are allowed to a maximum of 3.6 cubic feet. Mini-fridges placed under a bed should not come into contact with bedding, blankets and/or sheets as it may pose a fire hazard. Residents must place refrigerator mats underneath refrigerators.
- Residents are encouraged to bring/use energy efficient appliances while living on campus (e.g. appliances with the “energy star” label).
- Microwaves are only permitted in the residence hall kitchenettes and University designated locations.
- Room/portable air conditioners are prohibited.

### **ASSAULT**

An attack by one person upon another for the purpose of inflicting harm or inflicting severe or aggravated bodily injury or use of any object or by means likely to produce great bodily harm is prohibited.

Per AB 1433, reports of this policy that constitute a violent crime, must be reported to a local law enforcement agency by the University of La Verne. While reporting is mandated, the identity of the victim shall remain anonymous, unless otherwise desired by the victim.

NOTE – Violation of this policy may result in criminal charges, removal from housing, suspension and/or expulsion on first time offense.

### **BULLYING AND CYBERBULLYING**

Conduct that is sufficiently severe or pervasive that it intimidates, harms or controls another person physically or emotionally, and/or deprives an individual from participating in or benefitting from the University's education or employments programs and/or activities.

### **CARE OF COMMON AREAS & PROPERTY (Housing)**

- Common areas and property are for the use of residents and their guests only, thus they are the responsibility of every resident. This includes, but is not limited to, lounges, study rooms, living rooms, lobbies, stairs, recreation areas, kitchens, laundry rooms, doors, walkways, elevators, fire extinguishers, exit signs, and lights.
- Any malicious damage or acts that result in additional clean-up in or around the housing buildings, grounds, and/or other facilities or property is prohibited. Common area damage or clean-up charges not readily assignable to a particular individual may be charged to a group, floor, or hall of residents.
- All furniture and equipment in common areas must remain in its designated common area. Persons found removing furniture or equipment will be subject to disciplinary action and/or applicable costs for repair and replacement.
- Common kitchen areas are to be reasonably maintained by the residents who share the facility. All dishes, foods, and supplies must be removed from the kitchen upon the completion of use. Materials not removed within 24 hours are considered a health hazard and may be disposed of.

NOTE: Violation of this policy is subject to charges.

### **CARE OF ROOMS (Housing)**

- Students are responsible for keeping the assigned room clean and sanitary throughout the occupancy period. This includes proper care of windows, screens, vents, etc.
- Failure to: dispose of trash, recyclables & electronic waste at the proper receptacles outside of the building regularly or designated areas in the building; maintain reasonable sanitation and safety standards; store food properly; maintain appliances in a clean and safe working condition is prohibited.

Upon check-in, residents shall check that resident's assigned unit for any damages and note damages on the "Room Condition Inventory" (RCI). This on line form must be completed in your portal within 48 hours of check-in.

At the end of each semester/term residents are required to clean and restore their room to the original move-in condition. All residents occupying a room are all responsible for the common areas. Any charges incurred will be split equally between all residents of a unit should the University be unable to determine responsibility for damages or loss after appropriate investigation.

The Housing Office will conduct periodic Health and Safety Inspections throughout the year. Residents will be given notice in advance of these inspections, as they require entry into every student room. Violations of Housing policies and/or the License Agreement are found during such inspections will result in administrative action.

## **CONCEALMENT AND BY-STANDING**

Concealment, failure to appropriately address and/or report known or obvious prohibited conduct under the Code of Student Conduct, University policies or law is considered a policy violation.

## **HEALTH AND SAFETY**

Students must follow any health and safety instruction published by the University or given by an authorized University official, including instructions related to communicable diseases (i.e., COVID-19). The University maintains COVID-19 safety protocols in compliance with current federal, state, and local public health requirements and best practices. Such protocols may change as necessary to address public health conditions.

## **DANGEROUS BEHAVIOR**

- Any activity or behavior, intentionally or recklessly, that causes, threatens or endangers the health and safety of others is prohibited. This includes threats or expressions of physical harm to any person.
- Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.) is prohibited.

NOTE – Violation of this policy may subject to criminal charges, Removal from on-campus housing, university probation, suspension and/or expulsion on first time offense.

## **DISCRIMINATION**

The University prohibits discrimination on the basis of the following actual or perceived statuses (“Protected Classes”) in any of its education programs and activities, in admission and application of admission, and in all other University activities:

- Race,
- Color,
- Ethnicity,
- Religion (including religious dress and grooming practices),
- Creed,
- National origin,
- Citizenship status,
- Shared ancestry and ethnic characteristics,
- Age,
- Sex,
- Gender,
- Sexual orientation,
- Gender identity,
- Gender expression,
- Pregnancy status (including childbirth, breastfeeding, or related medical condition)
- Domestic violence victim status
- Disability (including physical and mental disability),
- Medical condition,
- Veteran or military status,

- Any other class of individuals protected from discrimination under federal, state, or local law, regulation, or ordinance.

Some forms of Protected Class discrimination may be considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of Protected Class discrimination will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

### **DISRUPTIVE BEHAVIOR**

- Behavior that is sufficiently severe or pervasively disrespectful of University community members (i.e. fellow students, guest/visitors, faculty, staff) is not permitted.
- Behavior or action that interfere with, limits, or deprive individuals from participating in or benefitting from the University's education or employment programs and/or activities is prohibited.
- Substantial disruption of University of La Verne operations including obstruction of teaching, research, administration, other University of La Verne activities, and/or other authorized non-University of La Verne activities which occur on campus is prohibited.

### **DRUGS & CONTROLLED SUBSTANCES**

The listed conduct applies to behavior occurring on University property or University sponsored programs/events:

- The use, possession, sale, transfer, manufacturing, delivering, advertising, distribution, transportation, cultivation, or purchase of narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids by any student, except as permitted by law AND sanctioned by the University, is prohibited.
- The dealing of a substance represented to be narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids (including counterfeit, "look-alike" drug is prohibited).
- Possession of a controlled substance without a valid prescription is prohibited.
- Visiting a building, structure, vehicle, or other placed used by person to unlawfully use narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids is prohibited.
- Possession, manufacturing, selling, or delivering drug paraphernalia (an instrument, device, or other object intended for use for introducing a narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids into a body or for enhancing the effect or testing a controlled substance) is prohibited. This includes intended or implied use devices (i.e. pipes, hookahs).
- Abuse, misuse, sale and/or distribution of prescription medication, over-the-counter medications, cleaning products & other chemicals/fumes for other than for their intended/prescribed uses is prohibited.
- Being under the influence of intoxicating narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids and being unable to care for one's own safety, interfering with the use of a public way, or interfering with, limiting, or depriving an individual from participating or benefitting from the University's education or employment programs and/or activities is prohibited.

In addition, the following prohibited conduct applies to behavior occurring in on-campus housing areas/buildings (owned or leased) or on-campus housing sponsored programs/events:

- Being in the presence of narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids in prohibited.
- Possessing, collecting, or otherwise displaying marketing materials, advertisements or items bearing the name, logo or likeness to narcotics, drugs, hallucinogens, "controlled substances" or anabolic steroids (i.e. signs or displays) that are visible from outside a student's room is prohibited.

- The presence of aromas, regardless of a result of direct use or products resembling the smell of marijuana (including but not limited to herbal cigarettes, hookahs, and types of incense) is prohibited.

“Controlled Substances” are regulated drugs that have been determined to have special “abuse potential.” Such drugs include (but are not limited to): marijuana, hashish or hash oil, cocaine, LSD and other hallucinogens, barbiturates and other sedative-hypnotics, amphetamines or other prescription stimulants, MDMA (Ecstasy), PCP and similar drugs.

The drugs and controlled substances policy in the Code of Student conduct is in alignment and an expansion of the University’s Policy on Alcohol, Drugs and Controlled Substances (<https://laverne.edu/student-affairs/substance-abuse-prevention/>) as it applies to students.

Identified items under this policy are subject to confiscation, disposal and/or destruction.

NOTE – While CA Proposition 64 allows for the possession, cultivation and use of small quantities of marijuana by individuals 21 and older for recreational use, this state law does not affect the University of La Verne’s drug and alcohol policy. Marijuana remains illegal under federal law, and as a recipient of federal funds, the university is bound by those regulations.

### **ELECTION TAMPERING**

Tampering with the election of any University of La Verne-recognized student organization is prohibited (minor election code violations are addressed by the ASULV or GASG).

### **FAILURE TO COMPLY**

Failure to comply with the reasonable directives of University of La Verne officials or law enforcement officers during the performance of their duties is prohibited. This includes but is not limited to providing false information or failing to provide information; interfering with staff while they are performing their duties; failing to complete assigned sanctions; failing to attend a meeting requested by a staff member; being uncooperative or verbally abusive to staff.

### **FALSIFICATION & FALSE ACCUSATIONS**

- Submitting or providing deliberately false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of prohibited conduct under this policy or any other University policy is prohibited and subject to discipline. This prohibition does not apply to reports made or information submitted in good faith, even if the facts alleged are found to be inaccurate or are not substantiated pursuant to a University review or other investigatory process.

### **FIRE SAFETY & HAZARDS**

Violation of local, state, federal or campus fire policies is prohibited. This includes but not limited to:

- Arson – any willful or malicious burning or attempt to burn, a dwelling house, public building, or personal property of another is prohibited.
- Causing Fire – accidentally or recklessly causing a fire, regardless of whether it damages University of La Verne or personal property or cause injury is prohibited.

- Evacuation - All persons are required to evacuate a building immediately upon the sound of an alarm. Interfering with emergency services, procedures, or failing to conform to established safety regulations and/or instruction given by emergency response staff is prohibited.
- Fire Reporting & Equipment - Falsely reporting a fire, tampering with or misuse of any fire or reporting equipment (e.g. fire alarms, smoke detectors, fire sprinkler, fire extinguishers, "EXIT" signs, etc.) is prohibited.
- Egress – Disabling, opening, damaging, or propping exits used exclusively as fire exits is prohibited (unless being used properly as an exit during an emergency situation). All hallways, exits, stairwells, doorway, or areas that may be deemed an "egress" (i.e. window) need to be free from garbage, bicycles, clutter, furniture or other items that may have a potential to limit entry/exit (including tripping hazard). All doors and windows must have the ability to be fully opened.

In addition, the following prohibited conduct applies to behavior occurring in on-campus housing areas/buildings (owned or leased) or on-campus housing sponsored programs/events:

- Combustibles – Possessing or storing gasoline, fireworks, combustible chemicals and/or fuel-driven engines/appliances (e.g. motorcycles, mopeds, gas/propane grills, etc.) within residential housing rooms, balconies, buildings and/or on grounds immediately adjacent to the on-campus housing facilities is prohibited.
- Open Flames (Candles) – Candles, incense and/or any type of open flame within residential housing rooms, balconies, buildings and/or on grounds immediately adjacent to the on-campus housing is prohibited. If found, such items will be confiscated.
- Heat Sources – open-coiled electric or heating appliances including, but not limited to space heaters and sun lamps within residential housing rooms, balconies or buildings are prohibited. Curling Irons, glue guns, irons, or any other "heat source" equipment must be attended to all times. Leaving such equipment "on" unattended is a violation of this policy.
- Lamps & Lights – Halogen lamps and neon lights are prohibited. Open top lamps, regardless of lamp/bulb type must have a metal screen fully covering light/heat source.
- Extension Cords & Plug-Ins – Extensions cords and multi-plugs are not permitted under state fire marshal regulations. Power strips/surge protectors with UL rating are permitted. Plugging a power strip onto another power strip (Piggy-backing) is not permitted.
- Cooking Equipment – Cooking and/or cooking equipment without open heating elements (such as toasters) are permitted ONLY in designated kitchen areas. Cooking in a residential hall room is prohibited. Residents interested in barbecuing should use the barbecue pits, located within the housing area.
- Decorations – All decorations must be non-combustible (e.g. made from fire-proof material) and be UL list-approved for the intended use. Hanging flammable materials on ceilings or exterior doors such as posters, flags, or nets is prohibited. Door decorations should not cover more than 20% of the surface and be limited to nametags and memo boards. Fresh cut trees (i.e. Christmas trees) are prohibited.

Note– Violation of this policy may subject to criminal charges, removal from on-campus housing, fines, University probation, suspension and/or expulsion on first time offense.

## **FURNITURE**

All furnishings provided in the buildings are considered University property and are to remain in each assigned room/location and cannot be stored on or off campus. Furniture may not be disassembled.

## **GAMBLING**



Illegal gambling (i.e. activities for money, checks, credit or other financial value), anywhere on University property and not sanctioned by the University, is prohibited.

## **GUESTS/VISITORS**

- Students are responsible for informing their guests about the University code of student conduct and prohibited conduct. Guests are expected to follow behavioral expectations as outlined in the code of student conduct and prohibited conduct.
- Students are responsible and will be held accountable for the conduct of their guests/visitors while on

## **HARASSMENT**

Harassment is a form of discrimination and is defined as any conduct directed toward an individual or class of individuals based on actual or perceived membership in a Protected Class as defined above which creates a hostile environment. Hostile environment harassment is conduct that is sufficiently severe, persistent, or pervasive that is unreasonably interferes with, limits, or denies that individual's ability to participate in or benefit from the University's educational program or activity, including academic, social, and housing programs.

Protected Class harassment is evaluated from both a subjective and objective perspective. When evaluating whether harassment has occurred, the University will evaluate the totality of the circumstances surrounding the incident or practice, including, but not limited to, the nature, frequency, intensity, location, context, and duration of the conduct; whether the conduct was physically threatening; the actual effect of the conduct on the complainant; whether the conduct was directed as more than one individual; whether the conduct arose in the context of other discriminatory conduct; whether the conduct implicates academic freedom; and other relevant factors.

Harassment also includes *quid pro quo* harassment, which is the conditioning of access to educational benefits on unwelcome sexual conduct. *Quid pro quo* harassment is not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, as such conduct is sufficiently serious to deprive a person of equal access.

California Senate Bill 493 further defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress; submission to, or rejections of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual; and/or submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities at or through the educational institution.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

Protected Class harassment may be considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of Protected Class harassment will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

## **HAZING**

Any method of initiation or pre-initiation into a student organization or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending any school, community college, college, university or other educational institution in this state is prohibited. Participation or cooperation by the person(s) being hazed does not excuse the violation. Sexually-oriented hazing may be considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of sexually-oriented hazing will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

## **IMPROPER ROOM TRANSFER (Housing)**

Moving into any room without written authorization from the Housing Office or moving out of any room without following proper check-out procedures is prohibited. Residents who do not have roommates should be prepared to have a roommate move in at any time. "Spreading out" in a vacant space is considered an improper room transfer.

NOTE: Violation of this policy is subject to fines.

## **IT & ACCEPTABLE USE**

Computer and Internet usage must be in accordance with the terms noted in the University Acceptable Use Policies. These policies include both personal and University owned computers. The full documents can be obtained at <https://laverne.edu/technology/technology-for-students/policies/>.

## **KEYS & LOCKS**

- All keys and key cards remain the property of the University. Each student assigned a key, is responsible for their keys. Should a key be lost/missing/stolen, the student is required to report lost/missing/stolen key to the Housing Office or Campus Safety within 24 hours of it being lost/missing. A charge will be assessed for lock changes and any key(s) lost or not returned.
- Under no circumstances should a resident student sell, transfer or lend his/her University assigned key(s) to another individual. Permitting others to use keys for purpose of improperly gaining access to a building or facility is prohibited.
- The installation of any door or area lock other than those provided by the University is prohibited.
- Bypassing or tampering with the locking mechanisms for any door is prohibited.

## **LEWD BEHAVIOR**

- Lewd, indecent, or obscene behaviors, whether through conduct or expression, which are not civil or respectful and which breaches the peace are not permitted. Lewd behavior includes but is not limited to deliberately and publicly exposing one's intimate body parts (including genitalia, groin, breasts or buttocks), public urination, defecation, and public sex acts.

- Use of concealed recording or photographic devices to secretly videotape, film, photograph or record another person a) under or through clothing being worn or b) view undergarments worn by other person; c) individuals engaging in private personal activities (i.e. using restrooms, bathing) without their consent or knowledge is prohibited.
- Distribution of videotape, film, photograph or recording of another person a) under or through clothing being worn or b) view undergarments worn by other person; c) individuals engaging in private personal activities (i.e. using restrooms, bathing) without their consent or knowledge is prohibited.

Lewd behavior may be considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of Lewd Behavior will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

### **PARKING**

Students are expected to abide by regulations regarding parking and parking permit use as outlined in the University of La Verne parking regulations. For additional information on parking regulations visit: <https://myportal.laverne.edu/web/parking/home>

### **POSTING**

The University reserves the right to deny request for distribution, posting, or publicizing of materials.

- All materials to be posted on University property (owned or leased) must be submitted and approved by the Abraham Campus Center. Posting on University property without approval by the University is prohibited.
- Postings publicizing alcohol, controlled substances, lewd content, offensive materials/information or materials/information that go against the interest, mission, and values of the University or individual offices (i.e. Housing and Residential Life) will not be approved or posted.
- Public display of “obscene matter” as defined in the California Penal Code, Section 311, is prohibited anywhere on campus.
- Approved postings are only permitted in designated areas (i.e. Abraham Campus Center Bulletin Boards, Housing & Residential Life Bulletin Boards). Postings outside of designated areas is limited to University offices/programs for University business purposes.
- Postings from non-University affiliated entities or programs are not permitted in on-campus residence halls, unless approved by the Abraham Campus Center.
- The University reserves the right to remove from “public display” and “public view” any signs or objects that go against this policy or do not follow posting procedures. This includes but is not limited to external doors, balconies, windows facing out, and/or hallway bulletin boards.

Note –Violation of this policy may result in exclusion from use of University publicity outlets, denial of use of University facility and equipment, or student organization recognition.

For more information on Posting Procedure go to <https://laverne.edu/acc/posting-policy/>

### **PROJECTILES**

Throwing, dropping, or projecting objects from a window, second floor or roof including but not limited to bottles, cans, garbage, or water is prohibited.

### **QUIET HOURS & NOISE (Housing)**

- All students must abide by Quiet Hours. Quiet Hours are from 11:00PM to 8:00AM (all days). During Quiet Hours, sound from a room should not be audible outside the unit door nor in adjacent rooms.
- 24-hour Quiet Hours are in effect during finals week. 24-hour Quiet Hours will begin the 8:00AM on the Saturday preceding Finals Week and go through 8:00PM the Friday of Finals Week.
- All students must abide by Courtesy Hours. Courtesy Hours are in effect at all times. They refer to one's ability to occupy one's unit for the purpose of studying, sleeping, or engaging in activities in an atmosphere where peace and quiet take precedence over other activities. Engaging in unreasonably loud activities, which are defined as:
  - o A level of noise which may be deemed an undue disturbance by another member of the community or
  - o Creating noise, including but not limited to voice, musical instruments (guitar, amps, drums, etc.)
- Music/Entertainment – which is audible outside of one's room during Quiet Hours, either inside or outside the residence halls is prohibited.

### **RELATIONSHIP VIOLENCE**

Relationship Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Relationship Violence may include any form of prohibited conduct, including Sexual Assault, Stalking, and Physical Assault.

Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Assault will be addressed under this prohibited conduct if it involves Sexual or Gender-Based Harassment, Relationship Violence, or is part of a course of conduct under the Stalking definition.

Relationship Violence includes “dating violence” and “domestic violence.”

- Dating Violence is violence committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the recipient or victim of the violence. Dating violence is not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, as such conduct is sufficiently serious to deprive a person of equal access.
- Domestic Violence is violence committed by a current or former spouse, current or former intimate partner, current or former cohabitant of the Complainant, someone with whom the Complainant shares a child, or a person similarly situated under California domestic or family violence law. A cohabitation relationship must be romantic in nature and may not merely consist of roommates. Domestic Violence is not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, as such conduct is sufficiently serious to deprive a person of equal access.

Relationship violence is considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of Relationship Violence will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

Per AB 1433, reports of this policy that constitute a violent crime, must be reported to a local law enforcement agency by the University of La Verne. While reporting is mandated, the identity of the victim shall remain anonymous, unless otherwise desired by the victim.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

### **SAFETY & SECURITY**

- Providing access to buildings, rooms or offices to those other than the assigned student, staff, or attended guests by any means including, but not limited to, the following: failing to lock or secure doors, propping exit/entrance doors, or allowing a person entrance into a building and leaving them unattended in a public area is not permitted.
- Failure to abide by any security procedures established by the Housing Office or the University is prohibited.

### **SEXUAL ASSAULT**

Any Penetration or Sexual Contact of a person that is unwelcome and/or without Affirmative Consent, including Rape, Sodomy, Sexual Assault with an Object, or Fondling. Sexual Assault is not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, as such conduct is sufficiently serious to deprive a person of equal access.

**Rape (Title IX):** Penetration, however slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, that is unwelcome and/or without Affirmative Consent.

**Sexual Assault with an Object:** The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person when such conduct is unwelcome and/or without Affirmative Consent.

**Fondling:** The touching of the private body parts of another person, including the buttocks, groin, and breasts, for the purpose of sexual gratification that is unwelcome and/or without Affirmative Consent.

**Sexual Contact:** Any form of intentional sexual touching, not including Penetration, however slight, with any object or body part performed by a person upon another person. It includes intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally another with or on any of these body parts, or making another touch the actor or themselves with or on any of these body parts.

Affirmative consent is the informed, affirmative, conscious, voluntary, and mutual agreement to engage in a sexual activity. Silence or lack of protest is not affirmative consent. Affirmative consent cannot be given by someone incapable of giving consent, including when due to status as a minor, incapacity, familial relationship, or the application or threat of force. Affirmative consent may be communicated through clear words or actions.

Per AB 1433, reports of this policy that constitute a sexual assault under the law, must be reported to a local law enforcement agency by the University of La Verne. While reporting is mandated, the identity of the victim shall remain anonymous, unless otherwise desired by the victim.

Sexual Assault is considered a form of Sexual Misconduct under the University's Sexual Misconduct Policy. Reports of Sexual Assault will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

## **SEXUAL EXPLOITATION**

When an actor engages in non-consensual or abusive conduct not otherwise proscribed by this policy by which he or she takes sexual advantage of another for the actor's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. It includes, but is not limited to, recording private sexual activity or intimate body parts of another without Affirmative Consent, engaging in voyeurism, disseminating images or recordings of private sexual activity or intimate body parts of another without Affirmative Consent, sexual trafficking, and possession, production, distribution, sale, or purchase of child pornography.

Sexual Exploitation includes, but is not limited to, doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give Affirmative Consent to sexual activity.
- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images) without consent of all participants.
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts, including genitalia, groin, breasts or buttocks, in a place where that person would have a reasonable expectation of privacy).
- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent of all participants.
- Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent.
- Prostituting another person.
- Possession, production, distribution, sale or purchase of child pornography.

Per AB 1433, reports of this policy that constitute a sexual assault, sexual battery, violent crime, or hate crime under the law, must be reported to a local law enforcement agency by the University of La Verne. While reporting is mandated, the identity of the victim shall remain anonymous, unless otherwise desired by the victim.

Sexual exploitation may also be considered a form of sexual misconduct under Title IX. Reports of Sexual Exploitation will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

## **SEXUAL VIOLENCE**

Physical sexual acts perpetrated against a person without the person's affirmative consent, including:

**Rape (SB 493):** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral copulation of a sex organ by another person, without the consent of the victim.

**Sexual Battery:** The intentional touching of another person's intimate parts without consent, intentionally causing a person to touch the intimate parts of another without consent, or using the person's own intimate part to intentionally touch another person's body without consent.

### **SMOKING**

- Smoking is prohibited in any building owned, leased or rented by the University, whether on or off campus and all university-owned or leased vehicles (including shuttles and carts).
- Smoking is only permitted in designated areas. For more information on designated smoking areas, go to <https://laverne.edu/student-affairs/wp-content/uploads/sites/57/2020/01/Smoking-Map-101818-.pdf>.
- Sale of smoking materials is prohibited on any University properties.
- Smoking policy includes use of e-cigarettes, vapes or other smoking devices

### **SOLICITING**

Engaging in "door-to-door" or "person-to-person" sales/conversations, distribution, advertising, sales, promotion, commercial transactions, tabling and/or "solicitation activities" of any nature within University property (owned or leased) without the expressed authorization of the University is prohibited.

Authorization for "solicitation activities" may be obtained from:

- The La Verne Main Campus – Scheduling & Events Office (located in the Campus Center).
- A Regional Campus - the Regional Campus Director.
- The College of Law - the Dean of the College of Law or the College of Law Director of Student Life.

Solicitation that includes materials or lewd content, offensive materials/information or materials/information that go against the interest, mission, and values of the University is not permitted.

Solicitation in campus-residence halls is not permitted.

Violation of this policy may result in removal and barring of individuals from University property and events, denial of use of University facility and equipment, or club recognition.

For additional information on soliciting procedures, including tabling, please go to <https://laverne.edu/acc/events/>

Note -The University reserves the right to deny any request for "door-to-door" or "person-to-person" sales/conversations, distribution, advertising, sales, promotion, commercial transactions, tabling and/or "solicitation activity" on University property.

### **SPORTS RELATED ACTIVITIES INSIDE BUILDINGS**

Playing any unauthorized physical games (i.e. games normally played outside or in a specified facility) in a common areas within any University facility (i.e. lounges, lobby, hallway) is prohibited. This includes, but is not limited to, the use of frisbees, balls, water guns, or darts.

### **STALKING**

Engaging in an unwanted course of conduct of two or more acts directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional

distress and includes acts in which the actor directly, indirectly or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, harasses or communicates to or about a person or interferes with a person's property. Stalking is not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, as such conduct is sufficiently serious to deprive a person of equal access.

Examples of potential stalking behavior:

- Unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, email, text and/or social media.
- Leaving or sending the person unwanted items, presents, or flowers.
- Following or lying in wait for the person at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the person, the person's children, relatives, friends, or pets.
- Damaging or threatening to damage the person's property.
- Harassing the person through the internet.
- Posting information or spreading rumors about the person on the internet, in a public place, or by word of mouth.
- Any other acts in which the actor directly, indirectly or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates, to or about a person, or interferes with a person's property.

Stalking may also be considered a form of Sexual Misconduct under the University Sexual Misconduct Policy. Reports of Stalking will be shared with the Title IX Coordinator. For more information on Title IX policy, please visit: <http://laverne.edu/title-ix>.

### **THEFT & STOLEN PROPERTY**

- Unauthorized entry or attempted entry of a building or structure for purpose of taking property of another is prohibited.
- The taking or attempting to take property or anything of value from a person by force or threat of force or violence is prohibited.
- Intentional and unauthorized taking of University of La Verne property or the personal property of another, including goods, services and other valuables is prohibited.
- Knowingly taking or maintaining possession of stolen property is prohibited.

Per AB 1433, reports of this policy that constitute a violent crime, must be reported to a local law enforcement agency by the University of La Verne. While reporting is mandated, the identity of the victim shall remain anonymous, unless otherwise desired by the victim.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

### **TRADEMARK**

Unauthorized use (including misuse) of University of La Verne or organizational names and images is prohibited.

### **TRESPASSING & RESTRICTED ACCESS**



- Unauthorized access to any University of La Verne building is prohibited.
- Unauthorized entry into an office beyond posted hours is prohibited.
- Unauthorized possession, duplication or use of means of access (i.e. keys, cards, etc.) to any college/university building or failing to timely report a lost University of La Verne identification card or key is prohibited.
- Unauthorized presence on rooftops, overhang, ledge or areas marked for restricted access for any reason is prohibited.
- Misuse of access privileges to University of La Verne premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a University of La Verne building.
- Restrooms/Bathrooms designated by a specific gender are to be used only as designated (unless otherwise authorized by the University):
  - Male - by males or individuals who have a gender identity or expression as male;
  - Female - by females or individuals who have a gender identity or expression as female.

In addition, the listed definitions and conduct applies to behavior occurring in on-campus housing areas/buildings or on-campus housing sponsored events (owned or leased):

- Entry and usage of a housing area/adjacent area, facilities, residence halls, buildings, equipment and services is reserved and limited to licensees and other persons specifically authorized by the Housing Office. Entry by unauthorized individuals will be considered trespassing.
- Unauthorized entry into a room or building other than the one assigned is prohibited.
- No resident or guest may sleep in the lounges, living rooms, lobbies, or other public area unless it is in conjunction with an official hall sponsored event and approved in writing by the Housing Office.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense.

### **VANDALISM**

Intentional, reckless and/or unauthorized damage to, destruction of, removal or marking/posting over (i.e. graffiti) of La Verne property or the personal property of another is prohibited.

### **WEAPONS, FIREARMS, EXPLOSIVES**

The following conduct is prohibited on all University of La Verne property (owned, operated or leased) or University sponsored programs/events:

- Manufacturing, sale, purchase, transportation, possession, concealment, display or use of firearms, ammunition, prohibited knives or cutting devices, explosives, incendiary devices or other dangerous objects.
- Remodeling, sale, purchase, transportation, possession, concealment, display or use usage of any item resembling a firearm, ammunition, prohibited knife or cutting devices, explosives, incendiary devices or other dangerous objects.
- Use of any item outside of its intended use (i.e. metal pipes, razors, etc.) for the purpose of causing harm to self or others is prohibited.

Prohibited weapons/dangerous objects include but are not limited to; firearms, stun guns, martial arts weapons, Nunchakus; airsoft, pellet or bb guns; belt buckle knives, dirk, dagger, cane swords, pen knives,

lipstick knives, switchblade knives, butterfly knives, machetes; slingshots, black jacks, sand clubs, billy clubs; stun guns; and/or metal knuckles. Prohibited cutting devices include devices with blades longer than 2.5 inches, or of any size that open automatically, or have a blade with more than one sharp edge.

NOTE – Violation of this policy may subject to criminal charges, University probation, suspension and/or expulsion on first time offense. Identified items under this policy are subject to confiscation, disposal and/or destruction.

### **WHEELED DEVICES**

- Riding skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside College/University buildings, residence halls, parking structure or on athletic facilities.
- Skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be liable for damage to University of La Verne property caused by these activities.

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