

because the person (victim) is incapable of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by an intoxicating or narcotic agent administered by the offender.

SANCTION: Suspension; Indefinite Suspension; Expulsion

**2.75 SAFETY CODE MISCHIEF.** Tampering with safety equipment is a serious violation of the Student Code of Conduct and is subject to criminal prosecution. Turning in a false fire or bomb alert, by any means including a telephone call or by a warning device, theft, removal of, or tampering with fire extinguishing or safety equipment, exit signs, smoke alarms and detectors, fire hoses, sprinkler systems, hoses, fire mischief, or violation of University guidelines regarding fire safety, or standard safety (e.g., failure to follow evacuation procedures or obstructing the evacuation of a building during a fire, fire drill, or any other type of emergency) is strictly prohibited.

SANCTION: Fine; Restitution (if required) + Probation and/or Community or Campus Service; Suspension; Expulsion

**2.80 SEXUAL ASSAULT.** The forcing of, or attempting to force, another person regardless of sexual gender, personal affiliation, and/or affiliation with the University, to participate in sexual intercourse and/or other sexual activities against his/her will is prohibited. Such misconduct includes verbal coercion, threats and physical restraint, and will not be tolerated. Violators also are subject to criminal prosecution.

SANCTION: Suspension; Indefinite Suspension; Expulsion

**2.85 SEXUAL BATTERY.** The forcing of or forceful intention of engaging in sexual misconduct by physical contact and/or excessive force (with or without a weapon) which leads to physical pain, toward another person regardless of sexual gender, personal affiliation, and/or affiliation with the University, without his/her consent or when such sexual contact is deemed offensive to the victim, will not be tolerated by the University.

SANCTION: Suspension; Indefinite Suspension; Expulsion

**2.90 SEXUAL HARASSMENT.** Regardless of sexual gender, personal affiliation, and/or affiliation with the University, sexual harassment is defined as unwelcome and unsolicited sexual advances, requests for sexual favors or other verbal, visual or physical conduct or communication with sexual overtones that the victim deems offensive. Sexual harassment includes, but is not limited to unsolicited, deliberate, or repeated sexual flirtation, advances or propositions; verbal abuse of a sexual nature; display of sexually suggestive pictures or objects; and/or offensive or abusive physical contact of a sexual nature.

SANCTION: Fine + Probation + Community or Campus Service + Counseling Consultation; Suspension; Indefinite Suspension; Expulsion

**2.95 SMOKING.** The inhaling, exhaling, or burning of any type of lighted pipe, cigar, cigarette, or any other smoking equipment, whether filled with tobacco or any other type of material in University owned buildings or in University owned vehicles. Smoking is also prohibited on the Quad and during any University sponsored outdoor event hosted on