

Student Code of Conduct

Community Standards of Behavior

The University expects students to adhere to all University Policies, Procedures, and Practices.

This Student Code of Conduct, also known as Community Standards of Behavior, are written to give students general notice of expected and prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive terms. Making specific plans or arrangements to violate community standards may lead to charges whether or not the act is completed. Community standards and University policies are examined and revised once every two years by a committee of students, staff, and faculty with input from the University community and with administrative approval. Thus, the standards and policies in this handbook reflect current community norms. They apply to all students and to all student groups. Revisions to Community Standards that occur before handbook redistribution are published in the campus newspaper or otherwise distributed widely.

Jurisdiction of the University

- 1.) Each student shall be responsible for one's conduct from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded.) The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from the University while a student conduct matter is pending.
- 2.) The University of Rhode Island Student Code of Conduct shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community, poses a threat to safety of persons or property, or damages the institution's reputation or relationship with the greater community. In addition, the University of Rhode Island, in collaboration with the surrounding communities, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The following examples describe the kinds of off-campus acts that might be addressed through the University student conduct system. They are illustrative in intent and they should not be regarded as all-inclusive: driving under the influence of alcohol or drugs; physical/ sexual assault; sale or distribution of illegal substances; malicious destruction of property. The Dean of Students or designee shall decide whether the Student

Code of Conduct shall be applied to conduct occurring off campus, on a case by case basis, at his/her discretion.

- 3.) University student conduct proceedings may be initiated against a student without regard to co-occurring civil or criminal litigation in court or criminal arrest and prosecution resulting from the same or related conduct. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Associate Dean of Students/ Director of Community Standards. Determinations made, or sanctions imposed under the Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced or resolved in favor of or against the defendant in the criminal matter.

All Student Senate recognized student organizations and all other academic based student organizations are subject to the Student Community Standards of Behavior.

Appeal of Off-Campus Jurisdiction

If a student is accused of an off-campus offense, and if the Student Conduct Administrator determines that there is cause for referring the matter to the University Student Conduct System, the student shall have the right to dispute the jurisdiction of the University Student Conduct System.

Such an appeal must be filed in writing with the Dean of Students not later than three (3) business days after notice of the Office of Community Standard's decision to charge the student. The appeal shall be presented to the Vice President for Student Affairs for disposition of the application of Off-Campus Jurisdiction. The decision on jurisdiction arrived at by the Vice President for Student Affairs shall be final.

Prohibited Student Conduct

Any student or student organization found to have committed or to have attempted to commit the following misconduct is subject to the imposition of an appropriate disciplinary sanction in accordance with the sanction related standards and procedures described in the "University Student Conduct System" section of this Handbook.

- 1) **Acts of dishonesty**, including but not limited to cheating, plagiarism, or other forms of academic dishonesty; furnishing false information to any University official; forgery, alteration, mutilation, or misuse (including unauthorized access, disclosure, removal) of any University document, record, educational material, identification, or property; unauthorized access to, disclosure of, or use of any university document, record, or identification, including but not limited to, electronic software, data, and records; misrepresenting oneself or an organization as an agent of a university.

- 2) **Disruption, obstruction, or interference** with university activities, including but not limited to teaching, research, administration, meetings, public events, disciplinary proceedings, and public service functions on or off campus; the right of access to University facilities or freedom of movement of any person on campus.
- 3) **Abusive conduct**, including physical abuse, verbal abuse, threats, harassment, discriminatory harassment, stalking, cyberstalking, bullying/cyberbullying, privacy violations, violations motivated by hate, bigotry, and/or bias, discriminatory harassment, intimidation, force, coercion, and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of one's self, another individual, a group of individuals, or members of a student organization. (See Respect for Health, Safety, Rights of Others, Rights of Self Pg.19)
- 4) **Endangering behavior**, which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including one's self, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm. Examples include but are not limited to physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including one's self.
- 5) **Theft of and/or damage** to other persons' or University property, including possession of property known to be stolen.
- 6) **Hazing**, any action taken, or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization is directly or indirectly conditioned and which is likely to produce mental or physical discomfort, embarrassment, harassment, or ridicule.
- 7) **Failure to comply** with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- 8) **Unauthorized access or entry**- Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of other persons' or University property.
- 9) **Misuse of Alcohol**- Public intoxication, use, possession, manufacturing, transporting, providing, or distribution of alcoholic beverages except as expressly permitted by University regulations or by law. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.

- 10) **Misuse of Drugs**- Use, possession, manufacturing, providing, or distribution of marijuana, heroin, narcotics, other controlled substances, and/or paraphernalia except as expressly permitted by law and university regulations.
- 11) **Weapons or other dangerous items**- Use, possession, or distribution of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University premises in violation of law or university regulations or use of any object in a way that harms, threatens, or causes fear to others on or off campus. Weapons include, but are not limited to, any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, switchblade knives, or instruments designed to look like any of the above.
- 12) **Sexual Misconduct and/or Relationship Violence**, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking.
- 13) **Violation of federal, state, or local law.**
- 14) **Violation of any University policy, rule, or regulation** published in hard copy or available electronically on the University website, including, but not limited to, the University Manual, The University Student Handbook, Housing and Residence Life policies, Student-Athlete Handbook, URI Computer, Internet & Electronic Communications Policies and Procedures, or any academic college policies.
- 15) **Abuse of the Student Conduct System**- including but not limited to failure to obey the notice from a University Hearing Officer or designated University Official to appear for a meeting or hearing as part of the Student Conduct System; falsification, distortion, or misrepresentation of information before a University Hearing Officer or designated University Official; disruption or interference with the orderly conduct of a University Hearing proceeding; institution of a student code of conduct proceeding in bad faith; attempting to discourage an individual's proper participation in, or use of, the Student Conduct System; attempting to influence the impartiality of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding; harassment (verbal or physical) and/or intimidation of a University Hearing Officer or Appeal Reader prior to, during the course of, or after a University Hearing proceeding; failure to comply with the sanction(s) imposed under the Student Code of Conduct, a No Contact Order or a No Trespass Order; influencing or attempting to influence another person to commit an abuse of the Student Conduct System
- 16) **Retaliation**- Retaliation is defined as any conduct which serves as a reprisal with the intent of causing physical or psychological pain. Retaliation includes, but is not limited to, unwelcome or repeated contacts by telephone, by letter, in person, or by third party; damaging or vandalizing personal property; offensive acts/gestures;

contact via text or social media; overt threats, whether or not they were actually carried out; or any conduct that would instill fear and trepidation in the victim.

I. Integrity

Students are expected to be honest and have integrity in all their interactions including academic work.

Truthful Access

Seeking or obtaining University privileges or services to which you are not entitled is prohibited. For example, “hacking” or using someone else’s username or password to access information or services.

Truthful Information

Providing incorrect, untruthful or incomplete information in response to legitimate requests by University officials or conduct boards is prohibited.

Tampering with Information

Destroying, altering, or concealing information of violations of community standards to avoid consequences or to assist another to avoid consequences is prohibited. For example, destroying or deleting photos or videos that show policy violations.

Academic Honesty

Students are expected to be honest in all academic work. A student’s name on any written work including assignments, lab reports, internship reports, papers, or examinations, shall be regarded as assurance that the work is the result of the student’s own thought and study. Work should be stated in the student’s own words and produced without assistance or properly attributed to its source. When students are authorized to work jointly, group effort must be indicated on the work submitted.

Most academic work builds on the contributions of others. Students have an obligation to know how to quote, paraphrase, summarize, or reference the work of others with integrity. A source need not be given for common knowledge within a discipline. Students should seek guidance from instructors about the preferred citation style for each course. It is the student’s responsibility to become familiar with that style and utilize it in their work for that course. In addition, utilizing campus academic resources including the Academic Enhancement Center and the Writing Center are encouraged and not a violation of this policy.

While intent or negligence may affect the seriousness of the sanction, the following examples of academic dishonesty apply regardless.

- Using story material, wording or dialogue taken from published work, motion pictures, radio, television, lectures, websites or similar sources without appropriate quotation marks, citation or footnote reference
- Claiming disproportionate credit for work not done independently
- Submitting work without acknowledging aid received or claiming disproportionate credit for work done jointly
- Unauthorized possession or access to exams
- Unauthorized communication during exams
- Unauthorized use of another's work or preparing work for another student
- Taking an exam for another student
- Altering or attempting to alter grades
- The use of notes or electronic devices such as calculators, computers, or cell phones to gain an unauthorized advantage during exams
- Fabricating or falsifying facts, data or references
- Facilitating or aiding another's academic dishonesty
- Submitting the same paper for more than one course without prior approval from the instructors

II. Respect for Health, Safety, Rights of Others, Rights of Self

The University of Rhode Island expects its students to treat other persons with respect and human dignity. All members of the community share the responsibility for protecting and maintaining community health, safety, and the rights of other persons. Violation of federal, state or local law are prohibited. Because of the University's concentrated housing, varied activities, and the individual needs of students, faculty and staff to pursue their work free from hazards and intrusions on their privacy, the cooperation of all is needed to maintain these standards.

All members of the University of Rhode Island community, guests and visitors have the right to be free from all forms of illegal harassment and discrimination, threats, and violence, including sexual assault, sexual exploitation, dating violence, domestic violence and stalking. The actions and behaviors, which are broadly defined in this section of the Student Handbook, are University Student Conduct System violations.

In addition, violations of certain other University policies, including those adopted by the Council on Postsecondary Education, which by their terms are applicable to URI students, will also be considered violations of the Student Handbook. In some cases, the relevant portions of those policies are explicitly incorporated (by referencing them, or by repeating them verbatim) into this handbook. For example, the provisions of the Council's "Sexual Harassment and Sexual Violence Policy", which is applicable to all URI students, is incorporated by reference into the section of this Handbook **Appendix I Sexual Misconduct and Relationship Complaint and Adjudication Process**

Harassment

“Harassment” is defined as conduct that is so severe, pervasive, and objectively offensive, and that so undermines and detracts from the victim’s educational experience, that the victim-student is effectively denied equal access to educational resources and opportunities. The presentation of any idea, regardless of the ideas’ nature or perceived value, may not be considered harassment unless it is accompanied with verbal threats, intimidation, or conduct as previously defined. Behaviors and actions exhibited via electronic media, including email, text messaging, or social networking websites (e.g. Facebook or Twitter) may be in violation of the harassment policy if they meet the standard set forth above.

Stalking

Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for the individual’s safety or the safety of others; or if the individual suffers substantial emotional distress. For the purposes of this definition “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Common stalking acts include, but are not limited to, harassing, threatening or obscene phone calls, any written or electronic communication, following, vandalism of personal property, and/or leaving unwanted gifts or objects.

Cyberstalking

Transmitting communications to another person, or contacting another person, by electronic means through any computer or other electronic device, for the purpose of harassing that person. Harassing in this context means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or bothers the person, serves no legitimate purpose and would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. Cyberstalking, or cyber harassment, is the use of any form of electronic media to post or send messages that may include false accusations, defamation, slander and libel.

Privacy Violations

Privacy violations such as video or audio taping in private space without permission, voyeurism, or watching others from a place of concealment are prohibited. Examples of private space would include but are not limited to sleeping areas, bathrooms, and locker rooms. Disseminating or threatening to disseminate sensitive personal material (e.g. photos, videos) by any means to any person or entity without consent is prohibited.

Threats

Physical, verbal or non-verbal threats, intimidation or threats which endanger the health, safety or welfare of another person are prohibited.

Physical Assault

Inflicting bodily harm on another person, making physical unwanted contact with another person, putting someone in fear of physical contact or bodily harm or the willful attempt to threaten to inflict bodily harm on another person is prohibited. An assault may be committed without touching, striking or doing bodily harm.

Examples include, but are not limited to the following:

- Actions which require medical attention for substance abuse.
- Self-harm, threats of self-harm, or attempts of self-harm which impact others in the community.
- Driving while under the influence of drugs or alcohol.

Bullying/Cyberbullying

Engaging in repeated or aggressive behaviors that intimidate, intentionally harm, control, or seek to control another individual physically, mentally, or emotionally that it alters the conditions of education, employment, or participation in a university program or activity. An isolated incident, unless sufficiently severe, does not constitute a violation.

Violations Motivated by Hate, Bigotry, and/or Bias

Single or multiple acts toward an individual, group, or their property that are so severe, pervasive, and objectively offensive that they create an unreasonably intimidating, hostile, or offensive work, learning, or program environment, and that one could reasonably conclude are based upon actual or perceived age, race, color, creed, religion, gender identification or expression, ethnicity, national origin, disability, veteran status, sexual orientation, political affiliation, genetic information, citizenship status, marital status, spirituality, cultural, socio-economic status, or any combination of these or other related factors.

Discriminatory Harassment

Discriminatory Harassment is a form of discrimination consisting of unwelcome verbal, written, graphic or physical conduct that:

- 1.) Is directed at an individual or group of individuals on the basis of the individual or group of individuals' actual or perceived protected status, or affiliation or association with person(s) within a protected status (as defined herein above); and
- 2.) Is sufficiently severe or pervasive so as to interfere with an individual's employment, education, or academic environment or participation in institution programs or activities and creates working, learning, program or

activity environment that a reasonable person would find intimidating, offensive, or hostile.

To constitute prohibited harassment, the conduct must be both objectively and subjectively harassing in nature. Harassment may include but not be limited to verbal or physical attacks, threats, slurs, or derogatory or offensive comments that meet the definition set forth herein. Harassment does not have to be targeted at a particular individual to create a violation of this policy. Whether the alleged conduct constitutes prohibited harassment depends on the totality of the particular circumstances, including the nature, frequency, and duration of the conduct in question, the location and context in which it occurs, and the status of the individuals involved.

III. Alcohol

The University prohibits the unlawful possession, use, or distribution of alcohol by students on the school's property, or as part of the University's activities. The University will impose sanctions on students for violations of the University's policies regarding alcohol up to and including expulsion or referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program. Students should contact the Dean of Students for information regarding sanctions under local, state, and federal law for unlawful possession, use, or distribution of alcohol; a description of the health risks associated with the use of and alcohol; and a description of any alcohol counseling, treatment, or rehabilitation or re-entry programs available to students.

The following behaviors are prohibited:

Illegal consumption and possession of alcohol

Possession and/or consumption of alcoholic beverages is limited to individuals who are 21 years of age or older. Students under 21 cannot transport alcohol in their cars nor have it in their possession while on campus. Empty alcohol containers randomly located in a room of someone under 21 may result in charges.

Excessive Quantities (Students over 21 years of age)

Residents of legal age are asked to act responsibly and not to have excessive amounts of alcohol in their rooms. If a student over 21 years of age has excessive quantities of alcohol in their room or on their person, the student may be asked to remove it from the residence or dispose of it. Excessive shall be defined as a quantity greater than twelve 12-oz. cans or bottles of malted alcoholic beverage or one liter of distilled alcohol beverage. Individuals 21 years and older may not bring alcohol into a University residence unless it is to the room of a student who is 21 or older and, in that case, no more than one six-pack or its equivalent may be brought.

Advertising of Alcohol or Tobacco

The University prohibits the advertising of alcohol and tobacco products by students and student organizations including at University activities.

Banned Alcoholic Beverages

- a. Grain alcohol is prohibited on campus except for laboratory use.
- b. Stimulant Enhanced Alcoholic Beverages. Commercially available stimulant enhanced alcoholic beverages are prohibited on campus (e.g. "Four Loko", "Joose").

Serving or Providing Alcohol to Individuals Under 21

Serving alcoholic beverages to an individual under 21 years of age, purchasing alcoholic beverages for an individual less than 21 years of age, or negligently allowing a minor to consume alcoholic beverages is prohibited. Serving alcoholic beverages to someone who is visibly intoxicated is prohibited.

Public Consumption

Public consumption of alcoholic beverages on University grounds is prohibited. The consumption of alcohol or possession of an open container of alcohol is prohibited in public areas. A public area is any area outside of a student's room, such as, but not limited to corridors, stairways, bathrooms, lounges and balconies, or any other public areas in or in residential living communities (e.g., around the residence halls, fraternity/sorority houses, and on-campus apartments, themed living communities). Students 21 and older who publicly consume alcohol or have an open container in public are in violation of this policy and are also subject to the minimum recommended sanctions.

Consumption in Non-Authorized Locations

The sale and/or service of alcohol is permitted on the Kingston Campus in the following locations: University Club, President's House, Ryan Center, Alumni Center and the Foundation Building. The sale or service of alcohol at the Providence Campus and the Narragansett Bay Campus, and locations not listed above, require the written approval of the President or designee. Generally, requests to serve alcohol at on-campus functions will be denied if students are in attendance. Possession and consumption in all other non-residential University buildings is prohibited.

Use of Tap Systems and Common Source Alcohol Containers

Tap systems whose use is to distribute alcoholic beverages, may not be owned or operated by a student or a student organization, including fraternities and sororities. Common source alcohol containers (e.g. beer kegs, central source containers) are prohibited.

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Drinking Games and Paraphernalia

Drinking games are prohibited. Paraphernalia for drinking games or quantity consumption (funnels, beer bongs, etc.) are prohibited.

Alcohol Purchase

No alcohol may be purchased with student organization funds, including fraternity and sorority dues and other sources of chapter income.

IV. Drugs

The University prohibits the unlawful possession, use, or distribution of illicit drugs by students on the school's property, or as part of the University's activities. The University will impose sanctions on students for violations of the University's policies regarding illicit drugs up to and including expulsion or referral for prosecution. A disciplinary sanction may include the completion of an appropriate rehabilitation program. Students should contact the Dean of Students for information regarding sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs; a description of the health risks associated with the use of illicit drugs; and a description of any drug counseling, treatment, or rehabilitation or re-entry programs available to students.

The following behaviors are prohibited:

Illegal consumption and possession of Drugs

The use, possession, sale or distribution of narcotics, steroids, stimulants, depressants, hallucinogens, or any other controlled substance or paraphernalia without a prescription are prohibited.

Use or Possession of Marijuana

The use, possession, sale or distribution of marijuana and its derivative are prohibited. Marijuana is not allowed on campus even with a valid prescription. Substances made to resemble marijuana are also not permitted on campus.

Medical Marijuana

The use or possession of Marijuana with a prescription ("Medical Marijuana Card") is prohibited on campus.

Illegal Use or Possession of Any Other Controlled Substance

The use, possession, sale or distribution of narcotics, steroids, stimulants, depressants, hallucinogens, or any other controlled substance or paraphernalia without a prescription are prohibited.

Drug Paraphernalia

Drug paraphernalia is prohibited on campus and may be subject to investigations for drug presence. Drug paraphernalia is defined as any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing,

compounding, converting, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful.

V. Hazing

Hazing is prohibited. Hazing is any action taken or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person, or which is likely to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations may include, but are not limited to, whipping, beating, branding, paddling in any form, forced calisthenics, extended deprivation of sleep or rest or extended isolation, exposure to weather, consumption of any food, liquor, beverage, drug or any other substance, any brutal treatment, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips, or any other such activities, engaging in public stunts, morally degrading or humiliating games and activities, late work sessions which interfere with scholastic activities, or any other forced physical activity which is likely to adversely affect the physical health or safety of the student or any other person or which subjects the student or other person to extreme mental stress.

Tattooing or knowingly and willfully permanently disfiguring the body, limbs, or features of any person using nitrate of silver or any like substance, or by any other means, is also prohibited.

VI. Weapons

On-campus possession of firearms (including blank pistols, replicas, pellet guns, BB guns, and tazers), ammunition, explosives, knives, fireworks, bow and arrow, and other articles or substances recognized as weapons or used as weapons, is prohibited.

Possession of a device designed to produce an electrical charge that can be used as a weapon or to cause bodily injury (e.g., stun gun, immobilizer, cattle prod, brand).

The only possible exceptions are some non-hazardous martial arts devices designed for practice, weapons used in authorized ROTC activities, or weapons used for police science or crime lab activities, and props for theatrical performances.

VII. Respect for Individual and University Property

Individual Property

Students must respect, maintain and care for property belonging to others.

University Property

Maintaining and preserving University grounds, academic buildings, residence and dining facilities, and associated structures is an obligation of all members of the community. Similarly, maintaining and preserving personal property is an obligation of all members of the community.

Theft

Theft, attempted theft, or unauthorized possession of property belonging to the University or to others is prohibited.

Fliers

Students must obtain permission from building managers to post fliers inside any building on campus. Posting of posters, handbills, fliers or notices on walls, trees, buildings, lawns, sidewalks, lampposts, electrical posts, trash containers, motor vehicles or anywhere other than an official bulletin board is strictly prohibited. The use of duct tape on sidewalks, roads, or buildings is prohibited. Delivery of fliers to individual residence rooms or to individual rooms in a fraternity or sorority is prohibited.

Vandalism

Vandalism, destruction of, damage to, or inappropriate use of property belonging to others is prohibited.

Academic Materials and Equipment

Students must respect, maintain, and care for books, magazines, library materials, or other academic materials or equipment. Destruction, mutilation, defacement, or tampering with any of the above is prohibited.

Unauthorized Occupancy

Students must observe University guidelines and policies regarding the occupancy and use of University property and facilities. Unauthorized occupancy of or trespassing on University property or University facilities is prohibited.

Trash, Recycling, and Litter

Students must dispose of trash and recyclable materials only in the proper receptacles provided indoors and outdoors around campus. Littering on campus grounds is strictly prohibited. Contaminating recycling receptacles by putting in items not designated for that container is prohibited.

Motorized Vehicles

No motor vehicles may park on campus property without displaying a proper permit. All motor vehicles must be properly registered. Students may operate or park a bicycle, motorcycle, automobile and any other manual or powered vehicle (except mobility aids) only on established, authorized marked roadways and parking areas.

Rollerblading, skateboarding, and scooters are prohibited within 30 feet of any University building. Skateboards, rollerblades, roller skates, and scooters are prohibited from roadways on campus.

VIII. Respect for University Functions, Policies, and Procedures

Free Expression and Peaceful Demonstrations

(Picketing, Rallies, Parades, Demonstrations, and other Assemblies)

The University of Rhode Island strongly values free speech. The freedom to debate and discuss the merits of competing ideas does not mean that members of the university community may say whatever they wish, wherever they wish. Consistent with the rule of law, the University of Rhode Island may restrict expression that violates the law including speech determined to be incitement to imminent lawless action; speech that falsely defames a specific individual; speech that constitutes a genuine threat or intimidation; speech that constitutes fighting words or legally defined obscenities; or that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the university.

Peaceful Demonstrations

The University of Rhode Island believes in the right to assemble, and is committed to the protection of all peaceful, non-disruptive forms of protest including mass demonstrations, pickets, and rallies. The campus must be open to a free exchange of ideas, however, the University may reasonably regulate the time, place, manner of expression to ensure that it does not disrupt the regular functioning of the university.

Signs, Posters, and Banners

No signs supported by standards or sticks shall be permitted in any assembly inside any building on campus. Signs supported by standards or sticks shall be permitted outside.

Fire, Torches, or Open Flame

The carrying or brandishing of torches, fire, or open flame is prohibited. Protected candles (candles with wind screens) may be used only with prior approval from the Public Safety Office/ Fire and Life Safety.

Masks and Face Coverings

The use of masks or face-coverings for the purpose of hiding one's identity during a protest or assembly is prohibited. The only exception will be for religious observation.

Identification

A student is always expected and required to carry a University of Rhode Island Student Identification Card. Students must identify as a student to an authorized University official having just cause to issue the order. The official must provide identification if the student requests it.

Responding

Students must appear before a University official when properly notified to appear and be informed of the reason for which the meeting requested.

Obstruction

Students must recognize and respect the legitimate functions of the University. Obstructing or disrupting or interfering with teaching, research, administrative, service and other functions of the University are prohibited. Making noise or causing noise to be made with objects or instruments which disturbs any of the above is prohibited.

Freedom of Movement

Students must allow other students, school officials, employees, and invited guests of the University lawful freedom of movement on the campus, lawful use of the property of the University, and the right of lawful entrance to and exit from any of the University's physical facilities.

Impeding Activities

Students must recognize and allow the staff or faculty of the University to engage in the lawful performance of their duties, or for students to pursue their educational activities. Impeding or restricting these activities through the use of restraint, abduction, coercion, or intimidation, or when force and violence are present or threatened, is prohibited.

Vacating Facilities

Students must vacate a building, street, sidewalk, driveway, or other facility of the University when directed to do so by an authorized official of the University, or during a fire alarm.

False Identification

The University identification card is to be used exclusively by the student to whom it belongs. Possession of and/or manufacture of any form of false identification are prohibited.

Student Addresses and Phone Numbers

Students must provide the University with a correct home and current local mailing addresses, phone number, and email address through e-Campus. The University and the Dean of Students Office utilizes the campus email system as the primary means of contact and communication with students.

Encouraging Violations

To encourage, entice, influence, or enlist another person to violate any of the University rules, regulations, or policies listed in this handbook is prohibited.

Complying with Instructions

Students must comply with instructions of University or town officials (e.g., faculty, staff, police, safety and fire officials) when they have just cause to issue these instructions.

Loud or Abusive Action

Loud and abusive actions (including participation in “food fights”) which disturb or threaten the peaceful assembly of the students in the dining rooms will be grounds for referral to the University Student Conduct System.

Gambling

Any gambling not licensed by the state is prohibited. Prohibited activity includes, but is not limited to, such activities as sports betting pools, parlay cards, pyramid schemes, card games with money bets.

Name of the University

No group of students will use the name of the University in outside activities, thereby representing the University, unless approved and authorized by the Director of the Memorial Union/Student Involvement & Center for Student Leadership Development and the Student Senate Inc. For graduate students, the approving body is the Graduate Student Association.

University Trademark

The University has registered its name and its various associated symbols and emblems with the U.S. Patent and Trademark Office. Consequently, all persons and organizations, both on and off campus, are required to obtain a written license from the Vice President of Student Affairs if they wish to use the University's name or symbols on any items for sale. Organizations and units that are officially part of the University will pay a lesser fee than external organizations. The signing of such a license does not grant the right to sell such items on campus. This activity is controlled by other policies.

Copyrights and Patents

All members of the University community, including faculty, pre and postdoctoral fellows, research associates, staff, and students, including graduate assistants and research assistants in any combination of study, research, and teaching, will be subject to the University's Intellectual Property Policies. These policies, which relate to patents, copyrights, and other forms of intellectual property, are contained in the University Manual and are subject to interpretation and implementation by the University's Intellectual Property Committee, with the approval of the President of the University.

IX. Sexual Misconduct and Relationship Violence Policies

Sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking are prohibited under the Student Code of Conduct. It is important to note that sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking are prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Reporting Party (Complainant) or Responding Party (Respondent).

Sexual Harassment

Sexual Harassment is any unwelcome conduct of a sexual nature and/or based on gender that is sufficiently severe and pervasive and objectively offensive as to interfere with a person's work/learning / program performance or to create a hostile, intimidating, or abusive environment. Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at URI;
- b) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at URI; or
- c) Such conduct is so severe and pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the Covered Entity and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the University of Rhode Island.

Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender-stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment.

Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following

- Verbal: Sexual remarks, comments, and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.

- Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts or objects.
- Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape.
- Examples may also include, persistent and inappropriate personal attention in the face of repeated rejection; unwelcome comments about an individual's sexual orientation, gender, gender identity, or gender expression; inappropriate written conduct containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's sexual orientation, gender, gender identity, or gender expression.

Sexual harassment need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment.

The University will consider the effects of both on and off campus conduct when evaluating whether there is a hostile environment on campus.

Sexual Assault

Sexual assault includes any of the following:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;
- Fondling: The touching of the private body parts of another person (breasts, buttock, groin, and/or genitals) for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. This would include making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with, of, or by breasts, buttocks, groin, genitals, mouth, or other orifice; by a person upon a person; without consent;
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in Rhode Island is 16 years of age (See RIGL § 11-37-6).

Sexual assault also includes any sexual act directed against another person, without the consent of that person, including instances where the person is incapable of giving consent.

Sexual Exploitation

Purposefully taking sexual advantage of another without that individual's consent for the initiator's own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Sexual exhibitionism
- Prostituting or soliciting another student
- Non-consensual video, photographing, or audio-taping of a sexual nature and/or distribution of these materials via mediums such as the internet
- Exceeding the boundaries of consent (e.g., allowing people to watch consensual sex without knowledge from the participants)
- Peeping or other voyeurism
- Knowingly transmitting a Sexually Transmitted Infection (STI) or HIV to another individual
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation
- Possession and/or distribution of child pornography

Domestic Violence

Domestic violence is a felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner or the complainant;
- A person with whom the complainant shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- A person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- Any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence

Dating violence is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the physical violence or the threat of physical violence has been committed. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking

Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for the individual's safety or the safety of others; or if the individual suffers substantial emotional distress. For the purposes of this definition "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Common stalking acts include, but are not limited to, harassing, threatening or obscene phone calls, any written or electronic communication, following, vandalism of personal property, and/or leaving unwanted gifts or objects.

Retaliation

Retaliatory action of any kind by any member of the University community against individual(s) who bring complaints and who are cooperating in the investigation of a complaint is prohibited and shall be regarded as a separate and distinct violation. Retaliation includes but is not limited to threats (both verbal and physical), intimidation, harassment, coercion, and other adverse action. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of sexual misconduct or relationship violence as defined herein. Examples of retaliation may include pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property, sending unwelcomed messages by electronic media, encouraging friends to relay unwelcomed messages, stalking or threatening, etc.

Amnesty for Title IX Complaints

The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of violence to institution officials. The Complainant, Respondent, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the University or law enforcement will not be subject to the University's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

Relevant Definitions

Consent: Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through manipulation, force or coercion of any kind, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. Impairment or incapacitation due to alcohol and/or drug use, permanent/ temporary psychological or physical disability, and being below the age of consent (age 16) are factors which detract from or make consent impossible. Silence or an absence of resistance does not imply consent, consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

Incapacitation: Incapacitation means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the specific sexual acts. A person may become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious, or due to intellectual or other disability. When determining incapacitation, the inquiry is whether a sober, reasonable person should have known that the person was incapacitated and could not provide consent. Evidence of incapacitation may include, but is not limited to, slurred speech, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.

Force: The use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

Coercion: The use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include but are not limited to threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Reporting Party: The person alleging to have been subjected to violence, harmed or suffers from a violation of the Student Handbook (victim/complainant).

Responding Party: The person or group that is alleged to have committed a violent act, harmed or caused some to suffer by committing an alleged violation of the Student Handbook (charged, accused, respondent).