

Students

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Student Organizations

40-3-01 Student organizations: Policies. >

Students have the right to organize, join, and hold office in associations for their common interests. Membership in student organizations shall be open to all students without respect to race, color, religion, national origin, sex, sex orientation, physical or mental handicap, status as disabled veteran or of the Vietnam era, or age, except for religious qualifications which may be required by organizations whose aims are primarily sectarian. All registered student organizations shall have access to university facilities in accordance with university practice.

(A) Registration:

A group or association composed of students is required to register as a student organization with the student organizations and activities office of in order to benefit from the privileges granted groups, as enumerated in the student organizations policies.

1. Criteria for registration:

- The organization must fill a need for students not currently being met by an existing organization on campus.
- The constitution of the organization must be consistent with university rules, regulations, or policies.
- The constitution of the organization must be consistent with the constitutional standards established by the group's respective governing body.
- A registration application with a signed compliance form must be submitted with the constitution and submitted annually thereafter.
- All charter members of the organization must be students (full and/or part-time).
- The organization must have a minimum of ten student members to qualify for registered status.
- The organization must have a university advisor who is a member of the university faculty, staff or administration.

2. Privileges of registered student organizations:

- a. Cooperation and assistance of staff.
 - b. Advertisements and notices in official publications.
 - c. Use of university facilities.
 - d. Sponsorship of all-university events.
 - e. Use of the university name in non-commercial not-for-profit applications.
 - f. Scheduling of off-campus speakers.
 - g. Sponsorship of fundraising events.
 - h. Eligibility for university funding (except political, religious, honorary, fraternity or sorority groups).
3. Responsibilities of registered student organizations: Registered student organizations, their officers and members shall:
- a. Comply with all laws of the state of Ohio, including but not limited to provisions of the rules of the University of Cincinnati and the code of student rights and responsibilities; this obligation extends to the guests of the registered student organizations.
 - b. Engage in sound financial management.
 - c. Expend the organization's monies only to further the purpose(s) of the organization and not for the private benefit of officers or members.
 - d. Regularly inform the organization's advisor(s) on the program, personnel, and activities of the organization.
 - e. Comply with published guidelines (copies of which shall be available in the student organizations and activities office), including but not limited to those regarding:
 - i. The request and use of university facilities;
 - ii. The conducting of sales, solicitations, or leafleting;
 - iii. The sponsorship of programs;
 - iv. The solicitation of funds;
 - v. The consumption or possession of alcoholic beverages on campus;
 - vi. The posting of materials;
 - vii. The registration of speakers;
 - viii. The use of amplified sound;
 - ix. The submission of an application for registered organization status, a financial statement (audit) when requested, and compliance forms.
 - f. Comply with the policies in the "Use of Facilities Handbook."
 - g. Comply with all standards in the "Student Code of Conduct."

(B) Withdrawal of registration, warning, probation, suspension:

1. The privileges conferred through registration may be withdrawn for cause which shall include willful or negligent violation of university, state or federal standards, codes or policies.
2. Registration may also be withdrawn or discontinued:
 - a. When an organization fails to carry out its programs consistent with the stated aims and purpose of the organization's constitution;
 - b. At the written request of the organization;
 - c. When by constitutional provision the group is dissolved; or
 - d. When an organization does not hold meetings, activities or outings for a period of one academic year.
3. Registration may be withdrawn, a warning issued, or an organization placed on probation or suspension when appropriate maintenance forms are not filed (e.g., affirmative action, membership report, officer list, financial reports) or if for any reason an organization becomes delinquent as to its obligations as a registered group.
4. Warning: A notice to the group that they will be placed on probationary status if specified obligations are not met within a designated period of time.

5. Probation: Loss of any or all privileges of registered student organizations. Probation may be for a specific duration after which the status may be reviewed.
6. Suspension: Suspension shall involve the permanent, complete withdrawal of all privileges and rights of the student organization. In addition, no suspended group may use or rent university facilities as a nonuniversity group. In order to regain recognition as a University of Cincinnati student organization, the group must register as a newforming group during a regular registration period the following academic year.
7. The above actions may be initiated by the student organization's governing board and/or the appropriate administrative unit (e.g. student organizations and activities).

(C) Membership:

1. Full membership in registered student organizations is limited to persons who are officially connected to the university. This affiliation must be that of a full or part-time student, faculty, or staff.
2. Full membership entitles members to full voting privileges.
3. Honorary membership shall be open to any person desiring such membership, elected to such membership by majority of voting members. (Honorary members cannot outnumber voting members.)
4. When a student organization, whether national or local, has selective membership (e.g. honor and recognition societies, professional, service, and social groups), the selection of members must be made, regardless of any national practices to the contrary, without reference to race, creed, national origin, or sex orientation.
5. Membership criteria as set forth in the constitutions of student organizations must meet those as set forth in article six, charter of student rights and responsibilities.

(D) Officer eligibility:

1. Students, in order to be eligible to hold office in a student organization, must be matriculated, must achieve and maintain a 2.0 cumulative grade point average, and be in good standing with their college. While in office the officer must not have below a 2.0 grade point average for more than one quarter.
2. Student officers not fully meeting the eligibility requirements will have to relinquish their office immediately upon notification from the student organizations and activities office and/or advisor that they do not meet the academic standard. Replacement of ineligible officers will be conducted according to the organization's constitution.

(E) Finances:

1. All organizations must anticipate, provide for, and meet promptly their financial obligations or be subject to sanctions by their governing body.
2. Budgets and expenditures of student organizations that receive university funds must have the approval of the appropriate funding board, i.e., undergraduate funding board, graduate funding governance association, club sports board, etc.
3. In order to receive funding, student organizations must have a minimum of ten members.
4. Any student organization wishing to conduct sales, solicit funds, or charge admission to an event must have the approval of the university advisor.
5. Non-funded student organizations are subject to financial review or audit when deemed necessary. The university's right to audit the financial operation of non-funded groups is based upon the registration granted to them and the privileges that come therewith.
6. Student organizations that sponsor outside vendors must sign an agreement, along with the vendor stating that the organization will receive a percentage of total sales. Agreement forms are available in the student organizations and activities office.

- Effective: February 17, 1998
- Date: January 28, 1998 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3345.021; R.C. 1303; R.C. 3345.13.
- Prior effective date: March 16, 1978; February 25, 1985; July 25, 1988; November 15, 1988

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Conduct, Rights & Responsibilities

40-5-01 Conduct, rights and responsibilities: Charter of student rights and responsibilities. >

(A) Article 1.

Students are members of society as well as members of the academic community. As members of society, students have the same responsibilities as other members of society and enjoy the same freedom of speech and peaceful assembly and the right of petition that other members of society enjoy. As members of the academic community, they shall have the rights and be subject to the responsibilities which accrue to them by virtue of this membership. Institutional authority shall not be employed to inhibit such intellectual and personal development of students as is often promoted by the exercise of their rights and responsibilities both on and off the campus.

(B) Article 2.

Students shall be accorded a significant and direct voice in the formulation and application of policies and procedures at the university, college, and departmental level; the structure for such participation shall be determined by the students, faculty, and administration of each unit. Arrangements for student participation thus developed shall be subject to review by a university body composed of students, faculty members, and administrative officials, which shall be representative of the entire university community and which shall determine whether such arrangements comply with the standards of this article.

(C) Article 3.

Student requests to obtain financial information regarding the operations of the university shall be respected. If, aside from public university financial statements, additional information is desired, a request must be presented in writing to the appropriate university authority.

(D) Article 4.

Students shall be free from unreasonable searches and seizures by university personnel.

(E) Article 5.

Students shall be responsible for maintaining established standards of scholarship and conduct essential to the educational mission and community life of the university. In any case where failure to adhere to such standards may lead to suspension or dismissal from the university, a student shall, upon request, be granted a hearing before a regularly constituted committee or board, which, in its proceedings, shall afford the student the protection of procedural fairness. (See rules 3361:40-5-03 and 3361:40-5-05 of the Administrative Code) In addition orderly review procedures shall be available to any student who claims that he has been subjected to prejudice or capricious academic evaluation. All hearing and review procedures in effect or developed at the university, college, and departmental level shall be subject to review by a university body composed of students, faculty members, and administrative officials, which shall determine whether such procedures comply with the standards of this article. (See rule 3361:40-5-03 of the Administrative Code.)

(F) Article 6.

Students have the right to organize, join, and hold office in associations of their common interest. Membership in student organizations shall be open to all students without respect to race, color, religion, national origin, sex, sex orientation, age, handicap, or status as disabled or Vietnam era veteran, except for religious qualifications which may be required by organizations whose aims are primarily sectarian. All registered student organizations shall have access to university facilities as provided in the use of facilities handbook.

(G) Article 7.

Students shall have the right to invite and to hear persons of their own choosing. Scheduling procedures shall not be used as a device of censorship.

(H) Article 8.

Student publications shall be free from censorship. Standards and guidelines for student publications shall be determined by the communications board.

(I) Article 9.

Any member of the university community may challenge a regulation established or enforced by a student governmental organization by submitting objections to the office of student activities and programming, which shall refer the matter to an appropriate university committee consisting of a majority of students. Should the committee find that the challenged regulation is either clearly detrimental to the academic goals of the university or conclusively prejudicial to the rights of individual students, it may amend or repeal the regulation.

(J) Article 10.

As a guide to the interpretation and implementation of the rights and responsibilities set forth in this charter, the university hereby adopts in principle the "1967 Joint Statement on Rights and Freedoms of Students" endorsed by the "Association of American Colleges," the "National Association of University Professors," the "National Association of Student Personnel Administrators," the "National Association of Women Deans and Counselors," and the "United States National Student Association."

- Effective: July 31, 1989
- Amends: Rule 3361:40-5-01 of the Administrative Code.
- Date: July 6, 1989 Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3345.021; R.C. 3345.21-25; R.C. 1347.07; R.C. 2433.21
- Prior effective date: March 16, 1978 October 31, 1983 February 25, 1985

40-5-02 Conduct, rights and responsibilities: Joint statement on rights and freedoms of students. >

As a guide to the interpretation and implementation of rights and responsibilities set forth in rule 3361:40-5-01 of the Administrative Code, the university hereby adopts in principle the "1967 Joint Statement on Rights and Freedoms of Students" endorsed by the "American Association of University Professors," the "National Association of Student Personnel Administrators," the "National Association of Women Deans and Counselors," and the "United States National Student Association."

- Effective: February 25, 1985
- Amends: Rule 3361:40-5-02 of the Administrative Code.
- Date: January 29, 1985
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3345.021; R.C. 3345.21; R.C. 2901.35; R.C. 1347.07; R.C. 3345.22-26; R.C. 2933.21; R.C. 5321.04; R.C. 119.11.

- Prior effective date: March 16, 1978; October 31, 1983

40-5-03 Conduct, rights and responsibilities: Statement of student conduct, policies and procedures. >

(A) Article 1. General provisions.

1. Section 1.01. Goals and policies.

- a. The primary concern of the University of Cincinnati is education. As a consequence, the university attempts to provide for students an environment that is conducive to academic endeavor, social and personal growth, and individual self-discipline. Such an environment should encourage and protect free intellectual inquiry, including the examination of unorthodox or controversial ideas.
- b. In a university, the paramount value involved in student conduct should be self-governance with each student bearing the responsibility for his/her own behavior. Although it is thus assumed that students are mature and responsible individuals and that the university does not occupy a parental role, formal disciplinary sanctions nonetheless may be imposed whenever student conduct interferes with the university's duty to afford its members an opportunity to attain educational and other stated institutional objectives. In pursuance of the goals of the university, disciplinary policies, procedures, and standards should be primarily educational rather than punitive in nature and should be consistent with both the customs of a free society and the nature and function of an institution of higher learning.
- c. When a student has been arrested for the violation of penal statute or ordinance, the university reserves the right to initiate judicial review in accordance with the student code of conduct and review that individual's status as a student. The university will be prepared to apprise students of sources of legal counsel and offer other assistance and, in addition, will cooperate with legal agencies and other organizations in any program for the rehabilitation of the student.

2. Section 1.02. Interpretation and implementation of statement. The relevant portions of the "1967 Joint Statement on Rights and Freedoms of Students," adopted in principle by the board of trustees on June 12, 1969 (see rule 3361:40-5-02 of the Administrative Code) shall serve as a guide to the interpretation of the goals and policies set forth above and the implementation of this statement.

(B) Article 2. Student Code of Conduct Review Committee.

1. Section 2.01. Establishment of a student code of conduct review committee.

- a. The student code of conduct review committee shall be created in order to provide a democratic mechanism for the creation and review of student conduct standards with the general provision of this statement, the "1967 Joint Statement on Rights and Freedoms of Students" and the university rules and regulations.
- b. The committee shall consist of ten members:
 - i. Director of university judicial affairs (chair),
 - ii. Representative of the ombuds office,
 - iii. Two representatives from the undergraduate student government/senate,
 - iv. Two representatives from the graduate student governance association (in consultation with law and medical school tribunals),
 - v. Two representatives from the academic college liaisons as appointed by the academic deans, and
 - vi. Two representatives from faculty senate.

2. Section 2.02. Jurisdiction of committee.

- a. Any and all recommendations from this student code of conduct review committee will be presented to the vice president for student affairs and services and the senior vice president and provost for baccalaureate and graduate education.
 - i. Basic responsibility for the enactment, amendment, or repeal of standards for student conduct shall reside with the committee. The committee shall, however, to the maximum extent feasible, delegate the function of formulating and administering standards in specific areas to the groups directly concerned.
 - b. In the discharge of its duties, the committee shall:
 - i. Formulate standards relating to academic misconduct, such as cheating, plagiarism, forgery, and the unauthorized alteration of academic records.
 - ii. Formulate standards relating to individual student and University of Cincinnati registered student groups conduct, either on or off campus.
 - iii. Formulate standards defining those areas of student misconduct which, although subject to prosecution under penal statutes and ordinances, also are subject to university discipline.
 - iv. Formulate standards that ensure the confidentiality of student conduct records, minimize the risk of unauthorized disclosure of such records, and specify which violations of standards shall be entered on student records.
3. Section 2.03. Rules of committee.
- a. The rules of the committee, among other things, shall:
 - i. Provide that a majority vote of the student code of conduct review committee recommend the enactment, amendment, or repeal of a standard.
 - b. Any changes in standards made in the course of a school year shall be given wide publicity to all members of the university community.
 - c. All meetings and proceedings shall be open to the public.
4. Section 2.04. Procedures for enactment, amendment, or repeal of standards.
- a. Except as provided otherwise, the following procedures shall govern actions of the committee relating to the enactment, amendment, or repeal of standards:
 - i. Actions of the committee, with their rationale, shall be submitted for review to the vice president for student affairs and services and the senior vice president and provost for baccalaureate and graduate education.
 - ii. If the vice president for student affairs and services and the senior vice president and provost for baccalaureate and graduate education endorse an action of the committee, they shall issue a recommendation to the president for the board of trustees' approval.
 - iii. If the vice president for student affairs and services and/or the senior vice president and provost for baccalaureate and graduate education disagree with the endorsed action, they shall, with stated reasons, propose reconsideration of the matter by the student code of conduct review committee.
 - iv. If no agreement can be reached by the student code of conduct review committee, vice president for student affairs and services, and the senior vice president and provost for baccalaureate and graduate education, then the president shall make the final decision.
5. Section 2.05. Effect of new standards. Standards promulgated pursuant to this statement shall become effective immediately and shall supersede previously existing university regulations dealing with the subjects covered by the new standards from and after their effective date.

(C) Article 3. Enactment, amendment, and effect of statement.

- 1. Section 3.01. This statement and any subsequent amendments thereto shall become effective immediately upon approval of the board of trustees of the university.
- 2. Section 3.02. Nothing in this statement shall be construed in such a manner as to be in conflict with the law or with the bylaws and regulations of the board of trustees of the university.

- Replaces: Former Rule 3361:40-5-03
- Effective date: December 17, 2003
- Date: December 3, 2003 (signature on file)
- Promulgated under: R.C. Section 111.15
- Statutory authority: R.C. 3361.
- Rule amplifies: R.C. 3361.03; R.C. 3345.021; R.C. 3345.21-25; R.C. 1347.07.
- Prior effective dates: March 16, 1978; October 31, 1983; July 31, 1989; August 12, 1994; February 9, 1998

40-5-04 Conduct, rights and responsibilities: Policies governing conduct.



State law in Ohio requires the trustees of any university that receives state funds to regulate the use of its facilities and the conduct of those who use them in such a manner that the university "may pursue its educational objectives and programs in an orderly manner." Since the board of trustees of the University of Cincinnati in its bylaws has delegated authority in all matters of discipline within the university to the president, in compliance with the law, the board has adopted the following resolutions:

(A) That such delegation be reaffirmed and that the president be directed to see the continuing development and review of appropriate regulations relating to the conduct of students, faculty, staff, employees, and visitors, and to procedures for implementing these regulations so that the university may pursue its educational objectives in an orderly manner.

(B) That this board hereby also adopts and reaffirms the existing relevant policies, namely:

1. That the administrative and academic regulations of the university shall be formulated by the appropriate authorities to whom this responsibility has been delegated and shall be published in the several official university publications such as catalogs, bulletins, and handbooks;
2. That these regulations shall uphold the freedom of each individual within the university in matters of speech, learning, inquiry, hearing, and peaceable assembly-such freedom of any individual(s) to be limited only by consideration of the equally important right of other individuals;
3. That any violation of these regulations or of any municipal, state, or federal laws, or any disruption or interference with the university's attainment of its educational objectives, or any interference with the right of others within the university community to pursue teaching, study, research, learning, and administrative functions shall be considered misconduct; and
4. That, in case of misconduct, appropriate disciplinary or legal action
5. shall be taken promptly by the president or his delegate(s) to restore the rights of all members of the faculty, student body, and public to pursue their legitimate university-oriented endeavors.

- Effective: October 31, 1983
- Amends: Rule 3361:40-5-04 of the Administrative Code.
- Date: October 5, 1983 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3345.21; R.C. 3345.021; R.C. 3719.09; R.C. 4729.51; R.C. 119.11; R.C. 3345.22-26; R.C. 2915.04; R.C. 4503.11; R.C. 4507.02; R.C. 121.11.
- Prior effective date: March 16, 1978

40-5-05 Conduct, rights and responsibilities: Student Code of Conduct.



(A) Introduction

1. Preamble

a. Bearcat bond

In pursuit of its mission to develop educated and engaged citizens to enrich the global community, the University of Cincinnati ("university") aspires for its students to demonstrate high standards of integrity and conduct. As a guide to community members to obtain this objective, in spring of 2012, the bearcat bond was endorsed by faculty senate, graduate student government, and undergraduate student government. The bearcat bond identifies community values essential to fostering a safe and scholarly environment. The bearcat bond states the following:

"As a member of the University of Cincinnati, I will uphold the principles of a just community and the values of respect, responsibility, and inclusiveness. I will promote the highest levels of personal and academic honesty and aspire continuously to better myself, the bearcat community, and the world." Although there is no policy that expressly states that students are bound to the bearcat bond, the spirit of the bearcat bond is incorporated in university policy, and most especially, in the student code of conduct (S.C.O.C.).

b. The University of Cincinnati serves the people of Ohio, the nation, and the world as a premier, public, urban research university dedicated to undergraduate, graduate, and professional education, experience-based learning and research. The university is committed to excellence and diversity in its students, faculty, staff, and all of its activities. The university provides an inclusive environment where innovation and freedom of intellectual inquiry flourish. Through scholarship, service, partnerships, and leadership, the university creates opportunity, develops educated and engaged citizens, enhances the economy, and enriches the university, city, state and global community. When students are admitted to and attend the university, they accept the rights and responsibilities of membership in the university's academic and social community. Just as the university has set high standards for membership, the university has established high standards for acceptable and unacceptable behavior for the university community and its members; thus, university standards of conduct, while falling within the limits of the law, may exceed local, state, or federal requirements. The purpose of the S.C.O.C. is to inform students of their rights and responsibilities, identify procedures to address student behavior that is inconsistent with the community values reflected in university policies, and recommend potential sanctions, interventions, and measures designed to educate and safeguard the university community and its members.

c. The authority for the S.C.O.C. is found in section 3345.21 of the Revised Code. The university conduct system is separate and independent of any criminal or civil proceeding. If a student is undergoing civil or criminal action for the same behavior which forms the basis of conduct action at the university, the university may continue the conduct process as outlined in the S.C.O.C.

d. Students are responsible for knowing and honoring the university's S.C.O.C. and other rules and policies of the University of Cincinnati. The S.C.O.C. is not a contract between the university and the student. The university reserves the right to change the S.C.O.C. at any time.

e. The university has a duty to take reasonable efforts to make the S.C.O.C. available for students. The office of student conduct and community standards will circulate the S.C.O.C. along with other rules, regulations, and policies, which directly affect students at the University of Cincinnati. The university will also provide notice to students when changes are made to the S.C.O.C. The S.C.O.C. will be available for review in the following locations: the office of student conduct and community standards, the office of student conduct and community standards webpage, and the University of Cincinnati board of trustees' webpage.

f. To ensure compliance with federal, state, and local laws, orders of a court or other governmental authority, and university rules and policies, the university board of trustees may revise the S.C.O.C. in consultation with the office of general counsel and the office of student conduct and community standards without regard to rule 3361:40-05-03 of the Administrative Code.

2. Student rights and responsibilities

- a. The S.C.O.C. is applied consistent with rule 3361:40-5-01 of the Administrative Code. The S.C.O.C. will not be interpreted or applied in any way that infringes upon constitutionally protected rights and privileges, such as those under the First, Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.
- b. Students are responsible for maintaining established standards of scholarship and conduct essential to the educational mission and community life of the university.
- c. The S.C.O.C. is administered in accordance with applicable federal, state, and local laws, court and other governmental authority orders, and university rules and policies.

3. Definitions

a. Student

The term "student" as used in the S.C.O.C. means an individual who has been accepted for admission to the university, registered for classes, enrolled at the university, or otherwise entered into any other relationship with the university to take or audit classes. Student status lasts until an individual graduates, withdraws from the university, is dismissed, or is not in attendance for two complete fifteen-week consecutive semesters.

b. Student Organization

The term "student organization" refers to any number of students who have completed the necessary requirements to be registered and recognized by the university pursuant to rule 3361:40-03-01 of the Administrative Code.

c. Complainant

The term "complainant" refers to the individual who has filed a complaint against a student or student organization for an alleged violation of the S.C.O.C. Complainant also includes instructors (or in the absence of an instructor, the academic unit head or the dean, or designee) under the academic misconduct process set forth in the S.C.O.C.

d. Respondent

The term "respondent" refers to the student or student organization who is alleged to have violated the S.C.O.C.

e. Parties or party

The term "parties" refers to both the complainant and respondent. "Party" refers to either the complainant or respondent.

f. Timelines

Listed timelines exclude weekends, holidays, term breaks, and anytime when the university is closed or classes are not in session. Timelines may also be extended for extenuating circumstances as determined by the director of the office of student conduct and community standards (or designee).

g. Notification

All written notices to students are considered received upon delivery to the student's University of Cincinnati email address. All written notices to a student organization are considered received upon delivery to a student organization's representative's University of Cincinnati email address.

Students are responsible for regularly checking their university email.

h. Standard of proof

The standard of proof used to determine whether a respondent has violated the S.C.O.C. is based on a preponderance of evidence, meaning it is more likely than not that a violation has occurred. Upon receipt of a complaint, all respondents are considered not responsible unless this standard is met.

i. Adviser

Parties may elect to have an adviser of their choice. An adviser may consult with a party verbally or in writing in a quiet, non-disruptive manner, but the adviser may not participate as a spokesperson or vocal advocate in meetings or hearings. Parties are required to notify the office of student conduct and community standards or the college conduct administrator seventy-two hours prior to any meetings or hearings if the adviser is an attorney and plans to attend the hearing and/or meeting. The conduct process will not be delayed to accommodate an adviser's schedule. Therefore,

a party should select an adviser whose schedule permits attendance at the scheduled date and time. Advisers may not be present in lieu of any party who does not attend the meeting or hearing.

j. Diminished capacity

Being under the influence of drugs or alcohol will not diminish or excuse a violation of the S.C.O.C.

k. Sanctions for violations

A respondent found responsible for violating the S.C.O.C. will be subject to sanctions, up to and including university expulsion. More than one sanction may be imposed for a single violation. A single act may constitute more than one violation of the S.C.O.C.

l. Conduct records file

All conduct records and files, including those resulting in a finding of "responsible," are maintained in the office of student conduct and community standards for a period of at least seven years from the date of resolution of the conduct action. Conduct records are education records as defined by the Family Educational Rights and Privacy Act of 1974 and subject to the protections and release provisions within.

m. Home college

The home college is the college in which the student is matriculated at the time of the alleged misconduct. The vice provost for undergraduate studies (or designee) will serve as the home college for non-matriculating undergraduate students, and the vice provost for graduate studies and dean of the graduate school (or designee) will act as the home college for non-matriculating graduate students. In matters involving students enrolled in multiple colleges, the vice provost for undergraduate studies will act as the home college.

n. Withdrawal of student

If a student withdraws from the university before the conduct process has been completed, a conduct hold may be placed on the student's account until the conduct process has been resolved.

o. Withdrawal of student organization

If a student organization withdraws its registration with the university or the student organization is discontinued pursuant to its constitutional provisions before the conduct process has been completed, the university may prohibit the student organization from re-registering until the conduct process has been resolved.

p. Refund

The regular refund schedule outlined in university publications will apply in the event of a suspension or dismissal from university housing or the university.

q. Amnesty

i. The university's primary concern is the health, safety, and welfare of the university community. To maintain a safe and scholarly community, the university encourages students to report code of conduct violations and crimes involving a victim, including sexual misconduct.

ii. To encourage reporting, the University of Cincinnati has the discretion not to pursue certain non-violent S.C.O.C. violations such as use of alcoholic beverages or drugs related to the incident. Amnesty may be applied to parties, bystanders, witnesses, students, or student organizations who participate in the conduct process, or students who seek assistance for themselves or other students experiencing an alcohol and/or other drug-related emergency. Amnesty will be determined on a case-by-case basis, in an equitable manner so as not to interfere(i) with the rights of the parties, at the discretion of the director of the office of student conduct and community standards (or designee).

iii. Students receiving amnesty may be required to participate in an educational response.

r. Educational response

The university may administer an educational response(s) to address student or student organization behavior. Educational responses are intended to incorporate values of the university community and allow an opportunity for students and student organizations to grow as responsible members of the university community. While educational responses are not sanctions, they may be

administered as a result of a student's or student organization's behavior even if the behavior does not warrant a procedural review. In such cases where behavior does not warrant a procedural review, the educational response may be documented and kept on file in the office of student conduct and community standards but is not considered a sanction.

s. Conduct hold

An administrative hold placed on a student's account by the director of the office of student conduct and community standards (or designee) that prevents a student from registering for classes and/or receiving a transcript. The director of the office of student conduct and community standards (or designee) may place a hold on a student's account when specifically set forth in the S.C.O.C.

4. Jurisdiction

- a. The University of Cincinnati reserves the right to respond to conduct that undermines, interferes with, or obstructs the safety and security of the university community or that adversely affects the integrity or interests of the educational mission or functions of the university.
- b. Students who violate the S.C.O.C. are subject to appropriate conduct action. In addition, students enrolled in the university's college of law or college of medicine are subject to their respective honor codes. Conduct not covered by an honor code will fall under the jurisdiction of the S.C.O.C.
- c. Student organizations that violate the S.C.O.C. are subject to appropriate conduct action. Groups of students who are not registered or recognized as an organization, or who are actively seeking registration and recognition from the university, may be charged as individuals or as a group under the S.C.O.C.
- d. On- and off-campus behavior
 - i. The S.C.O.C. applies to student and student organization conduct that occurs on any university campus or on university owned, leased, or controlled premises, and conduct that occurs during remote or online learning or other university related events or activities.
 - ii. The S.C.O.C. also applies to off-campus conduct when the behavior or the presence of a student or student organization, in the university's sole judgment, impairs, obstructs, or interferes with the mission or process or functions of the university. Factors considered by the university include, but are not limited to, the following:
 - i. Whether the student or student organization was acting as a representative of the university;
 - ii. The seriousness of the offense that occurred;
 - iii. Injuries to students or others;
 - iv. The extent of danger posed to the community;
 - v. Whether a student organization was involved;
 - vi. Whether the incident could result in a felony charge; or
 - vii. Whether weapons, drugs, or alcohol were involved.
 - iii. The university reserves the right to take conduct action for behavior when the student or student organization – in the university's sole judgment – poses an obvious threat of serious harm to any member of the university community or when such behavior has continuing effects that effectively deny community members access to resources and opportunities, unreasonably interfere with the university community working and living environment, or deprive university community members of protected rights, in a university program or activity. This action may be taken to address behaviors that occur before, between, during, or after academic periods.
- e. To determine whether student behavior in question is academic or nonacademic misconduct, the dean of the college where the misconduct occurred (or designee) and the director of the office of student conduct and community standards (or designee) should consult to determine whether the matter shall be handled as academic or nonacademic misconduct.
- f. Riotous behavior

Section 3333.38 of the Revised Code concerns the riotous behavior of students on and around

university campuses. Action taken as a result of section 3333.38 of the Revised Code does not limit the University of Cincinnati's ability to otherwise discipline students under the S.C.O.C.

g. Reporting misconduct

- i. With the exception of student or student organization behavior that potentially violates Title IX, reports of academic or nonacademic misconduct concerning a student or student organization can be reported to the office of student conduct and community standards in person, by telephone, email, U.S. mail, or by submitting the online reporting form accessible on the office of student conduct and community standards' webpage.
- ii. All reports or inquiries involving potential violation of Title IX must be reported pursuant to the University of Cincinnati's Title IX sexual harassment policy.
- iii. Instances of academic misconduct should also be reported to the college conduct administrator for the college where the misconduct occurred.

h. Title IX

- i. The university president has authority to create and implement policies to bring the university in compliance with Title IX regulations and applicable laws. The president may delegate this authority to the proper university department, who must work in consultation with the office of general counsel and in coordination and collaboration with other appropriate university offices.
- ii. Students should refer to university Title IX policies for information on jurisdiction, definitions, hearings, and other related procedures.

(B) Academic misconduct

1. Academic integrity and honor pledge

- a. In pursuit of its teaching, learning and research goals, the University of Cincinnati aspires for its students, faculty, and administrators to reflect the highest ethical standards defined by the international center for academic integrity as "a commitment, even in the face of adversity, to six fundamental values: honesty, trust, fairness, respect, responsibility, and courage."
- b. Some faculty members and academic units may ask students to sign an honor pledge before taking tests or when submitting assignments. Honor pledges serve primarily as a teaching tool. Refusal to sign an honor pledge does not constitute a violation of the S.C.O.C.

2. Jurisdiction

- a. Each college dean appoints a college conduct administrator who is responsible for the administration of undergraduate academic misconduct procedures.
- b. The head of each graduate program or college conduct administrator (or designee) oversees the administration of academic misconduct procedures for graduate students in that graduate program.
- c. Complaints of academic misconduct shall be initiated by the instructor in whose course the alleged misconduct occurred or, in the absence of an instructor, by the academic unit head or the dean (or designee). Supervisors or authorized staff involved in the testing or evaluation process, including testing center personnel and testing proctors, may also initiate complaints of academic misconduct.
- d. When academic misconduct triggers rule 3361:10-17-05 of the Administrative Code, the academic misconduct process described herein will not commence until after the completion of the research misconduct investigation conducted pursuant to rule 3361:10-17-05 of the Administrative Code.

3. Academic misconduct violations

- a. Aiding and abetting academic misconduct
Knowingly helping, procuring, or encouraging another person to engage in academic misconduct violations.
- b. Cheating
Any dishonesty or deception in fulfilling an academic requirement, such as:
 - i. Use or possession of unauthorized material or technological devices.

- ii. Obtaining unauthorized assistance or accessing, reviewing, or obtaining answers from another person or source.
- iii. Furnishing unauthorized assistance or answers to another person.
- iv. Possessing, using, distributing, or selling unauthorized copies of academic materials.
- v. Representing academic work by another person as one's own.
- vi. Doing academic work in place of another person.
- vii. Obtaining unauthorized access to the computer files of another person or agency or altering or destroying those files.
- viii. Unauthorized use of artificial intelligence.

c. Fabrication

The falsification of any information, research statistics, lab data, or citation in an academic exercise.

d. Plagiarism

- i. Submitting another's published or unpublished work in whole, in part, or in paraphrase, as one's own without fully and properly crediting the author with footnotes, quotation marks, citations, or bibliographic references.
- ii. Submitting as one's own original work, material obtained from an individual, agency, or the internet without reference to the person, agency, or webpage as the source of the material.
- iii. Submitting as one's own original work material that has been produced through unacknowledged collaboration with others without release in writing from collaborators.
- iv. Submitting one's own previously written, oral, or creative work without modification and instructor permission.

e. Violating professional standards and codes

Some professions are governed by standards and codes specific to their field. Those professional standards and codes generally advance the quality of the profession by developing codes of ethics, conduct, and professional responsibility and standards by which their members are guided. An academic college may require its students to abide by these professional standards and codes as outlined in the academic college's handbook.

4. Procedures for academic misconduct

Students suspected of academic misconduct, whether acknowledging involvement or not, will be allowed to continue in the course without prejudice pending completion of the academic misconduct process. If a student chooses to withdraw from a course during their academic misconduct process, the process will continue and the student is responsible for meeting all deadlines and processes set forth below. If the misconduct occurs at the end of an academic semester or break, the process will continue consistent with the timeline once classes resume. The student is responsible for honoring all deadlines and processes below. If the resolution impacts a grade or status of a course, the college conduct administrator will notify the registrar as applicable.

a. Instructor-student resolution

i. Notification form

- i. Within ten days of discovering the alleged misconduct, the instructor (or in the absence of an instructor, the academic unit head or the dean, or designee) will provide the student with notice of their alleged violation via the notification form. The notification form will include the alleged academic misconduct violation(s) at issue, the allegation(s) underlying the alleged academic misconduct violation(s), and a request to meet with the instructor to discuss the allegation(s). The student may have an adviser at the review meeting. This meeting must be scheduled within five days of receiving the notification form.

ii. After the review meeting, the instructor has five days to:

- i. Provide written notice to the student that the allegation(s) has been dismissed and the case will be considered resolved; or
- ii. Move forward with the allegation(s) and provide a resolution form to the student outlining the alleged misconduct violation(s) and proposed sanction(s).

- ii. Student's response to the resolution form
 - i. The student has five days to return the completed resolution form to the instructor. The student may choose one of the following three options:
 - i. Option 1. Accept responsibility for the misconduct violation(s) and agree to the sanction(s).
 - i. The instructor will notify the college conduct administrator of the college in which the misconduct occurred and the agreed-upon sanction(s) will be imposed.
 - ii. The college conduct administrator will record the resolution form and provide a copy to the director of the office of student conduct and community standards and the college conduct administrator of the student's home college.
 - ii. Option 2. Accept responsibility but challenge a sanction and request a college hearing panel. The instructor will ask the college conduct administrator of the college in which the misconduct occurred to convene a college hearing panel.
 - iii. Option 3. Deny responsibility and request a college hearing panel. The instructor will ask the college conduct administrator of the college in which the misconduct occurred to convene a college hearing panel.
 - ii. If the student fails to respond to the resolution form, the allegations and misconduct violation(s) are accepted as true, and the finding(s) and sanction(s) are final.
- b. Resolution by college hearing Panel
 - i. College hearing panel members
 - i. When an instructor-student resolution is not achieved, the college conduct administrator, as soon as reasonably possible, convenes a college hearing panel of the college in which the alleged misconduct occurred. The college hearing panel will conduct a hearing on the alleged misconduct, issue a factual determination, and determine appropriate sanctions, if applicable. The hearing date, time, and location will be set by the college conduct administrator. The college conduct administrator will notify the parties of the hearing date, time, location, and the names of the college hearing panel members.
 - ii. The college hearing panel consists of: the hearing chair, one representative selected by the college faculty, and one representative selected by the college tribunal or undergraduate student government or graduate student government. The hearing is chaired by the college conduct administrator (or designee). The hearing chair only votes in the event of a tie.
 - iii. A party may challenge participation of any panel member on the grounds of conflict of interest. Challenges must be submitted in writing to the hearing chair within three days after the party receives the notice of hearing letter. The challenge must specify reasons that would prevent the panel member from being unbiased with respect to the hearing proceedings. The hearing chair decides whether the challenge has merit. If the challenge is granted, a substitute panel member will be appointed and the same option to challenge exists. If the hearing chair determines the validity of the challenge and either replaces or retains the hearing chair.
 - ii. Hearing participants
 - i. Hearings are closed to the public.
 - ii. Presence at hearings is restricted to the parties involved, except as otherwise noted.
 - iii. Complainant must participate in the hearing in-person or via video conference. If the respondent chooses not to attend the hearing, the respondent's written statements will be reviewed and evaluated based on the information available.
 - iv. The parties may elect to have an adviser of their choice with them at the hearing.

- v. The parties will be afforded the opportunity to have witnesses testify in the hearing. Witnesses must testify in-person or via video conference. No later than five days after receiving a notice of hearing letter, the parties must disclose to the hearing chair the identity of the witnesses, a summary of what each witness will speak to, and submit any other evidence. The hearing chair will provide a list of the witnesses and any other submitted evidence to the parties five days prior to the hearing. The hearing chair, in consultation with the college hearing panel, reserves the right to limit the number of witnesses. During the hearing, witnesses are present only when giving their own testimony.
 - vi. The hearing chair reserves the right to make appropriate and/or reasonable accommodations as required under law, and/or for the safety of the parties and witnesses, during a college hearing panel hearing.
- iii. Hearing procedures
- i. Only relevant information will be considered during the hearing. The hearing chair, in consultation with the college hearing panel, determines if testimony and other evidence is relevant, and may place time limitations on testimony and opening and closing statements.
 - ii. The parties have the right to submit written questions to be asked of each party and all witnesses who participate in the hearing. The hearing chair, in consultation with the college hearing panel, has the right to review and determine which written questions will be asked.
 - iii. The parties will be given an opportunity to present an opening and a closing statement.
 - iv. At the close of the hearing, the college hearing panel will deliberate privately to determine if the respondent violated the S.C.O.C.
 - v. When more than one respondent is involved in the same allegation of misconduct, they have the right to have separate hearings. Respondents may have their cases consolidated and heard at the same time. Such requests must be made to the hearing chair no less than five days prior to the scheduled hearing. The college hearing panel has the right to maintain separate hearings. If the college hearing panel wishes to consolidate the hearings, the college hearing panel must ask each respondent if they are comfortable consolidating the hearing or if they wish to be heard separately. All parties and the college conduct administrator (or designee) must agree to the hearing consolidation and the hearing consolidation form must be completed.
 - vi. The college hearing panel hearing, but not deliberations, are recorded by the university. Any record of the hearing will be subject to the Family Educational Rights and Privacy Act. All parties may have post-hearing access to inspect the recorded hearing.
- iv. Post-hearing procedures
- i. The college hearing panel will seek to reach a consensus in adjudicating cases. In the event there is no consensus, a majority vote will determine the outcome. In the event of a tie vote, the hearing chair will vote.
 - ii. Within three days of the conclusion of the college hearing panel hearing, the hearing chair of the college hearing panel will notify the respondent and complainant of the college hearing panel's decision and appeal procedures.
 - iii. If the respondent does not appeal within the specified appeal time, the decision is final and the sanctions imposed take immediate effect. The college conduct administrator will forward a copy of the final resolution to the respondent and the office of student conduct and community standards after the resolution. When a respondent is involved in an academic misconduct case outside their home college, the college conduct administrator will forward a copy of the final resolution to the

student's home college's college conduct administrator after the resolution. If a respondent has no home college, the college conduct administrator will forward a copy of the final resolution to the vice provost for undergraduate studies (or designee) for undergraduate students, or the vice provost for graduate studies and dean of the graduate school (or designee) for graduate students after the resolution.

5. Sanctions for academic misconduct

Sanctions will be determined based on the severity of the misconduct and other relevant information.

Multiple sanctions may be imposed should the misconduct warrant it. Examples of sanctions for academic misconduct include the following:

a. Academic action

Includes altering a grade or assigning a failing grade for the assignment, examination, or course

b. Academic reprimand

Written notification to students informing them that their behavior is unacceptable and that this incident may be taken into consideration if misconduct reoccurs.

c. Academic probation

Imposes specific restrictions or places extra requirements on the student for a specified period.

Conduct action should be consistent with the philosophy of providing constructive learning experiences as a part of the probation. A student may be required to meet periodically with designated persons. Any further misconduct on the student's part during the period of probation may result in additional sanctions, including suspension or expulsion.

d. College suspension

Prohibits the student from attending and/or enrolling in courses within a particular academic college for a specified period of time. The student may enroll in courses offered by other academic colleges.

e. University suspension

Prohibits the student from attending the university and from being present without permission of the director of the office of student conduct and community standards (or designee) on specified university owned, leased, or controlled property, and prohibits the student from enrolling or participating in remote or online classes or other remote or online university events or activities, for a specified period of time. University suspensions shall have effective beginning and ending dates. Students placed on university suspension must comply with all suspension requirements. A student seeking to attend the university after the conclusion of the suspension shall first request permission to re-enroll, or re-register, from the office of student conduct and community standards and then apply for readmission to their college.

f. College expulsion

Permanently prohibits the student from attending and/or enrolling in classes in a particular academic college. The student may continue attending classes in other academic colleges.

g. University expulsion

Permanently prohibits the student from enrolling, attending, or being recognized by the university and from being present, without permission, at any university event or on any university owned, leased, or controlled property.

h. Educational sanctions

Sanctions designed to develop the student's behavior by incorporating values of the university community and allowing an opportunity for students to grow as responsible members of the university community. Examples include, but are not limited to: conferences, discussions, reflection papers, service, and workshops.

(C) Nonacademic misconduct

1. Nonacademic misconduct violations

a. Aiding and abetting

Helping, procuring, or encouraging another person to engage in nonacademic misconduct violations.

- b. Alcohol

Possesses, consumes, or distributes alcoholic beverages on campus in unlicensed facilities, except during events or in circumstances authorized by university officials; failing to comply with state law or university policy regarding use, transportation, or sale of alcoholic beverages. Possession of containers designed for alcohol beverages in unauthorized locations and/or while underage. Containers include, but are not limited to: alcohol boxes, flasks, empty alcohol bottles/cans. Behavior that evidences public intoxication.
- c. Bullying

Bullying is conduct (whether written, verbal, electronic, or physical act) that is unwelcome and so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the individual's education program or activity. Notwithstanding anything herein to the contrary, bullying does not include participating in constitutionally protected activities.
- d. Destruction of property

Damages, destroys, defaces, or alters the property of the university or the property of another person or entity.
- e. Dishonesty and misrepresentation

Provides false information, written or oral, including, but not limited to, possessing or presenting false identification, forgery, alteration, or misuse of university documents or records.
- f. Disruption or obstruction

Disrupts, obstructs, or interferes with university functions, activities, or the pursuit of the university mission, including, teaching, research, administration, or conduct proceedings.
- g. Disturbing the peace

Conduct that disturbs the peace, including but not limited to: disorderly conduct, failure to comply with an order to disperse, or fighting.
- h. Drugs or narcotics

Uses, manufactures, distributes, buys, sells, offers for sale, or possesses illegal drugs, narcotics, drug paraphernalia, or unauthorized use or unauthorized possession of prescription medication.
- i. Failure to comply or identify

Failure to comply with the directions of university officials or law enforcement officers acting within the scope of their duties, or posted or written rules; this includes, but is not limited to, failure to evacuate during an emergency and/or failing to identify oneself to any of these persons when requested to do so.
- j. Failure to comply with sanctions

Failure to comply with sanctions imposed as a result of conduct action outlined in the S.C.O.C.
- k. False charges or statements

Intentionally making false charges or allegations of misconduct, including, but not limited to making or providing false statements as a part of an investigation or at university hearings.
- l. False report of emergency

Causes, makes, or circulates a false report or warning of a fire, explosion, crime or other catastrophe or emergency; including, but not limited to, activating a false fire alarm.
- m. Harassment or discrimination
 - i. Discriminatory harassment is unwelcome conduct based on the targeted individual's perceived or actual race, color, religion, national origin, ancestry, disability, genetic information, sex, age, sexual orientation, military status (including veteran status), parental status (including status as a foster parent), pregnancy, gender identity or expression, or any other status protected by law that:
 - i. explicitly or implicitly becomes a term or condition of employment or participation in a university course, program, or activity; or
 - ii. is sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic, or university course, program or activity participation, or the benefits derived therefrom, or creates an environment that a reasonable person would

consider intimidating, hostile, or offensive. The determination of whether an environment is "intimidating, hostile, or offensive" is based on a totality of the circumstances, though a single or isolated incident may be severe enough on its own. Discriminatory harassment does not include participating in constitutionally protected activities. Allegations of sexual harassment as defined by Title IX are subject to university Title IX policies and procedures identified in paragraph (A)(3)(f) of this rule.

- ii. Discrimination takes place when an individual receives adverse treatment based on perceived or actual race, color, religion, national origin, ancestry, disability, genetic information, sex, age, sexual orientation, military status (including veteran status), parental status (including status as a foster parent), pregnancy, gender identity or expression, or any other status protected by law that is sufficiently serious as to deny or limit the individual's ability to obtain the benefits of university's programs or activities. Allegations of sex discrimination are subject to university Title IX policies and procedures identified in paragraph (A)(3)(f) of this rule.

n. Hazing

Violating rule 3361:40-03-12 of the Administrative Code. Specifically, "hazing" means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.

o. Misuse of identification documents

Unauthorized transferring, lending, using, or altering a university identification card or any other record or instrument of identification.

p. Misuse of safety equipment

Unauthorized use or alteration of firefighting equipment, safety devices, fire alarms, fire extinguishers, or other emergency safety equipment.

q. Misuse of university information technology

Theft, misuse, or illegal use of university information technology resources such as computer hardware or software, electronic mail or information, podcasts, voice mail, telephone, fax, including but not limited to:

- i. Unauthorized entry into a file to use, read or change the contents, or for any other purpose.
- ii. Unauthorized transfer or distribution of a file.
- iii. Unauthorized access to or use of another individual's identification and/or password.
- iv. Use of information technology to interfere with the work of another student, faculty member, or university official or with normal operations of the university.
- v. Use of information technology for unauthorized posting of copyrighted materials or obscenities as defined in division (F) of section 2907.01 of the Revised Code.

r. Passive participation

Knowingly being in the presence of any form of misconduct identified in the S.C.O.C. after one has had a reasonable opportunity to remove oneself.

s. Physical abuse or harm, or threat of physical abuse or harm

Acts which cause or reasonably could cause physical harm to any person are prohibited. Actions that specifically threaten or cause a person to reasonably believe that the offender may cause physical harm are also prohibited. Examples of prohibited behavior include, but are not limited to, assault, battery, stalking, telephone harassment, sex or gender-based violence, threats, intimidation, physical abuse of another, dating violence, domestic violence, and any other speech or conduct not protected under the First Amendment that threatens the health or safety of any person.

t. Public endangerment

Actions that endanger others including, but not limited to: dropping objects from buildings, activating a false fire alarm, or tampering with safety equipment.

- u. Recording and distribution without knowledge
Using electronic or other means to make and distribute a video, audio, or photographic record of any person in a location where there is a reasonable expectation of privacy and without the person's prior knowledge, when such a record is likely to cause injury, distress, or damage to reputation.
 - v. Residence hall rules and regulations
Violating the terms and conditions of the university housing agreement, university lease agreement, or of published rules and regulations of the office of resident education and development, office of housing, or university dining facilities.
 - w. Retaliation, intimidation
Threats or acts of retaliation or intimidation made to another person in response to the implementation of the S.C.O.C. or university rules and policies.
 - x. Smoking rule
Violating rule 3361:10-17-06 of the Administrative Code on tobacco and smoke free environment.
 - y. Theft or receipt of stolen property
Theft of property or services of the university, any person, or entity. Unauthorized possession of property known to be stolen or that may be identified as property of the university, any person, or entity.
 - z. Trespass and unauthorized access
Unauthorized access into or onto any university or other entity's property, building, room, structure or facility.
 - aa. Unauthorized use of property or services
Unauthorized use or possession of property or resources of the university, any person, or entity.
 - ab. Unauthorized use of university keys
Unauthorized use, distribution, duplication, or possession of any keys issued for any university building, laboratory, facility, room, or vehicles. Keys are defined as any mechanism used to access locked areas.
 - ac. University policies or rules
Any violation of published university rules or policies.
 - ad. Violation of federal, state, or local law
Violation of any federal, state, or local law where the effect is interference with university activities or an identifiable individual's university work or academic activities.
 - ae. Violation of probation
Violating the S.C.O.C. while on university probation or violating the specific terms of that probation.
 - af. Weapons
With the exception of provisions identified in section 2923.1210 of the Revised Code, use, storage, or possession of a firearm, explosive device of any description, ammunition, or anything used to threaten, harm, or disrupt the university community including, but not limited to: firecrackers, compressed air or spring activated guns, pellet guns, BB guns, paintball guns, water guns, nerf guns, knives of any type, or any other items which would reasonably be deemed threatening by a reasonable person.
2. Procedures for nonacademic misconduct
- a. Non-Title IX sexual harassment and discrimination
The director of the office of student conduct and community standards may send reports alleging non-Title IX sexual harassment or discrimination to the appropriate university office to conduct an investigation prior to adjudication of the matter by the university conduct board. Complainants and respondents should refer to the sex- and/or gender-based misconduct policy and procedure for the formal resolution process.
 - b. Report
Any person, department, organization, or entity may report an alleged nonacademic misconduct violation of the S.C.O.C. by a student or student organization. A report is not the same as the filing of a complaint.

c. Complaint

After reviewing the report, and obtaining additional information when appropriate, the director of the office of student conduct and community standards (or designee) will determine whether there is jurisdiction under the S.C.O.C. to adjudicate the report. If there is jurisdiction, and if necessary, the director of the office of student conduct and community standards (or designee), will confirm, in writing, with the appropriate complainant that the complainant would like to move forward with filing a complaint.

For matters that do not require a credibility assessment, the university may file a complaint without a complainant.

This section (c) does not apply to complaints alleging non-Title IX sexual harassment or discrimination.

d. Notice

After the complaint is filed, the director of the office of student conduct and community standards (or designee) will initiate the conduct process by giving the respondent written notice of the alleged violations. The written notice describes the date, time, and location of the alleged violation(s) and informs the respondent about the reported circumstances underlying the alleged violation(s). The notice will also state the date, time, and location of the procedural review and the name of the review administrator.

This section (d) does not apply to complaints alleging non-Title IX sexual harassment or discrimination.

e. Alternative resolution process

Based on the nature of the incident and the willingness of those involved, the office of student conduct and community standards may recommend to the parties that the matter be addressed using an alternative resolution process. No such resolution shall be conducted unless all parties consent to the alternative resolution process.

f. Preliminary review stage

i. Procedural review

i. The review administrator will conduct separate procedural reviews with the complainant and respondent.

ii. The purpose of the procedural review is to provide an explanation of the conduct process, review the alleged violation(s), give the complainant and respondent an opportunity to be heard and provide information (e.g., a statement, records, witnesses names) to the review administrator, and discuss options for resolution.

For complaints alleging non-Title IX sexual harassment or discrimination, the purpose of the procedural review is to provide an explanation of the university conduct board hearing process.

iii. Following the conclusion of the procedural reviews, the review administrator may interview witnesses identified by the complainant and respondent.

This section (iii) does not apply to complaints alleging non-Title IX sexual harassment or discrimination.

iv. Parties may elect to have an adviser present.

v. Procedural reviews may be rescheduled at the discretion of the office of student conduct and community standards.

vi. Complainant does not attend procedural review

If complainant does not attend the procedural review, the review administrator will issue a notice with a new date, time, and location as determined solely by the review administrator. The notice will inform the complainant that failure to attend the rescheduled procedural review will result in the complaint being dismissed and cannot be refiled.

vii. Respondent does not attend procedural review

If respondent does not attend the procedural review, the review administrator will

issue a notice with a new date, time, and location as determined solely by the review administrator. The notice will inform the respondent that failure to attend the procedural review will result in the review administrator issuing the notice of outcome. This section (vii) does not apply to complaints alleging non-Title IX sexual harassment or discrimination.

ii. Notice of outcomes

- i. A respondent may be found not responsible following a procedural review. If a respondent is found not responsible, their case, or any portion thereof, may be considered resolved and closed.
- ii. If a respondent is found responsible following a procedural review, then no later than three days from receipt of the notice of outcome, the respondent shall notify the office of student conduct and community standards in writing whether the respondent:
 - i. Accepts responsibility for the violation(s) and agrees to accept the sanction(s) imposed by the review administrator.; or
 - ii. Accepts responsibility but disputes the proposed sanction(s) and requests that the sanction(s) be determined by the university conduct board; or
 - iii. Does not accept responsibility and requests a hearing before the university conduct board.
- iii. If the respondent fails to notify the office of student conduct and community standards of the option selected within three days of receipt of the notice of outcome, the university conduct board hearing will be scheduled.
- iv. For certain matters, the office of student conduct and community standards encourages respondents charged in the same incident, and who choose to have a university conduct board hearing, to have their cases consolidated. The office of student conduct and community standards reserves the right to request consolidation of hearings if all parties and the office of student conduct and community standards agree for all cases to be heard together and the hearing consolidation form must be completed.
- v. Notice of outcome will not be issued for complaints alleging non-Title IX sexual harassment or discrimination. These matters are automatically scheduled for a hearing before the university conduct board.

g. Resolution by university conduct board hearing

i. Notice of university conduct board hearing

When a resolution is not achieved through the procedural review, the office of student conduct and community standards, as soon as reasonably possible, convenes a university conduct board hearing panel. The university conduct board hearing panel will conduct a hearing on the alleged misconduct, issue a factual determination, and determine appropriate sanctions, if applicable. The hearing date, time, and location will be set by the office of student conduct and community standards. The office of student conduct and community standards will notify the complainant and respondent of the hearing date, time, location, and the names of the university conduct board hearing panel members.

ii. University conduct board members

- i. A pool of members will be available to serve on the university conduct board. This pool will consist of no fewer than five faculty and/or staff selected by the director of the office of student conduct and community standards in consultation with the academic colleges, no fewer than ten undergraduate student representatives selected by the office of student conduct and community standards in consultation with the undergraduate student government, and no fewer than four graduate and/or professional students selected by the office of student conduct and community standards in consultation with the graduate student government.

The university conduct board is composed of the hearing chair, two faculty and/or

staff selected from the university conduct board pool, and four undergraduate student representatives selected from the university conduct board student pool for undergraduate cases or two graduate students selected from the university conduct board student graduate pool for graduate cases.

For cases of non-Title IX sexual harassment or discrimination, the university conduct board shall consist of the hearing chair and three faculty and/or staff selected from the university conduct board pool.

- ii. The hearing chair shall be the director of the office of student conduct and community standards (or designee).
 - iii. A quorum is present for undergraduate cases when the hearing chair, one faculty or staff, and three student representatives are present. A quorum is present for graduate cases when the hearing chair, one faculty or staff, and two student representatives are present. A quorum is present for non-Title IX cases of sexual harassment or discrimination when the hearing chair and two faculty or staff are present. The hearing chair will only vote in the case of a tie by the members of the university conduct board.
 - iv. A party may challenge participation of any university conduct board member on the grounds of conflict of interest. Challenges must be submitted in writing to the hearing chair within three days of a notice of hearing letter. The challenge must specify reasons that would prevent the university conduct board member from being unbiased with respect to the hearing proceedings. The hearing chair decides whether the challenge has merit. If the challenge is granted, a substitute conduct board member will be appointed and the same option to challenge shall exist. If the hearing chair is challenged, the dean of students (or designee) shall determine the validity of the challenge and either replace or retain the hearing chair.
- iii. Hearing participants
 - i. Hearings are closed to the public.
 - ii. Presence at hearings shall be restricted to the parties involved, except as otherwise noted.
 - iii. Complainants, when applicable, are strongly encouraged to participate in the hearing in-person or via video conference. In matters requiring credibility assessments, complainants are required to participate in the hearing in-person or via video conference. If the respondent chooses not to attend the hearing, the respondent's written statement will be reviewed and evaluated based on the information available.
 - iv. The parties may elect to have an adviser present.
 - v. The parties will be afforded the same opportunities to have witnesses present for hearings. Only statements from witnesses who participate in the hearing in-person or via video conference will be considered by the university conduct board. The parties must disclose to the hearing chair the identity of the witnesses, a summary of what each witness will speak to, and submit any other evidence, five days after receiving a notice of hearing letter. The hearing chair will provide a list of the witnesses and any other submitted evidence to the parties five days prior to the hearing. The hearing chair, in consultation with the university conduct board, reserves the right to limit the number of witnesses. Witnesses are present only when giving their own testimony.
 - vi. The hearing chair reserves the right to make appropriate and/or reasonable accommodations as required under law, and/or for the safety of all parties and witnesses, during a university conduct board hearing.
 - iv. Hearing participants
 - i. University conduct board hearings are recorded by the university. University conduct board deliberations will not be recorded. Any record of the hearing will be subject to

the Family Educational Rights and Privacy Act. All parties may have post-hearing access to inspect the recorded hearing.

- ii. Only relevant information will be considered during the hearing. The hearing chair, in consultation with the university conduct board, determines if testimony and other evidence is relevant and may place time limitations on testimony and opening and closing statements.
- iii. The parties will have the right to submit written questions to be asked of all witnesses who participate in the hearing. The hearing chair, in consultation with the university conduct board, has the right to review and determine which written questions will be asked. Only relevant questions will be asked.
- iv. The parties will be given an opportunity to present an opening and closing statement. At the close of the hearing, the university conduct board will deliberate privately to determine if the respondent is found to have violated the S.C.O.C.
- v. Post-hearing procedures
 - i. The university conduct board will seek to reach a consensus in adjudicating cases. In the event there is no consensus, a majority vote will determine the outcome. In the event of a tie vote, the hearing chair will render a vote. Within three days of the conclusion of the university conduct board hearing, the hearing chair will concurrently notify the parties of the university conduct board decision and appeal procedures.
 - ii. If a party does not appeal within the specified appeal time, the outcome and sanctions imposed take immediate effect.

3. Sanctions and interim measures for nonacademic misconduct

- a. The university may impose interim measures to protect the rights, ensure the safety, or address the concerns of students, staff, faculty, and the university community.
- b. Respondents found responsible for violating the S.C.O.C. will be subject to sanctions. Sanctions are designed to promote the university's educational mission, maintain safety, and deter behavior that violates the S.C.O.C. Behavior that is harmful to the university community or to the educational process may require more stringent sanctions such as removal from activities, courses, residence hall, or the university. The director of the office of student conduct and community standards may place a conduct hold to aid in enforcing a sanction.
- c. Implementation of sanctions is immediate or as defined.
- d. Disclosures
 - i. The University of Cincinnati may notify the parents or guardians of any student who is under the age of twenty-one and who has been found to be in violation of the S.C.O.C. with respect to any federal, state, or local law or university policy governing the use or possession of alcohol or a controlled substance.
 - ii. Students will receive notice of notification letters sent to their parents or guardians.
 - iii. The university also reserves the right to make any disclosures as permitted by the Family Educational Rights and Privacy Act.
 - iv. In complaints involving crimes of violence, the complainant will receive written notification of sanctions that the respondent may receive, consistent with federal and state law.
- e. Sanctions for nonacademic misconduct
 - i. University reprimand

Written notification to students or student organizations indicating that their behavior is unacceptable and that any other violation may warrant further sanctions.
 - ii. University probation

Probation is in effect for a specified period of time. A violation(s) of any university policy, rule, or agreement during the period of probation will be viewed as a violation of probation, and will result in further action being imposed, which may include suspension or dismissal. Probation may impose specific restrictions or place extra requirements on the student or student organization for a specified period. Restrictions may vary with each case and may

include but are not limited to restrictions related to participation in intercollegiate athletics, representing the university, student leadership, and extracurricular and/or residence life activities. A student or student organization may be required to meet periodically with designated persons. Students or student organizations on university probation are not considered to be in good standing with the university.

iii. University suspension

Prohibits the student from attending, or student organization being recognized by, the university and from being present without permission of the director of the office of student conduct and community standards (or designee) on specified university owned, leased, or controlled property, and prohibits the student from enrolling or participating in remote or online classes or other remote or online university events or activities, for a specified period of time. University suspensions shall have effective beginning and ending dates. Students or student organizations placed on university suspension must comply with all suspension requirements. A student seeking to attend the university, or student organization seeking recognition, after the conclusion of the suspension shall first request permission to re-enroll, or re-register, from the office of student conduct and community standards.

iv. University expulsion

Permanently prohibits the student, or student organization, from enrolling, attending, or being recognized by, the university and from being present, without permission, at any university event or on any university owned, leased, or controlled property.

v. Educational sanctions

Sanctions designed to develop the student's behavior by incorporating values of the university community and allowing an opportunity for students to grow as responsible members of the university community. Examples include, but are not limited to: conferences, discussions, reflection papers, service, and workshops.

vi. Restitution for damage

Restitution may include a student or student organization being required to repair all damages related to the misconduct, which may include, but is not limited to, assessment of reasonable expenses, such as repair or replacement cost for any damage to property, or any related expenses incurred by the affected parties.

vii. Interim suspension

- i. An interim suspension is an interim action, effective immediately, designed to evaluate the student's or student organization's status, prohibit the presence of the student or student organization on campus and/or from participating in any university-related activities, registered student organization activities, and academic coursework until the student's or student organization's conduct case can be resolved in accordance with prescribed conduct procedures. Such action shall be taken when the dean of students (or designee) has reasonable cause to believe that the student's or student organization's operation or presence on university owned, leased, or controlled property or at a university-related activity, or registered organization related activity, or remote or online classes or other remote or online university events or activities, poses a substantial threat to the health, welfare, or safety of others or the university. An interim suspension begins immediately upon written notice by the dean of students (or designee). The dean of students may place a conduct hold to aid in enforcing the interim suspension.
- ii. Interim suspension may be imposed pending the application of the conduct process. The conduct process will proceed without undue delay.
- iii. The student or student organization may, within three days of written notice of the interim suspension, petition the vice president for student affairs for reinstatement. The petition must be in writing and must include supporting documentation or evidence that the student or student organization does not pose, or no longer poses,

a significant risk of substantial harm to the health or safety of others or to property. A meeting on such petition will be conducted as soon as possible by the vice president for student affairs. The purpose of this meeting will be to determine if the interim suspension shall remain in effect, be modified, or be revoked pending a conduct hearing.

f. Additional sanctions for student organizations

In addition to sanctions identified in paragraph (C)(3)(e) of this rule, the following sanctions may be imposed on student organizations found responsible for violating the S.C.O.C.:

i. Loss of student organization privileges

Restricts or removes an organization's privileges on and off campus for a specified period of time. Restrictions may vary with each case and may include, but are not limited to, the following: use of university facilities or services; ability to sponsor, co-sponsor, host, or co-host activities or events; and ability to participate in activities or events such as, but not limited to, intercollegiate athletics, social events, representing the university, student leadership, extracurricular and/or residence life activities.

ii. Loss of university funds

Loss of university funds includes ineligibility to receive funds from any university entity for student organization purposes for a specified period of time, including but not limited to: university funding board, undergraduate student government, graduate student government, center for student involvement, and/or fraternity and sorority life.

iii. Termination of university registration/revocation of university recognition

Prohibits a student organization from being registered or recognized by the university for a specified period of time. During this time, the student organization is prohibited from functioning as a student organization in any capacity both on and off campus. This includes, but is not limited to, the following: alumni events; hosting, sponsoring, co-hosting or co-sponsoring charitable and philanthropic events and social events; participating as an organization in charitable or philanthropic events and social events; meeting as an organization; and, participating in tournaments or other sporting events, trainings, or recruitment. Unregistered and/or unrecognized student organizations are not allowed to re-activate as a student organization without prior written permission from the office of student conduct and community standards, center for student involvement, and/or fraternity and sorority life. An unregistered or unrecognized student organization must apply for reinstatement following the period of termination by submitting a letter to the office of student conduct and community standards, center for student involvement, and/or fraternity and sorority life, whichever is applicable.

(D) Appeal process for academic and nonacademic misconduct

1. Permissible grounds for appeal: Grounds for appeals will be limited to the following:

- a. New information: new information was discovered, which was not available at the time of the hearing, and such evidence could affect the decision in the case.
- b. Procedural error: a substantial procedural error occurred in the process which affected the decision in the case.
- c. Sanction of suspension or dismissal: a sanction of suspension or dismissal from the university was imposed and is not commensurate with the violation.
- d. Non-title IX sexual harassment appeal of sanctions: In appeals involving crimes of violence or non-title IX sexual harassment, any sanction may be appealed by either the complainant or respondent on the grounds that the sanction is not commensurate with the violation.

2. Filing an appeal

- a. A respondent found responsible for either an academic or nonacademic misconduct violation of the S.C.O.C. may file an appeal as set forth in the S.C.O.C. An appeal must be submitted in writing to the

director of the office of student conduct and community standards within five days of receipt of the college hearing panel or university conduct board's decision letter unless the office of student conduct and community standards specifies a longer period of time in writing based on a party's written request for additional time not to exceed ten days. The written appeal must include a permissible ground for appeal and information to support the appeal.

b. In non-Title IX sexual harassment matters adjudicated under the S.C.O.C., both the complainant and the respondent have the right to appeal on all permissible grounds.

3. University appeals administrators

a. Appointment of university appeals administrators

The vice president for student affairs (or designee) will appoint no less than two and no more than five university faculty or staff to serve as university appeals administrators. A university appeals administrator will not serve as a university appeals administrator for any conduct case in which the university appeals administrator has participated in the underlying conduct case's investigation or hearing.

b. Notice of university appeals administrators

The director of the office of student conduct and community standards (or designee) will provide written notification to the parties of the names of the appointed university appeals administrators.

c. Challenging university appeals administrators

- i. A party may challenge participation of a university appeals administrator on the grounds of conflict of interest. Challenges must be submitted in writing to the director of the office of student conduct and community standards (or designee) within five days of receipt of the written notice identifying the university appeals administrators. The challenge must specify reasons that would prevent the university appeals administrators from being unbiased with respect to the appeal. The director of the office of student conduct and community standards (or designee) will decide whether the challenge has merit. If the challenge is granted, a substitute university appeals administrator will be appointed by the director of the office of student conduct and community standards (or designee) and the same option to challenge shall exist.
- ii. In appeals involving non-Title IX sexual harassment, both the complainant and respondent may challenge the participation of a university appeals administrator on the grounds of conflict of interest as per the process outlined in this section (c).
- iii. The director of the office of student conduct and community standards will forward the appeal along with the conduct case file to the university appeals administrators for review.

4. Procedure

a. The university appeals administrator reviews all appeals. All steps in the appeal process will occur as soon as reasonably possible.

b. University appeals administrator review for permissible grounds:

- i. If the university appeals administrator determines that an appeal was submitted that does not fall within one of the four permissible grounds then the university appeals administrator will reject and return the appeal to the applicable parties and include a brief written explanation of the reason the appeal was rejected. That decision is final.
- ii. In appeals involving non-Title IX sexual harassment, both the complainant and respondent will be notified of a rejected appeal.

c. University appeals administrator review for new information or substantial procedural error:

- i. If the university appeals administrator determines that the new information described in the appeal was not available earlier and could affect the decision or that a substantial procedural error occurred in the process which could have affected the decision in the case, the university appeals administrator will charge the university conduct board or college hearing panel to hold a limited hearing for the sole purpose of reviewing the new information or to correct the procedural error.

- ii. The new hearing will be limited in scope. It will not include any review of evidence or testimony or modification of factual conclusions reached in the original hearing, unless they are affected by the new information or by the procedural error. The appeal and complete hearing file will be provided to the university college board or college hearing panel.
 - iii. If members of the university college board or college hearing panel, which initially heard the complaint, are unavailable for continued service, substitute members will be selected by the director of the office of student conduct and community standards (or designee) or by the college conduct administrator. The university appeals administrator may not be a member of the university college board or college hearing panel and does not participate in the limited hearing.
 - iv. Following this limited hearing, the university college board or college hearing panel will submit a report, and possibly a revised outcome, to the university appeals administrator. The university appeals administrator shall review the file and outcome. If it is the opinion of the university appeals administrator that the new evidence was considered or the procedural error corrected, the university appeals administrator shall forward the recommendation to the appropriate individual designated in (D)(5)(a) of this . If the university appeals administrator determines the university college board or college hearing panel failed to correct the procedural error or failed to consider the new evidence, the university appeals administrator shall return the matter to the university college board or college hearing panel with instructions to reconsider.
- d. University appeals administrator review of sanction of suspension or expulsion:
For appeals of suspension or expulsion based on a claim that suspension or expulsion is not commensurate to the misconduct violation, the university appeals administrator will review the file and issue a recommendation to concur with or modify the sanction, then send the recommendation to the appropriate individual designated in (D)(5)(a) of this .
- e. University appeals administrator review of non-Title IX sexual harassment sanctions:
For appeals of non-Title IX sexual harassment sanction(s) based on a claim that the sanction is not commensurate with the misconduct violation, the university appeals administrator will review the file and issue a recommendation to concur with or modify the sanction(s), then send the recommendation to the appropriate individual designated in paragraph (D)(5)(a) of this rule.
- f. The respondent may continue in their courses without prejudice or interruption until the appeal is final except in matters where an interim suspension is in effect.

5. Final decision

- a. The final decision to accept, reject, or modify the recommended sanction and to notify all parties in writing of the final decision rests with: the dean of students (or designee) for nonacademic misconduct sanctions other than expulsions; the vice president for student affairs (or designee) for nonacademic misconduct sanctions of expulsions; the home college deans (or designee), if no home college, the vice provost (or designee) for academic misconduct sanctions other than expulsions; and, the provost (or designee) for academic misconduct sanctions of expulsions.
- b. In appeals involving non-Title IX sexual harassment, the complainant and respondent will receive concurrent notification in writing of the final decision.

- Effective: July 21, 2023
- Signature on File
- Date: June 27, 2023
- Promulgated under: R.C. Section 111.15
- Statutory authority: R.C. 3361.
- Rule amplifies: R.C. 3361.03, R.C. 3345.21-25
- Prior effective dates: July 31, 1989, September 18, 1989, January 8, 1990, February 26, 1992, August 21, 1995, February 9, 1998, July 15, 2004, October 15, 2007, April 7, 2008, October 7, 2010, July 15, 2012, September 25, 2015, August 8, 2016, July 20, 2018, September 25, 2020, September 17, 2021

40-5-06 Conduct, rights and responsibilities: anti-hazing policy.



(A) Statement on hazing.

Hazing is intolerable and presents a serious risk to the health and safety of students. University of Cincinnati prohibits hazing as set forth in this anti-hazing policy and the laws of the state of Ohio.

(B) Application.

This anti-hazing policy applies to all members of the university community, including faculty, staff, students, organizations, alumni, volunteers, as well as visitors and other licensees and invitees. "Organization" means registered student organizations; students seeking to register as a student organization; intramural, club and varsity athletic teams; fraternities, sororities; and other student groups.

(C) Jurisdiction.

This anti-hazing policy applies to conduct that occurs on or off campus, between two or more people who are affiliated with the university or any student or other organization associated with the university.

(D) Definition.

"Hazing" means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.

1. It shall not be a defense to a charge of hazing that an individual consented to the conduct in question.
2. Actions and activities which constitute "hazing" include, but shall not be limited to, the following:
 - a. Any activity that creates a substantial risk of physical or mental harm to the individual.
 - b. Enduring brutality of a sexual or physical nature, including, whipping, paddling, beating, branding, calisthenics, or exposure to the elements.
 - c. Wearing anything designed to be degrading or to cause discomfort.
 - d. Depriving individuals of sleep or proper and adequate means, or access to means, of maintaining body cleanliness.
 - e. Activities that interfere with an individual's academic efforts by causing exhaustion, or loss of reasonable study time.
 - f. Use of drugs.
 - g. Eating or drinking foreign or unusual substances, including alcohol or anything an individual chooses not to eat or drink.
 - h. Having any object or substance thrown at, poured on, attached to or otherwise applied to the bodies of individuals.
 - i. Any activity or game that makes an individual the object of amusement, ridicule, or intimidation or which cause the individual to be degraded or humiliated.
 - j. Kidnapping, transporting and/or stranding anyone.
 - k. Interrogations or audible stress such as yelling or loud noises.
 - l. Activities that violate federal, state, or local law, regardless of whether an arrest is made, or criminal charges are brought.
 - m. Activities which are contrary to the policies and rules of the university.

(E) Reporting hazing

1. Mandatory reporting to law enforcement. Per Ohio law, an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteers of any organization, who is acting in an official and professional capacity, shall immediately report the knowledge of hazing to a law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred.
2. Mandatory reporting to the university. A mandatory reporter must immediately report knowledge of hazing, as defined in section (D) of this anti-hazing policy, to the university. A mandatory reporter who fails to make a timely report may be subject to appropriate discipline. Each of the following is considered a mandatory reporter:
 - a. Any full or part-time employee of the university (including student employees and graduate assistants).
 - b. Any volunteer acting in an official capacity who advises or coaches an organization and who has direct contact with students.
 - c. Employees who are required by law to protect confidentiality are exempt from this requirement.
3. Individuals may report hazing to the university by contacting any of the following:
 - a. The office of student conduct and community standards;
 - b. The University of Cincinnati police division or other local law enforcement; or
 - c. EthicsPoint anonymous reporting hotline. The university will review and take appropriate action on anonymous reports, but please note that the university's ability to investigate anonymous reports may be limited.
4. Reports made pursuant to this anti-hazing policy do not supersede or replace other reporting obligations.

(F) Procedure

1. A copy of this anti-hazing policy will be provided to each organization within the university and will be posted on the university's website.
2. Any violation of this anti-hazing policy by a student or student organization shall be handled pursuant to the student code of conduct, rule 3361:40-05-5 of the Administrative Code, including determining if interim measures are needed to protect the safety and/or well-being of others. Any violation of this anti-hazing policy by faculty, staff, alumni, volunteers, as well as visitors and other licensees and invitees, shall be handled pursuant to applicable university policies, collective bargaining agreements, or other agreements.
3. If the local organization is a chapter of a national organization, the appropriate administrative unit shall inform the national headquarters of the alleged violations and of any conduct action taken.
4. The office of student conduct and community standards will always notify the appropriate law enforcement agency or agencies when a report of hazing is received and document that the notification was made. Hazing is a criminal offense in Ohio.
5. Hazing is a serious offense. Students and student organizations are subject to the full range of sanctions set forth in the student code of conduct, rule 3361:40-05-05 of the Administrative Code, including but not limited to educational activities, reprimand, probation, suspension, and expulsion. Faculty, staff, alumni, volunteers, as well as visitors and other licensees and invitees, are subject to the full range of sanctions set forth in applicable university policies, collective bargaining agreements, or other agreements, including but not limited to, training, written reprimand, probation, suspension, termination, and contract termination.

(G) Reporting data

The office of student conduct and community standards will maintain a report of all violations of this anti-hazing policy that are reported to the university and which result in a charge of violation of this anti-hazing policy. The university will update the report bi-annually on January 1 and August 1 of each year and will post the updated report on the university's website. The university shall retain reports for the current academic year as well as for five consecutive academic years, or as otherwise consistent with applicable law.

(H) Training and education

1. The office of fraternity and sorority life, in partnership with the center for student involvement, will provide all faculty, staff, and volunteers that advise or coach a university known organization, and have direct contact with students, with mandatory training on hazing.
2. The university will provide all students with an educational program on hazing. Students will have an opportunity to complete the program during new student orientation.
3. The university will verify each student's attendance at the educational program on hazing. Students who do not complete the program are prohibited from participating in an organization until the student completes the program. An organization shall not accept or initiate any person who has not completed the program.
4. An organization is required to conduct mandatory training on hazing for any volunteer who has contact with students.

THIS RULE REPLACES PREVIOUS RULE 40-03-12

- Effective: July 21, 2023
- Signature on File
- Date: June 27, 2023
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 2307.44; R.C. 2903.31.
- Prior effective dates: December 21, 1990, July 8, 2014

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Financial Aid

40-13-01 Financial aid: Short term loans.



(A) A short term loan may be granted for university related student needs.

(B) The due date will be the first day of the fourth month from the loan disbursement date, and the total amount borrowed must not exceed the amount established by the president.

(C) An administrative service fee shall be assessed for any loan exceeding five hundred dollars.

(D) No interest shall be charged if the loan is repaid on or before the due date; if not paid as scheduled, a penalty of three-fourths percent per month (nine per cent annum) will be charged from the due date until paid in full. In addition, service indicator (noting the delinquency) will be imposed against the student's university records.

(E) The applicant must meet the minimum age requirement of eighteen years of age, set by the state of Ohio.

(F) The applicant must be a registered student with the University of Cincinnati pursuing a degree program and enrolled half-time or greater for the term.

(G) A loan should be denied if the applicant has a delinquent obligation owed to the University of Cincinnati or if the applicant has a past due loan.

(H) Repayment of such loans should not be based on income from financial aid currently being received.

(I) The president of the university shall have the authority to develop administrative guidelines and procedures to implement this policy, including such matters as the maximum dollar amount of all short term loans and the administrative service fee assessed such short term loans. The president may delegate the authority granted by

this paragraph.

- Effective: July 18, 2019
- Date: June 25, 2019 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3109.01; R.C. 1343.01.
- Prior effective date: March 16, 1978; October 1, 1979; May 24, 1980; September 28, 1981; December 5, 1987; June 17, 1998; June 15, 2012

40-13-02 Financial aid: Long term loans.



(A) A long term loan may be granted for university related student needs.

(B) Borrowers, except for college of medicine students, shall repay their loan, plus interest thereon, in monthly installments over a five-year period (sixty months) beginning nine months after graduation, or from the last date of enrollment at the University of Cincinnati. College of medicine students shall repay their loan, plus interest thereon, in monthly installments over a maximum period of ten years (one hundred-twenty months) beginning nine months after graduation, or from the last date of enrollment at the University of Cincinnati. The nine-month period between enrollment and repayment shall be considered a grace period in which no interest shall accrue; however, borrowers shall be encouraged to repay any or all portions of their outstanding loan during this period.

(C) In addition to the nine-month grace period, graduates of the college of medicine in residency training may defer repayment of their loans for up to three years, during which time no interest shall accrue. Graduates who continue in residency training beyond three years should make at a minimum monthly payments of fifty dollars, which shall be applied to principal and interest.

(D) If the borrower's grace period elapses, and the borrower returns to the University of Cincinnati during the repayment period, payment of principal and interest may be extended by a manager of the bursar's office.

(E) A manager of the bursar's office may grant a borrower an extension of time to repay their loan when the borrower demonstrates an inability to meet the monthly payment requirements set forth in the promissory note. In no event shall the minimum monthly repayment be less than fifty dollars, which shall be applied to principal and interest.

(F) All applications shall be channeled through the office of student financial aid for an audit of current student aid. The entire application and promissory note shall be completed in full before sending for final approval.

(G) An application fee shall be assessed to all loan applicants.

(H) Interest, in accordance with applicable restrictions, shall be charged beginning at the end of the grace period, as stated in paragraph (B) or (C) above, and continue until the loan is paid in full. In the event a borrower fails to meet two or more scheduled payments, the entire unpaid balance, including principal and interest due, shall become immediately due and payable, and a service indicator (noting delinquency) shall be placed against the borrower's university records, unless the borrower has made new arrangements with the university for loan repayment.

(I) The applicant shall be a full-time registered student with the University of Cincinnati and in pursuit of a degree.

(J) A loan shall be denied if the applicant has a delinquent obligation owed to the University of Cincinnati or if the applicant has a past due loan.

(K) The applicant shall meet the minimum age requirements of eighteen years of age, set by the state of Ohio.

(L) The president of the university shall have the authority to develop administrative guidelines and procedures to implement this policy, including such matters as the maximum dollar amount of all long term loans and the application fee assessed for such long term loans. The president may delegate the authority granted by this paragraph.

- Effective: September 16, 2019
- Date: August 29, 2019 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3109.01 R.C. 1343.01
- Prior effective date: March 16, 1978; September 23, 1979; May 24, 1980; March 1, 1983; February 25, 1985; December 21, 1990; April 24, 1992; June 17, 1998; March 13, 2000

40-13-11 Financial aid: Applications and sources.



The University of Cincinnati student financial aid program attempts to provide financial assistance to each student who files a timely application and demonstrates financial need. The student financial aid office administers designated federal, state, university and other agency financial aid programs according to established policies and regulations. These procedures, regulations and applications for financial aid are available in the student financial aid office.

- Effective: February 25, 1985
- Amends: Rule 3361:40-13-11 of the Administrative Code.
- Date: January 29, 1985 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3361.04; R.C. 5910.01; R.C. 4111.07; R.C. 3351.06.
- Prior effective date: March 16, 1978

40-13-12 Financial aid: Verification of applicant's information.



(A) Students (and parents of dependent students) must certify that all information provided on financial aid forms is true and complete to the best of their knowledge, and agree to give proof of the information if required to do so by the University of Cincinnati and/or the U.S. department of education. Required documentation may include, but is not limited to, copies of federal and state tax returns.

(B) Students will be notified of any changes in their financial aid award which may result from the verification process.

- Replaces: Former Rule 3361:40-13-12 of the Administrative Code
- Effective: April 20, 1998
- Date: April 1, 1998 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03 R.C. 1347.09

- Prior effective date: March 16, 1978; February 25, 1985

40-13-13 Financial aid: Authorization of aid. >

Responsibility.

Financial aid awards are made by the Student Financial Aid Office, or the individual college offices. Financial aid may take the form of loans, grants, scholarships, remissions, deferred tuition payment and support from outside sponsors. The Student Accounts Office is responsible for issuing credits and/or check to students for their authorized financial aid.

- Effective: February 25, 1985
- Amends Rule: 3361:40-13-13 of the Administrative Code.
- Date: January 19, 1985 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 1343.01.
- Prior effective date: March 16, 1978; June 12, 1978; May 24, 1980

40-13-14 Financial aid: Expense money. >

(A) When a student's financial aid (includes grants and loans) is greater than the amount needed to pay university tuition and fees, any remaining aid funds shall be disbursed to the student in accordance with this rule and in compliance with federal regulations.

(B) All students who are eligible to receive aid funds for educational related expenses shall receive up to 100% of the credit balance amount recorded on their account in an initial disbursement. The timing and distribution of credit balance refunds shall be approved by the vice president for finance.

(C) Any portion of financial aid remaining after the initial disbursement described in paragraph (B) of this rule shall be dispersed during the term subject to adjustments based on the student's enrollment status prior to disbursement.

- Effective: August 31, 2015
- Date: June 23, 2015
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03.
- Prior effective date: March 16, 1978; February 8, 1982; February 25, 1985; August 28, 1987; May 2, 1994; April 20, 1998; June 15, 2012

40-13-15 Financial aid: Standards of satisfactory academic progress (excluding M.D. majors in the college of medicine). >

The University of Cincinnati student financial aid office shall establish and maintain a policy that complies with regulations issued by the U.S. department of education and the state of Ohio relating to satisfactory academic progress and student eligibility for financial aid. The University of Cincinnati student financial aid office shall, in

addition, monitor student records to ensure compliance with that policy. The policy shall be distributed annually to aid applicants by that office and shall be published on the student financial aid web site or through some other medium that is readily accessible to the students and the public. The text and effective date of each amendment to the academic progress policy shall be maintained by the student financial aid office in an archive for a period of not less than ten years.

- Effective: February 11, 2011
- Date: January 25, 2011 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3333.12
- Prior effective date: March 16, 1978; October 20, 1979; February 25, 1985; June 17, 1998

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International Students

40-15-12 International students: Admission and English requirements. >

(A) Official application. A formal and complete application for admissions must be completed by the prospective student and submitted to the appropriate admission office. A complete application is defined as fully responding to all questions included on the application and all supporting documents required by the specific program (i.e. official transcripts, writing samples, applicable test scores) in accordance with published deadlines.

(B) Official transcripts. Official transcripts from all secondary schools, colleges and universities attended must be submitted directly from the institution. Photo copies of original documents must bear the signature of the registrar or other authorizing entity and the seal of the issuing institution. All documents not issued in english must be accompanied by notarized english translations.

(C) Test scores:

1. Graduate students: graduate applicants should plan to take the Graduate Record Exam (GRE). Although not required for every academic program, it is used in determining financial aid awards.
2. College of business graduate students: applicants for the graduate programs in the college of business are required to take the Graduate Management Admission Test (GMAT).
3. Undergraduate students: the results of the American College Test (ACT) or the Scholastic Aptitude Test (SAT) are required for all freshmen undergraduate applicants. If freshmen applicants have difficulty arranging to take one of these examinations during the application process, they should contact the undergraduate admission office for waiver options. To assure appropriate placement, all undergraduate students are subject to english placement tests during new student orientation.

(D) English language requirements.

1. Graduate students: proof of english proficiency is required of all applicants whose native language is not english. Students can demonstrate english proficiency by taking the Test of English as a Foreign Language (TOEFL) or the International English Language Testing System (IELTS).
 - a. This requirement may be waived for an international student who has a degree from an accredited United States college or university and who can document having studied english while a student at that institution.
 - b. Minimum scores are published on the University of Cincinnati graduate school web site. Many programs have established higher scores; where this is the case, requirements are published with

- program admission criteria.
- c. The "Oral English Proficiency" (OEP) testing program is used to assess the oral english language skills of graduate students who are nonnative speakers of english and receive financial awards from University of Cincinnati general funds. Students whose oral english proficiency has not been officially certified may not assume instructional responsibilities.
 - d. Alternative assessments to the TOEFL, the IELTS and the OEP may be accepted with the approval of both the graduate program to which the student has applied and the graduate school.
2. Undergraduate students: students whose native language is not english are required to demonstrate english proficiency by submitting scores from one of the following tests: Scholastic Aptitude Test (SAT), American College Test (ACT), Test of English as a Foreign Language (TOEFL) or International English Language Testing System (IELTS).
 - a. This requirement may be waived for an international student who has taken a full year of high school or college courses in the United States for which the study of english was part of that study and for students who have earned a passing score on the O-level exam (GSE).
 - b. Minimum scores are published on the University of Cincinnati undergraduate admissions web site. Some programs have established higher scores; where this is the case, requirements are published with program admission criteria.
 - c. Alternative assessments to the TOEFL, the SAT, the ACT and the IELTS may be accepted with the approval of the University of Cincinnati undergraduate admissions office.
- Effective: June 8, 2007
 - Date: May 22, 2007 (signature on file)
 - Promulgated under: R.C. Section 111.15
 - Rule amplifies: R.C. 3361.03; R.C. 3345.06.
 - Prior effective date: March 16, 1978; February 25, 1985

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Health Services

40-25-01 Health services: Student health insurance. >

(A) All students who register for six or more credit hours including co-op students on work quarter, are assessed a fee for single student coverage under the university's student health insurance plan.

(B) Students with coverage equal to or greater than that offered by the university from a U.S. admitted insurance company with a U.S. based claims administrator may waive coverage by submitting a completed waiver prior to the waiver deadline to the student health insurance office. Completed waivers submitted on time during fall term will result in the waiver of charges for the remainder of the academic year. Waivers must be resubmitted each academic year.

(C) Graduate students who enroll in fewer than six credit hours in order to maintain their candidacy for degree may request to purchase coverage but will not be charged automatically. Such students must request coverage from the student health insurance office and must satisfy all application requirements each term.

- Effective: September 15, 2012
- Date: August 29, 2012
- Promulgated under: R.C. Section 111.15
- Statutory authority: R.C. 3361.
- Rule amplifies: R.C. 3361.03; R.C. 3361.04

- Prior effective dates: March 16, 1978; August 15, 1979; February 25, 1985; July 1, 1985; June 17, 1998; September 2, 1999; June 16, 2000; January 15, 2003; August 5, 2005; September 20, 2007

40-25-12 Health services: Eligibility for care. >

(A) University health services provides general medical and occupational health services to the university community.

(B) Employees are eligible for care for work-related medical problems only. All services to employees for work-related illness, injury or examinations are provided without charge. Employees with work-related medical problems or injuries should report to the university health services. If university health services offices are closed, the employee should report to university hospital, inc. University health services will also assist employees in arranging for referrals, or additional tests that may be required as a result of a work-related medical problem.

(C) All full and part-time students, spouses and dependents are eligible for care. (D) "Upward Bound" students, consortium students, summer groups, and visitors are eligible for care on an emergency basis. Replaces: Former Rules 3361:40-25-02 and 3361:40-25-12 of the Administrative Code.

- Effective: June 17, 1998
- Date: May 28, 1998 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03.
- Prior effective date: March 16, 1978; February 25, 1985; December 18, 1985

40-25-13 Health services: Medical records at University Health Services. >

Medical records are treated confidentially at the university health services and are not released without written consent of the patient, except as required and/or permitted by law. Records requests from patients will be carried out when a written consent for release of such information is provided. There will be a charge for any photocopy services provided to patients.

- Effective: January 15, 2003
- Date: December 26, 2002 (signature on file)
- Promulgated under: R.C. Section 111.15
- Statutory authority: R.C. 3361.
- Rule amplifies: R.C. 3361.03; R.C. 1347.07; R.C. 4731.22.
- Prior effective dates: March 16, 1978; February 25, 1985; December 16, 1999

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Identification

40-27-01 Identification: Identification card policies. >

(A) All University of Cincinnati students are required to have a University of Cincinnati photo identification card. A valid student identification card is required to use libraries, computer labs, sport and recreation facilities and campus dining centers. The identification card also serves as the bearcat campus card.

(B) No identification card will be issued to any individual who is not in an active status in the public safety badge system.

(C) In order to receive an identification card, an individual must present a form of photo identification (i.e., driver's license, state ID or passport).

(D) If an identification card is lost or stolen, it must be reported to public safety.

(E) If a replacement identification card is necessary, the old one must be returned to the public safety badge and key office.

(F) A fee is charged for lost or stolen identification cards.

(G) Misuse of identification cards is against university policy and violators are subject to university disciplinary action.

- Effective: July 15, 2012
- Date: June 29, 2012 (Signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03; R.C. 3345.21.
- Prior effective date: March 16, 1978; February 25, 1985; February 17, 1998

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Military Service

40-40-01 Military service: Students called to active duty or who enlist. >

The policy regarding students called to active duty or who enlist in the military service is set forth in this rule and also in paragraph (B)(2) of rule 3361:20-31-05 of the Administrative Code.

(A) Call to active duty.

1. A student who is called to state military service or active duty status in one of the United States military services divisions, or a student who is the spouse or domestic partner of a deployed service member with a dependent child, shall be given a one hundred per cent refund of all tuition and fees, under the following conditions:
 - a. The student (or his/her proxy) presents a copy of the student's, spouse's or domestic partner's active-duty military orders documents bearing both the student's, spouse's or domestic partner's name and an activation date that falls within the requested standard term.
 - b. The military orders presented do not indicate that the student, spouse or domestic partner is assigned a routine training period that can be rescheduled at the student's, spouse's or domestic partner's convenience.
 - c. In the case of a spouse or domestic partner, proof that a dependent child relationship exists.
2. If notification of active duty occurs late in the academic term such that the student and instructor(s) agree that a grade(s) may be assigned, or that a pass grade ("P") is appropriate, or that an incomplete ("I") shall be assigned and remaining coursework completed at a later date, the student may elect to remain enrolled in any or all course(s) and receive the grade(s) and credit for the course(s) as appropriate. In such cases, no refund shall be issued for the enrollment(s) remaining.

(B) Enlistment. A student who enlists in the military service and who withdraws to do so shall receive a refund according to the regular refund policy in effect at the time of withdrawal.

- Effective: August 31, 2015
- Date: August 18, 2015 (signature on file)
- Promulgated under: R.C. Section 111.15
- Rule amplifies: R.C. 3361.03 R.C. 3345.01 R.C. 3333.26
- Prior Effective Date: November 13, 2001; June 15, 2012