

Avila University
Community Standards and Expectations Policy

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I. Purpose of this Policy

Avila University approaches student behavior as an educational experience, focused on student learning through self-reflection, personal responsibility, individual growth, and remediating harm. The goal is to encourage students to be positive contributors to their current and future communities.

The Community Standards and Expectations (the “CSE”) outlined in this policy articulate prohibited behaviors and academic integrity violations because they do not align with the values central to Avila University:

1. The worth, dignity and potential of each human being;
2. Excellence in teaching and learning;
3. Service with the dear neighbor;
4. Diversity and its expression;
5. The development of the whole person; and
6. Right relationships, with God, self, others and creation.

II. Definitions

- A. Advisor: means any person who accompanies an Alleged or Reporter for the purpose of providing support, advice, or guidance. Any limitations on the scope of an advisor are defined in the Accountability Procedures or other relevant University policy. Witnesses or other Allegeds are not allowed to serve as Advisors.
- B. Alleged: means a person who is alleged to have committed behaviors that may constitute a violation of the Community Standards and Expectations Policy.
- C. Cannabis: means the parts, product, and derivatives of the plant Cannabis sativa, indica, ruderalis, and hybrid strains, regardless of the delta-9-tetrahydrocannabinol level, and is a federally controlled substance. Pursuant to federal law, the use of cannabis, including medical use, is prohibited on University Premises and at University Sponsored Activities. Cannabis, for the purpose of this policy, does not include FDA approved substances or industrial hemp as permitted by federal law.
- D. Controlled Substances: includes illegal drugs (such as opiates and certain types of stimulants), pharmaceutical drugs (such as painkillers and tranquilizers) when used for non-medical purposes, and other substances used inappropriately (such

as inhalants).

- E. Preponderance of the Evidence: whether it is “more likely than not” that an allegation of a violation(s) of this policy occurred as reported.
- F. Jurisdiction: means how the University can apply this Community Standards and Expectations policy and its related Accountability Procedures. Jurisdiction covers what conduct is reported, where the reported conduct occurred, when the reported conduct occurred, and who allegedly committed the reported conduct. In general, Avila University retains jurisdiction over any allegations of behaviors that may violate this Policy committed by anyone, anywhere, at any time.
- G. Reasonable Person: whether a person under similar circumstances would feel, react, or respond in a similar manner.
- H. Reporter: means a Student who is alleged to have been subjected to behavior(s) that could constitute a violation under the Community Standards and Expectations Policy. A Reporter may also include the person reporting the alleged behavior(s), even if that person is not alleged to be the subject of the alleged behavior(s).
- I. Student: means any person registered or enrolled in a University academic course or program, and any person admitted to the University for any purpose related to the person’s registration or enrollment, or any person who participates in University programs that require Student status. Student includes any person who was a student in the previous term and is eligible for registration.
- J. Student Organization: means any group of Avila University Students meeting the University’s criteria for organizational recognition or registration established by the University or its units, colleges, or departments. Jurisdiction is retained for behavior that occurred when the Student Organization was recognized or registered, regardless of current status.
- K. University Official: means a person having assigned University responsibilities who is performing their University duties. This includes Students who have been authorized to act on behalf of the University, such as resident assistants.
- L. University Premises: includes all land, buildings, or grounds owned, leased, operated, controlled, or supervised by the University and adjacent sidewalks and streets.
- M. University Sponsored Activity: means any activity that is directly initiated or supervised by the University or a Student Organization, on or off University Premises.

III. Application and Jurisdiction of the Community Standards and Expectations

The Dean of Students, or their designee (the “Dean”), develops procedures for the administration of the CSE, as well as its applicable Accountability Procedures. Behavior that may constitute a violation of the CSE may be reported to the Dean at any time, whether or not the Alleged is currently enrolled or registered. The Dean has the authority to determine whether or not the allegation merits further response.

Attendance at a private educational institution is not compulsory and this policy is not a contract, express or implied, between any applicant, student, staff or faculty member. Students, Student Organizations, and Guests/Visitors are expected to abide by all Community Standards articulated in this policy. It is every Student’s responsibility to be familiar with all policies and procedures published by the University. Ignorance of a published policy will not exempt a Student or Student Organization from accountability that results from violating the CSE.

The CSE applies to each Student for behavior that occurs from the time of admission, registration, or enrollment (whichever occurs first) through the actual awarding of a degree or complete withdrawal as defined by the University, regardless of when the behavior is reported.

1. It applies to behavior that occurs during periods of suspension from the University.
2. It applies even if the Alleged subsequently withdraws from the University.
3. It applies to behavior that occurs between periods of enrollment unless the Alleged completely withdraws before the deadline to register for the next term. For Students enrolled in the spring semester, jurisdiction is maintained until the deadline to register for the fall semester.

The CSE applies to all activities on University Premises and during any University Sponsored Activity regardless of the on- or off-campus location. The CSE also applies to Student and Student Organization behavior that occurs off-campus and that may be unconnected to a school activity, especially if that behavior adversely impacts the University community or its objectives and mission.

The University’s resolution process outlined in the CSE and its applicable Accountability Procedures are designed with an educational purpose and guiding principles. Proceedings under the CSE and its Accountability Proceedings are separate from civil or criminal proceedings and may, at the discretion of the Dean, be carried out prior to, simultaneously with, or following civil or criminal proceedings. The University uses the “preponderance of the evidence” standard to determine if a reported behavior is in violation of the CSE.

A Student requesting an accommodation must follow the appropriate process for requesting an accommodation through the Student Access Office. The Dean will work in collaboration with the Student Access Office to determine the appropriate accommodation. The Dean will notify the

Student of the appropriate accommodation and how it applies to the Community Standards and Expectations Accountability Procedures.

IV. Freedom of Speech and Academic Freedom

The University is committed to an objective search for truth. A healthy dialogue among the campus community is fostered as varying viewpoints and ideas are freely presented. The University is an institution whose members may express themselves, while protecting and respecting the rights of others to learn, to conduct research, and to carry out the essential functions of the University free from interference or obstruction. When addressing allegations of violations of this Policy, the University will take all permissible actions to respond appropriately while respecting the rights of free expression and academic freedom.

V. Amnesty Policy

At times, students may be hesitant to report the occurrence of Community Standards and Expectations violations to University officials because they are concerned that they themselves, or a witness to the reported behaviors, may be found responsible for other policy violations, such as alcohol or drug violations.

Although violations of University policy are not condoned, the importance of addressing the reported behaviors takes priority. Therefore, the University will not refer an individual, witness, or Student Organization who reports an alleged policy violation to the Community Standards and Expectations process as an Alleged party for any other violations that may have occurred in connection with the reported behaviors.

VI. Policy Violations

1. Academic Integrity Violations

- a. Cheating: Accessing or using unauthorized materials, information, tools, or study aids.
- b. Fabrication: Providing false information in fulfillment of an academic assignment, exercise, or other requirement, including making up data, sources, efforts, events, or results and recording, reporting, or using them as authentic.
- c. Multiple Submissions of Work: Using or submitting the same or substantially the same academic work for credit more than once, unless specifically authorized by the instructor of record for the course in which it's being submitted for credit. If authorized, appropriate disclosure and citation is required.

- d. **Plagiarism:** Presenting another's material as one's own, including using another's words, results, processes or ideas, in whole or in part, without giving appropriate credit. Plagiarism is contingent on the content of the submitted work product, regardless of whether the unattributed material was included intentionally or unintentionally. The use of material taken from any source—whether directly quoted, paraphrased, or otherwise adapted—must be attributed to that source. Plagiarism also includes the submission of material generated by others. This may include artificial intelligence (AI) content generators and generative AI tools such as ChatGPT; websites with a question-and-answer feature such as Course Hero, Chegg, and Bing; assistance from tutors or online language translators that results in unoriginal work; and work that is purchased or otherwise prepared by another individual.
- e. **Unauthorized Collaboration:** Working with others in the submission of an assignment, exercise, or other academic requirement for assessment when not expressly permitted by the instructor. This section is not intended to prohibit the type of collaboration that promotes productive discourse and learning between students, such as engaging with lecture materials or course texts; discussing subject matter concepts, ideas, and themes; talking through problem-solving strategies and approaches; or study groups working to prepare for an exam. Unless expressly prohibited by the instructor, such collaboration is encouraged to the extent that students remain able to submit work for assessment which reflects their own individual interpretations, analysis, and conclusions. This level of collaboration will not constitute a violation of this policy, unless expressly prohibited by the instructor.
- f. **Unauthorized Recording or Use:** Recording and/or dissemination of instructional content, or other intellectual property, without the express written permission of the instructor(s) or intellectual property owner.

2. General Policy Violations

- a. **Alcohol:**
 - i. Possession or consumption of alcohol by those under the legal drinking age.
 - ii. Furnishing of alcohol to a person under the legal drinking age.
 - iii. Possession or consumption of alcohol by a person of the legal drinking age in unauthorized areas or furnishing of an alcoholic beverage to any person in unauthorized areas.

- iv. Causing another to ingest alcohol without consent.
 - v. Attending classes, events, or participating in any college activities while under the influence of alcohol.
- b. Attempts, threats, or inciting others: Attempting to, threatening to, or inciting others to engage in any of the conduct prohibited by this Policy.
- c. Cannabis:
 - i. Use, possession, or procurement of cannabis except as expressly permitted by both State and Federal law.
 - ii. Furnishing, cultivation, manufacturing, distributing, or selling cannabis except as expressly permitted by both State and Federal law.
 - iii. Causing another to ingest cannabis without consent.
- d. Controlled Substances
 - i. Use, possession, or procurement of a Controlled Substance except as expressly permitted by both State and Federal law.
 - ii. Furnishing, cultivation, manufacturing, distributing, or selling of a Controlled Substance, except as expressly permitted by both State and Federal law.
 - iii. Causing another to ingest a controlled substance without consent.
- e. Damage/Destruction of Property: Actions that damage or tend to damage public property or private property not one's own.
- f. Disruptive Behavior: Engages in conduct that:
 - i. Creates a hazardous or physically offensive condition;
 - ii. Causes a reasonable person to fear for their safety or the safety of another;
 - iii. Disrupts or tends to disrupt teaching, research, administration, disciplinary proceedings, or other University activities on- or off-University premises.

- g. Failure to comply: Failure to comply with any reasonable directive of University or public officials in the performance of their duties. This includes but is not limited to, failures to: adhere to no-contact-directives, remove oneself from University Premises, complete conduct outcomes and/or sanctions, and cease and desist.
- h. Falsification: Knowingly providing/presenting, creating, or possessing falsified or forged materials, records, or documents. Additionally, intentionally initiating any false report or providing false or misleading information to a person acting in their capacity as a University or public official.
- i. Gambling: An action in violation of state or federal law that involves staking or risking something of value on the outcome of a contest of chance, a future event not under a person's control, or an agreement to receive something of value in the event of a certain outcome.
- j. Harassment: Engaging in behavior that is sufficiently severe, pervasive, and objectively offensive to a degree that it interferes with a reasonable person's ability to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.
- k. Hazing: Intentionally subjecting another to a situation or action that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, injury, or ridicule. Hazing also includes asserting power or dominance over another person as a condition for selection or continuation in an organization. Individual acceptance of or submission to any activity does not affect a determination of whether the activity constitutes hazing. This includes compelled participation in behavior which would violate the law and/or University Policy.
- l. Misuse of computing resources: Violations of the University's Information Technology Policy as reflected in the Student Handbook. These violations include:
 - i. Actions taken to deliberately deny authorized persons access to any aspect of the information technology system;
 - ii. Actions taken that interfere with or alter the integrity of the University's equipment or software;
 - iii. Actions taken that place on any University equipment icons, screensavers, or items of an offensive nature;

- iv. Unauthorized access to another person's email, use of another person's email, and/or use of another person's password to access a person's email.
- v. Prohibited storage or display of fraudulent, harassing, nuisance, threatening, offensive, and/or obscene messages/materials when using University equipment or technology, or displayed with private equipment in any public forum.
- m. Physical contact: Physical contact that endangers or harms the health or safety of any person.
- n. Retaliation: intimidation, threats, coercion, or discrimination against any person by the University, a student, or an employee or other person authorized by the University to provide aid, benefit, or service under the University's education program or activity, for the purpose of interfering with any right or privilege secured by this Policy, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the this Policy.
- o. Safety hazard: Tampering with firefighting equipment or smoke detectors, causing a false alarm, or endangering the health or safety of others.
- p. Sales and Solicitation: No person, firm or corporation shall engage in the business of selling or advertising services, activities, goods, take orders or make contracts for purchase or delivery, sell or offer for sale tickets, goods, activities or services, solicit funds, subscriptions, or orders for any purpose within the boundaries of Avila University without the written consent of the Dean of Students or their designee.

Recognized campus organizations and individual students may request permission from the Dean of Students or their designee to allow for the sale of goods and services or solicitation of funds. Permission may be granted provided that advertising and activities are planned and approved in advance, and that the financial arrangements have been made and coordinated in the Student Life office

- q. Smoking and tobacco use:
 - i. Smoking and tobacco use, including, but not limited to, "vaping", chewing tobacco, and hookah, are prohibited on University owned or controlled property, including within a vehicle parked on University owned or controlled property.

- ii. Possession of tobacco products and inhalant delivery systems (“e-cigarettes”) by those under 21 years of age on University Premises or at a University Sponsored Activity, is prohibited in accordance with state law. This does not prohibit the use or possession of products that have been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, provided the product is marketed, sold, and used solely for the approved purpose.
- r. Theft: Unauthorized taking or possession of property of another, including goods, services, and other valuables.
- s. Threatening Behavior: any physical, written, or verbal conduct, whether direct, indirect or conditional, that conveys intent or is reasonably perceived to convey intent to cause physical harm to property or someone or to place someone in fear of his or her safety or the safety of others. Threatening Behavior encompasses the use of technology to commit this behavior.
- t. Unauthorized access or use: Unauthorized access to, entry to, or use of physical or virtual space, including misuse of access privileges. Unauthorized use of University property or services, or the property of others. This includes, but is not limited to, conduct which violates the Posting Policy and Facilities and Services provisions in the Student Handbook.
- u. Unwanted contact: Repeated contact or communication to another person when the contacting person knows or should know that the contact or communication is unwanted by the other person and:
 - i. The contact would cause a reasonable person fear of physical harm; or
 - ii. The contacting person knows or should know that the contact or communication significantly impacts the other person’s ability to perform the activities of daily life.
- v. Violation of law: Any action or behavior that violates federal, state, or local law.
- w. Violation of University Policy: Any action or behavior by a Student that violates the Community Standards and Expectations policy, any other University Policy, or which is inconsistent with the mission statement of the University.

x. Weapons:

- i. Possession of explosive materials, fireworks, firearms, ammunition or other dangerous weapons is prohibited on University Premises and at University Sponsored Activities, unless expressly authorized by law and applicable University Policy.
- ii. Use of explosive materials, fireworks, firearms, ammunition, other dangerous weapons, or any object or substance used as a weapon is prohibited on University Premises and at University Sponsored Activities, unless expressly authorized by law and applicable University Policy.
- iii. Weapons, possessed, used, or handled off-campus in a manner that is unlawful or contributes to any other violation of this policy is also prohibited.
- iv. Any item resembling a weapon including, but not limited to, Nerf guns, pellet guns, water guns, and toy swords, arrows, or other weapons, are strictly prohibited.

3. Prohibited Discrimination and Retaliation Policy; Title IX Policy

The University maintains separate policies and procedures for Title IX offenses and their related non-Title IX conduct. These policies are linked in the “Related Policies” section below.

VII. The Alleged’s Rights

When a person is accused of committing behaviors that may constitute a violation of the CSE, that person becomes an Alleged under the CSE and its Accountability Procedures. Accordingly, Allegeds retain the following rights under the CSE and the Accountability Procedures:

1. Receive a written Notice of Potential Policy Violations that includes, but is not limited to, whether the Alleged is facing removal as a potential Administrative Outcome.
2. Be informed of the Accountability Procedures.
3. Be presumed not responsible until a finding of responsibility is made by the Case Manager, or until the Alleged makes an admission of responsibility.
4. Remain silent during all phases of the Accountability Procedures without negative inference that this silence translates to responsibility, with the understanding that answering some investigative questions not others may

reflect negatively on the Alleged's credibility.

5. Present evidence and witnesses relevant to the allegations.
6. Review all evidence received by the Case Manager that may be relied upon in decision making, subject to limitations from policies, regulations, and State and Federal law. What documentation is available, and how it may be accessed, is defined in the Accountability Procedures.
7. Be assisted by an Advisor of their choosing in accordance with the limitations articulated in the Accountability Procedures.
8. Decline to appear at the Accountability Meeting with the understanding that the Case Manager may adjudicate the case in the Alleged's absence and without the Alleged's input.
9. Receive a written Decision Letter that includes the Case Manager's decision, the rationale for how the Case Manager reached that decision, and any assigned Outcomes.
10. Request an appeal in accordance with the Appeal Procedures.

This policy does not modify or detract from any rights otherwise afforded under Federal or State law.

VIII. The Accountability Procedures for General Policy Violation Allegations

The steps for resolving allegations of behavior(s) that may constitute General Policy Violations are outlined in Section III of the Accountability Procedures. The following is a non-exhaustive summary of the General Policy Violation Allegation Procedures:

1. The Dean reviews the initial report of alleged behaviors and determines whether the report should proceed through the Accountability Procedures.
2. If the Dean determines a case should proceed to the Accountability Procedures, the Dean will assign a Case Manager to the case. In resolving the case, the Case Manager will serve as the investigator and decision-maker.
3. The Case Manager issues a Notice of Potential Policy Violation to the Alleged.
4. The Alleged may opt into an Informational Meeting, or proceed directly to the Accountability Meeting.
5. At the Accountability Meeting, the Alleged may propose witnesses and evidence in connection with the alleged violations. The Case Manager will also ask the

Alleged various investigative questions during the Accountability Meeting.

6. The Case Manager will contact witnesses and review all evidence provided by the Alleged, as well as review all evidence submitted as part of the investigation of the alleged violations.
7. The Case Manager will, based on the preponderance of the evidence, make a finding of responsibility or non-responsibility, then communicate this finding and rationale to the Alleged in an Outcome Letter.
8. The Outcome Letter includes the finding made by the Case Manager, the rationale for how the Case Manager reached that decision, and, if applicable, the Outcomes assigned to the Alleged.
9. The Alleged and/or Reporter may appeal the Case Manager's decision based on the outlined Appeal Standards listed in the Appeals Procedure, Section V of the Accountability Procedures.

IX. Appeal Procedures

The Appeals Procedures are outlined in Section V of the Accountability Procedures. In summary, the Appeals Procedures consist of the following steps:

1. The Appealing Party submits an Appeal Request Submission Form to the Dean.
2. The Appeal Request must identify and support at least one of the listed bases of appeal in Section V(B) of the Accountability Procedures.
3. The Dean, serving as the Appeal Facilitator, will conduct a preliminary review of the Appeal Request to determine if it meets and supports at least one basis for appeal.
4. The Appeal Facilitator will establish a three-person Appeals Board. The three (3) people will include the Appeal Facilitator, and two (2) other Faculty or Staff Members.
5. The Appeals Board will receive a copy of the Appeal Record for review and will meet for a scheduled Appeals Board Proceeding.
6. At the conclusion of the Appeals Board Proceeding, the Appeals Board will issue their final decision in accordance with their authority under the Appeal Procedures.

7. The Appeal Facilitator will communicate the Appeals Board's decision to the appropriate parties through the Appeals Outcome Letter.
8. The Appeals Board's decision is final and is not appealable under any other University policy.

X. Potential Outcomes

In the Outcome Letter, the Case Manager will outline the Outcomes assigned in the event of a responsible finding. Since no two incidents are the same, the Case Manager will use their discretion in issuing appropriate Outcomes that best fit the behaviors and circumstances involved.

Outcomes typically include two categories: Administrative and Educational. Administrative Outcomes address the status of the Alleged and include, but are not limited to, loss of privileges, warnings, probation, and removals from the University. Educational Outcomes provide opportunities for the Alleged to learn from the behaviors and circumstances surrounding a case. Educational Outcomes include, but are not limited to, reflection essays, informative conversations, and on-demand educational programming. Allegeds should expect to see at least one Administrative Outcome and one Education Outcome in their Outcome Letter.

XI. Informal Resolution Options

Upon reviewing the initial report, the Dean will determine if offering an Informal Resolution Option is appropriate. The Dean will communicate the Informal Resolution Options to the Alleged in the Notice of Potential Policy Violations if the Dean confirms this is an appropriate resolution option based on the reported behaviors in the initial report.

Informal Resolution Options include, but are not limited to, the following:

1. Resolution Agreement: Allegeds who wish to accept responsibility for the reported behaviors listed in the Notice of Potential Policy Violations may do so through a Resolution Agreement. The Resolution Agreement will include the list of the potential violations of the Community Standards and Expectations Policy and the assigned Outcomes if the Alleged accepts responsibility. The Resolution Agreement may include other provisions including, but not limited to, waiver of other procedural rights within the Accountability Procedures.
2. Expectations Conversation: In certain instances, the Dean may offer the Alleged an Expectations Conversation instead of proceeding through the Expectations Procedures. An Expectations Conversation may include, but is not limited to, conversations with the Dean, other campus administrators, or faculty members. The Dean will decide the appropriate context of an Expectations Conversation and will communicate all details to the Alleged. Failure to attend a required Expectations Conversation may lead to a referral to the Accountability

Procedures.

XII. Interim Action

If reported allegations of potential CSE violations present an immediate and substantial threat to the health or safety of any person, the Dean, in consultation with other qualified campus officials, will determine whether interim action is necessary. This determination is made on a case-by-case basis through an individual and objective assessment of the parties' needs and of the Alleged's involvement in the reported allegations. Additionally, an interim action may be placed or rescinded at any time during the Accountability Procedural process.

If an interim action is taken, the following will occur:

1. The Alleged will receive a written Notice of the Interim Action (which may occur simultaneously with the implementation of the interim action). During the Accountability Meeting, the Alleged may ask questions and agree to the interim action or request that the interim action be amended or rescinded.
2. Within five (5) business days of the meeting, the Alleged will receive an interim action decision from the Dean.

XIII. Record Retention

Disciplinary action records will be maintained for a minimum of seven (7) years in accordance with State of Missouri records policies and in compliance with federal legislation such as FERPA, the Clery Act, and Title IX.

XIV. Related Policies

1. [Community Standards and Expectations Accountability Procedures](#)
2. [Housing Handbook](#)
3. [Title IX Policy and Procedures](#)
4. [Prohibited Discrimination and Harassment Policy and Procedures](#)