

# RESIDENT POLICIES & RESPONSIBILITIES

2019-2020

When applying to live on campus at the University of Utah, all students are required to agree to the Student Conduct Understanding Form as part of the Housing U application process, acknowledging their responsibility to not only be aware of, but also follow housing policies. Within the HRE community, it is our mission to encourage, facilitate, and support the learning and development of all residents while creating an inclusive and safe living environment. Our Housing and Residential Education Policies are in place to assist and allow for this to take place. As a member of our community held to these standards, it is therefore imperative for you to familiarize yourself with the following policies and information. These Behavior Expectations/Policies/Responsibilities are applicable to all HRE residents at all locations on and off the University of Utah campus.

Failure to follow these policies and/or act in accordance with University policy may result in subsequent conduct hearings, disciplinary sanctions, and potential eviction. For more information about the Student Conduct Process and behavioral repercussions

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## **ADVERTISING/POSTING**

HRE allows university departments and student organizations to post information within the residential spaces pending approval. All postings must note the sponsoring department or organization as well as contact information. All postings are distributed from the HRE office and posted in designated areas by HRE staff. Postings should be brought to the HRE office in Benchmark Plaza 822 for approval. Any unauthorized postings found in HRE facilities will be removed. Please allow for seven days from delivery for postings to be hung. Please note that while HRE makes every effort to hang postings within seven days of delivery, this time frame is not guaranteed. Please plan in advance to assist in having your posting distributed in a timely manner.

## **ALCOHOL**

The University of Utah is a dry campus. Use, possession, and distribution of alcoholic beverages of any type, including beer, on university premises, including all HRE facilities and properties on and off campus, is prohibited except as expressly permitted by law and university regulations. Empty alcohol containers and alcohol paraphernalia are not permitted in any HRE facility or property on or off campus. This includes but is not limited to empty bottles or cans that have once contained alcohol, bongs, drinking game paraphernalia, and kegs and other multi-serving containers. Being in the presence of an alcohol violation of any of the above policy expectations, is also considered a violation.

**Intoxication** – Being intoxicated in an HRE facility or property, regardless of the location of consumption, is a policy violation if the person is under the influence of alcohol to a degree that the person may endanger themselves or another person in a public place or in a private place where the person unreasonably disturbs other persons. This can include but is not limited to the need for medical transport based on excessive alcohol consumption. (This policy is based on Utah Criminal Code, 76-9-601)

## **ASSAULT**

**Threatening & Endangering Behavior** (formerly Assault) Conduct that threatens or endangers the health or safety of any member of the University of Utah community (including one's self) or another other person while on university premises, at university activities, or on premises which the university has supervisory responsibility is prohibited. This conduct includes but is not limited to harassment, physical or verbal assault, sexual harassment, hazing, threats, intimidation, coercion, and retaliation.

## **BICYCLES**

Bicycles must be stored on outdoor bicycle racks or in a bicycle storage room within designated buildings. Bicycles must not be adhered, chained, or otherwise attached to trees, benches, or other university property. Bicycles are not to be stored inside public areas at any time. A resident may, with their roommate's approval, store their bicycle in their room, provided the resident takes extra care when transporting the bicycle in and out of the building. Please note this is highly discouraged in Officers Circle buildings due to space constraints and the historical properties of the buildings.

## **COMPUTER USE POLICY**

Network and Computer Use – HRE residents are expected to follow all University of Utah IT policies and procedures which can be found at: <https://it.utah.edu/policies/>. Violation of any of the IT policies and procedures may result in HRE conduct charges.

## **DISCRIMINATION & HARASSMENT**

Students have the right to be free from illegal discrimination and sexual harassment. University policy prohibits discrimination, harassment, or prejudicial treatment of a student because of their race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, or status as an individual with a disability, as a disabled veteran, or as a veteran of the Vietnam era.

Sexual harassment includes verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's employment or educational performance or creating an intimidating, hostile, or offensive environment for that individual's employment, education, living environment, or participation in a university activity.

If you or someone you know has been harassed or assaulted, you are encouraged to report it. Within Housing and Residential Education, there are staff available 24-hours a day to support residents. The on-call staff can be accessed by calling the Pearson Heritage Center front desk at 801-587-2000.

All HRE staff are mandatory reporters meaning residents are able to make direct reports to their Resident Advisor (RA), Graduate Assistant (GA), Resident Director (RD), or Area Coordinator (AC). The Assistant Director for Conduct Management and Resident Outreach is the Deputy Title IX Coordinator in HRE, Kolay Carver, can be contacted at 801-587-9718 or [k.carver@housing.utah.edu](mailto:k.carver@housing.utah.edu).

On campus, reports can be made to the Title IX Coordinator in the Office of Equal Opportunity and Affirmative Action (135 Park Building) at 801-581-8365 or the Office of the Dean of Students (270 Union Building) at 801-581-7066.

For support and confidential consultation, contact the Center for Student Wellness at 801-581-7776.

To report to the police, contact the Department of Public Safety at 801-585-COPS (2677).

## **DISHONESTY**

**Misuse of Property** – Unauthorized or improper use, possession, duplication, forgery, or alteration of university property, equipment, facilities or resources or other personal or public property, including but not limited to documents, records, electronic files, funds, telecommunications systems, forms of identification, and keys is prohibited.

**Uncooperative & Disrespectful Behavior** – Uncooperative and disrespectful behavior is against HRE policy. This includes but is not limited to: uncooperative behavior and/or failure to comply with directions of, providing false information to, and/or failure to identify oneself to university officials or law enforcement officers acting in performance of their duties. All HRE staff are considered to be university officials, including your Resident Advisor (RA).

## **DRUGS**

Use, possession, or distribution of any narcotic or other controlled substance on university premises or on premises over which the university has supervisory responsibility, including all HRE facilities and properties on and off campus, is prohibited except as permitted by law and university regulations. The University of Utah adheres to federal policy and Utah State Law on marijuana which declares it to be a controlled substance that must be prohibited. Regardless of your home state law or the possession of a medical use license from another state, marijuana is not legal on campus. Being in a room or apartment where any narcotic or other control substance is being used is a policy violation. Association with the smell and/or evidence of drugs, including drug paraphernalia, is also a policy violation. Items in possession or use in HRE facilities on and off campus which are deemed to have been used in the consumption of any narcotic or dangerous or unlawful drug (as defined by laws of the United States, the State of Utah, or housing policy) may be confiscated by UUPD and returned to the student upon completion of any resulting investigation.

## **ELIGIBILITY**

In order to live on campus there is a minimum credit hour requirement for both undergraduate and graduate students.

During Fall and Spring semesters, undergraduate students living on-campus through Housing & Residential Education are required to enroll in a minimum of 12-credit hours. Graduate students living on-campus are required to enroll in a minimum of 6-credit hours. Summer term student must be enroll in a minimum of one credit hour.

If exceptional or extenuating circumstances might keep a student from meeting the minimum credit hours requirement during their time on campus an appeal can be submitted. For further information on eligibility and the appeal process please visit: <https://housing.utah.edu/apply-reserve/process/>

## **GUEST AND HOST POLICY**

### **Guests**

A guest is defined as any individuals who have not been granted contractual access to a space. This includes but is not limited to HRE residents, non-resident students, and family members. Your Resident Director (RD) and Graduate Assistant (GA) are available to assist residents who may require support or guidance in working with a roommate about the presence of guests in their shared accommodations, and especially in cases where a roommate displays lack of consideration for others or abuses the privilege of hosting guests.

**Hosting Guests** – Guests in HRE facilities should always be escorted by a host resident. Any guest in HRE facilities who is not escorted by their host resident will be asked to leave the facility. Residents hosting a guest are expected to meet them at the entrance of their building when they arrive and walk them to an exit when they leave. Guests must not be left unattended or alone in the residence halls. The host resident is responsible for the actions and behaviors of their guest and must be present at all times when the guest is in an HRE facility. Keys or keyless entry devices may not be given to a guest for any reason. HRE staff may require a guest to leave if their behavior is not in accordance with University of Utah and HRE policies. HRE reserves the right to determine if the number of guests hosted by a resident is disruptive and may ask all or some guests to vacate. If the guest has a contract with HRE they will be accountable for their actions, otherwise the host will be held accountable for the actions or behaviors.

**Roommate Approval of Guests** – Students may have visitors at any time, providing that all other residence hall policies and regulations are observed, however all guests must be approved by all roommates in advance of a visit. Right to sleep, study, and feel comfortable in one's own environment take precedence over social desires of a room. Roommates should establish norms ahead of any guest's visit. Established guest norms between roommates may include, but are not limited to, standards for advanced roommate notification, preferred communication methods, and defining block-out dates for guests. These norms should be agreed upon and may be reflected in the roommate agreement.

**Overnight Guests** – An overnight guest is defined as any individual who has not been granted contractual access to a space, who will temporarily stay with a hosting resident overnight. Hosted guests staying in a space for after midnight on weeknights and 2 am on weekends are defined as overnight guests. An overnight guest must reside in the hosting resident's contracted space for sleep and may not reside in common spaces.

**Length and Frequency of Stay for Overnight Guests** - A resident may not host an overnight guest for more than three (3) consecutive nights. In total and including all approved guests, a resident may not host an overnight guest more than ten (10) nights a semester. Hosting overnight guests in excess of the Length and Frequency standards will be considered a violation of contract to the space.

**Overnight Guest Pre-Registration** – All overnight guests must be pre-registered with Housing & Residential Education by 9:00 pm on the evening their visit begins, though an agreement with roommates may require earlier confirmation. Roommate approval of any overnight guest is required prior to pre-registration. Hosts can complete overnight guest pre-registration online by filling out the "Register your Guest" form on their housing portal. Hosts will be asked to provide

and verify the name and date of birth of the overnight guest as well as upload a close-up photo of the overnight guest. For the safety of our community, registered sex offenders are not eligible as overnight guests.

**Pre-Registration for Overnight Guests under the age of 18** – For overnight guests under the age of 18 years old, parental/guardian notification is included as part of the pre-registration process. A copy of the “Pre-Registration for Overnight Guests under the age of 18” form can be accessed through the housing portal. Hosts will receive additional information and steps through the online pre-registration system.

## **EXPLOSIVES, FIREARMS, WEAPONS & DANGEROUS CHEMICALS**

**Explosives, Firearms, & Weapons** – Explosives (including but not limited to firecrackers, fireworks, home-made explosives, pyrotechnics, and gunpowder ), firearms, and other weapons are not permitted on campus, including all HRE facilities and properties on and off campus , except as expressly permitted by law. Weapons include but are not limited to explosive devices, nun chucks, swords, butterfly knives, brass knuckles, paintball guns, toy guns, pellet guns, or any other material that can be used to threaten or endanger others.

**Weapons as Decoration** – Weapons, simulated weapons, and disabled weapons of any type are not permitted to be used for decoration in any HRE facility on or off campus. This includes but is not limited to the list of weapons not permitted above.

Except as expressly permitted by law, explosives (including firecrackers, fireworks, home-made explosives and pyrotechnics), firearms, and other weapons are not permitted on campus. Weapons used for decoration are not permitted in the residence halls. This includes simulated weapons, disabled weapons, dangerous chemicals, any explosive device, nunchucks, swords, brass knuckles, butterfly knives, paintball guns, toy guns, pellet guns or any other material that can be used to threaten or endanger others.

Note regarding concealed weapon permit holders: If you become aware your roommate is a concealed weapon permit holder and you do not want to live with a concealed weapon permit holder, please alert the HRE office and we will accommodate a room change. HRE does not keep records on concealed weapon permit holders. Students interested in renting a safe from HRE should request this optional service in Housing U or by contacting HRE. Students wishing to store their firearm in a locker, should contact UPD at 801-585-2677.

## **FIRE SAFETY**

### **Appliances /Electronics**

- Neglecting appliances while in use in extremely dangerous and therefore prohibited.
- Overloading electrical cords and power strips can cause fires and is not permitted.
- Items Not Allowed – Items that contain/use an open heating element or immersion coil are not permitted in residence halls, and individual bedrooms within apartments. These items include but are not limited to hot plates, toasters, toaster ovens, and “George

Foreman” type indoor grills. Halogen lamps and water furnishings such as waterbeds are prohibited.

**Arson** – Intentionally setting a fire for any purpose within HRE facilities or property is illegal and prohibited.

**Open Flame/Candles** – Candles, incense, and any other item that produces or utilizes an open flame are prohibited. Any item that shows evidence of being burned will be considered a violation. Candles that show no evidence of a burnt wick or with no wick are permitted.

**Combustibles** and flammable liquids such as but not limited to fuel, kerosene, propane, oil, paint thinners, and lighter fluid are prohibited and not permitted inside any HRE facility or property on or off campus for any purpose. Materials used by students taking art classes are permitted within reason in small quantities to complete work and must be closed when not in use and stored safely.

**Decorations** and decorative items, such as but not limited to holiday decorations and light strings, must be flame retardant. Decorations, decorative items, and any hanging item, such as a hook or hanger of any kind, may not be hung from or interfere with fire safety equipment (i.e. sprinklers, smoke detectors, etc.).

**Failure to Evacuate** – Immediate evacuation when an alarm sounds is mandatory and re-entry into a building before an alarm is silenced or staff authorization is given is prohibited.

**Fire Safety Equipment** – It is against the HRE policy and University Student Code to intentionally set off a fire alarm, falsely report a fire, or tamper with or misuse fire safety equipment, which includes but is not limited to automatic door closures, smoke detectors, sprinkler heads, fire-alarm systems, fire-fighting equipment, or building security systems. It is unlawful to interfere with any fire equipment apparatus or to use a fire extinguisher or other fire protection equipment for anything other than its intended purpose. Covering or removal of smoke detectors is prohibited.

**Hallways** must remain clear at all times. Storing personal items in the hallway, including bicycles and trash and/or recycling items, is prohibited.

**Hover boards and electric scooters (rentable scooters)** and any other transportation device that use a rechargeable battery cannot be charged, operated, stored, or used inside any HRE facility or property on or off campus.

## **GAMBLING**

Gambling in any form is prohibited in HRE facilities. Gambling shall be defined as the playing of games of skill or chance during which money is publicly visible and/or changes hands.

## **KEYS**

### **Keys, Access, & Identification**

**Identification** – Residents are not permitted to give their UID out to other individuals for any purpose. Doing so is a violation of University of Utah and HRE policy. It is an expectation of HRE that all residents carry their UID with them at all times

**Keys** – Residents are not permitted to give their keys out to other individuals for any purpose. Keys cannot be duplicated. If you find lost keys, they should be turned in to the main HRE office in Benchmark 822.

**Locking Rooms** – Room, suite, and apartment doors should remain locked at all times.

**Loaner Keys & Temp Access Cards** – Students may be issued a loaner key or temporary access card from the front desks of the PHC, MHC, and Lassonde. Loaner keys and temporary access cards are given out for a maximum of 7 days and are due back by 9 am on the seventh day or else a lock change will be submitted or the card access will be turned off. Both loaner keys and temporary cards are \$10 unless returned within 30 minutes. A lock change for a lost key is \$60 per lock and will be charged to your student account. If you lose a key to Officer's Circle, you will be charged \$125 and every resident of the house will be issued a new key.

## **LAW**

Violation of federal, state, and/or local civil or criminal laws is prohibited while on university premises, including any HRE facility and property on and off campus, while participating in university activities, or while on premises over which the university has supervisory responsibility over pursuant to state statute or local ordinance. The police may become involved in addressing these violations. Any process engaged by HRE or the university is separate from any action or inaction taken by the city, state, or federal authorities.

## **PARKING**

**Parking & Driving:** All residents who wish to park an automobile on campus are required to buy a University parking permit at the current rate. As of fall 2014, permits will be issued virtually and can be purchased online at [www.commuterservices.utah.edu](http://www.commuterservices.utah.edu).

Bona fide visitors will be allowed to park in HRE surrounding lots during the appropriate hours if they purchase a day pass from the HRE office in Benchmark. Vehicles without a permit or an improper permit will be ticketed. There is limited short-term visitors' parking in designated areas. Parking in walkways, fire lanes or other non-designated parking spots is prohibited. Removal of bollards blocking access to sidewalks will result in student conduct action and possible ticketing violations. Additional information may be obtained by contacting Commuter Services by phone 801-581-6415 or by visiting <http://www.parking.utah.edu>. Hours of operation are Monday–Thursday: 7:30 a.m. to 6 p.m. and Friday: 7:30 a.m. to 5 p.m.

## **PERSONAL PROPERTY**



Students are solely responsible for the safe keeping of their personal property in their room and building. HRE assumes no responsibility or liability whatsoever for any loss, destruction, or damage to personal property unless such loss is due to the sole negligence of HRE. **Students are advised to purchase a renters insurance or other property insurance to cover personal property.**

**Removing Personal Belongings** — Students shall remove all personal property from HRE premises on or before the last day of the agreement. Any personal property belonging to the student remaining on HRE premises after the last date of the agreement shall be deemed abandoned by the student and may be disposed of by HRE at the student's expense. HRE may enter a space at any time to remove personal property of the student if it creates a nuisance, is hazardous, or is otherwise prohibited by this agreement or university or HRE policy.

**Preparation for Vacancy** – When a vacancy or empty bed exists in your room or apartment it is expected that space remain free of your personal belongings and ready to receive a new assigned resident at all times. This includes removing any personal items so the space can be cleaned before occupancy by a new resident. In spaces with individually assigned bedroom spaces, personal items should only be in your assigned space and never in another space, even when empty or unoccupied. This can be considered trespassing if found violated.

**Personal Belongings in Common Areas** – Residents in Shoreline Ridge, Marriott Honors, and Lassonde Lofts should remove personal items from common areas during scheduled custodial cleaning. Repeated failure to do so inhibits HRE staff's ability to maintain the cleanliness of the facility.

### **Block 44 Residents**

In addition to the above responsibilities of all University of Utah HRE residents, Block 44 residents are expected to abide by the following additional responsibilities:

### **Trash & Recycling**

- Containers are located at various places throughout the community. Residents shall secure trash and place it in a designated container. Residents shall not place trash on the ground if dumpster is full and should proceed to the next closest container to dispose of the trash.
- Residents shall not place large articles, such as furniture, for trash removal and resident shall make arrangements with a private disposal service to pick up such an item at residents expense.
- Boxes should be broken down before disposal.
- Resident shall not dispose of hazardous materials in any container or other location at the community.

### **Patio & Balcony**

- Patios and balconies are to be kept neat and orderly at all times.
- Do not hang bathing suits, brooms, mops, rugs, lights, etc. on the patio or balcony.
- The installation of sunshades, blinds, or hanging fabrics is not allowed.

- No storage of any personal property or trash containers is allowed.
- All plants must be free standing and have saucers underneath them. Hanging plants are not permitted.
- No bikes and/or motorcycles are allowed to be kept on any patios or balconies at any time. Unapproved bike hooks are not permitted and will be removed.
- Only furniture designed for outdoor use is permitted. All furniture with metal legs is expected to have rubber feet or other protective barrier.
- Resident will not make any alterations to the deck, including but not limited to puncturing the deck surface with any screw, nail, or sharp object.
- The use or storage of any charcoal burner, liquid petroleum, gas fueled, or any other open flame cooking devices are prohibited in the resident's unit or on their patio/balcony.

## **PETS**

Residents are prohibited from having animals or pets of any type in HRE facilities or properties on or off campus, with the exception of fish in aquariums of less than 10 gallons and authorized animals assisting residents with disabilities or offering emotional support. For more information about service and emotional support animals and instructions on the registration process please visit <https://disability.utah.edu/services/housing.php>.

## **PRESENCE DURING A VIOLATION**

HRE depends on all community members to assist in ensuring the safety, security and well-being of our living environments. If you willingly and knowingly are in the presence of a University or HRE policy violation, failure to report it to HRE staff, is considered a policy violation.

## **QUIET HOURS**

Quiet hours are predetermined periods when sound including stereos, televisions and voices must be at a volume low enough to be inaudible in adjoining rooms or hallways (except in a 24-hour quiet community). Quiet hours are set as follows:

- Weeknights (Sunday-Thursday): 10 p.m. to 8 a.m.
- Weekend (Friday & Saturday): Midnight-8 a.m.

Quiet hours may be adjusted by a community, through working with the RA of the community, to begin earlier and end later, but cannot be adjusted to begin later and end earlier.

**24-hour Courtesy Hours:** At all hours of the day, courtesy hours are in effect. This means that even if quiet hours are not in place, all residents are expected to keep noise levels within reason so that students may sleep and study.

**24-hour Quiet Hours During Finals:** During finals week, **all** communities are required to adhere to 24-hour quiet hours. Violation of 24-hour quiet hours can lead to immediate dismissal from the hall for the remainder of finals week.

## **ROOM ENTRY**

### **Student Room Entry by University Personnel**

The right to privacy is of paramount importance and should not be violated by University staff. In order to respect this right, HRE will make every effort to provide 24-hour notice prior to entry into a living space. However, the entry into the living space of a student without 24-hour notice may be conducted by authorized university personnel for the purposes and under the procedures detailed below.

- To conduct regularly scheduled inspections of safety equipment and health and safety standards.
- To ensure that health, fire and safety regulations are maintained during break periods.
- To make improvements and repairs and to provide routine maintenance services.
- In emergency and/or extraordinary situations to protect the health and welfare of students or to make emergency repairs to prevent damages to the property of the student and the University.
- When there is reasonable cause to believe a student's health or well-being is in jeopardy or there has been a suspected violation of housing and/or University policies, regulations or federal, state or local laws or ordinances.
- When personnel have knocked and have been invited in.
- When performing resident move-out verification.
- When the door is open and a violation of Student Conduct Code, University policies, and/or Housing policies is in plain view.
- Access will be granted to any law enforcement officer possessing a valid search or arrest warrant

### **Trespassing/Unauthorized Entry**

**Access without host** – Accessing the space of another resident without that resident present as your host, even with their permission, is prohibited.

**Entering without permission** – Entering the space of another resident without permission is prohibited and is considered trespassing.

**Unauthorized entry** in any university or HRE room, building, or premises is prohibited and is considered trespassing.

**Violation of Eviction Terms** – Being found within 500 ft. of HRE facilities or properties on or off campus in violation of terms of an eviction is considered trespassing.

## **SALES & SOLICITATION**

**Public Space Distribution:** Distribution of handbills outside of the PHC, MHC, and Lassonde Studios is permissible, but must not interfere with the entrances and normal flow of pedestrians, disrupt the functioning of the University or interfere or impact the rights of other members of the community. Handbills must clearly include the author and sponsor of the materials.

**Commercial Business & Private Sales:** Commercial Business and/or private endeavors may not advertise or sell in HRE facilities (e.g. Avon, Pampered Chef, Rodan & Fields, Young Living,

etc.). Residents who are sales personnel for such commercial businesses may only sell an item to residents who approach the sales person on an individual basis. Display table reservations may be requested in the PHC, MHC, and Lassonde Studios and fees may apply.

**Advertising:** No individual resident may advertise or sell any item on a business level nor set up a business or private endeavor which markets the same item(s) consistently, which exploits the environment or its community members. University phone numbers may not be given out as contact information for business or private endeavors.

**Business in Lassonde Studios:** Lassonde Studios may have startup business operate out of the residential space with the following stipulations:

1. Approval for the business operations is given by both the designated Lassonde representative and HRE representative.
2. The business is logged with the Residential Director of the building.
3. The business does not market directly to or profit from Lassonde Studio residents.

**Door-to-door solicitation:** Door-to-door solicitation is not acceptable. Report solicitors directly to your RA or by calling the PHC (801-587-2002) MHC (801-587-8444), Lassonde Studios (801-213-8700) front desk immediately.

## **SEX OFFENDER REGISTRATION**

The University of Utah required all applicants seeking to live in student housing to self-identify any criminal convictions requiring registration in a sex offender database. The University of Utah also compares each applicant for student housing against the Utah Sex Offender Registry. Known convicted sex offenders are not permitted to live in student housing.

## **SPORTS**

Any sports related activity is strictly prohibited in all HRE facilities and properties on or off campus. This includes but is not limited to: using sports equipment (i.e. Frisbees, rackets, darts, etc.), ball playing, rollerblading/in-line skating, bicycling, skateboarding, and water/food fighting. Utilizing any outdoor modes of transportation such as bicycles, skateboards, scooters, hoverboards, etc. are not permitted inside any HRE facility or property on or off campus.

## **THEFT**

**Attempted or actual theft** of university or HRE property or items belonging to another person is a prohibited.

**Theft of Food** – Taking or attempting to take food without purchase or outside of takeout meal policy from the PHC Dining Room, Crimson Corner, or Honors Market is a policy violation and considered theft.

**Removing furniture** out of common spaces is also considered theft.

## **TOBACCO & TOBACCO PRODUCTS**

**No Smoking** – Smoking is not allowed inside any HRE facilities or properties on or off campus. This includes cigars, cigarettes, pipes, hookah, e-cigarettes/vape, or any other smoking device. Hookah pipes or bongs are prohibited inside of any HRE facility or property on or off campus. Any smoking paraphernalia known to be associated with or suspected of use with drugs may be confiscated by UPD and is a violation of the drug policy.

**Tobacco Free Campus** – As of July 1, 2018, the University of Utah is a Tobacco Free Campus. Smoking is prohibited in all campus buildings and outside in areas of the campus where non-smokers cannot avoid exposure to smoke. The scope of this guideline applies to the premises of the University of Utah, owned, operated, and leased and all persons on the premises. Smoking is prohibited up to 25 feet outside an enclosed area where smoking is prohibited to ensure that secondhand smoke does not enter the area through entrances, windows, ventilation systems, or any other means. To view the complete policy please visit [https://regulations.utah.edu/administration/guidelines\\_3/tobaccoFree.php](https://regulations.utah.edu/administration/guidelines_3/tobaccoFree.php).

## **VANDALISM**

**Defacing property** – Defacing University or HRE property (including bulletin boards, posters, and/or door tags) is considered vandalism and is prohibited.

**Intentional damage** to or improper use of university or HRE property is also prohibited and considered vandalism.

## **WINDOWS/SCREENS**

**Removal of screens** is prohibited. Submit a work order immediately if your screen is damaged, removed, or missing. If found to have been purposefully removed, the resident may be charged for the screen replacement and/or reinstallation.


**Throwing objects** from or at windows is strictly prohibited. Items should not be attached to the window in order to maintain condition of the window.

**Window not Entrance or Exit** – Entering or exiting a room through a window is prohibited.

**Window Decoration** – Posters and/or decorations cannot cover the window and cannot be visible in/through room windows. These should only be seen by the residents of the room. HRE prohibits posting in room windows and will ask that they be removed.

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## **STUDENT CONDUCT PROCESS**

**Residence Hall Agreement** – The Residence Hall Agreement which you agreed to when completing your application for housing can be found .

## Conduct Process Overview

HRE receives reports regarding potential violations of HRE [rights and responsibilities](#) and/or the University of Utah [Student Code of Conduct and Student Bill of Rights](#) through a various reporting places. When a report of potential student misconduct is reported the following procedures are put in motion.

### 1. Request to meet

A hearing officer will contact the student to meet to discuss the alleged violation and the details around the situation. A hearing officer is a professional staff member within the Housing and Residential Education team.

A student will receive an email documenting the alleged violation, a request to meet or a specified time to meet, and the hearing officer's contact information. If the hearing officer does not hear back for the student in a timely fashion, the hearing officer may send a second request via email and try to contact the student by multiple communication methods. This could include contact by phone, text message, visit to student's room, and/or leave a letter in the student's room. Our goal is to meet with all student with alleged violations.

All email communication will be directed to the student's umail account. It is the student's responsibly to check this email frequently and to respond to any requests to meet.

If the student chooses to not engage in the conversation with the hearing officer and/or does not appear at the scheduled meeting, the hearing officer, may make a determination of responsibility and assign appropriate sanctions without a student's participation. Incomplete sanctions can result in holds being placed on student accounts. An administrative hold restricts class registration and other official University of Utah requests.

Housing and Residential Education seeks to address policy violations in a way which prevents harm, centers learning, and encourages student accountability. All violations of HRE policy are addressed through our Student Conduct process which is guided by values of community, fairness, and responsibility.

### 2. Conduct Process

When the student appears for the meeting, they will have the opportunity to ask questions and to discuss the alleged violation/incident from their perspective. Hearing officers are considered a private, but not confidential party therefore reports of sexual misconduct, harm to self or others, may be reported to addition need to know professional staff members.

After completing discussion and any other process of the investigation of the alleged violation, the hearing officer will provide the student with a written letter, within 3 business days from completing the investigation, which states the following:

- The alleged violated policy and date it occurred.
- The findings

- The determination of whether or not the student has been found responsible or not responsible for the alleged violations.
- A rationale
  - The reasoning why the finding were determined.
- Details on the assigned sanctions and completion due date.
  - Incomplete sanctions can result in holds being placed on student accounts. An administrative hold restricts class registration and other official University of Utah requests.
- The right to appeal the decision according to the grounds for appeal.

Any findings made through the conduct processes is based off the preponderance of evidence rule. This means hearing officers are deciding whether the student is responsible or not responsible must be 51% positive their decision is correct and justified.

### **3. Advisors or Legal Counsel representing students in the conduct process**

Students are welcome to bring a support person to scheduled meetings. Please note only one advisors will be permitted to be present with the student at a time. The conduct meetings are conducted by hearing officers, and are not quasi-judicial proceedings. Therefore, advisors/counsel may be present to advise and support student but may not actively participate in conduct meetings. Advisors/counsel may not answer questions posed to the charged student on their behalf. The role of the advisor/legal counsel is to advise and assist the student.

### **4. Sanctions**

Any student who is found responsible for violating the HRE rights and responsibilities or Student Code of Conduct may be subject to an array of the sanctions. Sanctions are given as a method to address policy violations in a way which prevents harm, centers around student learning, and encourages student accountability. Failure to complete sanctions by designated due could have an administrative hold placed on their University of Utah account. Holds affect student's ability to register for class and other University functions/requests.

### **C. Appeal Procedures**

A student who receives a sanction(s) have the right to appeal the finding based on three (3) specific grounds.

Grounds for appeals include:

- The student's due process rights were substantially violated in the hearing process.
- Sanctions are excessive and/or do not fit the nature of the violation.
- New evidence/information is available that was not known at the time of the hearing.

All appeals must be completed in writing to the designated appeal officer, within three (3) business days of the notification of finding and sanctions being given. The name and contact information of the appeal officer will be included in the original sanction letter.

The student's written request should include a full description of the reason(s) for the appeal (see grounds for appeal) and all pertinent information the student wishes to present to support the appeal, as the appealing student is not guaranteed an in-person meeting with the appeals officer.

The appeals officer will review the details of the original case, the appeal, the grounds for the appeal and issue a written decision to the student, within 10 (ten) business days from days from completing the investigation.

The appeals officer may either:

- Dismiss the allegation as unfounded.
- Modify the sanction given.
- Agree with the sanction imposed.

## EVICTION

As stated in your housing application, residents may be evicted from HRE facilities even after a first offense. Examples include:

- Repeated use or possession of alcohol, to include as few as two times—regardless if you are over the age of 21. The University of Utah is a dry campus.
- Possession, use or distribution of an illegal drug (including marijuana) or a controlled substance. If it is in your room, your pocket or anywhere else under your control, it is yours. Being in the presence of, or association with, is also a violation of policy.
- Possession of a weapon, with the exception of a concealed firearm held by a concealed firearm permit holder.
- Theft.
- Endangering self or others.
- Acts of violence: Physically hurting or causing injury to others, sexual assault/misconduct, fighting, pushing/shoving, etc.
- Tampering with fire safety equipment or devices. This includes, but is not limited to, creating false fire alarms and discharging fire extinguishers.
- Bomb threat.
- Failure to keep your financial account current.
  - **Payment** – Failure to pay and resolve any outstanding housing bills after notification is prohibited.
- Failure to complete educational sanctions assigned after being found responsible for a residence hall policy violation.

## IMPLICATIONS OF EVICTION

There are several implications of being evicted. Most obviously, is the requirement for you to vacate your on-campus housing space. Other implications also include:

- Restricted access from visiting any on-campus HRE facility including the Peterson Heritage Center.
- Assuming full financial responsibility for all remaining housing costs