

- 2) **Disruption, obstruction, or interference** with university activities, including but not limited to teaching, research, administration, meetings, public events, disciplinary proceedings, and public service functions on or off campus; the right of access to University facilities or freedom of movement of any person on campus.
- 3) **Abusive conduct**, including physical abuse, verbal abuse, threats, harassment, discriminatory harassment, stalking, cyberstalking, bullying/cyberbullying, privacy violations, violations motivated by hate, bigotry, and/or bias, discriminatory harassment, intimidation, force, coercion, and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of one's self, another individual, a group of individuals, or members of a student organization. (See Respect for Health, Safety, Rights of Others, Rights of Self Pg.19)
- 4) **Endangering behavior**, which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including one's self, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm. Examples include but are not limited to physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including one's self.
- 5) **Theft of and/or damage** to other persons' or University property, including possession of property known to be stolen.
- 6) **Hazing**, any action taken, or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with

10)

Using story material, wording or dialogue taken from published work, motion pictures, radio, television, lectures, websites or similar sources without appropriate quotation marks, citation or footnote reference
Claiming disproportionate credit

Harassment

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

Stalking

Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for the individual’s safety or the safety of others; or if the individual suffers substantial emotional distress. For the purposes of this definition “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including, but not limited to, electronic communication, in person, or by mail, that causes the individual to believe that the stalker will cause physical harm to the individual or another person.

Threats

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

Physical Assault

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

Examples include, but are not limited to the following:

Actions which require medical attention for substance abuse.

Self-harm, threats of self-harm, or attempts of self-harm which impact others in the community.

Driving while under the influence of drugs or alcohol.

Bullying/Cyberbullying

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

Violations Motivated by Hate, Bigotry, and/or Bias

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

Discriminatory Harassment

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

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

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

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

III. Alcohol

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

The following behaviors are prohibited:

Illegal consumption and possession of alcohol

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

Excessive Quantities (Students over 21 years of age)

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

Serving or Providing Alcohol to Individuals Under 21

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

Public Consumption

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

Consumption in Non-Authorized Locations

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

Use of Tap Systems and Common Source Alcohol Containers

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

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Drinking Games and Paraphernalia

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

Alcohol Purchase

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

IV. Drugs

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

The following behaviors are prohibited:

Illegal consumption and possession of Drugs

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

Use or Possession of Marijuana

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

Medical Marijuana

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

Illegal Use or Possession of Any Other Controlled Substance

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

Drug Paraphernalia

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

compounding, converting, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance,

VII. Respect for Individual and University Property

Individual Property

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

University Property

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

Theft

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

Fliers

Students must obtain permission from 0 (he)MCID 12 >[Tc -013 7 r(r)4 (s)6 (heda-63 41po-1 (rs)2 ()13 (d p

Motorized Vehicles

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

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

VIII. Respect for University Functions, Policies, and Procedures

Free Expression and Peaceful Demonstrations

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

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

Peaceful Demonstrations

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

Signs, Posters, and Banners

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

Fire, Torches, or Open Flame

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

Masks and Face Coverings

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

Identification

Encouraging Violations

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

Complying with Instructions

Students are prohibited from encouraging, enticing, influencing, or enlisting another person to violate any of the University rules, regulations, or policies listed in this handbook.

IX. Sexual Misconduct and Relationship Violence Policies

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

Sexual Harassment

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

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

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

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

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

Relevant Definitions

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

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

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

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

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