

# University Policies

A University Policy is a rule that has been officially sanctioned by the president of Carnegie Mellon University and that generally has university-wide applicability. A policy may include governing principles, may either mandate or constrain action, may ensure compliance with laws, or may mitigate the university's risk. Broadly, a policy is either academic or administrative in scope and application and must be approved by the president (and Board of Trustees as required), in order to become official University Policy.

Additional University Policies and information may be found at [www.cmu.edu/policies](http://www.cmu.edu/policies) (<https://www.cmu.edu/policies/>).

## Academic Integrity

[www.cmu.edu/policies/student-and-student-life/academic-integrity.html](http://www.cmu.edu/policies/student-and-student-life/academic-integrity.html) (<https://www.cmu.edu/policies/student-and-student-life/academic-integrity.html>)

Students at Carnegie Mellon are engaged in intellectual activity consistent with the highest standards of the academy. The relationship between students and instructors and their shared commitment to overarching standards of respect, honor and transparency determine the integrity of our community of scholars. The actions of our students, faculty and staff are a representation of our university community and of the professional and personal communities that we lead. Therefore, a deep and abiding commitment to academic integrity is fundamental to a Carnegie Mellon education. Honesty and good faith, clarity in the communication of core values, professional conduct of work, mutual trust and respect, and fairness and exemplary behavior represent the expectations for ethical behavior for all members of the Carnegie Mellon community.

### Policy Statement

In any manner of presentation, it is the responsibility of each student to produce her/his own original academic work. Collaboration or assistance on academic work to be graded is not permitted unless explicitly authorized by the course instructor(s). Students may utilize the assistance provided by the Student Academic Success Center and the Academic Resource Center (CMU-Q) unless specifically prohibited by the course instructor(s). Any other sources of collaboration or assistance must be specifically authorized by the course instructor(s).

In all academic work to be graded, the citation of all sources is required. When collaboration or assistance is permitted by the course instructor(s) or when a student utilizes the services provided by the Student Academic Success Center and the Academic Resource Center (CMU-Q), the acknowledgement of any collaboration or assistance is likewise required. This citation and acknowledgement must be incorporated into the work submitted and not separately or at a later point in time. Failure to do so is dishonest and is subject to disciplinary action.

Instructors have a duty to communicate their expectations including those specific to collaboration, assistance, citation and acknowledgement within each course. Students likewise have a duty to ensure that they understand and abide by the standards that apply in any course or academic activity. In the absence of such understanding, it is the student's responsibility to seek additional information and clarification.

### Policy Violations

*Cheating* occurs when a student avails themselves of an unfair or disallowed advantage which includes but is not limited to:

1. Theft of or unauthorized access to an exam, answer key or other graded work from previous course offerings.
2. Use of an alternate, stand-in or proxy during an examination.
3. Copying from the examination or work of another person or source.
4. Submission or use of falsified data.
5. Using false statements to obtain additional time or other accommodation.
6. Falsification of academic credentials.

*Plagiarism* is defined as the use of work or concepts contributed by other individuals without proper attribution or citation. Unique ideas or materials taken from another source for either written or oral use must be fully acknowledged in academic work to be graded. Examples of sources expected to be referenced include but are not limited to:

1. Text, either written or spoken, quoted directly or paraphrased.
2. Graphic elements.
3. Passages of music, existing either as sound or as notation.

4. Mathematical proofs.
5. Scientific data.
6. Concepts or material derived from the work, published or unpublished, of another person.

*Unauthorized assistance* refers to the use of sources of support that have not been specifically authorized in this policy statement or by the course instructor(s) in the completion of academic work to be graded. Such sources of support may include but are not limited to advice or help provided by another individual, published or unpublished written sources, and electronic sources. Examples of unauthorized assistance include but are not limited to:

1. Collaboration on any assignment beyond the standards authorized by this policy statement and the course instructor(s).
2. Submission of work completed or edited in whole or in part by another person.
3. Supplying or communicating unauthorized information or materials, including graded work and answer keys from previous course offerings, in any way to another student.
4. Use of unauthorized information or materials, including graded work and answer keys from previous course offerings.
5. Use of unauthorized devices.
6. Submission for credit of previously completed graded work in a second course without first obtaining permission from the instructor(s) of the second course. In the case of concurrent courses, permission to submit the same work for credit in two courses must be obtained from the instructors of both courses.

Procedures for dealing with allegations of these policy violations are detailed in the university's Academic Disciplinary Action Procedures, which are published in The WORD student handbook (<https://www.cmu.edu/student-affairs/theword/>). Periodic review of these procedures will be overseen by the Dean of Student Affairs or her/his designee in consultation with Faculty Senate and the relevant student governing bodies. Any amendments to these procedures are subject to the approval of Faculty Senate. Additional guidelines and procedures for graduate students may exist at the college/department/program level, in which case they are communicated in the college/department/program graduate student handbook.

## Computing Policy

[www.cmu.edu/policies/information-technology/computing.html](http://www.cmu.edu/policies/information-technology/computing.html) (<https://www.cmu.edu/policies/information-technology/computing.html>)

### Statement

The purpose of this policy is to set forth guidelines so that members of our community may use the campus network and computing facilities in ways that are responsible and respectful of privacy. This policy sets forth the university's expectations of acceptable behavior on the part of computer systems users at Carnegie Mellon by providing guidelines for appropriate use of computing and related communication systems and examples of inappropriate use. These standards of acceptable behavior also extend beyond the campus community into the Internet. Just as it is unacceptable to violate others' rights to privacy, property and resources within Carnegie Mellon, it is also unacceptable to violate those rights on systems that are not at Carnegie Mellon but are accessible through Carnegie Mellon's connection to the Internet.

This policy applies to all users of Carnegie Mellon computing systems, including students, faculty and staff, and any others granted the use of university computing resources. It applies to the use of all computing facilities owned, leased, operated or contracted by Carnegie Mellon University. As used in this policy, terms such as "computing," "computing/communications systems," "computing resources," etc., refer to all computers, communication systems, and peripherals, software, telephones and systems with similar functions, which are owned by Carnegie Mellon, or which utilize Carnegie Mellon infrastructure such as telephone lines or computer networks.

Although this policy does not attempt to deal specifically with legal issues, university members are responsible to act in compliance with the law, including any federal, state and local laws governing computer and telecommunications use, as well as all other applicable university policies.

### Privileges and Responsibilities

Every member of the Carnegie Mellon community who uses computing and related communications systems at Carnegie Mellon, or systems that belong

to Carnegie Mellon or which rely on Carnegie Mellon's infrastructure has the responsibilities described in this policy. This includes members of the Carnegie Mellon community who have restricted privileges, such as alumni who may have electronic mail forwarding access, but no access to "login" resources. Individuals with personally-owned computers, but who rely upon the university network to connect those computers (either through an on-campus or remote network connection, such as Ethernet, wireless, dialup, DSL) are expected to abide by the policies set forth in this document. Personally-owned computers operating in stand-alone mode or networked through a non-university connection are not covered under this policy, but those users are encouraged to consult the usage policies set forth by their Internet Service Provider.

A fundamental premise of this policy is that anyone sharing computing resources with other individuals should behave as a reasonable, mature and ethical person. The user must recognize that computer systems and networks do not exist in some special rule-free environment; on the contrary, use of computers is a form of communication, and every component of a computing environment and every piece of information it contains belong to the university, the university community as a whole, or some individual or group within that community.

Access to Carnegie Mellon's computing resources is contingent upon being a member of the university community and adhering to university and Computing Services policies, guidelines and procedures, including this policy. Misuse may result in the loss of access and/or university disciplinary action. For some users and certain systems, access may be authorized by specific departments, research centers or other organizations affiliated with Carnegie Mellon. In such cases, any department- or group-specific policies and guidelines must be adhered to when using resources provided by the department or group. This is in addition to university policies and Computing Services guidelines and procedures.

Any user who suspects a violation of the University's computer use policies, or who has knowledge of potential vulnerabilities or security loopholes in a system or network at Carnegie Mellon, should immediately notify the Computer and Network Security Coordinator or [abuse@andrew.cmu.edu](mailto:abuse@andrew.cmu.edu).

### Maintain the Security and Confidentiality of your Account

Users assume personal responsibility for the use made of their computer accounts. This responsibility begins with selecting a secure password, and involves maintaining the confidentiality of that password and changing the password regularly in order to assure the continued security of your account. For guidance in selecting a secure password, see Managing Your Andrew Password. If you believe that someone has made unauthorized use of your account, you should change your password immediately and report the incident to the Computer and Network Security Coordinator or [abuse@andrew.cmu.edu](mailto:abuse@andrew.cmu.edu).

### Respect for Others' Property and Privacy Rights

Users are responsible to respect copyright agreements and intellectual property ownership. Any material that is the work of another, whether explicitly copyrighted or not, should not be distributed by a user without appropriate acknowledgement and/or permission of the creator; unless permission has been granted by the owner of copyright protected materials, distribution of copyright protected material via the university network or computer systems is prohibited. So while the university has been granted permission by software vendors to distribute certain software packages via the network, it is not generally permissible for individual users to distribute that same software to others via the university network or computer systems. See the sections in this policy on Misuse and Inappropriate Behavior. While there may be cases in which property rights to particular programs, data, etc., are ambiguous or in dispute, the user must assume that any information not created by themselves belongs to someone else and must respect that person's privacy and property rights to that information. (In certain situations, even information created by the user may not belong to that user but rather to the university or others.) This policy is not intended to limit "fair use" as permitted under the Copyright Act and users having questions about whether a particular use constitutes a "fair use" may consult the General Counsel for advice.

### Improper/Illegal Communications

Any communications that would be improper or illegal on any other medium are equally so on the computer: libelous material, obscene messages, harassment, forgery, threats, etc. However, this is not intended to restrict the free expression of ideas. Communication conducted in accordance with the university policy on Free Speech and Assembly and Controversial Speakers and with the statement on Academic Freedom and Responsibility enunciated in the Appointment and Tenure Policy of Carnegie Mellon University will not be considered a violation of this policy. For further guidelines, see also the university policy on Separation of Individual's and Institution's Interests.

### Responsible Sharing of Resources

Where a resource such as memory, CPU time or access to network resources belongs to the whole community collectively, it must be shared.

It is unacceptable to make such excessive use of system or network resources that other users cannot obtain access. Examples include excessive use of CPU time during a period of heavy use on a timesharing system, excessive use of disk space on a system that does not limit such utilization, the use of an excessive amount of network bandwidth in an environment of networked computers, and any activity that makes a system unusable or significantly degrades performance for others. A novice user might be unaware that a particular action constitutes "excessive use" but, without doubt, once a system administrator makes them aware of the fact that such an action is unreasonable, that user will be held responsible for any further such infractions. If you are unsure whether your needs constitute excessive use, contact the system administrator. Similarly, if you need an unusual amount of disk space, CPU time or other resources, check with the system administrator to find out whether this use can be accommodated, rather than risk interfering with the work of others on the system.

### Risks of Data Loss and Data Persistence

Although the university will make efforts to secure the network and university controlled servers from abuse and damage, it cannot guarantee against data loss by a student, faculty, member or staff, either on a university-operated or an individually-owned computer.

Users should know that even those files that they have "deleted" using the appropriate procedures in the application or operating system, may indeed be recoverable if they exist in a system backup file or other persistent form. If the university is asked to recover such data by subpoena, it must cooperate, and data that the user believes to have been destroyed may be recovered in the process.

### Personal Use

While the university makes computer resources available primarily to achieve its goals of education and research, and for administrative activities, it realizes the need to encourage the personal use of computing for the convenience of the campus community. Thus, it is reasonable to allow the use of computing resources for computer mail, document preparation, personal or course Web page publication, or other activity that can facilitate convenience or enhance productivity, to the extent that the activity is within the limits described by Responsible Sharing of Resources.

Any personal use of computing resources related to operating a personal business or commercial enterprise is prohibited unless permission to do so has been specifically granted by the provost or the provost's designee.

We do recognize the difficulty of distinguishing whether certain cases of "personal use" are allowable, such as activities that result in personal financial gain (e.g. checking stock prices online), relate to a commercial business (e.g. university-sponsored technology transfer efforts), or support (but do not constitute operating) a personal business (i.e., a student developing a business plan or a faculty member writing a report for a consulting engagement outside the university). In such cases, we rely on individuals to be responsible and judicious in the use of university's shared computing resources. In particular ensuring:

- appropriate use of resources (e.g. any such work is completed outside of university time and does not utilize shared resources such as CPU cycles or network bandwidth to a degree that adversely impacts academic or research activities);
- appropriate use of licenses (e.g. do not use software procured with academic use licenses for commercial applications or development, unless the license explicitly permits such use);
- appropriate marketing (e.g. no creation of ".com" domains within Carnegie Mellon's "edu" domain, no advertising services and products using Carnegie Mellon email accounts, and no advertising using web pages on Carnegie Mellon servers (any server with a .CMU.EDU host name).

In cases of questionable personal use of resources, you may contact [advisor+@andrew.cmu.edu](mailto:advisor+@andrew.cmu.edu) to determine whether a particular activity is permissible.

We reserve the right to restrict personal use of university systems and networks by an individual or by the community at large, if the use of resources for such activities becomes excessive. If you need unlimited access to computer networks for private or business purposes, you can subscribe to a commercial service.

For information regarding the use of resources to produce intellectual property and profit from the development of such property see Carnegie Mellon University's Intellectual Property Policy and the Policy on Conflict of Interest/Commitment.

## Privacy

The user must presume that the contents of any other users' directory are private unless expressly designated otherwise, just as one would presume that the contents of someone's apartment or office are private.

The only exceptions to this rule are: that in some environments, files such as "plan files" may be considered public even if the user has not expressly designated them as such; and that some services such as web pages and anonymous or "guest access" ftp services may be considered to be public, but only for those areas not protected by password and which are "obviously" public. An unprotected account or shared device (such as a shared disk on a networked computer) are not considered to be public unless the name or service expressly indicates that it is. In such cases, any files or other data which would appear to be private in nature, by virtue of the file name or data stored, even if "publicly accessible" should be considered to be private. The user accessing such files has a responsibility to ask the owner of the files or service if the files are intended to be publicly accessible before the user does more than a "cursory glance" sufficient to cause the question.

A user can explicitly grant access to his or her directories, files or to services run from his or her systems. However, users who issue general or vague invitations to browse through their files incur a special obligation to protect any material that they do not wish others to see. Indeed, all users are urged to maintain protection levels on their files consistent with the access they are actually willing to give to other users.

### Access to Faculty Data

Electronic data on a faculty member's account, whether stored on a computer in the faculty member's office or elsewhere under the proprietary control of that faculty member, may not be examined, i.e., the contents of the data read by a person, without the faculty member's consent, except in cases of emergency or in response to a valid subpoena, search warrant, or order of a court. Posting of data by a faculty member on servers available to the public or to students shall be understood to imply consent, and electronic access given to specific parties by the faculty member will likewise imply consent for those parties to access permitted data. Emergencies may include, for example, but are not limited to, the death, incapacity or disappearance of the faculty member, or the search for and examination of files used for apparently malicious activity in an account which endangers the integrity of shared computers, the network, or other aspects of the university's computing infrastructure.

Only specifically designated individuals are permitted to determine what passes for an "emergency." Such individuals may be specifically designated, or may be designated by job position/description. All assignments for individuals or positions will be done by Provost or by a designate of the Provost.

Whenever possible and legally permissible, notification must be given to the faculty member whose data are subject to subpoena, search warrant, or order of court prior to compliance therewith, and, whenever possible and legally permissible, sufficient time must be allowed, before intrusion, to allow the faculty member to file a motion to quash. Information obtained from an examination warranted by an emergency cannot be used as evidence in University sanctions of any faculty member, and cannot be released to the public, or to the university community or to public officials, except as such releases are essential to resolution of the emergency, or constitute evidence of a crime concealment of which would obstruct justice, and in the latter case release may only be to appropriate law enforcement officials. Any intrusion by an employee of the University into a faculty member's electronic data must be reported to the faculty member as soon as possible, and within five days of the event in writing both to the faculty member, if possible, and unless prohibited by order of court, and to an Ombudsman, who shall be a member of the regular faculty selected annually by the Nominating Committee of the Faculty Senate and who has been endorsed by majority vote of the Faculty Senate. The Ombudsman shall be a current or retired regular faculty member who holds no administrative appointment and is not a member of the Faculty Review Committee. The Ombudsman shall have authority to investigate whether an intrusion was warranted by the policy and, (i) shall inform the President and the affected faculty member of the Ombudsman's findings; (ii) where a violation of the policy is found, shall inform the Faculty Review Committee of the policy violation; and (iii) where appropriate, in the absence of the affected faculty member, to bring a grievance before the Faculty Review Committee. Violation of any aspect of this policy is a sanctionable offense.

For purposes of this section, the term "faculty" shall mean any person who is a member of the Faculty Organization as defined in Article III of the Constitution of the Faculty Organization.

### Access to Staff Data

Electronic data on a staff member's account, whether stored on a computer in the staff member's office or elsewhere under the proprietary control of that staff member, may not be examined, i.e., the contents of the data

read by a person, without the staff member's consent, except in cases of emergency, in response to a valid subpoena, search warrant, order of a court, or by specific request by the staff members' supervisor for the purpose of accessing work-related electronic data. Posting of data by a staff member on servers available to the public or to members of the university shall be understood to imply consent, and electronic access given to specific parties by the staff member will likewise imply consent for those parties to access permitted data. Emergencies may include, for example, but are not limited to, the death, incapacity or disappearance of the staff member, or the search for and examination of files used for apparently malicious activity in an account which endangers the integrity of shared computers, the network, or other aspects of the university's computing infrastructure.

Only specifically designated individuals are permitted to determine what passes for an "emergency." Such individuals may be specifically designated, or may be designated by job position/description. All assignments for individuals or positions will be done by Provost or by a designate of the Provost.

Whenever possible and legally permissible, notification must be given to the staff member whose data are subject to subpoena, search warrant, or order of court prior to compliance therewith. Information obtained from an examination warranted by an emergency will not be released to the public, or to the university community or to public officials, except as such releases are essential to resolution of the emergency, or constitute evidence of a crime concealment of which would obstruct justice, and in the latter case release may only be to appropriate law enforcement officials. Any such findings may be reported to the staff member's supervisor, department head, or to Human Resources for appropriate investigation and action. Any intrusion by an employee of the University into a staff member's electronic data must be reported to the staff member as soon as possible, and within five days of the event via electronic mail unless prohibited by order of court, or due to a continuance of an ongoing investigation by the University. Violation of any aspect of this policy is a sanctionable offense.

When possible, staff members will be informed about the issuance of court orders, or other intrusions into their electronic data. In cases where a staff member believes that electronic data in their account has been inappropriately accessed by another staff member, the incident should be reported to Human Resources.

### Access to Student Data

Electronic data stored in a student account, whether stored on a computer in the student's residence or elsewhere under the proprietary control of that student, may not be examined, i.e., the contents of the data read by a person, without the student's consent, except in cases of emergency or in response to a valid subpoena, search warrant, order of a court, or by order of the Office of the Dean of Student Affairs. Posting of data by a student on servers available to the public shall be understood to imply consent, and electronic access given to specific parties by the student will likewise imply consent for those parties to access permitted data. Emergencies may include, for example, but are not limited to, the death, incapacity or disappearance of the student, or the search for and examination of files used for apparently malicious activity in an account which endangers the integrity of shared computers, the network, or other aspects of the university's computing infrastructure.

Only specifically designated individuals are permitted to determine what passes for an "emergency." Such individuals may be specifically designated, or may be designated by job position/description. All assignments for individuals or positions will be done by Provost or by a designate of the Provost.

Whenever possible and legally permissible, notification must be given to the student whose data are subject to subpoena, search warrant, or order of court prior to compliance therewith. Information obtained from an examination warranted by an emergency will not be released to the public, or to the university community or to public officials, except as such releases are essential to resolution of the emergency, or constitute evidence of a crime of concealment which would obstruct justice, and in the latter case release may only be to appropriate law enforcement officials. Any findings of potential wrongdoing unrelated to the original intent of the search, must be reported to the Office of the Dean of Student Affairs for appropriate investigation and action. Any intrusion by an employee of the University into a student's electronic data must be reported to the student as soon as possible, and within five days of the event via electronic mail to the student, if possible, unless prohibited by an order of the court or because of an ongoing investigation conducted by the University. Violation of any aspect of this policy is a sanctionable offense.

When possible, students will be informed about the issuance of court orders, or other intrusions into their electronic data, including the purpose of the search. In cases where a student believes that electronic data in their account has been inappropriately accessed by a staff member, the incident should be reported to Office of the Dean of Student Affairs.

**Note:** Removable media such as floppy disks, zip drives, tapes, or CDs in a faculty or staff office, or in a residence hall are not subject to search by

Computing Services, though Computing Services will assist authorized law enforcement agencies or authorities to read data after they are obtained, at the agencies' or authorities' request.

### Protecting Confidential Information

Users who maintain confidential information, such as records relating to employees or students, are responsible for following privacy-related policies and laws.

### Protecting Personal Information

As is described throughout this policy, data transmitted across the university network or stored on university systems may be accessed by others as a result of misuse by an individual, as an incidental result of the routine operation of the network and systems, or in response to a court subpoena or university investigation into suspected or alleged misuse. While complete privacy of personal data may not be possible, users who wish to ensure a higher degree of privacy for their data are encouraged to use encryption, PGP security, or other techniques to reduce the risk that others may access their data. For more information on these techniques, see various newsgroups (e.g. comp.security.pgp) or web references (e.g. comp.security.pgp FAQ).

## Misuse and Inappropriate Behavior

The following activities are expressly prohibited at Carnegie Mellon:

- Using a computer system without proper authorization granted through the University, college, or department management structure. Some activities such as "port scanning" are not expressly prohibited. However, if the target of such scanning requests that an individual or system stop performing such actions, the person or system performing the scans must stop scanning the target machine unless the scans are being carried out by a system administrator who has the authority and responsibility over the machine(s) being scanned or for the network being used.
- Concealing your identity, or assuming the identity of another (e.g., by sending forged electronic mail). Note that some forms of electronic communication, such as browsing Web pages, passively "identify" users. Keeping your identity private either by not setting an identity in your browser or by using a Web-anonymizer in order to protect yourself from being put onto mailing lists is not a violation of this policy.
- Sharing your password or account with the specific exception of staff or faculty members allowing their support personnel to access their accounts in order to provide services appropriate to their job functions. Note that some policies for the accessing of specific systems or data (see Data and Computer Security, Confidentiality of Administrative Data) explicitly forbid the sharing of passwords used to access them, and that such restrictions for those specific systems override this policy.
- Using another person's computer account, userID, files, or data without appropriate permission, as described in the previous bullet (e.g. using an account found "logged in" on a cluster machine).
- Deleting or tampering with another user's files or with information stored by another user on any information-bearing medium (disk, tape, memory, etc.). Even if the user's files are unprotected, with the exception of files obviously intended for public reading, such as Web pages, it is improper for another user to read them unless the owner has given permission (e.g. in an announcement in class or on a computer bulletin board).
- Attempting to "crack" or guess other users' passwords. System administrators or those specifically designated by the administrator or owner of a system may attempt to crack passwords in order to test and enhance the security of the system. In cases where an individual or department "owns" machines which use password files controlled by another organization (e.g. Andrew machines or their like), the owner may not attempt to crack passwords without explicit permission by the owners of the password database.
- Obtaining passwords by other means, such as password capturing programs.
- Attempting to circumvent system security (e.g. breaking into a system or using programs to obtain "root" access), without the explicit permission of the owner of that system.
- Denying appropriate access to resources to other users (e.g. "ping flooding" another system, sending "mail bombs," or modifying a login file in order to cause a user to not be able to log in).
- Releasing programs such as viruses, Trojan horses, worms, etc., that disrupt other users, damage software or hardware, disrupt network performance, or replicate themselves for malicious purpose.
- Sending commercial solicitations via electronic mail (i.e. spamming) to individuals, or to newsgroups or mailing lists where such advertising is not part of the purpose of the group or list. (It is permissible to send a commercial solicitation to a "for sale" newsgroup, provided that the

advertisement conforms to other policies and guidelines at Carnegie Mellon.)

- Any "mass mailing" which is solicitous in nature, unless the mailing is in the conduct of university business.
- Reselling of services based on the university network, such as web hosting, mailing services or the selling of shell accounts.
- Running a proxy server which results in inappropriate or unauthorized access to university materials to non-university members.
- Advertising commercial businesses or ventures on Web pages hosted by Carnegie Mellon, unless prior authorization has been granted.
- Using mail messages to harass or intimidate another person (such as by repeatedly sending unwanted mail or broadcasting unsolicited mail).
- Violations of any local, state or federal laws, such as the distribution of copyright-protected materials (e.g. the distribution of commercial software, music or films in electronic format without appropriate permissions by the owner, even if the user distributing the materials notifies others of their copyright status).
- Tampering with, willful destruction of or theft of any computer equipment, whether it belongs to the university or to an individual. Tampering includes any deliberate effort to degrade or halt a system, to tie up a system or to compromise the system/network performance. Willful destruction includes any deliberate disabling or damaging of computer systems, peripheral equipment such as scanners or printers, or other facilities or equipment including the network, and any deliberate destruction or impairment of software or other users' files or data.
- The unauthorized removal of university or another's computing equipment, which constitutes theft.

This list should not be considered to be complete or exhaustive. It should, however, serve as a set of examples of obviously inappropriate behaviors. If you are in doubt about the appropriateness of something that you want to do, contact the Computing Services Help Center at 8-HELP, or send mail to advisor+@andrew.cmu.edu and ask first.

## Enforcement

Inappropriate behavior in the use of computers is punishable under the general university policies and regulations regarding faculty, students and staff. The offenses mentioned in this policy range from relatively minor to extremely serious, though even a minor offense may be treated severely if it is repeated or malicious. Certain offenses may also be subject to prosecution under federal, state or local laws.

Appropriate disciplinary action depends not only on the nature of the offense, but also on the intent and previous history of the offender. The range of possible penalties includes reprimands, loss of computing privileges, course failures for students, disciplinary probation, suspension or dismissal from the university and/or criminal prosecution.

Offenses that are minor or appear to be accidental in nature are often handled in a very informal manner such as through electronic mail. More serious offenses will involve formal procedures pursued through the Division of Student Affairs for students, Human Resources and/or the hiring university department or administrative unit for staff, or the Faculty Review Committee for faculty.

### Restrictions of Privileges During Investigations

During the course of an investigation of alleged inappropriate or unauthorized use, it may be necessary to temporarily suspend a user's network or computing privileges, but only after determining there is at least a prima facie case against the individual, as well as a risk to the university or its computing resources if privileges are not revoked. In these cases, it is important to recognize that the restriction of network or computing privileges is intended to protect the system rather than to punish the individual. For example, if a computer account has been used to launch an attack on another system, that account will be rendered inactive until the investigation is complete. This is a necessary action taken to prevent further misuse and does not presume that the account holder initiated the misuse. Unsubstantiated reports of abuse will not result in the suspension of accounts or network access unless sufficient evidence is provided to show that inappropriate activity occurred. For example, if someone reports that their computer was "attacked" by a Carnegie Mellon system, the burden will be upon the complainant to provide sufficient data logs or other evidence to show that the incident did, indeed at least appear to be an attack.

### Adverse Impact on Shared Systems

The university reserves the right to discontinue communication with external systems that are known to harbor spammers or account crackers, despite the fact that this may restrict certain acceptable communications. When deemed necessary, this action will be taken to protect the security and safety of our systems. Similarly, there may be cases where a particular service or activity on a given University system will, by the very nature

of its legitimate operation, tend to generate attacks from other Internet sites. If these attacks are frequent and severe enough to cause service interruptions for larger parts of the campus community, it may be necessary to temporarily or permanently remove these systems from the campus network. In cases where such an action is deemed necessary, network administrators will work with the maintainers of the system to identify alternative methods of network access. In cases where the university restricts access to external sites or removes network access for internal sites, the purpose of the action is to maintain the security and reliability of the computer systems and networks rather than to punish an individual or a site, or to restrict the free expression of ideas.

## Discriminatory and Sexual Misconduct Policy (Interim)

<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/index.html> (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/>)

# I. Policy Statement

The mission of Carnegie Mellon University is to cultivate a transformative educational experience for its Students that is committed to promoting and safeguarding their personal health and well-being. In addition, the mission is to create a collaborative environment open to the free exchange of ideas, where research, creativity, innovation, and entrepreneurship can flourish and where individuals can achieve their full potential. Consistent with the university's Statement of Assurance (<https://www.cmu.edu/policies/administrative-and-governance/statement-of-assurance.html>), it is the policy of Carnegie Mellon University to maintain an academic and work environment that promotes the confidence to work, study, innovate, and perform without fear of discriminatory and sexual misconduct. Such misconduct diminishes individual dignity, is contrary to the values of the university, and is a barrier to fulfilling the university's mission. It will not be tolerated at Carnegie Mellon University. This Policy contains grievance procedures that provide for the prompt and equitable resolution of Complaints alleging any action which would be prohibited by this Policy.

It is the responsibility of every member of the University community to foster an environment free of discriminatory and sexual misconduct. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop such behavior. In the event an Employee becomes aware of potential Prohibited Conduct, they should report the information to the Office for Institutional Equity and Title IX (the "IEX Office"). See Section III of this Policy for more information about making a Report of Prohibited Conduct.

The Policy prohibits the types of misconduct listed below and defined in Section VII.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#prohibited-conduct>) (referred to collectively as "Prohibited Conduct"):

- Discrimination (including Disparate Treatment) (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#discrimination>);
- Discriminatory Harassment (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#discriminatory-harassment>);
- Sex Discrimination (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#sex-discrimination>);
- Sex-Based Harassment (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#sex-based-harassment>), including
  - Quid Pro Quo Sex-Based Harassment,
  - Hostile Environment Sex-Based Harassment,
  - Sexual Assault,
  - Dating Violence,
  - Domestic Violence,
  - Stalking (based on sex), and
- Stalking (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#stalking>)
- Retaliation (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#retaliation>); and
- Violation of Protective Measures (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#violation>).

This Policy is intended to: (1) prevent, eliminate, and remedy the effects of Prohibited Conduct; (2) foster an environment where all individuals are well-informed and supported in reporting Prohibited Conduct; and (3) provide an adequate, reliable, prompt, fair and impartial process for all parties once the university receives a Report of possible Prohibited Conduct. While these principles are clear and straightforward, the detailed procedures set forth in this Policy and related documents are necessary to assure that these matters are handled in an impartial, thoughtful, and thorough manner, consistent with the university's dedication to the integrity of its process.

Employees (including Faculty and Staff), Students, or third parties who violate this Policy may face, as appropriate, responsive action up to and including termination, expulsion, or other actions.

Nothing in this Policy shall be construed to abridge the free expression of ideas that is essential to the university's mission. The discourse conducted in accordance with the university's Freedom of Expression Policy (<https://www.cmu.edu/policies/administrative-and-governance/freedom-of-expression.html>) and with the statement on Academic Freedom and Responsibility enunciated in the Appointment and Tenure Policy (<https://www.cmu.edu/policies/faculty/appointment-and-tenure-policy.html>), whether in written, spoken, or electronic forms, shall be consistent with this Policy.

This Policy is intended to meet the university's obligations under Title VI of the Civil Rights Act of 1964 ("Title VI"); Title VII of the Civil Rights Act of 1964 ("Title VII"); Title IX of the Education Amendments of 1972 ("Title IX"); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), as amended by the Violence Against Women Reauthorization Act of 2013 ("VAWA"), with respect to its application to sexual misconduct; and other applicable law and regulations.

# II. Jurisdiction

This Policy applies to Employees (including Faculty and Staff), Students, and third parties and to all conduct within the university's Programs or Activities, as defined below. However, the university will address conduct contributing to a Hostile Environment even if the underlying conduct itself occurred outside the university's Programs or Activities, including if it occurred outside the United States, and including conduct occurring online via computer and internet networks or on digital platforms, including social media sites.

The university retains discretion to determine whether conduct outside of its Programs and Activities is within its jurisdiction. In making this determination, the university will consider the severity of the alleged conduct, the risk of ongoing harm, whether both parties are members of the University community, impact on University Programs or Activities (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#university-programs>), and whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

Some forms of conduct which may be considered inappropriate or unacceptable within the University community, such as incivility or bullying, may not meet the definition of Prohibited Conduct under this Policy. However, the university retains discretion to report the conduct to an internal university department or authority such as Human Resources, Office of Community Responsibility, or relevant academic department or dean to determine and implement appropriate responsive action, including review for possible misconduct under other university policies.

This Policy does not apply to the implementation or appeal of requests for modifications or academic adjustments for individuals with disabilities. Concerns related to the implementation or appeal of requests for modifications or academic adjustments should be submitted to the Office of Disability Resources (<https://www.cmu.edu/disability-resources/students/forms.html>) (students) or HR Disability Services (<https://www.cmu.edu/hr/work-life/accommodations/>) (Faculty and Staff).<sup>1</sup> This Policy supersedes any conflicting information in any other university policies with respect to the definitions or procedures relating to Prohibited Conduct.

<sup>1</sup>Individuals with a Disability are entitled to reasonable accommodations that would enable them to participate in all processes provided for under this Policy, including, but not limited to, making a Report or Complaint, participating in an Alternative Resolution Process, and/or participating in an investigation and adjudication under the grievance procedures. If an individual requires such reasonable accommodations, they should promptly notify the IEX Office, which may consult, as appropriate, with the Office of Disability Resources or Human Resources; individuals should not assume that the IEX Office is on notice that they have a Disability, even if registered

to receive accommodations via the Office of Disability Resources, Human Resources, or another academic or administrative unit.

## III. Reporting

The university strives to create an environment where all members of the University community are aware of options for informing the university about instances of suspected Prohibited Conduct, how to seek assistance and support, and how to pursue university action for their own protection and that of the entire campus community. This Policy distinguishes the action of making a Report of possible Prohibited Conduct from filing a Complaint. Thus, information shared about suspected Prohibited Conduct does not automatically trigger the initiation of grievance procedures (investigation or adjudication), as discussed below in Section VI.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html#a>). This section outlines the mechanisms for making a Report and how the university will respond to information it receives.

### A. How to Make a Report

Any individual, including Students, Employees (including Faculty and Staff), or third parties are encouraged to submit Reports of suspected Prohibited Conduct directly to the IEX Office (<https://www.cmu.edu/title-ix/>) in-person, via e-mail, phone call, or online.

- *To report in person:*
  - IEX Office/Title IX Coordinator  
4615 Forbes Avenue, Suite 330  
Pittsburgh, PA 15213
- *To report by phone or email:*
  - Please call (412) 268-7125 or  
email [institutionalequity@andrew.cmu.edu](mailto:institutionalequity@andrew.cmu.edu)
- *To report online:*
  - Please complete this Report Form (<https://cmu.hracity.net/webform/index/2e196578-4892-4aab-af10-72cc76b5b71f/>) (not anonymous).
- *To report anonymously, online or by phone:*
  - Please go to [cmu.ethicspoint.com](https://secure.ethicspoint.com/domain/media/en/gui/81082/) (<https://secure.ethicspoint.com/domain/media/en/gui/81082/>) or call 844-587-0793.

The university maintains a Resource Guide ([https://www.cmu.edu/title-ix/resources-and-information/sexual\\_misconduct.html](https://www.cmu.edu/title-ix/resources-and-information/sexual_misconduct.html)) for individuals who file reports of Prohibited Conduct that provides information for community members about obtaining support from campus and/or community resources, filing reports of Prohibited Conduct through the university's policies, and how to support a friend or family member who has been impacted by such conduct. Individuals who report Prohibited Conduct in Pennsylvania will also be informed of their rights as a victim of a crime under Pennsylvania law (<https://pcv.pccd.pa.gov/for-victims/Pages/Your-Rights-as-a-Victim.aspx>).

Inquiries about the application of civil rights laws to the university or questions regarding this Policy may be directed to the IEX Office, and may also be directed externally to the United States Department of Education's Office for Civil Rights ("OCR"), contact for which follows.

Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW Washington, D.C. 20202-1100  
Phone: (800) 421-3481  
Fax: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <https://www.ed.gov/ocr> (<https://www.ed.gov/ocr>)

### B. Mandatory Employee Reporting

All Carnegie Mellon Employees are required to report information about potential violations of this Policy to the IEX Office or the Title IX Coordinator. Reports may be submitted by phone (412-268-7125), email ([institutionalequity@andrew.cmu.edu](mailto:institutionalequity@andrew.cmu.edu)), or in-person by visiting the IEX Office at 4615 Forbes Ave., Pittsburgh, PA 15213. In addition, all teaching assistants are required to report information about potential violations of this Policy that is received within the student's role as a teaching assistant.

Sharing information with the IEX Office does not automatically trigger the university to initiate a Complaint or impose any obligations on the Complainant. However, disclosing information to the IEX Office enables the university to offer Supportive Measures to the parties so that they

may maintain equal access to their education and work environments. As detailed in Section VI.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html#a>), in some circumstances, the IEX Office may initiate a Complaint based on the information received.

Upon receipt of a Report, the university will promptly contact the Complainant to discuss appropriate Supportive Measures (see Section V.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/respond-report.html#a>)) and to explain the process for filing a Complaint (see Section VI.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html#a>)). Complainants are not obligated to respond to outreach from the university and the university will respect this decision, with limited exceptions where it is obligated by law or to act in the safety interest of the community.

With respect to Students who are also Employees, whether the individual is a mandatory reporter depends on the context in which the person learns of the alleged Prohibited Conduct. Mandatory reporter responsibilities are triggered if the person learned of the alleged Prohibited Conduct in the context of an Employee role, when they would, in that role, be considered a mandatory reporter. Mandatory reporter responsibilities are not triggered if the person learned of the alleged Prohibited Conduct in the context of their receipt of an education as a Student at Carnegie Mellon. However, student workers employed as a Resident Assistant or as a Community Advisor are required to report all potential violations of this Policy, regardless of whether such information is received in the course of the student worker's employment or as a student.

### Public Awareness Events

Employees are required to report information disclosed at sexual misconduct public awareness events (e.g., Take Back the Night, candlelight vigils, protests, or survivor speak-outs in which participants may disclose incidents of Prohibited Conduct). However, disclosures at such events will not prompt the university to take responsive action unless the information reveals an immediate and serious threat to the health or safety of a Complainant, any Students, Employees, or other persons, or unless the individual affected by the alleged Prohibited Conduct clearly indicates that they desire responsive action be taken. The university will still use the information disclosed to inform its education and prevention efforts.

### Classroom Disclosures

Disclosures of alleged Prohibited Conduct which occur in connection with a class or other academic setting are not exempt from reporting and such disclosures must be reported to the Title IX Coordinator as described above.

### Exceptions to Mandatory Reporting:

Confidential Employees (see Section IV, below) are not required to make a Report when a person informs them of conduct that may constitute Prohibited Conduct if that information is provided while the Confidential Employee is functioning within the scope of their duties to which confidentiality applies.

Importantly, Confidential Employees must provide individuals who have disclosed potential Prohibited Conduct, upon receipt of such information,:

- Explain that they are a Confidential Employee;
- Provide contact information for the IEX Office;
- Explain how to report Prohibited Conduct; and
- Inform the disclosing individual that the IEX Office may be able to offer and coordinate Supportive Measures, as well as initiate an Alternative Resolution Process or investigation under the Grievance Procedures.

If you are unsure of whether you are required to report information, please contact the IEX Office in order to help clarify your responsibilities.

### C. Anonymous Reporting

Any individual may make a report of Prohibited Conduct to the IEX Office, and if preferred, may do so without disclosing one's name using the online reporting portal, available online and by phone, listed above and here:

[cmu.ethicspoint.com](https://secure.ethicspoint.com/domain/media/en/gui/81082/) (<https://secure.ethicspoint.com/domain/media/en/gui/81082/>)  
844-587-0793

Depending on the level of information available about the incident or the individuals involved, the university's ability to respond to an anonymous report may be limited. The university will, however, take whatever steps it deems appropriate and in the best interests of the overall University community, consistent with the information available. The university will

never refuse to respond to a report solely on the grounds that it was made anonymously.

Information collected through the anonymous reporting line will be shared only with necessary university officials in order to respond to the reported concern. Information is kept confidential and no personally identifiable information is shared, except as necessary to follow this Policy, without the party's consent.

Filing an anonymous report does not satisfy the mandatory reporting obligations of Employees under Section III.B.

## D. Reports to Law Enforcement

An individual who experiences, witnesses, or learns of possible criminal conduct may contact law enforcement directly by calling:

- 911 (for emergencies off-campus)
- University Police Department  
300 South Craig Street  
Pittsburgh, PA 15213  
(412) 268-2323 (for emergencies on-campus)  
campuspd@andrew.cmu.edu

Making a report to law enforcement does not generally obligate an individual to pursue a criminal complaint, or to participate in the university's disciplinary process. An individual may choose to participate in the university's disciplinary process, an external criminal process, both, or neither. In the event that both criminal and disciplinary processes are at issue, the university may comply with law enforcement requests for temporary delays in the disciplinary process in order to permit law enforcement to gather evidence for a criminal investigation.

Information about local medical care, local hospitals, including where a person may obtain an examination by a Sexual Assault Nurse Examiner (SANE) is available on the website for IEX Office (<https://www.cmu.edu/title-ix/resources-and-information/>).

Medical care may address physical and mental health concerns, including, where applicable, those related to pregnancy and/or sexually transmitted infections. Medical providers may also be able to assist in the collection and preservation of evidence. The ability to collect and preserve evidence of Sexual Assault is limited in time, so it is essential that care be sought as soon as possible. Individuals should avoid showering/bathing, douching, and, if possible, urinating. In the event of oral sexual contact, individuals should avoid eating, drinking, or brushing teeth. Any soiled clothes, towels, or bedding should be retained in paper bags. Preserving physical evidence in this manner may facilitate a criminal investigation, but seeking medical treatment does not obligate an individual to pursue a criminal complaint.

## E. How the Office for Institutional Equity and University Police Share Information about Prohibited Conduct

The university's process for addressing Prohibited Conduct is separate from the law enforcement process for addressing crimes.

The university strongly believes that the decision as to whether to report a crime should be left to the individual(s) impacted by the crime, except in very limited circumstances where there may be an immediate threat to the University community or other legal obligation to report. The IEX Office will share de-identified information about Reports with University Police where required for the purpose of complying with the university's federal reporting obligations to facilitate accurate compilation of crime statistics, and to ensure that other public safety responsibilities are addressed. In extremely limited circumstances, the IEX Office may share identifying information with University Police, for example, where the university is obligated to report a "Timely Warning" pursuant to Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (e.g., when a crime has been committed on or near University Property which represents a serious, ongoing threat and/or is part of an ongoing pattern). The report does not constitute a criminal complaint to law enforcement, although the University Police Department may contact individuals to offer assistance, inquire about their willingness to preserve evidence, or file a criminal complaint.

Making a report to the University Police means that information will be shared with others as is necessary and appropriate. For example, if an individual makes a report of Prohibited Conduct to the University Police Department that has not already been reported to the IEX Office, the University Police Department will report the matter to the IEX Office. The purpose of this report is to ensure that the university can take appropriate actions to seek to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The Complainant or others may be contacted by the IEX Office to follow up on the information received from the University Police

Department to offer supportive measures, including filing a Complaint with the IEX Office (<https://www.cmu.edu/title-ix/>).

## F. Annual Training

As required by applicable Title IX regulations, the university must ensure that all university Employees receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX and annually thereafter.

All Employees must be annually trained on:

1. The obligation to address Sex Discrimination in University Programs or Activities and how to report Prohibited Conduct to the IEX Office;
2. The scope of conduct that constitutes Sex Discrimination, Sex-Based Harassment, and related Retaliation under this Policy; and
3. All applicable notification and information requirements, including the Employee's mandatory reporting obligation with respect to known or suspected Sex Discrimination, and the Employee's duty to provide certain required disclosures to a Student, as discussed further below, when informed by a Student of that Student's Pregnancy or related conditions.

Additional training on specific topics is required of investigators, decisionmakers, and other persons who are responsible for implementing the university's grievance procedures or have the authority to modify or terminate Supportive Measures; facilitators of any Alternative Resolution Process; and the university's Title IX Coordinator and designees. Additional information regarding training is available on the IEX website (<https://www.cmu.edu/title-ix/education-and-training/>).

## G. Amnesty for Students When Reporting Prohibited Conduct to the University

The university will not pursue violations of the university's Alcohol and Drug Policy (<https://www.cmu.edu/policies/administrative-and-governance/alcohol-and-drug-policy.html>) and/or Hazing Policy (<https://www.cmu.edu/student-affairs/theword/community-policies/hazing.html>) against any Student in an investigation under this Policy for potential violations of the Alcohol and Drug Policy (<https://www.cmu.edu/policies/administrative-and-governance/alcohol-and-drug-policy.html>) and/or Hazing Policy (<https://www.cmu.edu/student-affairs/theword/community-policies/hazing.html>), as long as any such violations did not and do not place the health or safety of any other person at risk. The university may, however, initiate an assessment, educational discussion, or pursue other developmental interventions (non-disciplinary options) to address hazing or the use of alcohol or other drug use.

## V. Confidential Resources and Privacy

Carnegie Mellon understands that some individuals impacted by Prohibited Conduct, particularly conduct involving sexual violence, may not be ready or may not be willing to report through a channel that may lead to an investigation or other university action, no matter how discreet. For such individuals, several confidential resources are available both on and off campus.

## A. Confidential University Employees

The following university Employees are designated as Confidential Employees who are able to confidentially receive and discuss information related to alleged Prohibited Conduct.<sup>1</sup>

- Employees in Counseling and Psychological Services (CaPS);
- Employees in University Health Services (UHS);
- Religious and Spiritual Life Coordinator;
- The Student and Faculty Ombudsperson;
- The Staff Ombudsperson; and
- Employees who conduct human subjects-research studies that have been approved by the Institutional Review Board (IRB) and which are designed to gather information about Sex Discrimination, with respect

to information disclosed in the course of conducting the approved study;

In order for confidentiality to apply, Confidential Employees must be functioning within the scope of the Employee's job duties to which confidentiality applies. Confidentiality does not apply if the Employee receives information outside the scope of such job duties.

Although Confidential Employees are exempt from mandatory reporting, as required by law, Confidential Employees must provide the following information to any person who informs the Confidential Employee of conduct that reasonably may constitute Sex Discrimination or other Prohibited Conduct under this Policy:

1. That they are a Confidential Employee;
2. How to contact the Title IX Coordinator;
3. How to make a Complaint of Prohibited Conduct; and
4. That the IEX Office and Title IX Coordinator may be able to offer and coordinate Supportive Measures, as well as initiate an Alternative Resolution Process or investigation under the Grievance Procedures.

Confidential Employees can provide individuals with assistance, support, and additional information. Confidential Employees are prohibited from disclosing confidential information unless (1) given permission by the person who disclosed the information; (2) there is an imminent threat of harm to self or others; (3) the conduct involves suspected abuse of a minor under the age of 18; or (4) as otherwise required or permitted by law or court order. Confidential Employees may be required to report non-identifying information to University Police Department for crime reporting purposes.

## Contact information for Campus Confidential Employees:

- Counseling and Psychological Services (<https://www.cmu.edu/counseling/>) (CaPS) (Student only) 412-268-2922
- University Health Services (<https://www.cmu.edu/health-services/>) (Student only) 412-268-2157
- University Health Services - Health Promotions Team (Student only)
- Staff Ombudsperson (<https://www.cmu.edu/hr/resources/ombudsperson/>) 412-268-1018
- Student and Faculty Ombudsperson
- Religious and Spiritual Life Coordinator; 412-268-3559

In addition, Carnegie Mellon employees may seek confidential assistance through the Employee Assistance Program (<https://www.cmu.edu/hr/work-life/support/eap/>) (CMU Employees only).

## B. External Community Resources

Individuals may also seek assistance and support from a variety of external resources, including those listed below. These resources are available free of charge to students, undergraduate and graduate, faculty and staff, regardless of whether a person lives in campus housing and regardless of an individual's sex, gender, or sexual orientation. Individuals may contact the resources directly or the university can assist individuals with connections by request.

- Women's Shelter and Center of Greater Pittsburgh (<https://wcpittsburgh.org/>)
- Pittsburgh Action Against Rape (<https://paar.net/>)
- Center for Victims (<https://www.centerforvictims.org/>)
- Persad (<https://www.persadcenter.org/>)

## C. Privacy

Although often conflated, privacy and confidentiality are distinct terms with distinct meanings. Privacy refers to the university's commitment to sharing information related to any Report, Complaint, Supportive Measures, Alternative Resolution Process, or grievance procedures under this Policy only:

- To a person with a legal right to receive disclosures of information, or with prior written consent;
- When necessary to effectuate this Policy, or to otherwise address conduct which may reasonably constitute Prohibited Conduct;

- As required by Federal law or regulation, including by the terms and conditions of a Federal award (e.g., a grant award or other funding agreement); and/or
- When required or permitted by State or local law or the Family Educational Rights and Privacy Act ("FERPA"). See the university's Policy on Student Privacy Rights (<https://www.cmu.edu/policies/student-and-student-life/privacy-rights-students.html>) for more information about FERPA.

The university provides training to personnel regarding the safeguarding of private information, instructs parties and witnesses about the university's privacy-related expectations, and will take other reasonable steps to prevent and address the parties' and, if applicable, their Advisors', unauthorized disclosure of information and evidence obtained solely through the grievance procedures.

In any grievance process, other than as provided for in this Policy, the university will not restrict the ability of either party to discuss the allegations prompting a Report or Complaint, including for the purposes of obtaining and presenting evidence (such as by speaking to witnesses), consulting with family members, confidential resources, or advisors, or otherwise preparing for or participating in the grievance procedures.

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<sup>1</sup>This section address confidentiality with respect to reports under this Policy. This section does not affect any other legal privileges, such as physician-patient or counselor-client privileges. Only certain licensed treatment providers in UHS and CaPS have physician-patient or counselor-client privilege. Please contact UHS or CaPS for more information about these privileges.

# V. How the University Responds to Reports

## A. Supportive Measures

The university is committed to helping Complainants and Respondents continue their education and employment after a report of alleged Prohibited Conduct. Regardless of whether Complainant chooses to pursue an Alternative Resolution Process, grievance procedures, or no further process, the Title IX Coordinator or a designated university official conducts an initial assessment to determine next steps and will initiate contact the Complainant to discuss the availability of Supportive Measures. Respondents will also be offered supportive measures after receiving a Notice of Allegation.

Supportive Measures are non-disciplinary, non-punitive individualized services, assistance, and other measures that the university offers and may put in place, without fee or charge, as appropriate and available, after receiving a Report of possible Prohibited Conduct. Supportive Measures are designed to restore or preserve access to the University's Programs and Activities, or provide support during the grievance process or during the Alternative Resolution Process. Supportive Measures cannot be unreasonably burdensome to a party.

Supportive Measures are available before and after a Complaint is filed, and in cases in which no Complaint is filed.

Upon receipt of a Report, the Title IX Coordinator, or their designee, will contact the Complainant (1) to discuss the availability of Supportive Measures and (2) to explain that Supportive Measures are available with or without the filing of a Complaint. The Title IX Case Manager helps determine the appropriate Supportive Measure(s) to be implemented. The Title IX Case Manager will assess with the relevant party the unique facts and circumstances of their situation and identify steps to help the individual meet their educational or employment expectations.

Supportive Measures may be modified or terminated at the conclusion of a grievance process or Alternative Resolution Process.

Examples of Supportive Measures include, but are not limited to:

- Academic support services and accommodations, including the ability to reschedule classes, exams and assignments, transfer course sections, or withdraw from courses;
- Academic schedule modifications (typically to separate Complainant and Respondent);
- Work schedule or job assignment modifications (for university employment);

- Changes in on-campus work or university housing location;
- On-campus counseling services and/or assistance in connecting to community-based counseling services;
- Assistance in connecting to community-based medical services;
- No contact agreements or orders, which may be mutual or non-mutual;
- Temporarily limiting an individual's access to certain university facilities or activities;
- Information about and/or assistance with obtaining personal protection orders;
- Leaves of absences;
- Increased monitoring and security of certain areas of the campus;
- Options for emergency Housing;
- Individualized limitations on the parties' communications and interactions with each other; or
- A combination of any of these measures.

Changes in class, work, housing, extracurricular, and/or other activities may be made regardless of whether there is or is not a comparable alternative.

The university will maintain Supportive Measures provided to the Complainant or Respondent as confidential to the extent that maintaining such confidentiality would not impair the university's ability to provide the Supportive Measures or restore or preserve a party's access to university's Programs or Activities.

## B. Appeals and Modifications of Supportive Measures

Complainants and Respondents may seek modification or reversal of a decision related to the creation, denial, modification, or termination of a Supportive Measure. If a party's condition materially changes, the individual may seek additional modification or termination of a Supportive Measure applicable to them. Requests for the appeal, modification, or termination of Supportive Measures must be submitted in writing to the IEX Office via email to [institutionalequity@andrew.cmu.edu](mailto:institutionalequity@andrew.cmu.edu). The decisionmaker on the appeal will be someone other than the person who made the decision being challenged, and who will have the authority to make the requested modification or reversal.

# VI. How a Complaint is Resolved

## A. Initiating a Complaint

A Complaint may be filed with the IEX Office orally in person, by mail, or by email. Complainants are strongly encouraged, but not required, to submit a Complaint Form [pdf] ([https://www.cmu.edu/title-ix/tix-formal-complaint-form\\_2022.pdf](https://www.cmu.edu/title-ix/tix-formal-complaint-form_2022.pdf)). A Complainant may file a Complaint at any time, but significant delays between the time an incident occurs and conducting an investigation may impede or limit the availability of Relevant evidence and/or availability of witnesses.

Upon the filing of a Complaint, the IEX Office will contact the Complainant to confirm receipt of the Complaint and to confirm the allegations as understood by the IEX Office. Before initiating the grievance procedures, the IEX Office will review the Complaint to determine whether there is any basis to dismiss the Complaint, as detailed in Section VI.B below. Otherwise, the IEX Office will initiate the grievance procedures and commence an investigation as detailed in Section VI.C below. The Complainant may also wish to pursue the Alternative Resolution Process, an alternative track discussed further below, instead of or after filing a Complaint.

In certain circumstances, the IEX Office may file a Complaint and initiate an investigation in the absence of an identifiable Complainant or when a Complainant is unwilling to proceed with a Complaint. In making the determination to initiate a Complaint, the IEX Office must consider, at a minimum, the following factors:

1. The Complainant's request not to proceed with the initiation of a Complaint;
2. The Complainant's reasonable safety concerns regarding the initiation of a Complaint;
3. The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;

4. The severity of the alleged Prohibited Conduct, including whether the alleged misconduct, if established, would require the removal of a Respondent from the university's campus or imposition of another Disciplinary Sanction to end the Prohibited Conduct and prevent its recurrence;
5. The age and relationship of the parties, including whether the Respondent is an Employee of the university;
6. The scope of the alleged Prohibited Conduct, including information suggesting a pattern, ongoing Prohibited Conduct, and/or Prohibited Conduct alleged to have impacted multiple individuals;
7. The availability of evidence to assist the Hearing Officer or other decisionmakers in determining whether Prohibited Conduct occurred; and
8. Whether the university could end the alleged Prohibited Conduct and prevent its recurrence without initiating a Complaint.

After considering the above factors and any other relevant factors, if the IEX Office determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or another person, or that the conduct as alleged prevents the university from ensuring equal access on the base of any Protected Class to the University's Programs or Activities, the IEX Office may initiate a Complaint and commence an investigation.

If the IEX Office decides to initiate a Complaint, the IEX Office will notify the Complainant (if identifiable) prior to the initiation of the Complaint in order to address any reasonable safety concerns, including via options for Supportive Measures under Section V.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/respond-report.html#a>). Regardless of whether a Complaint is initiated, the IEX Office will take other appropriate prompt and effective steps necessary to ensure the Prohibited Conduct does not continue or recur within the University's Programs or Activities.

The IEX Office may consolidate complaints of Prohibited Conduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party ("cross complaints"), when the allegations of Prohibited Conduct arise out of the same alleged facts or circumstances. When the university receives a report of alleged conduct that could constitute Prohibited Conduct under this Policy and could also violate other university policies, the university, in its discretion, will determine which policy/ies and procedures apply and whether action will be taken under multiple policies.

Both the Complainant and the Respondent may select an Advisor of their choice. Details concerning the role of the Advisor are set forth in the applicable adjudication procedures under Section VI.D.

The Respondent is presumed to be Not Responsible for any alleged Prohibited Conduct until a determination is made at the conclusion of the adjudication procedures set forth in this Policy.

The university will not discipline a party, witness, or others who participate in the investigation or adjudication of a Complaint for making a false statement or for engaging in consensual sexual conduct based solely on the determination of responsibility for Prohibited Conduct under this Policy. Allegations that an individual has provided a false statement must be separately reviewed under applicable university policy (e.g., *The Word*, the Staff Handbook, or the Code of Business Ethics) and such allegations, in general, will be stayed until the completion of the underlying proceedings in this Policy. Allegations of a violation of the Consensual and Intimate Relationship Policy Regarding Undergraduate Students (<https://www.cmu.edu/policies/student-and-student-life/consensual-relationships.html>) must be separately reviewed under that policy.

The IEX Office will establish and maintain on its website reasonably prompt time frames (<https://www.cmu.edu/title-ix/university-response/discriminatory-and-sexual-misconduct-investigation-and-resolution-process.html>) for the major stages of the Complaint process. These timeframes may be extended on a case-by-case basis for good cause. When such timeframes are extended, the IEX Office will provide written notice of the reason for delay to the Complainant and Respondent.

For any allegation of Prohibited Conduct that allegedly occurred before the effective date of this Policy, the university will use the applicable policy that was in effect at the time the Prohibited Conduct allegedly occurred for the purpose of defining conduct that constitutes a violation of policy. However, the matter will be investigated and adjudicated using the current procedures as set forth in this Section VI of this Policy. Complaints filed before the effective date of this Policy and that were still pending as of such effective date will be completed using the policy in effect when the Formal Complaint was filed.

## B. Dismissal and Withdrawal of a Complaint

At any time during the pendency of a Complaint, the IEX Office may dismiss the Complaint on any of the following bases:

1. The university is unable to identify the Respondent after taking reasonable steps to do so;
2. The Respondent is not or is no longer a Student or Employee of the university and is not otherwise participating in the University's Programs or Activities;
3. The Complainant voluntarily requests to withdraw any/all allegations in writing and the IEX Office declines to initiate/continue the Complaint/ grievance procedures, as described further below, and/or without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct even if established); or
4. The IEX Office determines that even if proven, the alleged conduct would not constitute Prohibited Conduct.

Upon dismissal of a Complaint, the IEX Office will provide prompt written notice to the Complainant of the basis for the dismissal and the right to appeal the dismissal decision under Section VI.F. If the dismissal occurs after the Respondent has been issued a Notice of Allegations, the IEX Office will also provide such written notice to the Respondent.

If a Complaint is dismissed before the IEX Office has issued a Notice of Allegations to the Respondent, only the Complainant will have the opportunity to appeal the decision to dismiss the Complainant. If the Complaint is dismissed after the IEX Office issued a Notice of Allegations to the Respondent, the Complainant and Respondent will have an equal opportunity to appeal the dismissal decision.

A Complainant who filed a Complaint may request withdrawal of such complaint at any time by submitting a written request to the Investigator assigned to the case or the IEX Office. After a Complainant requests withdrawal of a Complaint, the IEX Office will review the matter, considering the same factors as specified in Section VI.A, to determine whether to grant the request for withdrawal or to continue the Complaint. If the IEX Office refuses a request by a Complainant to dismiss a Complaint, the Complainant will be notified in writing of the decision and rationale.

## C. Investigation Procedures

After deciding to commence an investigation, the Title IX Coordinator will appoint an investigator to review, assess, and investigate the Complaint (the "Investigator"). The Investigator may be a staff member in the IEX Office, a staff member in Human Resources, a staff member in another department at the university, or an external professional. The Title IX Coordinator is responsible for ensuring that the Investigator has been appropriately trained and is free of conflicts of interest or bias — for or against Complainants or Respondents generally, or a specific Complainant or Respondent — that would impair the investigation. If a party has concerns about bias in favor of or against a specific Complainant or Respondent, bias in favor of or against Complainants or Respondents generally, or a potential conflict of interest which involves the Title IX Coordinator, facilitator of an Alternative Resolution Process, investigator, decisionmaker, or appeals decisionmaker, the party should direct those concerns to the Title IX Coordinator. Concerns regarding bias or conflict of interest on the part of the Title IX Coordinator will be referred to the Vice Provost for Diversity, Equity and Inclusion and Chief Diversity Officer (or designee) for review.

The IEX Office will send the Complainant and Respondent a written Notice of Allegations. If in the course of an investigation, the IEX Office decides to investigate additional allegations of Prohibited Conduct not included within the original notice or if it is necessary to make revisions to the allegations, the IEX Office will issue an amended Notice of Allegations to the Complainant and Respondent. The issuance of a Notice of Allegations may be reasonably delayed as necessary to address any reasonable concerns for the safety of any person as a result of providing such notice.

The Notice of Allegations will include:

- information about the Alternative Resolution Process and grievance procedures;
- the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s), if known;
- information about the university's prohibition on Retaliation;
- a statement that the parties are entitled to an investigative report summarizing all Relevant evidence and retain the equal right to access such evidence upon request;

- a statement that the Respondent is presumed not responsible for the alleged Prohibited Conduct until a determination is made at the conclusion of the grievance procedures, after the parties have had an opportunity to present Relevant (not otherwise impermissible) evidence to a trained, impartial decisionmaker;
- notice that the Parties have the right to be accompanied by an Advisor of choice, who may be but need not be an attorney;
- notice that knowingly making false statements or submitting false information is prohibited;
- information about Supportive Measures;
- a statement regarding the standard of proof to be used in considering the facts and evidence;
- the range of possible Disciplinary Sanctions and Remedies; and
- information about the appeals process.

The Investigator will conduct an investigation and prepare a preliminary investigative report that fairly summarizes the Relevant evidence gathered during the investigation. The Investigator will, prior to any interviews or meetings with the parties, provide written notice of the date, time, location, and purpose of the interview or meeting, with sufficient time for the party to prepare for the interview or meeting.

Prior to preparing any report, the Investigator will request Relevant information from the parties as well as work to gather other Relevant available evidence. The ultimate responsibility for gathering available Relevant evidence rests with the university. Throughout the investigation, the university will provide both parties equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The parties may offer testimony from an expert witness, as specified in Appendix B (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/appendix-b.html>) to this Policy.

The preliminary investigative report will be made available to the Complainant, Respondent, and their respective Advisors in electronic or hard-copy format. Any Relevant evidence collected during the investigation will also be made available to the Complainant, Respondent, and their respective Advisors for inspection and review in electronic or hard-copy format. The Complainant and Respondent will have at least seven (7) calendar days to review and respond to the preliminary investigative report. The Investigator will consider any responses submitted by the Complainant, Respondent and their respective Advisors and prepare a final investigative report ("Investigative Report").

## D. Adjudication Procedures

The specific procedures for adjudicating allegations of Prohibited Conduct are based upon the nature of the parties' relationship to the university.

1. Where the Complainant or Respondent is a Student — the matter will be handled in accordance with the Hearing Procedures set forth in Section VI.E and the Appeal Procedures set forth in Section VI.F. This subsection supersedes and controls over all other provisions of this Section VI.D.

When a Complainant or Respondent is both a Student and an Employee (a "Student Employee"), the university will undertake a fact- and circumstance-specific inquiry to determine how the matter will be adjudicated, including consideration of whether the party's primary relationship with the university is to receive an education, and whether the alleged Prohibited Conduct occurred while the party was performing employment-related work. Typically, if a Respondent who is a Student Employee may experience a change in their employment status as a result of the outcome of a grievance process, but not a change in their student status, the matter will proceed as though the Respondent was a Staff member.

2. Where the Respondent is a Faculty member — the matter will be handled in accordance with the Hearing Procedures set forth in Section VI.E and the Appeal Procedures set forth in Section VI.F.
3. Where the Respondent is a Staff member — the IEX Office will send the Investigative Report to the Assistant Vice President of Human Resources, People and Organization Effectiveness, in Human Resources and the matter will be handled in accordance with the procedures set forth in the Staff Handbook (<https://www.cmu.edu/hr/resources/policies/staff-handbook.html>), Volume II, Section 10c. The Assistant Vice President of Human Resources, People & Organizational Effectiveness also has discretion to refer the matter for live hearing using the Hearing Procedures set forth in Section VI.E and the Appeal Procedures set forth in Section VI.F.
4. Where the Respondent is a Participant in a Summer Program:
  - a. For cases involving allegations of Sex-Based Harassment or if the Complainant or Respondent is deemed to be a Student, the matter

will be handled in accordance with the Hearing Procedures set forth in Section VI.E and the Appeal Procedures set forth in Section VI.F.

- b. For other allegations under this Policy, the matter will be handled in accordance with the Summer Programs Code of Conduct.
5. Where the Respondent is an on-going affiliate of the university who is not a Faculty member, Staff member, Student, or Participant in a Summer Program:
  - a. For allegations of Sex Discrimination or Sex-Based Harassment, the IEX Office will appoint an Investigator to conduct an investigation in accordance with Section VI.C. After the completion of the investigation, the Title IX Coordinator has discretion to either:
    - i. Instruct the Investigator to make a determination of responsibility for each allegation in the Formal Complaint using the preponderance of the evidence standard. In conducting this review, the Investigator will follow the Procedures for Adjudication without a Live Hearing [pdf] (<https://www.cmu.edu/policies/forms-and-documents/adjudication-procedures.pdf>). Based on the Investigator's findings of responsibility, the Investigator will coordinate with the Title IX Coordinator and other university officials as necessary to determine appropriate Disciplinary Sanctions and/or Remedies. Appeals will be handled via the procedures set forth in Section VI.F; or
    - ii. Refer the matter for live hearing in accordance with the Hearing Procedures set forth in Section VI.E and the Appeal Procedures set forth in Section VI.F
  - b. For allegations of Prohibited Conduct that do not constitute Sex Discrimination or Sex-Based Harassment, the IEX Office will determine the appropriate manner of resolution in accordance with the university's commitment to a prompt and equitable process and consistent with any applicable state and federal law and regulations.

## E. Live Hearing Procedures

The following procedures apply to live hearings held under this Policy, as indicated in Section VI.D.

### Appointment of Hearing Officer

After reviewing the Investigative Report prepared under Section VI.C, the IEX Office will appoint a hearing officer ("Hearing Officer") who will be responsible for conducting a review of the case, presiding over a live hearing if necessary, and making findings of fact and a determination of responsibility with respect to each allegation in the Complaint.

### Conduct of the Hearing & Written Determination

The Hearing Officer will conduct a live hearing in accordance with the Hearing Procedures for the Adjudication of Discriminatory and Sexual Misconduct [pdf] (<https://www.cmu.edu/policies/forms-and-documents/hearing-procedures.pdf>) ("Hearing Procedures"). The hearing will take place no sooner than ten (10) days after the parties are provided with the Investigative Report.

At the conclusion of the hearing, the Hearing Officer will objectively evaluate all Relevant evidence, both inculpatory and exculpatory, and make findings of fact and a determination of responsibility with respect to each allegation. The determination of responsibility will be made using the preponderance of evidence standard.

If the Hearing Officer determines that the Respondent is responsible for any allegation, the Hearing Officer will contact the appropriate sanctioning officer, as specified below, to review the findings of fact and determination(s) regarding responsibility ("Sanctioning Officer"). The Sanctioning Officer will have sole responsibility for determining the appropriate Disciplinary Sanctions and any Remedies related to any finding of responsibility made by the Hearing Officer. The Sanctioning Officer will provide a written determination regarding Disciplinary Sanctions and/or Remedies to the Hearing Officer. If the Hearing Officer determines that the Respondent is not responsible for any of the allegations, the Sanctioning Officer will not be contacted. Where the appointed Hearing Officer is an Employee of the university, the same individual may be appointed to serve as both the Hearing Officer and Sanctioning Officer.

The applicable Sanctioning Officer is based on the nature of the Respondent's relationship to the university:

- Sanctioning Officer for Students: Associate Vice President of Student Affairs for Community Life or designee (in consultation with

the Community Standards Review Board (<https://www.cmu.edu/student-affairs/theword/community-standards/definitions.html>))

- Sanctioning Officer for Staff: Assistant Vice President for Human Resources, People & Organizational Effectiveness or designee
- Sanctioning Officer for Faculty: Vice Provost for Faculty or designee

The Hearing Officer will prepare a written determination regarding the findings of fact and the determination regarding responsibility for each allegation, with rationale and appeals information. Where applicable, the written decision of the Sanctioning Officer regarding Disciplinary Sanctions and/or Remedies will be attached to or incorporated into the written determination prepared by the Hearing Officer.

### Notice of Written Determination

The written determination will be provided to the IEX Office. Except as detailed below regarding cases involving Student-Respondents, the IEX Office is responsible for providing the Complainant and Respondent with a copy of the written determination. Both parties must be provided the written determination simultaneously.

*For Cases Involving Student-Respondents* — Depending on the nature of the category of alleged Prohibited Conduct, the right of the Complainant to receive notice of the outcome(s), as well as the right to appeal the outcome(s), is restricted by the Family Educational Rights and Privacy Act (FERPA).;

Consistent with FERPA and applicable Title IX regulations, in Student-Respondent cases the outcome(s) applicable to a Student-Respondent will be disclosed to the Complainant only for the following offenses under this Policy:

- Sex-Based Harassment (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#sex-based-harassment>), including
  - Quid Pro Quo Sexual Harassment,
  - Hostile Environment Sexual Harassment,
  - Sexual Assault,
  - Dating Violence,
  - Domestic Violence,
  - Stalking (based on sex),
- Stalking (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#stalking>)
- Sex Discrimination (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#discrimination>); and/or
- Retaliation (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#retaliation>) where the underlying protected activity is related to the exercise of rights related to and/or Complaints of Sex Discrimination, including Sex-Based Harassment.

Consequently, as required by FERPA, in Student-Respondent cases, the outcome(s) applicable to a Student-Respondent will not be disclosed and the Complainant cannot appeal such outcome(s) for the following offenses under this Policy:

- Violation of Protective Measures (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#violation>);
- Discrimination (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#discrimination>) and/or Discriminatory Harassment (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#discriminatory-harassment>) on the basis of race, color, national origin, disability, age, religion, ancestry, family status, parental status, marital status, veteran status, and genetic information;<sup>1</sup> and
- Retaliation (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/definitions.html#retaliation>) where the underlying protected activity is related to the exercise of rights related to and/or complaints of race, color, national origin, disability, age, religion (including creed, ancestry and belief), veteran status, and genetic information.

For Student-Respondent cases, the IEX Office will provide the Student-Respondent with a complete copy of the written determination for all allegations. Where applicable, the IEX Office will coordinate with the Hearing Officer to edit or redact the written determination issued to the Complainant in order to remove information related to the outcome(s) of alleged offenses which the university is not permitted to disclose, per the list above. Regardless of the type of allegation, any outcomes that apply to the Complainant (e.g. Remedies) will be shared with the Complainant.

## Additional Procedures for Disciplinary Sanctions Against Faculty Respondents

In the case of sanctions against a Faculty Respondent, the Disciplinary Sanctions determined by the Sanctioning Officer for Faculty will be provided to the President as recommended Disciplinary Sanctions. The President will take no action on the recommended Disciplinary Sanctions until either (i) the completion of any appeal filed by any party under Section VI.F or (ii) the deadline to file an appeal under Section VI.F passes without any appeal being filed. If an appeal is filed, the President or the President's designee will render a decision on the appeal consistent with the procedures in Section VI.F. If any Disciplinary Sanctions remain after the completion of the appeal or where no appeal is filed by the appeal deadline, the President will thereafter render a decision based on both the recommendation of the Sanctioning Officer for Faculty as well as the underlying findings of fact and determination(s) of responsibility by the Hearing Officer (or Appeal Officer, if applicable). If the President decides to initiate the procedure for dismissal for cause or for the imposition of another Disciplinary Sanction against a Faculty Respondent, the matter will then follow the process set forth in the subsection "Procedure" of the section of the Appointment and Tenure Policy of Carnegie Mellon University (<https://www.cmu.edu/policies/faculty/appointment-and-tenure-policy.html>) titled, "Dismissal for Cause and Other Sanctions," but will be subject to the "Exceptions" provision of that subsection such that no Ad-Hoc Committee will be required.

## F. Appeal Procedures

Except as specified in Section VI.E for Student-Respondent cases, both the Complainant and Respondent have the right to file an appeal regarding (i) the determination under Section VI.E or (ii) the dismissal of a Complaint under Section VI.B. An appeal must be submitted in writing to the Office of the President (with a copy to the IEX Office) within seven (7) calendar days of the official notification of the determination under Section VI.B or Section VI.E.

The written appeal request must state the basis for the appeal. The basis for an appeal will be limited to one or more of the following:

- Procedural irregularity that would change the outcome of the matter;
- New evidence that would change the outcome and that was not reasonably available when the determination regarding responsibility or dismissal was made;
- The Title IX Coordinator, Investigator(s), Hearing Officer, or Sanctioning Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome of the matter; and
- The sanctions imposed are disproportionate to the finding of responsibility.

The President or the President's designee will serve as the Appeal Officer. The Appeal Officer will inform the other party or parties that an appeal has been filed and provide such party or parties with a copy of the written appeal. The non-appealing party will have a reasonable, equal opportunity to submit a responsive written statement for consideration by the Appeal Officer.

The Appeal Officer will review the written appeal and any response and determine whether, in the judgment of the Appeal Officer, sufficient grounds exist for at least one basis of appeal. An appeal that does not meet at least one of the acceptable bases for appeal may be dismissed without further review.

Appeals will be decided by the Appeal Officer in a timely manner as circumstances warrant. While an appeal is under review, the Appeal Officer will update the Respondent(s) and Complainant(s) as necessary about the anticipated timeline.

The Appeal Officer has the authority to modify the decision as deemed appropriate for resolution of the matter being appealed, which could entail (i) sending the matter back to an Investigator, the Hearing Officer, or a new Hearing Officer, as necessary to remedy the error or (ii) a decrease or change to the nature of the sanction(s). The Appeal Officer may also remand the matter for a new process under Section VI.D.

The Appeal Officer will issue a written decision describing the result of the appeal and the rationale for the result. The Appeal Officer will provide the written decision simultaneously to both the Complainant and Respondent. The IEX Office will also receive a copy of the decision.

## G. Possible Disciplinary Sanctions and Remedies from Adjudication

Possible outcomes from a violation of this Policy range from educational outcomes to separation from the university. A detailed list of the possible remedies and sanctions is available in Appendix A to this Policy (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/appendix-a.html>).

## H. Alternative Resolution Process

Sections VI.A through VI.G of this Policy describe procedures for the grievance procedures for Complaints of Prohibited Conduct. Separate from these grievance procedures, the university offers an Alternative Resolution Process which may be available on a voluntary basis to resolve a matter under this Policy.

Individuals interested in an Alternative Resolution Process should contact the IEX Office to discuss options. For information regarding the types of Alternative Resolution Process that may be available please see the IEX Office website on Alternative Resolutions (<https://www.cmu.edu/title-ix/how-to-report--options-for-resolution/alternative-resolution-options.html>).

Either party may request to pursue an Alternative Resolution Process at any time before a finding of responsibility resulting from any process under Section VI.D or Section VI.E. Alternative Resolution Process may also be requested before the initiation of a Complaint. The Title IX Coordinator has discretion to determine whether the parties will be permitted to pursue an Alternative Resolution Process. In general, mediation and other procedures that are similar to mediation will not be used to resolve matters involving an allegation of sexual violence (i.e., Sexual Assault, Dating Violence, Domestic Violence, or any other form of Prohibited Conduct that involves the use of violence). An Alternative Resolution Process is not permitted if such a process would conflict with federal, state, or local law; the university may also decline to permit an Alternative Resolution Process when it determines that the alleged conduct presents a future risk of harm to others.

After receiving a request to pursue an Alternative Resolution Process, the IEX Office will contact both parties to assess mutual interest in the Alternative Resolution Process. If both parties wish to pursue Alternative Resolution, and the Title IX Coordinator agrees that Alternative Resolution is appropriate under the specific facts and circumstances of the case, the IEX Office will initiate the Alternative Resolution Process (<https://www.cmu.edu/title-ix/how-to-report--options-for-resolution/alternative-resolution-options.html>). While every Alternative Resolution Process will be tailored to the facts and circumstances of the individual case, in no case will the facilitator of the Alternative Resolution Process be the same as the investigator or decisionmaker for grievance procedures involving the same matter.

As participation is voluntary, the university does not require parties to waive the right to an investigation and adjudication as a condition of (continuing) enrollment or (continuing) employment, or the exercise of any other right. During any Alternative Resolution Process, either party has the right to withdraw from the process at any time prior to the conclusion of the process. If a Complaint is pending at the time of the withdrawal from the Alternative Resolution Process, the matter will proceed to investigation under Section VI.C or to adjudication under Section VI.D, as appropriate.

Before initiating an Alternative Resolution Process, the university will notify the parties of:

- the allegations;
- the requirements of the Alternative Resolution Process;
- that each party has the right to withdraw their agreement to participate in the Alternative Resolution Process prior to agreeing to a resolution, and can at that time initiate or resume the grievance procedures, as applicable;
- that agreement to a resolution at the conclusion of the Alternative Resolution Process precludes the parties from initiating or resuming grievance procedures arising from the same allegations;
- the potential terms that may be requested or offered in an Alternative Resolution Process agreement, including notice that an alternative resolution agreement is binding only on the parties; and
- which records will be maintained as part of the Alternative Resolution Process and circumstances under which such records could be shared in the event that the Alternative Resolution Process is not completed and grievance procedures are initiated or resumed.
  - Specifically, if the grievance procedures are resumed after an attempted Alternative Resolution Process:
    - neither the university nor a party will access, consider, disclose, or otherwise use information, including records, obtained

solely through an Alternative Resolution Process as part of the investigation or outcome determination, and

- in such cases, the Alternative Resolution Process facilitator could serve as a witness for purposes other than providing information obtained solely through the Alternative Resolution Process.

## I. Student Emergency Removal; Employee Administrative Leave

Where there is an immediate threat to the physical health or safety of any Students or other individuals arising from alleged Prohibited Conduct, the university may remove an individual from the University's Program or Activity and issue any necessary related no-trespass and no-contact orders during the pendency of the investigation. The university will make the decision to remove an individual from the University's Program or Activity based on an individualized safety and risk analysis.

For Students, an emergency removal decision will be made in accordance with the Safety Intervention Protocol (<https://www.cmu.edu/student-affairs/theword/community-policies/safety-intervention-protocol.html>) set forth in *The Word*, subject to the limitation of this section. In the event the university removes any person on this basis, the university will provide the affected individual with notice of the decision and an opportunity to appeal, as specified in the Safety Intervention Protocol.

With respect to Employee Respondents, subject to the procedures in the Staff Handbook (for staff employees) or the Faculty Handbook and Appointment and Tenure Policy (for faculty employees), an Employee Respondent may be placed on administrative leave from employment during the pendency of grievance procedures under this Policy. Administrative leave may include complete removal from the workplace or limitations on access to the workplace, and may be imposed with or without pay. In the event administrative leave is imposed, the Respondent is given the opportunity to seek modification or reversal of the leave.

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<sup>1</sup>Discrimination or discriminatory harassment based on family status, parental status, or marital status is Sex-Discrimination where the specific facts and circumstances indicate that the alleged misconduct is sex-based." For example, treating a female parent differently than a male parent or treating an individual in a same-sex marriage differently than an individual in a heterosexual marriage.

## VII. Definitions

### A. Prohibited Conduct Definitions

Prohibited Conduct means one or more categories of prohibited behavior including:

- Discrimination (including Disparate Treatment);
- Discriminatory Harassment;
- Sex Discrimination
- Sex-Based Harassment, including
  - Quid Pro Quo Sex-Based Harassment,
  - Hostile Environment Sex-Based Harassment,
  - Sexual Assault,
  - Dating Violence,
  - Domestic Violence,
  - Stalking (based on sex), and
- Stalking
- Retaliation; and
- Violation of Protective Measures.

Definitions for each of the types of Prohibited Conduct are provided below.

Discrimination means subjecting an individual or class of individuals to adverse action, including treating an individual or class of individuals differently ("Disparate Treatment") on the basis of a Protected Class.

When Discrimination is based on sex, including sex stereotypes, sex characteristics, sexual orientation, and/or gender identity; Parental, Family, or Marital Status; and/or Pregnancy or Related Conditions, it is considered Sex Discrimination. Sex-Based Harassment, including Sexual Assault, Dating

Violence, Domestic Violence, and Stalking (based on sex), is a form of Sex Discrimination, but separately defined under this Policy.

This definition incorporates all exceptions under applicable Title IX regulations, including specifically 34 C.F.R. § 106.31.

Discriminatory Harassment means unwelcome conduct of a verbal, nonverbal, or physical nature, including electronic communication, on the basis of a Protected Class, when such conduct

- Based on the totality of the circumstances, evaluated subjectively and objectively, is sufficiently severe or pervasive that it limits or denies a person's ability to participate in or benefit from any University Program or Activity through the creation of a Hostile Environment.

Discriminatory Harassment and Sex-Based Harassment are different offenses under this Policy. Discriminatory Harassment does not include conduct that meets the definition of Sex-Based Harassment under this Policy.

Sex-Based Harassment means any harassment based on sex, including sex stereotypes, sex characteristics, sexual orientation, gender identity, and/or Pregnancy or Related Conditions, that falls into one or more of the following categories:

1. An Employee, agent, or other person authorized by the university to provide an aid, benefit, or service under any University Program or Activity explicitly or impliedly conditions the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct ("Quid Pro Quo Sex-Based Harassment");
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, evaluated subjectively and objectively, is sufficiently severe or pervasive that it limits or denies a person's ability to participate in or benefit from any University Program or Activity ("Hostile Environment Sex-Based Harassment"). Whether a Hostile Environment is created is a fact-specific inquiry that includes consideration of the following:
  - The degree to which the conduct affected the Complainant's ability to access any University Program or Activity;
  - The type, frequency, and duration of the conduct;
  - The parties' ages, roles within the University's Programs or Activities, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - The location of the conduct and the context in which the conduct occurred; and/or
  - Other Sex-Based Harassment in the University's Programs or Activities.

Examples of conduct that may constitute Hostile Environment Sex-Based Harassment include, but are not limited to:

- Unwanted intentional touching that otherwise does not typically constitute Sexual Assault, defined in this Policy;
  - Unwanted sexual advances, including repeated unwanted requests for dates, or repeated unwanted requests for sexual contact;
  - Unwanted written, verbal, or electronic statements of a sexual nature, including sexually suggestive comments, jokes, videos or innuendos;
  - Exposing one's genitalia, breasts, or buttocks, to another; and/or
  - Touching oneself sexually for others to view.
3. Sexual Assault, Dating Violence, Domestic Violence, Sexual Exploitation and Stalking (based on sex). Each of these forms of Sex-Based Harassment are separately defined below.

Sexual Exploitation means intentionally or knowingly taking sexual advantage of another person or violating the sexual privacy of another when Consent is not present. Sexual Exploitation is a form of Sex-Based Harassment and includes, but is not limited to, the following actions (including when they are done via electronic means, methods, or devices):

- Engaging in sexual voyeurism, including observing or permitting others to witness or observe the sexual or intimate activity (e.g., disrobing, bathing, toileting) of another person without that person's Consent;
- engaging in indecent exposure, or exposing intimate parts (including genitalia, groin, breasts, and/or buttocks), or causing another to expose intimate parts, when Consent is not present;
- recording or distributing information, images, or recordings of any person engaged in sexual or intimate activity in a private space without that person's Consent;
- prostituting another individual;
- causing Incapacitation of another person (through alcohol, drugs, or other means) for the purpose of compromising that person's ability to give Consent to non-consensual sexual activity; or

- actively aiding or assisting another person in committing an act of Sex-Based Harassment, including Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking.

Sexual Assault means a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes the following acts:

- Rape means the carnal knowledge of a person, without the Consent of the victim, including instances where the person is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity;
- Sodomy means oral or anal sexual intercourse with another person, without the Consent of the victim, including instances where the person is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity;
- Sexual Assault with an Object means to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Consent of the victim, including where the person is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity;
- Fondling means the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including where the person is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity;
- Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- Statutory Rape means nonforcible sexual intercourse with a person who is under the statutory age of Consent in the applicable jurisdiction.

In the Commonwealth of Pennsylvania, the age of Consent for sexual activity is 16. Minors aged 16 years of age or older can legally consent to sexual activity with anyone they choose, as long as the other person does not have authority over them as defined in Pennsylvania's institutional sexual assault statute. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than they are at the time of the activity.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined based on a consideration of the length, type, and frequency of interactions between the persons involved in the relationship.

Domestic Violence means a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the state, or by a person similarly situated to a spouse of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or by any other person against an adult or youth victim who is protected from that person's acts under the family or domestic violence laws of the jurisdiction.

Stalking means engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to fear for their safety or the safety of others or suffer substantial emotional distress. Stalking based on sex is a form of Sex-Based Harassment.

Retaliation means intimidation, threats, coercion, discrimination or other adverse action against any person by the university, a Student, or an Employee, or another person authorized by the university to provide aid, benefit, or service under the University's Programs or Activities, for the purpose of interfering with any right or privilege secured by applicable federal, state, or local discrimination laws (e.g., Title IX of the Civil Rights Act of 1972, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Pennsylvania Human Relations Act, etc.), or because the person has reported information to the university, to an external agency, or to law enforcement; made a Complaint; testified, assisted, participated, or refused to participate, in any manner in an investigation, proceeding, hearing, or alternative resolution under this Policy.

Retaliation includes retaliation by peers ("Peer Retaliation"), such as retaliation by a student against another student but also Retaliation by a student against an employee, or by an employee against a student, as well as by an employee against another employee of more or less senior role. An individual need not be a Complainant or Respondent to have committed or been affected by Retaliation. It is not Retaliation for the university to require an employee, or other person authorized by the university to provide aid, benefits, or services as part of University's Programs or Activities to participate as a witness in, or otherwise assist with, any investigation or adjudication under this Policy.

A finding of Retaliation under this Policy is not dependent on a finding that any alleged underlying Prohibited Conduct occurred. Retaliation is also prohibited by the university's Policy Against Retaliation (<https://www.cmu.edu/policies/administrative-and-governance/whistleblower.html>).

Similarly, charging an individual with a code of conduct violation for making an allegedly materially false statement in bad faith in a Report, Complaint, or in the course of a grievance proceeding under this Policy does not constitute prohibited Retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. Retaliation also does not include pursuit of civil, criminal, or other legal action, internal or external to the university.

#### Violation of Protective Measures

Any violation of an agreement or order that limits an individual's contact or interactions with another individual. Such agreement or order may have been issued under the authority of the university; another institution; or a local, state, or federal government or court.

## B. Definitions Relating to Consent

Consent means a knowing and voluntary agreement to engage in sexual activity at the time of the activity. In order to be valid, consent must be knowing, voluntary, active, present, and ongoing. Consent should be demonstrated through mutually understandable words or actions.

- Silence, remaining still or inactive (passive), or not actively resisting sexual activity does not constitute consent.
- Consent to engage in one sexual activity does not mean consent to engage in another sexual activity. Consent must be obtained each time, at each step of sexual activity.
- Prior consent does not mean future consent. Consent must be obtained each time, at each step of sexual activity, even for those in an ongoing sexual relationship.
- Consent can be withdrawn at any time. If one individual withdraws consent through clear words or actions, the other person must cease sexual activity immediately.
- Consent cannot be obtained through Force, Incapacitation, or Coercion (as defined herein).

Consent may be invalid where one party has lied to or knowingly deceived the other party as to the use of internal or external condoms or other single-use devices used to prevent the spread of sexually transmitted infections during a sexual encounter.

Force means using physical control (such as restraining a person), physical violence (such as hitting, choking, or displaying a weapon), or threats of either, to cause a person to submit to unwanted sexual activity.>

Coercion means using an unreasonable amount of pressure or threats that would overcome the will of a Reasonable Person and cause them to submit to unwanted sexual activity.

Coercion requires more than an attempt to persuade someone to engage in sexual activity. Coercion can include threats, such as threats to cause academic, employment, reputational, or economic harm. When one person expresses that they do not consent to sexual activity or are withdrawing consent for sexual activity, applying continued pressure in order to get the person to submit to unwanted sexual activity can be considered Coercion.

Incapacitation means that a person lacks the ability to make informed, deliberate choices about whether or not to engage in sexual activity. A person is Incapacitated - unable to give consent - because they are:

- under the age of consent (generally 16 years of age in Pennsylvania; see definition of Statutory Rape for additional information);
- physically or mentally helpless;
- asleep or unconscious; or
- unaware that sexual activity was requested, suggested, initiated and/or is taking place.

A person may be Incapacitated by the use of alcohol or other drugs. Incapacitation is a state beyond intoxication or drunkenness. A person is not necessarily Incapacitated solely as a result of drinking or using drugs; the level of impairment must be significant enough to render the person unable to give Consent.

For example, a person who is Incapacitated may not be able to answer some or all of the following questions:

- Do you know where you are?
- Do you know how you got here?

- Do you know what is happening?
- Do you know whom you are with?

A person who is Incapacitated may also demonstrate physical signs including but not limited to:

- slurred or incomprehensible speech;
- unsteady manner of walking or inability to walk; and/or
- vomiting or incontinence (a lack of voluntary control over urination and/or defecation).

If a person under the influence of alcohol or drugs decides to participate in sexual activity that they would not participate in while sober, it does not necessarily mean that the person was Incapacitated or that the Consent was not valid.

*Importantly, being impaired by alcohol or other drugs is not a defense to a failure to obtain Consent.*

## C. Protected Class Definitions

### Protected Class

Consistent with the university's Statement of Assurance, "Protected Class" means any legally-protected characteristic, including race, color, national origin, sex (including sex stereotypes, sex characteristics, sexual orientation, gender identity, and pregnancy or related conditions), disability, age, parental status, family status, marital status, religion, creed, ancestry, belief, veteran status, genetic information or any other class protected from discrimination under federal, state, or local laws or executive orders.

The following definitions of specific categories of Protected Classes are provided as a helpful resource. To the extent these definitions are inconsistent with any applicable federal, state, or local law the university will apply the applicable legal definition.

Expressing a political view or a view on world events will not be cause alone for determination that behavior is Prohibited Conduct under this Policy.

Race means the ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features.

Color means a person's pigmentation, complexion, or skin shade or tone.

National Origin means a group of people sharing a common language, culture, ancestry, race, and/or other social characteristics.

Sex means sex stereotypes, sex characteristics, sexual orientation, gender identity, and/or pregnancy or related conditions.

Sexual Orientation means a person's actual or perceived predisposition or inclination toward a particular type of sexual activity or behavior.

Gender Identity means an individual's sense of their gender, which may or may not be different from their sex assigned at birth.

Sex Stereotypes means fixed or generalized expectations regarding a person's aptitudes, behavior, self-presentation, or other attributes based on sex.

Sex Characteristics means physiological sex-based characteristics including, but not limited to, a person's anatomy, hormones, and chromosomes associated with male or female bodies and intersex traits.

Pregnancy or Related Condition means (1) Pregnancy, childbirth, termination of pregnancy, or lactation; (2) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; (3) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Note, in some jurisdictions, including the City of Pittsburgh, the "partner" of a person who is pregnant or has a pregnancy related condition is protected from discrimination and may be entitled to certain reasonable accommodations. For more information, please see Human Resource's Pregnancy Support and Accommodations Policy [pdf] (<https://www.cmu.edu/hr/assets/hr/pregnancy-support-policy.pdf>).

Parental Status means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is (1) a biological parent, (2) an adoptive parent, (3) a foster parent, (4) a stepparent, (5) a legal custodian or guardian, (6) in loco parentis with respect to such person, or (7) actively seeking legal custody, guardianship, visitation, or adoption of such person.

Marital Status means the state of being married or not married.

Family Status refers to the configuration of a person's family or their role in a family.

Disability means a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

### Age

How old a person is.

Religion means all aspects of religious observance, religious practice, religious creed, and religious belief or nonbelief, as defined under Title VII of the Civil Rights Act of 1964 and similar federal, state and local religious discrimination laws.

Ancestry means the common physical, cultural or linguistic characteristics of a person's ancestors.

Veteran means a person who served in any branch of the U.S. military.

Genetic Information means with respect to any person, information about (i) such person's genetic tests, (ii) the genetic tests of family members of such person, and (iii) the manifestation of a disease or disorder in family members of such person.

## D. Policy Definitions

Advisor means, an individual who provides support and advice for the Complainant or Respondent. The Complainant and Respondent may have an Advisor of their choice, who may be, but is not required to be, an attorney.

Complainant means a Student, Employee, or other person who is alleged to have been subject to conduct that could constitute Prohibited Conduct under this Policy. In some cases, a Complainant may be different from the person who initially reports information to the university. In the event a Complaint is brought by the IEX Office, the individual affected by the alleged Prohibited Conduct that is the subject of the Complaint remains the Complainant, and the Civil Rights Coordinator does not become the Complainant.

### Disciplinary Sanctions

Consequences imposed on a Respondent following a determination that the Respondent is responsible for having committed Prohibited Conduct.

Employee means person who is employed by the university to perform one or more of the following roles: regular instructional faculty, supplemental instructional faculty, research track faculty, visiting faculty, librarians, archivists, curators, graduate student instructors, graduate student staff assistants, graduate student research assistants, postdoctoral research fellows, and all regular and temporary Staff.

Faculty/Faculty Member means all individuals who hold appointments on the tenure-track, research-track, teaching-track, librarian/archivist-track, and special faculty track of the university, as well as individuals holding emeritus faculty status.

Complaint means an oral or written request to the university that objectively can be understood as a request for the university to investigate and make a determination about alleged Prohibited Conduct, as set forth in the procedures outlined in Section VI (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html>). It is the policy of the university to confirm a Complainant's request in writing prior to initiating the grievance procedures. A Complaint can be made by a Complainant<sup>1</sup> or the IEX Office as set forth in Section VI.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html#a>). A Complainant must have been enrolled, employed, or otherwise participating or attempting to participate in the university's Programs or Activities at the time the alleged Prohibited Conduct occurred in order to file a Complaint under this Policy, although the Complainant need not be enrolled, employed, or otherwise participating or attempting to participate in the university's Education Program or Activity at the time the Complaint is made. constitute Prohibited Conduct, the Title IX Coordinator has discretion to file a Complainant, as detailed in Section VI.A (<https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/complaint-resolved.html#a>), even if the report was not submitted by an individual who is participating or attempting to participate in the university's Education Program or Activity. With respect to allegations of Sex Discrimination other than Sex-Based Harassment, a Complaint may be brought by any Student or employee, or any other person who was participating or attempting to participate in the Education Program or Activity at the time the alleged conduct took place.

Preponderance of the Evidence means to prove that something is more likely than not.

Reasonable Person means a person using average care, intelligence, and judgment in the known circumstances.

### Relevant

Related to the allegations of Prohibited Conduct at issue and whether or not the alleged Prohibited Conduct occurred. Questions are Relevant if

they may aid in showing whether the alleged Prohibited Conduct occurred, and evidence is Relevant if it may aid a decisionmaker in determining whether the alleged Prohibited Conduct occurred. The following evidence is impermissible (and will not be considered Relevant) even if it would otherwise be considered Relevant:

- evidence protected under a privilege recognized by federal or state law, unless the person holding the privilege has waived it voluntarily;
- records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to a Party or witness, unless the person has voluntarily consented, in writing, to the use of such records in the Grievance Procedures; and/or
- evidence and questions about the Complainant's sexual interests or prior sexual conduct, unless:
  - offered to prove that someone other than the Respondent committed the conduct alleged, or
  - if concerning specific incidents of prior sexual activity with the Respondent which are offered to prove consent.

Such impermissible evidence will not be accessed, considered, disclosed, or used, except to determine whether one of the preceding exceptions applies.

#### Remedies

Measures provided, as appropriate, to a Complainant or other person whose equal access to the university's Programs and Activities was determined to have been limited or denied by Prohibited Conduct, in order to restore or preserve that person's access.

#### Report

Any notice of conduct that may constitute Prohibited Conduct. A Report may come from any individual, not just a Complainant. Not every Report is or will result in a Complaint.

Respondent means an individual who is reported to have engaged in Prohibited Conduct. In the event that a Complaint alleges that a university policy or practice discriminates on the basis of Protected Class, the university is not considered a Respondent. In such cases, the university will follow this Policy, including the Grievance Procedures, although the university will, necessarily, not be entitled to certain procedural rights and steps afforded to individual Respondents. In the event a Complaint against an individual Respondent is based on actions the Respondent took in accordance with a university policy or practice, the Complaint may, in the university's sole discretion, be amended to substitute the university as Respondent. This determination will be made after a consideration of factors including, but not limited to, whether the individual was, in fact, following the university policy or practice; what actions the individual took; and whether the individual could be subject to Disciplinary Sanctions.

Staff/Staff Member means all Employees of the university who do not hold faculty appointments. Staff does not include individuals whose primary relationship with the university is as a Student.

Student means a person who gained admission to the university.

#### University's Programs or Activities

Conduct that takes place in the "University's Programs or Activities" means conduct that is subject to the university's disciplinary authority and which occurs in the United States, including on-campus, or, if applicable, in any building owned or controlled by a student organization recognized by the university. Conduct is subject to the university's disciplinary authority if it occurs in a location, at an event, or in a circumstance where the university exercises substantial control over both the Respondent and the context in which the conduct occurs. However, the university will address conduct contributing to a Hostile Environment even if the underlying conduct itself occurred outside the University's Programs or Activities, including if it occurred outside the United States, and including conduct occurring online via computer and internet networks or on digital platforms, including social media sites). University Programs or Activities also includes the conduct within the university's disciplinary authority at the university's international locations, such as Carnegie Mellon University Qatar and Carnegie Mellon University Africa.

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<sup>1</sup>A Complaint may also be brought by a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant, where applicable.

## VIII. Additional Provisions Pertaining to Parental, Family, or Marital Status, and Pregnancy or Related Conditions

In determining whether a person satisfies any university admissions policy or criterion, or in making any offer of admission, the university will treat Pregnancy or Related Conditions in the same manner and under the same policies as any other temporary medical condition.

The university will not make pre-admission or pre-employment inquiry as to the Marital Status of an Applicant, including whether an Applicant is "Miss or Mrs." The university may ask an Applicant to self-identify their sex, but only when asking this question of all Applicants. The response will not be used as a basis for discrimination.

The university will not adopt or apply any policy, practice, or procedure, or take any employment action, concerning the current, potential, or past Parental, Family, or Marital Status of a Student, Employee, or applicant that treats persons differently on the basis of sex, or which is based upon whether an Employee or applicant for employment is the head of household or principal wage earner in such Employee's or applicant's family unit.

The university will not discriminate against, establish or follow any policy, practice, or procedure that discriminates against, or exclude from employment any person on the basis of current, potential, or past Pregnancy or Related Conditions.

## IX. Title IX Coordinator

Carnegie Mellon has appointed a Title IX Coordinator to oversee the university's compliance with Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and other applicable federal, state, and local civil rights laws. The Title IX Coordinator is responsible for this Policy, as well as the Statement of Assurance.

The university's Title IX Coordinator is:

Elizabeth Rosemeyer  
 Assistant Vice Provost for Diversity, Equity and Inclusion & Title IX  
 Coordinator  
 4615 Forbes Avenue, Suite 330  
 Pittsburgh, PA 15213  
 (412) 268-7125  
 institutionalequity@andrew.cmu.edu

In accordance with applicable Title IX regulations, the Title IX Coordinator is responsible for the following:

- Taking prompt and effective steps to ensure that Sex Discrimination does not continue or recur, and to remedy its effects;
- Monitoring CMU's Programs or Activities for barriers to reporting conduct that may constitute Sex Discrimination and taking steps reasonably calculated to address such barriers;
- Facilitating the provision of a non-discriminatory environment and equal access to individuals experiencing Pregnancy or Related Conditions; and
- When notified of conduct that reasonably may constitute Sex Discrimination,
  - Treating Complainants and Respondents equitably;
  - Offering and coordinating Supportive Measures for the Complainant and, if Alternative Resolution Process or Grievance Procedures are pending, the Respondent;

- Notifying Complainants or, if different, individuals making Reports, of the Alternative Resolution Process and Grievance Procedures, as available and appropriate;
- Notifying the Respondent of the Alternative Resolution Process and Grievance Procedures, as available and appropriate, if a Complaint is made;
- In the event of a Complaint, initiating the Grievance Procedures or, if available and appropriate and requested by all Parties, the Alternative Resolution Process; and
- In the absence of a Complaint made by a Complainant, or in the event of the withdrawal of any or all of the allegations in a Complaint, determining whether to initiate a Complaint.

The Title IX Coordinator manages the Office for Institutional Equity and Title IX ("IEX Office"). Employees in the IEX Office are designees of the Title IX Coordinator and may carry out the duties and responsibilities of the Title IX Coordinator. The Title IX Coordinator may also delegate certain responsibilities to other university employees.

## X. Recordkeeping

There is a seven-year record retention period for:

- Reports; Complaints; and records documenting the response to Reports and Complaints, including any Supportive Measures provided, any emergency removals or administrative leave imposed, and any Alternative Resolution Process or grievance procedures undertaken, including the resulting outcome (e.g., the result of any Alternative Resolution Process, determinations of responsibility, Disciplinary Sanctions imposed on the Respondent, Remedies provided to the Complainant, appeals and the results of such appeals);
- Any records documenting action taken by university to address Reports of Sex Discrimination, prevent its recurrence, and remedy its effects; to address any barriers identified to reporting such conduct; and to educate employees about their mandatory reporting responsibilities;
- All materials used to provide required training;
- Any audio or audiovisual recording or transcript required to be retained; and
- Any other records documenting the actions taken to satisfy the university's obligations to prevent discrimination and ensure equal access for individuals due to Pregnancy or Related Conditions, including facilitating reasonable modifications for Students and facilitating temporary adjustments, leave, and/or lactation time and space for Employees.

## Policies on Examinations

[www.cmu.edu/policies/student-and-student-life/examination-policies.html](http://www.cmu.edu/policies/student-and-student-life/examination-policies.html)  
(<https://www.cmu.edu/policies/student-and-student-life/examination-policies.html>)

### Preamble

The Faculty Senate adopted the following policies on the administration of examinations for the undergraduate courses (defined as courses that are numbered 6xx or below). These policies represent an understanding between faculty and student concerning an important but often stressful period, especially at the conclusion of each academic semester and at mid-semester. There should be no expectation that the following points will cover every conceivable situation. The student should anticipate the demands of the exam schedule, plan accordingly and early, and be prepared. The faculty should recognize that the student is encumbered with many tightly orchestrated and intensive obligations during this period over which they have no control: expectations should be reasonably consistent with the number of course units and, of course, should be made known to the student well in advance of the final examination period, preferably as part of the course syllabus.

In order to help students plan their time and study optimally for examinations, this document lays out in some detail the policies regarding final and in-term examinations. Instructors are requested to provide notification of the major in-term examinations in the course syllabus. The final examination date is posted early in the semester. It is the responsibility of the student to give his or her instructor sufficient notice and to work with the instructor to reschedule examinations if this is needed.

### Definitions

- Final examination period. The university's official final examination period begins on the Monday immediately following the last day of classes and continues through the last day of scheduled final examinations, with the exception of reading day(s).
- Scheduled final examinations. Scheduled final examinations are those scheduled by Enrollment Services.
- Self-scheduled examinations. An instructor may choose not to fix a schedule for the final examination, but instead allow each student to choose the examination time; such exams are called self-scheduled examinations.
- Final examinations. Final examinations can either be comprehensive, covering all course materials, or non-comprehensive, covering only a part of the course.
- In-term examinations. Major examinations during the semester are referred to here as in-term examinations.

### I. In-Term Examinations

1. All in-term examinations should be given during the regularly scheduled class time. However, if the exam requires additional time to complete, then examinations may be administered outside of regularly scheduled class time.
2. No examinations given outside of class time (excluding make ups and self-scheduled examinations) shall be administered on a Friday after 4:30 pm, or at any time Saturday or Sunday.
3. The instructor administering an exam (or another required class event) that falls outside class time must make any and all reasonable accommodations to provide an alternative time to students who have conflicts with the proposed time period, including those conflicts due to activities, meetings, other classes, etc. (provided that the instructor is notified of such conflict in a timely manner).
4. No student shall be required to take more than two full-period in-class or out-of-class examinations on the same day. It is the responsibility of the student to notify the instructor in a timely manner of their circumstance so that appropriate accommodations can be made.

### II. Final Examinations

1. All scheduled final examinations are held at the end of the semester during the university's official final examination period. Comprehensive final examinations are not required for each course, but are given at the option of the department or instructor. The reading day and weekend preceding the examination days shall never be used for examination purposes of any kind, unless a student opts to take a self-scheduled examination during this time. Non-comprehensive final examinations or final projects (but not both) are allowed during this final examination period only in courses that do not give a final comprehensive examination.
2. Instructors are expected to return all work assigned no later than the last regular day of classes in courses for which there is a final examination. In cases when this is not possible, an answer key, solution sets or equivalent feedback should be provided unless the final examination will not cover material in work that has not been returned.
3. No other coursework, including laboratory or studio work, will be due during the final examination period unless it is assigned in advance and in lieu of the course's final examination. Regardless of whether there is a final examination in the course, no classes other than review sessions shall be held during the final examination period. Review sessions should be scheduled for optimal attendance, and a serious effort should be made to accommodate students who cannot attend. In appreciation of the time required to prepare for final examinations, no other examinations, portfolio reviews, critiques or juries shall be scheduled for the last class day of a course with a final examination.
4. Instructors shall never exert or submit to pressures to move an examination so that people can leave earlier nor pressure students to take an examination on a reading day or weekend preceding examinations.
5. No student is required to take more than two scheduled examinations that start within a 25-hour period. A student who has more than two examinations scheduled within a 25-hour period or has two examinations scheduled at the same time should first contact the instructors of the courses for assistance in resolving conflicts. If the problem cannot be resolved by that means, the student should contact the associate dean of his or her home college.
6. Take-home final examinations shall be given for any 24-hour period of the student's choosing during the final examination period.
7. Students are expected to present themselves at the place assigned at the start of the examination; late arrival will reduce the total time a student has to complete the examination, unless instructor's course policy indicates otherwise. Instructors reserve the right to require

attendance within a specific time period. Students who miss an examination with a reasonable excuse and wish to petition for a make-up final examination should check with the instructor. Instructors are encouraged to include late arrival policy and make-up exam policy in the course syllabus.

8. Any student shall be permitted to review his or her corrected, graded final examination in the presence of an instructor or a teaching assistant. Any controversy arising from this review shall be dealt with in accordance with the university procedure for the appeal of grades and academic actions. A final examination that is not returned to a student will be kept available for a year for review. In the event that the instructor or teaching assistant is not available for the review, the responsibility shall rest with the department head of the instructor offering the course or his or her designee. Since instructors are expected to return all work assigned before the final examinations, they are not responsible for retaining unclaimed coursework.
9. Concerns related to final examination, complaints about violations of the final examination policy or alterations of the final examination schedule should be directed to the department head of the instructor offering the course or to the associate dean of the student's home college.

## Contact

Questions concerning this policy or its content should be directed to the Vice Provost for Education, (412) 268-5865.

## Final Examination Conflict Guidelines

Recognizing that students will, on occasion, encounter foreseeable or unforeseeable conflicts with scheduled final examinations, the following guidelines have been approved by the University Education Council (UEC), the Associate Deans' Council (ADC), and the Associate Deans for Graduate Programs (ADGP) to inform the actions of students and the decisions of instructors.

### Foreseeable Conflicts:

Before negotiating any exam conflicts, students should recognize the following expectations. Students should carefully consider the dates of each semester's final exam period as reflected in the university's official academic calendar. Until the university publishes the detailed final examination schedule (usually by early October in the Fall semester and by late February in the Spring semester), students should plan according to the assumption that their final exams could be scheduled for any day/time during the final exam period. Therefore, students should avoid making any personal arrangements (such as travel) that could ultimately conflict with the final exam period.

In developing the final examination schedule, the University Registrar's Office deploys significant effort in consultation with associate deans to minimize direct and 25-hour conflicts for individual students. Once the final exam schedule is published for the semester, each student should immediately review the schedule to determine whether there are conflicts. If the student's schedule presents any final exams that directly conflict with each other, or if the student's schedule presents more than two final exams to begin in a twenty-five hour period, then the student is responsible for immediately initiating the following process so that the relevant instructors can reach a timely and effective resolution that is consistent with university policy (noting that no action is necessary if a student voluntarily elects to take the exams according to the published schedule):

1. The student should begin by discussing the conflict with all relevant instructors to determine if they can suggest a resolution. This discussion should be completed at least two weeks prior to the exams.
2. If one of the course instructors offers an alternate time for the exam, the student must agree to that resolution unless another exam conflicts with the alternate proposed time.
3. If a resolution cannot be found, the following hierarchy is recommended for compromise (Student's Home Department > Student's College > Smallest Course Size > Higher Course level):
  - If one of the courses is offered in the student's home department, the home department should be the first to accommodate.
  - If the course is offered within the student's home college, then the student's college should accommodate a course that is not within the student's college.
  - An instructor teaching a smaller course size should accommodate before an instructor from a larger course size accommodates.

- Finally, if a resolution still has not been reached, an instructor teaching a higher course level should accommodate before an instructor from a lower course level accommodates.

At any point during this process, the student's academic advisor or academic associate dean from the home academic college may be consulted to verify the existence of the conflict and assist in the negotiation and resolution.

Other foreseeable conflicts may be personal in nature, such as a religious holy day or observance, or a singular, significant obligation. As stated earlier, students are expected to review the final exam schedule as soon as it is published to identify such conflicts. A student faced with such a conflict should first exhaust all reasonable means to otherwise resolve it.

If such efforts are unsuccessful, then the student should immediately contact the instructor and explain the circumstances, recognizing that the current Policy on Examinations (<https://www.cmu.edu/policies/student-and-student-life/examination-policies.html>) does not require the instructor to offer an alternate exam time in response to foreseeable, personal conflicts.

The mutual respect and goodwill between instructor and student should guide their negotiation of such conflicts as they attempt to balance the student's needs with those of the academic enterprise. At any point in the process, the student's academic advisor, academic associate dean and/or student affairs liaison may be consulted to assist in identifying reasonable accommodations or solutions.

Students hoping to resolve cases involving foreseeable conflicts should expect that their instructors may require them to take a rescheduled final examination on the Make Up Final Exam Day (<https://www.cmu.edu/hub/registrar/exams-and-grading/make-up.html>).

### Unforeseeable Conflicts

In exceptional circumstances, a student may encounter a medical, personal or family emergency that unexpectedly interferes with their ability to participate in a scheduled final examination. When encountering such a situation, the student should contact the instructor as soon as is reasonably possible, and ideally before the final examination has been administered.

The student's academic advisor, academic associate dean and/or student affairs liaison may serve as both advocate for the student and point of verification for the instructor. After reviewing the matter, should an accommodation be granted by the instructor, the instructor may elect to institute one of several options, including: rescheduling the exam for later in the final examination period; assigning an "I" incomplete grade until a make-up exam can be administered in the following semester; or utilizing another method for resolving missed exams that has been outlined in the course syllabus.

## Student Health Insurance Policy

[www.cmu.edu/policies/student-and-student-life/student-health-insurance.html](http://www.cmu.edu/policies/student-and-student-life/student-health-insurance.html) (<https://www.cmu.edu/policies/student-and-student-life/student-health-insurance.html>)

### Reason for Policy

The high cost of health care in the United States presents a potentially serious health and financial risk to students and their accompanying dependents. The absence of adequate insurance coverage can result in temporary or permanent interruption of a student's education. The university is committed to offering student health insurance that provides access to quality health care and achieves a balance between premium cost and adequate coverage without overburdening students' financial resources. This balance is best achieved through a mandatory/hard waiver insurance program that mitigates the effect of adverse selection.

### Policy Statement General Requirements

All full-time students are required to carry health insurance and will be assessed a charge for the individual basic mandatory plan offered through the university student health insurance program. The charge will appear on the invoice of the first semester of attendance in the academic cycle. The student is required to take one of the following three actions:

1. Enroll in the basic plan as charged.
2. Upgrade the benefit plan by enrolling in the enhanced student health insurance options during the open enrollment period.
3. Apply for a waiver from the mandatory plan.

### Requirements for Waiver

Application for a waiver from the university student health insurance plan must be made to Student Health Services by the last day of the open enrollment period. Students applying for waiver must provide

documentation of continuing coverage verifying that they are enrolled as the dependent, partner/spouse or principal in an employer or government-sponsored insurance plan. Additionally, the plan must meet minimum standards for coverage as set forth below:

- It must offer at least 75% coverage for inpatient and outpatient medical services in the Pittsburgh area.
- It must include mental health benefits.
- The deductible must not exceed \$500 per accident or illness.
- It must offer medical benefits of at least \$50,000 per accident or illness.
- It must cover pre-existing conditions.

## Contact

Questions should be directed to Student Health Services at 412-268-2157.

# Carnegie Mellon Freedom of Expression Policy

[www.cmu.edu/policies/administrative-and-governance/freedom-of-expression.html](https://www.cmu.edu/policies/administrative-and-governance/freedom-of-expression.html) (<https://www.cmu.edu/policies/administrative-and-governance/freedom-of-expression.html>)

## Freedom of Expression Policy

Carnegie Mellon University values the freedoms of speech, thought, expression and assembly — in themselves and as part of our core educational and intellectual mission. If individuals are to cherish freedom, they must experience it. The very concept of freedom assumes that people usually choose wisely from a range of available ideas and that the range and implications of ideas cannot be fully understood unless we hold vital our rights to know, to express, and to choose. The university must be a place where all ideas may be expressed freely and where no alternative is withheld from consideration. The only limits on these freedoms are those dictated by law and those necessary to protect the rights of other members of the university community and to ensure the normal functioning of the university.

At the university, restrictions on expression are narrowly construed and content-neutral in their application. Expression of even unpopular or challenging opinions is typically protected, although protection of speech is not absolute, and some forms of speech, particularly those which would not be protected by the First Amendment if the university were a public institution, may be restricted. As provided by applicable law, the university has the right to impose reasonable time, place, and manner restrictions on the exercise of speech and assembly, which the university has done, and reserves the right to continue to do. Further, faculty, staff, students and other members of the university community whose conduct is found to have violated university policy, even when such conduct may have taken the form of speech or expression, are subject to conduct review.[2]

Standards for faculty at Carnegie Mellon pertaining to academic freedom and responsibility are set forth in the Appointment and Tenure Policy (<https://www.cmu.edu/policies/faculty/appointment-and-tenure-policy.html>).

For additional details on interpretation of this Policy, including the application of time, place and manner standards as well as clarifications related to Academic Freedom as recommended by the university's Commission on Academic Freedom and Freedom of Expression, please reference the Guidance on Freedom of Expression (<https://www.cmu.edu/expressive-activity/guidance.html>) and the Procedures for Scheduling and Safely Hosting On-Campus Events Involving Expressive Activity (<https://www.cmu.edu/student-affairs/dean/expressive-activity/>).

## Rights

On Carnegie Mellon's campus, faculty, staff, and students of the university may distribute printed material,[3] offer petitions for signature, make speeches and hold protests or demonstrations outside university buildings. [4] Members of the campus community have a right to hear, see, and experience diverse intellectual and creative inquiry, whether from speakers from within our own community or from guest speakers invited by a recognized campus organization. Defending that right to hear, see and experience such expression is a fundamental obligation of the university. Controversy cannot be permitted to abridge the freedoms of speech, thought, expression or assembly. They are not matters of convenience, but of necessity.

All activities under this Policy must be peaceful, avoiding acts or credible threats of physical violence and preserving the normal operation of the university. No event will be permitted to harm others, damage or deface property, block access to university buildings or disrupt classes

or operations of any university program or activity. These conditions are content neutral in their application to any message or sponsorship of the act or event.

Additional details regarding the event notice process are available in the Procedures for Scheduling and Safely Hosting On-Campus Events Involving Expressive Activity (<https://www.cmu.edu/student-affairs/dean/expressive-activity/>).

## Responsibilities

Freedom of expression must be at once fiercely guarded and genuinely embraced. Those who exercise it serve the Carnegie Mellon community by accepting the responsibilities attendant to free expression. University organizations that sponsor invited guests to campus are expected to uphold Carnegie Mellon's educational mission by planning carefully to create safe and thoughtful experiences for those involved. Hosts are responsible for the behavior of their guests and should exercise due care to ensure that all participants abide by relevant university policies.

## EndNotes

[1] The Procedures for Registering and Safely Hosting On-Campus Events involving Expressive Activity were developed in 2024 following consultation with leadership of the Faculty Senate, the Staff Council, and representatives from the executive committees of the Graduate Student Assembly and the Undergraduate Student Senate. Any future changes to these Procedures being considered by university leadership would be subject to consultation with those groups.

[2] For example, disciplinary action may be taken for speech that violates the university's Statement Assurance (regarding harassment and discrimination), the Sexual Misconduct Policy, the Code of Business Ethics and Conduct (with respect to respectful and professional conduct in the workplace), the Staff Handbook, community standards published in The Word Student Handbook, and the provisions of the Appointment and Tenure policy regarding misuse of authority to harass.

[3] The distribution of printed materials does not include the hanging of posters and other matters covered by the Advertising on Campus - Graffiti and Poster Policy (<https://www.cmu.edu/student-affairs/theword/community-policies/advertising-on-campus.html>) or relevant individual department policies. Posters and other expression placed on university property that are not compliant with the Poster Policy and/or do not have the express permission of the department that controls the space may be removed by the university and may be subject to university policies and/or applicable law regarding graffiti and vandalism.

[4] Individuals and organizations who are not Carnegie Mellon students, faculty, or staff who wish to distribute printed material, offer petitions for signature, make speeches or hold protests or demonstrations outside university buildings, are required to have a university sponsor from a current member of the university community. For more information about events or activities that require advance notice, see Procedures for Scheduling and Safely Hosting On-Campus Events Involving Expressive Activity (<https://www.cmu.edu/student-affairs/dean/expressive-activity/>).

# Student Immunization Policy

[www.cmu.edu/policies/student-and-student-life/immunizations.html](https://www.cmu.edu/policies/student-and-student-life/immunizations.html) (<https://www.cmu.edu/policies/student-and-student-life/immunizations.html>)

## Reason for Policy

Vaccine-preventable diseases continue to occur on American campuses and pose a significant threat to the public health of the campus community. Outbreaks not only impose a significant cost to infected individuals in terms of mortality and morbidity but also can be costly to the university by disrupting university activities.

## Policy Statement

The goal of the Student Health Services and the university is to provide adequate protection of the campus community against vaccine-preventable diseases by requiring students to be vaccinated against and/or screened for certain highly contagious diseases. This goal can best be achieved through a mandatory prematriculation immunization requirement. The following requirements are consistent with Pennsylvania State Law and with the recommendations of the American College Health Association, the Advisory Committee on Immunization Practices.

## Requirements for All Full-Time Students

All entering full-time students born after 1956 must demonstrate proof of immunity against measles, mumps and rubella by either providing dates of inoculation of two doses of the measles vaccine and at least one dose of

mumps and rubella or providing blood titers that demonstrate immunity to these infections or providing documentation from a physician of having had the infection.

### Additional Requirements for Students Residing in University Housing

- All students residing in university housing must demonstrate immunity against Hepatitis B by either providing documentation of having initiated or completed the three dose vaccination series.
- The student is expected to complete the series within six months of initiation of the series.
- All students residing in university housing must provide documentation of having been vaccinated against meningococcal meningitis within three years prior to enrollment in the university.
- All full-time international students must provide documentation of having had a PPD skin test to screen for tuberculosis within one year prior to enrollment in the university regardless of prior BCG inoculation. If the results of the skin test are positive, a chest x-ray is required.

### Request for Waiver

- A student may request a waiver from any vaccination for medical reasons or if vaccination conflicts with personal or religious beliefs. Application for waiver is to be made in writing to Student Health Services prior to the first day of classes in his/her first semester of attendance at the university. In the case of an outbreak of a contagious disease on campus for which the student has not been immunized, the university reserves the right to ask the student to leave campus until the outbreak is over.
- A student may request a waiver from tuberculin skin testing if the student is from a country that has been identified by the Centers for Disease Control as having low prevalence of tuberculosis.

### Penalty for Noncompliance

- If the student fails to comply with the immunization policy, the Student Health Services will notify Enrollment Services who will place a hold on the student's registration until the requirements are met and assess a fee of no more than \$50 to the student's account.
- Additionally, if the student is a resident in university housing and fails to comply with the immunization requirements, they will be removed from housing.

### Contact

Questions should be directed to Student Health Services at 412-268-2157.

### Related Policies and Procedures

The university complies with OSHA regulations regarding occupational exposure to blood-borne pathogens. Questions regarding these regulations should be directed to Environmental Health & Safety at 412-268-8182.

### Additional recommendations

A PPD skin test for tuberculosis is recommended for domestic students who have traveled to an area where tuberculosis is endemic. All students should have a booster dose of tetanus/diphtheria every ten years after completion of the primary series.

## Intellectual Property Policy

[www.cmu.edu/policies/administrative-and-governance/intellectual-property.html](http://www.cmu.edu/policies/administrative-and-governance/intellectual-property.html) (<https://www.cmu.edu/policies/administrative-and-governance/intellectual-property.html>)

### 1. Purpose

The policy reflects the following goals:

- To create a university environment that encourages the generation of new knowledge by faculty, staff, and students.
- To facilitate wide transfer of useful inventions and writings to society.
- To motivate the development and dissemination of intellectual property by providing appropriate financial rewards to creators and the university, and administrative assistance to creators.

- To ensure that the financial return from the development of intellectual property does not distort decisions and operations of the university in a manner contrary to the mission of the university.

The policy is based upon the following principles relating the university to society:

- The mission of the university remains the generation and dissemination of knowledge.
- Intellectual property will be generated within the university, and there exists an obligation to disseminate it. An interface is needed if better technology transfer is to be achieved, and the university will provide mechanisms for that function.

The policy is based upon the following principles relating faculty, staff and students to the university:

- Intellectual property is created by individuals, or by groups of individuals, who are entitled to choose the course of disclosure; academic freedom of individuals is a higher priority than possible financial rewards.
- There exists a historical tradition allowing authors to retain ownership of intellectual property rights from textbooks and works of art.
- The university is the support of the whole campus community, and is thereby entitled to share in financial rewards.
- There should be incentives for all parties to pursue financial rewards together, consistent with the expressed goals of the policy. The distribution of these rewards should reflect, insofar as possible, the creative contributions of the creator, and the resources contributed by and risks assumed by both the creator and the university in developing intellectual property.
- Since it is frequently difficult to assess risks meaningfully, resources and potential rewards, negotiated agreements are to be encouraged whenever possible.

## 2. Definitions

Certain terms are used in this document with specific meanings, as defined in this section. These definitions do not necessarily conform to customary usage.

**Intellectual Property** includes any patentable invention, any copyrightable subject matter, or trade secret. It also includes works of art, and inventions or creations that might normally be developed on a proprietary basis.

**University** means Carnegie Mellon.

**Student** means any full-time or part-time graduate or undergraduate student, regardless of whether the student receives financial aid from the university or from outside sources. It is the responsibility of students who are also employees of other outside entities to resolve any conflicts between this policy and provisions of agreements with their employers prior to beginning any undertaking at the university that will involve the development of intellectual property.

**Faculty** means members of the university's Faculty Organization as defined in the Faculty Handbook, plus instructors and special faculty appointments (even in the first year), and part-time faculty.

**Staff** means any employee of the university other than students and faculty as defined above. If a student is also a part-time university employee, he is considered as staff with regard to intellectual property developed as a result of his employment, and as a student with regard to other intellectual property. A full-time non-faculty employee who is also taking one or more courses is considered to be staff. Visitors to the university who make substantial use of university resources are considered as staff with respect to any intellectual property arising from such use. (The distinction between faculty and staff does not affect intellectual property rights except for representation on the Intellectual Property Adjudication Committee [see Section 5].)

**Creator** means any person or persons who create an item of intellectual property.

**Net proceeds to the university** means all proceeds received by the university on intellectual property that it assigns, sells or licenses, minus any application, litigation, interference, or marketing costs directly attributable to the intellectual property being licensed. Deducted costs shall be reasonable and fair, and shall be properly disclosed; the sources and amounts of compensation shall also be properly disclosed.

**Net proceeds to the creator** means all proceeds received by the creator from intellectual property owned by him that he sells, assigns or licenses, less the costs of application, legal protection, or litigation, interference,

travel and other marketing costs directly attributable to the intellectual property being exploited. Such net proceeds do not include compensation legitimately received by the creator for consulting services or interest or other return on invested labor or capital. Deducted costs shall be reasonable and fair, and shall be properly disclosed; the sources and amounts of compensation shall also be properly disclosed.

**Substantial use of university facilities** means extensive unreimbursed use of major university laboratory, studio or computational facilities, or human resources. The use of these facilities must be important to the creation of the intellectual property; merely incidental use of a facility does not constitute substantial use, nor does extensive use of a facility commonly available to all faculty or professional staff (such as libraries and offices), nor does extensive use of a specialized facility for routine tasks. Use will be considered "extensive" and facilities will be considered "major" if similar use of similar facilities would cost the creator more than \$5000 (five thousand dollars) in constant 1984 dollars if purchased or leased in the public market. Creators wishing to directly reimburse the university for the use of its facilities must make arrangements to do so before the level of facilities usage for a particular intellectual property becomes substantial. (This provision is not intended to override any other department or university policy concerning reimbursement for facilities usage.)

In general:

In any given year the equivalent figure for a particular amount of money in constant 1984 dollars will be obtained by multiplying that amount of money by the ratio of the most recent quarterly Disposable Personal Income Deflator divided by the average monthly Disposable Personal Income Deflator for the year 1984.

As used in this policy, the masculine gender includes the feminine gender, singular or plural, wherever appropriate.

### 3. Policy Provisions

This section states the policies concerning ownership of intellectual property created at the university. In order of precedence, ownership of intellectual property shall be as follows:

#### 3-1. Externally Sponsored Work

**Ownership Provisions:** Intellectual property created as a result of work conducted under an agreement between an external sponsor and the university that specifies the ownership of such intellectual property shall be owned as specified in said agreement. If the university declares itself to be a sponsor, but does not declare itself to be the owner of the intellectual property, ownership shall be determined in accordance with 3-6-4 below.

**Procedural Provisions:** It is the responsibility of the Office of Sponsored Research of the university to inform each person whose intellectual property rights are limited by an externally sponsored contract of the intellectual property provisions of that contract in advance of the beginning of work thereon. Such notice is to be in writing and the university may require written acknowledgment of such provisions by any person working on externally sponsored projects. A summary of external sponsorship agreements limiting the intellectual property rights of potential creators will be maintained by the Office of Sponsored Research and will be available to the general university community.

If the university fails to notify a creator, effectively and in advance, of limitations imposed on his intellectual property rights by external sponsorship agreements, the creator is entitled to receive from the university 50% (fifty percent) of the net proceeds to the university resulting from his intellectual property.

#### 3-2. Internally Sponsored Work

**Ownership Provisions:** When the university provides funds or facilities for a particular project to the extent of substantial use, it may also choose to designate itself as sponsor of that work. The university may declare itself the owner of intellectual property resulting from said work. In such cases the university must specify in advance the disposition of any intellectual property rights arising from the project. If the university declares itself to be a sponsor, but does not declare itself the owner of the intellectual property, ownership shall be determined in accordance with 3-6-4 below.

**Procedural Provisions:** It is the responsibility of the Office of Sponsored Research of the university to inform each person whose intellectual property rights are limited by internally sponsored work of the intellectual property ownership rights specified by the university as to that work in advance of the beginning of work thereon. Such notice is to be in writing and the university may require written acknowledgment of such provisions by any person working on internally sponsored projects. A summary of work for which university sponsorship limits the intellectual property rights of potential creators will be maintained by the Office of Sponsored Research and will be available to the general university community.

If the university fails to notify a creator, effectively and in advance, of limitations imposed on his intellectual property rights by internal university sponsorship, the creator is entitled to receive from the university 50% (fifty percent) of the net proceeds to the university resulting from his intellectual property.

#### 3-3. Individual Agreements

**Ownership Provisions:** Intellectual property which is the subject of a specific agreement between the university and the creator(s) thereof shall be owned as provided in said agreement. Such agreements by the university and the faculty are encouraged.

**Procedural Provisions:** Except where limited by external sponsorship agreements, creators and the university may negotiate individual agreements to govern ownership of intellectual property regardless of the applicability of any other provision hereof.

#### 3-4. Intellectual Property Created Within Scope of Employment

**Ownership Provisions:** Intellectual property created by university employees who were employed specifically to produce a particular intellectual property shall be owned by the university if said intellectual property was created within the normal scope of their employment. Faculty are presumed not to be hired to produce a particular intellectual property. On the other hand, computer programs written on the job by staff computer programmers would fall under this provision.

#### 3-5. Public Dedication

**Ownership Provisions:** Except when limited by sub-parts 3-1, 3-2, 3-3 or 3-4 above, the creator of any intellectual property may choose to place his or her creation in the public domain. In such cases both the creator and the university waive all ownership rights to said property.

**Procedural Provisions:** Creators wishing to place their intellectual property in the public domain are responsible for ascertaining that the right to public dedication of that intellectual property is not limited by any external agreement, university sponsorship arrangement or terms of employment as described in Provisions 3-1, 3-2 or 3-3. The university provost will provide such a determination in writing upon request by the creator. It is also the creator's responsibility to ensure that disclosure does not include valuable intellectual property owned by others. (This provision does not release the university from its general obligation to notify creators of limitations to intellectual property rights specified in Provisions 3-1 and 3-2.)

To facilitate the actual transfer of knowledge of the intellectual property to the public at large, the creator shall provide the university with a complete description and documentation of the property placed in the public domain, specifically including a copy of the property in the case of printed material, and complete machine-readable source code in the case of software. All such material provided to the university will be placed in the University Library and made available to the public at large. The university will take appropriate action on a regular basis to publicize summary descriptions of intellectual property recently placed in the public domain. The university will also provide any member of the general public copies of such material on a cost-recovery basis.

The provisions of this section do not apply to the normal scholarly or creative publication processes unless the creator intends to waive all proprietary rights to the publication.

#### 3-6. In General

Unless governed by sub-parts 3-1, 3-2, 3-3, 3-4 or 3-5 above, ownership of intellectual property created at the university shall be determined as follows:

##### 3-6-1. Traditional Rights Retained

**Ownership Provisions:** In keeping with academic traditions at the university, the creator retains all rights to the following types of intellectual property, without limitation: books (including textbooks), educational course-ware, articles, non-fiction, novels, poems, musical works, dramatic works including any accompanying music, panto-mimes and choreographic works, pictorial, graphic and sculptural works, motion pictures and other similar audio-visual works, and sound recordings, regardless of the level of use of university facilities. This provision does not include computer software (other than educational course-ware) or data bases.

**Procedural Provisions:** The types of intellectual property listed in the preceding paragraph share the attribute that they display information or visual or auditory appearances which are fully revealed to the purchaser or consumer. Thus, for example, source code listings would also be considered within this category. On the other hand, most computer software and data bases do not share this attribute; they are characterized by their capacity to perform tasks. Because of their utilitarian nature, ownership rights with respect thereto are governed by 3-6-3 or 3-6-4. Educational course-ware

is included in this provision in all cases because of its role in furthering the primary educational mission of the university.

This provision applies regardless of any university sponsorship of the work, and it may be modified only by a specific prior agreement between the creator and the university. The use of university-owned computers and other facilities in the preparation of books and similar works does not alter this provision, though other university policies may limit such use or require reimbursement to the university. Similarly, the use of externally sponsored resources does not alter this provision, unless the creator is effectively notified in advance of such limitations to his rights in accordance with 3-1.

### **3-6-2. No Substantial Use of University**

Facilities Ownership Provisions: The creator owns all intellectual property created without substantial use of university facilities, including intellectual property rights in computer software and data bases.

### **3-6-3. Substantial Use of University Facilities - No External or Internal Sponsorship**

Ownership of intellectual property created with substantial use of university facilities, but not directly arising from externally sponsored work, or from work for which the university has declared itself as sponsor, shall be determined as set forth hereinafter depending on whether the creator or the university develops said property.

#### **3-6-3-1. Development by Creator**

Ownership Provisions: The creator originally owns intellectual property created with substantial use of university facilities but no external or internal sponsorship, and retains said ownership by commercial development of said property subject to the following:

(i) the university shall receive 15% (fifteen percent) of the net proceeds to the creator above \$25,000 (twenty-five thousand dollars) in constant 1984 dollars from all sources (in the case of patents and copyrights, this provision shall be limited to the life of the patent or copyright), and

(ii) the university shall receive a perpetual, non-exclusive, non-transferable, royalty free license to use said intellectual property. In the case of software, this license includes access by specified university personnel to the source listings, and the university shall require each person to whom a disclosure is made to execute in advance a binding confidentiality agreement in favor of and enforce-able by the creator. If the intellectual property is created solely by a student or students, the creator is exempt from the obligation to pay to the university a fraction of his net proceeds, but not from the provision of this paragraph for a non-exclusive license to the university.

Procedural Provisions: If the creator develops an intellectual property that is covered by this provision, he must make full and fair disclosure to the university of all such sources of compensation relating to that intellectual property.

#### **3-6-3-2. Development by the University**

Ownership Provisions: When intellectual property is created with substantial use of university facilities, but not directly arising from sponsored research, the creator will originally retain the rights to the property, provided that he desires to commercially develop the property himself or to make it available to the public. If, however, the creator elects not to commercially develop same or fails to show diligence in pursuing such development, then the ownership rights to that property may be acquired by the university. Intellectual property acquired by the university in this fashion will be treated as in 3-6-4-1 below.

Procedural Provisions: At the time the intellectual property is disclosed to the university's provost as required under Section 4-1, or at any time thereafter, the university may request that the creator decide whether he will develop the intellectual property or will grant the rights to the university, and execute documents to pass on the title. Such a decision must be made within one year of the request or the creator will automatically lose his rights in favor of the university.

### **3-6-4. Substantial Use of University Facilities - External or Internal Sponsorship**

Ownership of intellectual property created with substantial use of university facilities and directly arising from work sponsored under an agreement between an external sponsor and the university, or from work for which the university has declared itself a sponsor, but for which neither the external sponsor nor the university have specified the ownership of resulting intellectual property shall be determined as set forth hereinafter depending on whether the creator or the university develops said property.

#### **3-6-4-1. Development by University**

Ownership Provisions: The university originally owns intellectual property created with substantial use of university facilities provided by an external agreement or internal university sponsorship and retains said ownership by commercial development of said property, subject to the following: in all

cases, the creator shall receive 50% (fifty percent) of the net proceeds to the university.

Procedural Provisions: When an intellectual property is created with substantial use of university resources provided by an external research contract or a specific university sponsorship agreement, and when that contract or agreement either does not specify the disposition of the intellectual property rights arising from that sponsorship, or it permits the university and/or creator to retain or acquire such intellectual property rights, the university will originally retain the rights to such intellectual property.

#### **3-6-4-2. Development by Creator**

Ownership Provisions: When intellectual property is created with substantial use of university facilities provided by external or internal sponsorship, the university will originally retain the rights to the property, provided that it desires to commercially develop the property or to make it available to the public. If, however, the university elects not to commercially develop same or fails to show diligence in such development, the ownership rights to that property may be acquired by the creator. Intellectual property acquired by the creator in this fashion will be treated as in 3-6-3-1 above. This assignment of rights to the creator may be prohibited by the terms of an external sponsorship agreement with the university or by an internal university sponsorship declaration, but in such cases the creator must be notified in advance, as in Provisions 3-1 and 3-2.

Procedural Provisions: At the time the intellectual property is disclosed to the university's provost as required by Section 4-1, or at any time thereafter, the creator may request that the university decide whether it will commercially develop the intellectual property or execute an assignment of the intellectual property rights to the creator. Such a decision must be made within 120 (one hundred twenty) days of the request or the university automatically waives its rights in favor of the creator, and it must execute an assignment of these rights to the creator.

#### **3-6-5. Consulting Agreements**

Ownership Provisions: Work done by individuals as consultants to outside firms is presumed not to involve unreimbursed substantial use of university facilities, and the rights to intellectual property created under consulting agreements are retained by the outside firms or the individual as specified by the terms of the consulting agreement and the terms of Provision 3-6-2 above.

Procedural Provisions: Under university policy consulting work must not make substantial unreimbursed use of university facilities except by explicit prior agreement. Any member of the university community who is engaged in consulting work or in business is responsible for ensuring that provisions in his agreements are not in conflict with this policy of the university or with the university's commitments. The university's Innovation Transfer Office will, upon request, provide assistance in this respect. The university's rights and the individual's obligations to the university are in no way abrogated or limited by the terms of such agreements. Each creator of intellectual property should make his obligations to the university clear to those with whom he makes such agreements and should ensure that they are provided with a current statement of the university's intellectual property policy. Appropriate sample contract wording to cover various possible external consulting arrangements shall be available from the university provost.

## **4. General Procedures**

### **4-1.**

The creator of any intellectual property that is or might be owned by the university under this policy is required to make reasonably prompt written disclosure of the work to the university's provost, and to execute any document deemed necessary to perfect legal rights in the university and enable the university to file patent applications and applications for copyright registration when appropriate. This disclosure to the provost should be made at the time when legal protection for the creation is contemplated, and it must be made before the intellectual property is sold, used for profit, or disclosed to the public. Whenever legal protection for intellectual property is anticipated all persons engaged in such creative activity are encouraged to keep regular notebooks and records.

### **4-2.**

Whenever the university undertakes commercial development it shall do so, if possible, in a fashion that provides for the widest possible dissemination, avoiding suppression of inventions from which the public might otherwise benefit, providing for non-exclusive licensing at reasonable royalties, and giving consideration to more favorable or royalty-free licensing to non-profit charitable institutions, minority businesses or enterprises in developing countries.

4-3.

The university's share of any proceeds under this policy will be used to reimburse the university for its expenses for commercial development of intellectual property. Any additional return to the university will be used to further the academic purposes of all the disciplines of the entire university.

## 5. Resolution of Disputes

This policy constitutes an understanding which is binding on the university and on the faculty, staff, and students upon whom it is effective according to the terms of Section 6 below, as a condition for participating in research programs at the university or for the use of university funds or facilities.

Any question of interpretation or claim arising out of or relating to this policy, or dispute as to ownership rights of intellectual property under this policy, will be settled by the following procedure:

- The issue must first be submitted to the university's Intellectual Property Adjudication Committee in the form of a letter setting forth the grievance or issue to be resolved. The committee will review the matter and then advise the parties of its decision within 60 days of submission of the letter.
- If any of the parties to the dispute is not satisfied with the committee's decision, the party may seek binding arbitration in Pittsburgh, Pennsylvania and in accordance with the Rules of the American Arbitration Association then in effect. Judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The arbitrator(s) will give some weight to the decision of the Intellectual Property Adjudication Committee in reaching a decision. The losing party of the arbitration hearing will pay for all costs of the arbitration unless the arbitrator(s) specifies otherwise.

The Intellectual Property Adjudication Committee will consist of a chair who is a member of the tenured faculty, four other members of the faculty, and four other members representing, respectively, the university administration, the technical staff, and the graduate and undergraduate student bodies. Initially, half of the members of the committee (including the chair) will be appointed for two-year terms of office, and the remaining half will be appointed for a one-year term. After one year new members of the committee will be appointed for two-year terms of office. The chair will be appointed by the chair of the Faculty Senate, with the advice and consent of the Faculty Senate Executive Committee, and the remaining eight members of the committee will be appointed by the president of the university or his designee. At all times at least one of the faculty members will have had significant practical experience with intellectual property development and exploitation. The faculty members appointed by the president of the university will be selected from a list of nominees prepared by the Faculty Senate or its designated committee and nominees with experience in intellectual property development will be identified as such by the Faculty Senate. The staff representative will be selected from a list of nominees prepared by Staff Council, and the administration representative will be named directly by the president of the university or his designee. The graduate student representative will be selected from a list of nominees prepared by the Graduate Student Organization. The undergraduate representative will be chosen from a list of nominees prepared by the Student Senate. The committee will use the guidelines set forth in this policy to decide upon a fair resolution of any dispute.

If possible, the committee will also provide on request informal advisory opinions to creators and the university indicating how it is likely to interpret the provisions of this policy as it applies to special cases.

## 6. Effective Date of Policy

This policy will become effective August 27, 1985. Once effective this policy will be binding on new faculty, administration, and staff when hired, and on graduate and undergraduate students when admitted. Current faculty and staff will also become bound by this policy when they sign new employment contracts as the result of the renewal of limited-term appointments or promotion. Other university personnel, including tenured faculty, and current staff and students may choose to become bound by this policy for future and pending intellectual property by voluntary written consent. Unless the creator and the university agree to a different arrangement, intellectual property that is already partially developed at the time this policy becomes effective will be treated according to the provisions of the patent policy by which the University creator is currently bound. Similarly, members of the university working under contracts signed before the effective date of this policy who do not choose to accept this policy will remain bound by the patent policies that already apply to them. With respect to intellectual property developed during the course of employment at the university, this policy shall continue to be binding on any person whose relationship with the university becomes terminated. The university should take all administrative steps necessary to ensure that

employees and students sign, upon initial employment, registration or at other appropriate times, forms that indicate their acceptance of this policy.

## 7. Amendments of the Policy

Amendments of this policy may be proposed by the Faculty Senate, Staff Council or university administration. Proposed amendments must be approved by a two-thirds majority of votes in the Faculty Senate and subsequently approved by a simple majority of votes cast in a referendum administered by the Faculty Senate that is open to all members of the faculty as defined by this policy and to the exempt staff, provided that this majority constitutes at least 25% (twenty-five percent) of those eligible to vote. This referendum must be preceded by an opportunity for public discussion open to all interested faculty, administration, staff and students. Amendments that are supported by the faculty and staff must then be approved by the president of the university and adopted by the university trustees. Once adopted, amendments will become binding on new faculty, administration, and staff when hired, on existing faculty and staff when they sign new employment contracts, and on graduate and undergraduate students when admitted. Other university personnel, including tenured faculty, and current staff and students may choose to become bound by this policy for future and pending intellectual property by voluntary written consent. Intellectual property that is already developed or under development at the time that an amendment to the policy is ratified will not be bound by the terms of the amendment without the voluntary written consent of both the creator and the university.

### Footnote:

<sup>1</sup> This document presumes the existence of a university office to facilitate technology transfer. Such an office would serve as a clearinghouse for contacts with outside partners, would perform patent and copyright tasks, and would develop an effective marketing capability.

## Policy on Student Privacy Rights

[www.cmu.edu/policies/student-and-student-life/privacy-rights-students.html](http://www.cmu.edu/policies/student-and-student-life/privacy-rights-students.html)  
(<https://www.cmu.edu/policies/student-and-student-life/privacy-rights-students.html>)

### Policy Statement

Under the Family Educational Rights and Privacy Act (FERPA), you have the right to:

- inspect and review your education records;
- request an amendment to your education records if you believe they are inaccurate or misleading;
- request a hearing if your request for an amendment is not resolved to your satisfaction;
- consent to disclosure of personally identifiable information from your education records, except to the extent that FERPA authorizes disclosure without your consent; and
- file a complaint with the U.S. Department of Education Family Policy Compliance Office if you believe your rights under FERPA have been violated.

### 1. Inspection

What are education records?

Education records are records maintained by the university that are directly related to students. These include biographic and demographic data, application materials, course schedules, grades and work-study records. The term does not include:

- information contained in the private files of instructors and administrators, used only as a personal memory aid and not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- University Police records;
- employment records other than work-study records;
- medical and psychological records used solely for treatment purposes;
- records that only contain information about individuals after they have left the university; and
- any other records that do not meet the above definition of education records.

How do I inspect my education records?

- Complete an Education Inspection and Review Request Form (<http://www.cmu.edu/hub/registration/docs/review-record.pdf>) [PDF] (<https://www.cmu.edu/hub/docs/review-record.pdf>) and return it to The HUB in order to notify the University Registrar's Office.
- The custodian of the education record you wish to inspect will contact you to arrange a mutually convenient time for inspection, not more than 45 days after your request. The custodian or designee will be present during your inspection.
- You will not be permitted to review financial information, including your parents' financial information, or confidential letters of recommendation, if you have waived your right to inspect such letters.
- You can get copies of your education records from the office where they are kept for 25 cents per page, prepaid.

## 2. Amendment

How do I amend my educational records?

- Send a written, signed request for amendment to the University Registrar, Carnegie Mellon University, A19 Warner Hall, Pittsburgh, PA 15213. Your request should specify the record you want to have amended and the reason for amendment.
- The university will reply to you no later than 45 days after your request. If the university does not agree to amend the record, you have a right to a hearing on the issue.

## 3. Hearing

How do I request a hearing?

- Send a written, signed request for a hearing to the University Registrar, Carnegie Mellon University, A19 Warner Hall, Pittsburgh, PA 15213. The university will schedule a hearing no later than 45 days after your request.
- A university officer appointed by the Associate Vice President & Director of Enrollment Services who is not affiliated with your enrolled college will conduct the hearing.
- You may bring others, including an attorney, to the hearing to assist or represent you. If your attorney will be present, you must notify the university ten days in advance of the hearing so that the university can arrange to have an attorney present too, if desired.
- The university will inform you of its decision, in writing, including a summary of the evidence presented and the reasons for its decision, no later than 45 days after the hearing.
- If the university decides not to amend the record, you have a right to add a statement to the record that explains your side of the story.

## 4. Disclosure

Carnegie Mellon generally will not disclose personally identifiable information from your education records without your consent except for directory information and other exceptions specified by law.

What is directory information?

Directory information is personally identifiable information of a general nature that may be disclosed without your consent, unless you specifically request the university not to do so. It is used for purposes such as compiling campus directories.

If you do not want your directory information to be disclosed, you must notify the University Registrar's Office in writing within the first 15 days of the semester.

Notifying the University Registrar's Office covers only the disclosure of centralized records. Members of individual organizations such as fraternities, sororities, athletics, etc. must also notify those organizations to restrict the disclosure of directory information.

Carnegie Mellon has defined directory information as the following:

- your full name
- local/campus address and local/campus telephone number
- email User ID (Andrew ID) and address
  - Please note: Andrew User IDs cannot be completely suppressed from our electronic systems. While it may be possible to suppress the association of an individual's name with their user id, doing so may adversely impact the delivery of electronic mail or other electronic services.
- major, department, college

- class status (freshman, sophomore, junior, senior, undergraduate or graduate)
- dates of attendance (semester begin and end dates)
- enrollment status (full, half, or part time)
- date(s) of graduation
- degree(s) awarded
- sorority or fraternity affiliation

For students participating in intercollegiate athletics, directory information also includes:

- height, weight
- sport of participation

What are the other exceptions?

Under FERPA, Carnegie Mellon may release personally identifiable information from your education records without your prior consent to the following individuals or organizations:

- school officials with legitimate educational interests ("School officials" are Carnegie Mellon employees in administrative, supervisory, academic or support staff positions; Carnegie Mellon trustees; individuals and companies with whom the university has contracted, such as attorneys, auditors, or collection agencies; and individuals assisting school officials in performing their tasks. School officials have a "legitimate educational interest" if they need to review an education record in order to fulfill their professional responsibilities.);
- certain federal officials in connection with federal program requirements;
- organizations involved in awarding financial aid;
- state and local officials who are legally entitled to the information;
- testing agencies such as the Educational Testing Service, for the purpose of developing, validating, researching and administering tests;
- accrediting agencies, in connection with their accrediting functions;
- parents of dependent students (as defined in section 152 of the Internal Revenue Service Code);
- individuals or organizations in order to comply with a judicial order or subpoena (after making a reasonable effort to notify the student in advance of compliance so that the student can take protective action, except in cases where the university is legally required not to disclose the existence of the subpoena);
- appropriate parties in a health or safety emergency, if necessary to protect the health or safety of the student or other individuals;
- officials of another school in which the student seeks or intends to enroll;
- victims of violent crimes or non-forcible sexual offenses (the results of final student disciplinary proceedings);
- parents or legal guardians of students under 21 years of age (information regarding violations of university drug and alcohol policies);
- courts (records relevant to legal actions initiated by students, parents or the university); and
- individuals or organizations in order to comply with federal laws concerning sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994.

## 5. Complaints

If you believe the university has not complied with FERPA, you can file a complaint with the:

Family Policy Compliance Office, Department of Education, 400 Maryland Avenue, S.W. Washington, DC 20202-4605

Note: Your Carnegie Mellon GUID (global user identification) number is also designated as directory information under FERPA, but does not contain personally identifiable information and therefore cannot be used by itself to determine your identity or to access your records.

## Policy on Restricted Research

[www.cmu.edu/policies/research/restricted-research.html](http://www.cmu.edu/policies/research/restricted-research.html) (<https://www.cmu.edu/policies/research/restricted-research.html>)

Universities have two primary purposes: to create knowledge and to disseminate knowledge. Carnegie Mellon University recognizes the importance of open intellectual communication within a research group, within the university, and within the larger community outside. Ideally, all units of the university would disseminate the results of research as quickly and as widely as possible. Some members or units of the university, however, desire to do research that may be difficult or impossible without restrictions or without access to classified or proprietary materials.

There exists, therefore, a tension between the university's goal of disseminating knowledge freely and the desire on the part of some of its members to conduct restricted research on important problems. The university intends to guarantee the academic freedom of all faculty members to do research in their own manner on topics of their own choosing, provided that such research is consistent with the overall purposes of the university.

This policy seeks to resolve the tension between the desire to participate in restricted research and the desire to maintain the open atmosphere of the university by confining restricted research to semi-autonomous units, which are not associated with any academic departments. It thereby establishes the principle that restricted research is inappropriate at Carnegie Mellon University except in the semi-autonomous units.

This policy does not attempt to anticipate all possible concerns about restricted research. In some cases, decisions will need to be made about particular research projects to which the application of particular policy guidelines are not clear. In choosing to accept or decline such projects, the university will weigh the potential of a project for generating and disseminating new knowledge for the benefit of society, against the project's potential for adversely affecting the climate for research conducted in a free and open environment. While this policy sets no explicit limits on the extent of classified research permitted in the semi-autonomous units, it is not the intent of the policy to encourage any unit of the university to engage in classified research as a primary ongoing activity. Indeed, it is expected that classified projects will never represent more than a small fraction of the total research effort in any unit.

### Definitions

**Research:** all projects and investigations involving the creation of new knowledge of a theoretical or practical nature. The term "research" as used here encompasses both "research" and "development" as they are commonly defined.

**Classified research:** research, the free dissemination of the results of which is deemed to jeopardize national security. The federal government controls access to the environment in which such research is performed, restricts discussions about the work in progress to individuals with clearance and a "need to know," and limits publication of research, results or access to data needed to verify results, for a specified period of time.

**Proprietary research:** research that results in intellectual property that is owned by entities other than Carnegie Mellon University. Such entities may wish to market products derived from inventions or ideas that are developed at the university. They might, therefore, desire to fund projects which restrict access to data and to discussions about work in progress to individuals with a "need to know," and to seek, for a specified period of time, a delay in publication of research results or data needed to verify results. Such entities may also provide access to proprietary material, which researchers must agree not to include in publications.

**Publication:** oral or written dissemination.

**Restricted research:** includes all classified research, and any proprietary or other research that requires more than a six month delay in publication of the research results.

**Semi-autonomous units:** units of the university specifically so designated by the president, after consultation with the URC and the Faculty Senate, currently the Mellon Institute and the Software Engineering Institute.

**Non-autonomous units:** all university entities other than semi-autonomous units.

### Restricted Research in Non-Autonomous Units

It is the policy of Carnegie Mellon that restricted research is inappropriate and, therefore, not permitted within its non-autonomous units.

It is also the policy of Carnegie Mellon not to permit involvement of students in projects which carry restrictions that may impede their progress toward a degree. Therefore, students should not be involved in contracts that require

the delay of a student's publication of research results when such results are intended for use in obtaining academic credit, except that a sponsor may require a delay of thirty days for review of publications for removal of proprietary information that was provided by the sponsor for the conduct of the research.

Proprietary research is allowed within non-autonomous units provided it is subject to limitations (excluding students' publications as noted above) no more stringent than the following:

- A sponsor may request a delay of up to six months in publication so that steps may be taken to secure intellectual property rights to inventions or ideas developed under the contract.
- A sponsor may require a delay of thirty days for review of publications for removal of proprietary information which was provided for the conduct of the research.

### Considerations for faculty/researchers:

The university recognizes that problems arise in both restricted research and research that is not itself restricted but that involves access to classified or propriety information or materials (hereinafter, restricted materials). Researchers may also have access to restricted materials when serving as consultants. Access to restricted materials gives rise to concerns about limitations on researchers' freedom to communicate. In such instances, researchers must exercise consider-able judgment to conduct their research in an open environment while protecting the restricted materials to which they have access. Researchers must also be aware that the university will judge their performance as researchers through their publications or through other scholarly products that arise from their research. Research that is restricted in dissemination, or not available for public review, cannot be considered in promotion or reappointment decisions or in evaluations of academic performance of any kind.

### Considerations for faculty/researchers:

There are important concerns about the involvement of students in restricted research. It is necessary for students to publish their work in order to obtain degrees, course credit and professional recognition. Students rely to a large degree on their faculty advisor's judgment for guidance and advice. Research that is restricted in dissemination, or not available for public review, cannot be used for academic credit. Thus, before working on such research, a student must be notified in writing that work on this research may not be used for academic credit.

### Restricted Research in Semi-Autonomous Units

The semi-autonomous units associated with Carnegie Mellon may conduct restricted research.

Faculty members may conduct restricted research in or in cooperation with semi-autonomous units only on a consulting basis or by means of a formal, internal leave of absence from their non-autonomous units.

Work that is restricted in any way may not be used for academic evaluations until it is released for publication, and then only with respect to future academic actions.

Students may occasionally be employed by the semi-autonomous units, provided that such employment does not interfere substantially with progress toward a degree. However, they must be made aware that work that is restricted cannot be used for academic credit. Work that was restricted and is later released for dissemination and review can be applied toward future academic credit. Students should be discouraged from working on restricted research in which dissemination may be delayed indefinitely.

### Guidelines for all Units

Work by students on restricted research projects shall not be made a condition for admission or financial aid.

The principal investigator is responsible for informing all members of a project (faculty, staff and students) of any restrictions imposed on the dissemination of information related to the research. This must be done prior to the start of the project or prior to an individual joining an existing project.

Restrictions on access to university facilities due to the conduct of restricted research must be kept to a minimum. Access to and movement through the facilities in which restricted research is conducted must be consistent with standard university procedures.

The Provost's Office is responsible for obtaining signed documents from principal investigators on restricted research projects attesting that they are aware of all restrictions imposed on the research and that they have informed all participants of these restrictions.

The Office of Sponsored Research shall review all proposals and contracts prior to approval for conformity with these guidelines. Any that do not meet these guidelines will be referred to the University Research Council (URC) for review and recommendation of appropriate action to the provost.

To maintain a balance with the university's goals of broad dissemination of knowledge, the URC will conduct an annual review of all restricted research being conducted at the university. This review will be made based on a listing of all contracts that involve restricted research. This listing shall include the title and sponsor(s) of the research, name(s) of principal investigator(s), and the amount of funding of each contract.

The university community will be informed annually, through the URC's written report to the Faculty Senate and Student Senate, of the nature and overall impact of restricted research at Carnegie Mellon.

Existing sponsored research projects shall be allowed to continue under the terms of their present contract. However, renewal contracts must conform with this policy.

## Student Activities Fee

[www.cmu.edu/policies/student-and-student-life/activities-fee.html](http://www.cmu.edu/policies/student-and-student-life/activities-fee.html) (<https://www.cmu.edu/policies/student-and-student-life/activities-fee.html>)

By action of the Board of Trustees, a required Student Activities Fee in addition to tuition is charged to all under-graduate students and graduate students who enroll for 19 units or more. Student Government is responsible for administering the fee and for using it only for the support of projects under the following guidelines:

1. Activities and facilities which can be described as meeting the reasonably predictable social, cultural, recreational, or welfare needs of college students.
2. Publications which can reasonably be presumed to serve the needs of the student community for communication, expressions of opinion, and the conduct of their business.
3. Such enterprises of an entrepreneurial nature undertaken by the student body as can reasonably be expected to serve as an instrument for meeting the needs described above.

All functions and services provided by the fees described above must be in accordance with Carnegie Mellon's policy of non-discrimination. In addition, no use of such fees may be intended to violate or circumvent the policies of the university or the laws of the land.

Final responsibility for establishing the amount of any required fee rests with the Board of Trustees, which will consider changes only upon requests of the Student Government and the officers of the university.

**Note:** Historically, the Student Government has dedicated a specific portion of graduate students' activities fees to the Graduate Student Assembly to be used at their discretion.

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## Policy on Temporary Emergency Closing of the University

[www.cmu.edu/policies/safety-and-security/emergency-closing.html](http://www.cmu.edu/policies/safety-and-security/emergency-closing.html) (<https://www.cmu.edu/policies/safety-and-security/emergency-closing.html>)

### Policy Statement

Carnegie Mellon University has an important commitment to students, parents, sponsors, benefactors and the community. Accordingly, the university will make every attempt to operate normally during severe weather or other emergencies. This includes holding classes, conducting research programs, and operating facilities and services. The university will attempt to operate normally unless such operation represents a clear danger to students, staff or faculty.

There may be occasions when the university community is served best by suspending normal operations. In that event, only the president (or the president's designated representative) has the authority to close the university and to specify those persons or group of persons who are free to leave or refrain from coming to campus. Staff members who provide primary services, including certain members of Physical Plant, Dining Services and Security, may be asked to work.

### Standard Operations

Unless the president announces that the university is closed, everyone is expected to be at work as usual. When the university is in session,

faculty members are expected to meet their scheduled classes and other obligations. If a faculty member is unable to meet a scheduled class, he or she should notify the department office and arrange either for a qualified substitute or for a future make-up session.

If the university is open but a staff member is unable to come to work because of severe weather or other emergency, he or she should notify the supervisor as soon as possible. Staff members will be expected to make up lost time or use Paid Time Off (PTO), consistent with regular operating protocols.

### Announcement of Closing

As soon as the president or designee determines that the university must be closed, University Relations will alert local radio and television stations. Also, announcements of closings will be posted on the Carnegie Mellon electronic board official.cmu-news.

### Contact

Questions concerning this policy or its intent should be directed to the Office of the President at 412-268-2200.

## Student Leaves & Returns

### Student Leave Policy

[www.cmu.edu/policies/student-and-student-life/student-leave.html](http://www.cmu.edu/policies/student-and-student-life/student-leave.html) (<https://www.cmu.edu/policies/student-and-student-life/student-leave.html>)

Students must sometimes interrupt their studies for a variety of reasons (financial, academic or personal). Students choosing to take a leave of absence must first contact their department advisor to discuss their plans while on leave to work out any conditions that may be necessary for a smooth return to Carnegie Mellon.

A student may leave Carnegie Mellon by either withdrawing from the university (this means leaving the university with no intention of returning) or by taking a leave of absence (this means leaving the university temporarily, with the firm and stated intention of returning).

A Leave of Absence Form must be completed by all students requesting a leave of absence. A Withdrawal Form must be completed by all students who are withdrawing. Notifying instructors or no longer attending classes does not complete the process. Forms and related documentation are available on The HUB website (<https://www.cmu.edu/hub/registrar/leaves-and-returns/>). Not completing the leave form results in tuition being charged to the midpoint of the semester or the last date the student attended an academically-related activity such as an exam, tutorial or study group, or the last day a student turned in a class assignment.

Students are required to fill out all information on the form, including all comment sections relating to reasons for their leave of absence. After completion of the form, students must take it to their home department and dean's office for appropriate signatures. The process of taking a leave will not be complete until all necessary signatures are on the leave form. Under certain circumstances, students may also need the Dean of Student Affairs to sign off on the leave form. International students who are here on a F1 or J1 visa must consult the Office of International Education for information on possible visa implications prior to going on leave.

Students on leave are not permitted to live in university housing, attend classes or maintain employment as students at Carnegie Mellon while their leave is in effect.

Doctoral candidates in ABD (All But Dissertation) status who wish to take a leave of absence should refer to the Doctoral Student Status policy (<https://www.cmu.edu/policies/student-and-student-life/doctoral-student-status.html>).

Leaves during the academic semester will take effect as of the date signed by the student's dean. After the Leave of Absence or Withdrawal Form is received by the University Registrar's Office, it will be reviewed for the appropriate tuition refunds (see T (<http://coursecatalog.web.cmu.edu/aboutcmu/enrollmentservices/#studentfinancialservicestext>)) and grade implications. The recording of student courses and grades for taking a leave in a semester follows the deadlines for semester or mini courses, as follows:

- On or before the university deadline to drop classes with W (withdrawal) grades: all courses or grades are removed.
- After the university deadline to drop classes but before the last day of classes: W (withdrawal) grades will be assigned to all classes. (W grades apply to all undergraduate students; and graduate students in the College of Engineering, Heinz College, Mellon College of Science, and the Tepper School of Business.)

- After the last day of classes: Permanent grades assigned by the instructor will be recorded.

## Student Return Policy

[www.cmu.edu/policies/student-and-student-life/return-student.html](https://www.cmu.edu/policies/student-and-student-life/return-student.html) (<https://www.cmu.edu/policies/student-and-student-life/return-student.html>)

Students on leave wishing to return to Carnegie Mellon to resume their degree studies may do so under several conditions. In order to be considered for return from leave (<https://www.cmu.edu/hub/registrar/leaves-and-returns/>), a student must first obtain an Application for Return form from The HUB or their academic department. This application requires information from the student regarding the intended semester of return, current address information and information about their leave. This application must be submitted to their home department at least one month prior to the beginning of the semester.

Undergraduates may return within their same academic department within two years. After two years, students returning in the same academic department are subject to space constraints and academic performance review. Graduate students must negotiate their return with their home department and must follow their department policy.

The Application for Return requires approval of the student's academic department and dean. If a student's department chooses to deny the student's Application for Return, the student may appeal to their dean. Any constraints governing the student's eligibility to return will be specified directly on the application by the academic department and/or dean's office or the Office of Student Affairs.

Students who have taken courses elsewhere must submit an official transcript and course descriptions with their Application for Return. Transfer credit approval is determined by the academic department based on course level, performance and appropriateness to the student's curriculum requirements. Credit transfer is subject to college-specific policy. Failure to submit the necessary documents at the time of return will result in denial of transfer credit.

The process of returning is not completed until all necessary signatures on the Return form are obtained by the student and until all outstanding bills are paid. The University Registrar's Office will then notify the appropriate university offices of the student's return.

## Tuition Adjustment Policy

[www.cmu.edu/policies/student-and-student-life/tuition-fees-adjustment.html](https://www.cmu.edu/policies/student-and-student-life/tuition-fees-adjustment.html) (<https://www.cmu.edu/policies/student-and-student-life/tuition-fees-adjustment.html>)

### Application

This policy applies to withdrawals and leaves of absence by all students (graduate, undergraduate, non-degree) for all semesters (Fall, Spring, Summer 1, Summer 2, Summer All).

### Official Date of Withdrawal/Leave of Absence

For students who notify the university of their intent to withdraw or take a leave of absence, the official date of withdrawal or leave of absence is the earliest of:

- the date the student began the withdrawal or leave of absence process;
- the date the student notified their home department;
- the date the student notified the associate dean of their college; or
- the date the student notified the Dean of Students.

For students who do not notify the university of their intent to withdraw or take a leave of absence, the official date of withdrawal or leave of absence is:

- the midpoint of the semester;
- the last date the student attended an academically-related activity such as an exam, tutorial or study group, or the last day a student turned in a class assignment.

### Tuition Adjustment

Students who withdraw or take a leave of absence before completing 60% of the semester will be charged tuition based on the number of days completed within the semester. This includes calendar days, class and non-class days, from the first day of classes to the last day of final exams. Breaks that last five days or longer, including the preceding and subsequent weekends, are not counted. Thanksgiving and Spring Break are not counted.

There is no tuition adjustment after 60% of the semester is completed. No tuition is charged to a student who is administratively withdrawn. See The HUB website (<https://www.cmu.edu/sfs/tuition/adjustment/>) for the complete tuition assessment schedule for the current semester.

## Housing, Dining Plan & Fee Adjustments

Housing charges are adjusted daily, beginning on check-in day and ending on the last day of final exams for the semester. Holiday breaks are included; however, the Winter Break period is not included.

Dining plan charges are adjusted per the bi-weekly period. PlaidCash is assessed based upon actual use.

There is no adjustment of the Transportation Fee, Technology Fee or Student Activity Fee.

## Financial Aid Adjustment

Federal and institutional financial aid is adjusted on the same basis as tuition. A student earns 100% of their federal or institutional financial aid when 60% of the semester is completed.

State grants and non-federal outside scholarships are adjusted based upon the withdrawal policy of the agency awarding the funds.

## Contact

Questions concerning this policy or its intent should be directed to The HUB at 412-268-8186.

## Financial Aid Policy Statement

[www.cmu.edu/policies/student-and-student-life/financial-aid-statement.html](https://www.cmu.edu/policies/student-and-student-life/financial-aid-statement.html) (<https://www.cmu.edu/policies/student-and-student-life/financial-aid-statement.html>)

## University Academic Scholarship Renewals

Carnegie Mellon University awards academic scholarships as part of the first-year financial aid process. Each of these scholarships is renewable for four academic years of study (five for architecture) based upon the maintenance of a specific cumulative quality point average. The academic scholarship renewal criteria are included in the scholarship notification letter which is mailed to the student prior to the May 1 matriculation deadline.

Each scholarship recipient's cumulative quality point average is reviewed at the end of each academic year. If the student achieves the scholarship renewal criteria, then the scholarship is automatically renewed for the next academic year.

If the student does not meet the cumulative quality point average requirement for renewal, then they are given the opportunity to appeal. A merit scholarship appeal form and instructions are automatically sent to the student at the end of each academic year.

The student's completed appeal form is reviewed by Student Financial Services. Input from the Associate Dean of the student's college is also considered. The student is notified, in writing, of the decision. The decision may be to renew the scholarship for the entire academic year, renew the scholarship for one academic term, or to reject the appeal. If the appeal is rejected, a written explanation is provided to the student.

## Undergraduate Tuition Exchange Programs

Carnegie Mellon University assesses the standard tuition charge for the undergraduate tuition exchange programs.

Since Carnegie Mellon assesses the tuition charge, the student can be considered for all forms of institutional, state, and federal aid for which the student may have eligibility with the exception of any student employment program.

## Undergraduate Study Abroad Programs

Carnegie Mellon University does not assess the tuition charge for any of the Study Abroad Programs.

Since Carnegie Mellon does not assess the tuition charge, the student is not considered for any institutional grants and scholarships. However, Carnegie Mellon will consider any student participating in an approved Study Abroad Program for all state and federal student aid programs for which the student may have eligibility with the exception of any student employment program.

The U.S. Department of Education and Carnegie Mellon University define an approved Study Abroad Program as one which is part of a contractual agreement between Carnegie Mellon and the host institution. Additionally,

courses taken in the Study Abroad Program must be accepted for transfer to Carnegie Mellon by the Dean of the student's college.

### **Undergraduate Sponsored Study Abroad Programs**

Carnegie Mellon assesses full tuition charges and all applicable fees to students participating in an undergraduate sponsored study abroad program.

### **Undergraduate International Students**

#### **Documentation Eligibility (U.S. Citizenship or Eligible Non-citizen)**

You must be a U.S. Citizen or permanent resident alien to receive federal student aid. If you are a U.S. Citizen, but were not born in the United States, valid documentation includes a copy of your passport or naturalization certificate.

If you are a U.S. permanent resident alien or refugee, acceptable forms of verification include a photocopy of both sides of your I-551 or I-551C card.

Undergraduate international students are ineligible to receive any federal or state student financial aid. Additionally, Carnegie Mellon does not award any institutional financial aid funds to undergraduate international students.

## **Undergraduate Course Meeting Policy**

[www.cmu.edu/policies/student-and-student-life/ug-course-meeting.html](http://www.cmu.edu/policies/student-and-student-life/ug-course-meeting.html)  
(<https://www.cmu.edu/policies/student-and-student-life/ug-course-meeting.html>)

No undergraduate classes, exams, academic, or artistic activities (including: extra help session, rehearsals, ROTC drill, make-up exams, etc.) are scheduled on weekdays between 4:50 p.m. and 6:50 p.m. Extra class time beyond those regularly scheduled must take place either before 4:50 p.m. or after 6:50 p.m.

### **Undergraduate Course Meeting Procedure**

This policy is not intended to reduce the rigor or vigor of the academic or artistic programs, but to ensure that students have a period in which they are free to carry on co-curricular activities and athletics. Scheduling classes, exams, or other academic and artistic activities makes it very difficult for the students to meet these commitments. Since we are all concerned about the quality of life at the university, this time must be held for the students.

In planning the academic course schedule, the University Registrar's Office will review all courses to ensure that no academic or artistic courses be scheduled in this period. In addition, any requests to schedule additional or makeup course meetings, review and/or study sessions, teaching assistant office hours, or other course-related meetings, must take place either before 4:50 p.m. or after 6:50 p.m. This includes meetings in all university spaces, not just within University Registrar's Office-controlled classrooms.

As with any policy, there must be a means of making exceptions. Any academic or artistic activities which you feel must be scheduled between 4:50 p.m. and 6:50 p.m. must be cleared with the University Registrar. These requests must be in writing either as a memo or through email. All requests must include the course relationship, intent for the requested meeting, and the reason why the meeting cannot be held either before 4:50 p.m. or after 6:50 p.m.

Any further clarification of this policy can be addressed to the Vice Provost for Education.