



### PURPOSE OF ROSS' STUDENT GUIDELINES

You are enrolled in school to have the opportunity to develop skills and knowledge that can help you pursue an entry-level position in your chosen field of study. A cooperative attitude while attending school will provide Ross the opportunity to better serve you in those educational pursuits; consequently, the enclosed student guidelines are provided to assist you in getting the most out of your educational experience at Ross!

## **STUDENT GUIDELINES 2018 - 2019**

Please call the campus for its hours of operation.

You may also call 1-800-833-ROSS or visit our website at [www.rosseducation.edu](http://www.rosseducation.edu).

Auxiliary aids and services are available upon request to individuals with disabilities.

Dial TTY Number 7-1-1

For more information about our graduation rates, the median debt of students who completed the program and other important information, visit our website at <http://rosseducation.edu/consumer-info>

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# ACADEMICS

## Attendance

### **Attendance Policy**

Ross Medical Education Center/Ross College believes that preparation for a career includes developing the proper work habits of punctuality and good attendance. Students will be marked absent for any time missed and are required to maintain a minimum of 85% attendance. Attendance reviews will occur after the completion of each module with Official Attendance Monitoring Periods at the end of every other module for all certificate/diploma programs. Students not meeting the 85% attendance requirement will be issued a Module Attendance Alert or an Attendance Warning depending of the number of modules completed. “Alerts” are issued at the non-official attendance tracking periods and “Warnings” issued at the official attendance monitoring periods. If at the end of either an unofficial or official monitoring period, it is determined that the student will not be able to meet the attendance requirements on alert or warning, the student may be terminated from school. Please see section on Attendance Appeals for more information on the appeal process.

### **Attendance Appeal Policy**

A student that violates the attendance policy due to extenuating circumstances may appeal the determination that they are in violation of the Attendance Policy to avoid termination from school. The student must submit a written appeal to the Campus Director within three (3) calendar days of the end of the Official Attendance Monitoring Period. Student must also complete the Attendance Policy Appeal form and provide supporting documentation to substantiate the special circumstances for the appeal. During the appeal process, students will be allowed to attend class.

### **Attendance Probation**

Students who are notified of an approved Attendance Policy Appeal will be placed on Attendance Probation for the subsequent Official Attendance Monitoring Period and may be required to make-up classroom hours in order to meet the 85% attendance requirement by the end of the probationary period. Students who do not meet the Attendance Policy requirements upon the end of the subsequent attendance monitoring period will be terminated from school. No additional appeal will be granted.

### **Attendance Termination Policy**

Regardless of notification, if a student is not in attendance for seven consecutive training days (7 calendar days for WV and on-ground AAS programs) from the last date of attendance, the student will automatically be terminated. A student’s last day of attendance (LDA) is defined as the last day a student participated in lecture and/or clinical lab on-campus or externship. Students who notify the school prior to the seven days having elapsed will be withdrawn on the date of notification. The Campus Director has the discretion to waive the termination based upon

extenuating circumstances. The LDA is used in calculating applicable refunds, and may determine the extent of the student's financial obligation to the school.

## Standards of Satisfactory Academic Standards

### Course Repetitions and Incompletes

If a course must be repeated, both attempts will count as credits attempted in the credit completion percentage. The second grade earned will also be included in the calculation of the CGPA. A student who receives an Incomplete grade in any course will have two weeks to complete the requirements of the course(s) with a final grade of 1.0/D or higher. The student will receive a failing grade in the course if all course requirements are not satisfactorily completed by the end of the two week period. The single course attempt will count as credits attempted in the credit completion percentage calculation. The final grade, including a failing grade, will be included in the calculation of the CGPA.

### Evaluation Points

The school determines whether students are meeting the minimum Satisfactory Academic Progress requirements at evaluation points described below. The student receives academic, attendance and/or financial aid advising from the school, as the school deems necessary in its discretion. The student's Cumulative Grade Point Average and Cumulative Rate of Completion will be evaluated after each payment period during the program (at midpoint of the program/academic year). Please refer to the "Start Date" section of the campus catalog to determine when your program/academic year midpoint date will occur as based on your program start date.

### Grading System

The grading scale is based on a 4.0 system. Students are expected to maintain satisfactory progress in each course. All tests and assignments are graded against a 100% scale which is assigned a letter grade and a grade point average according to the chart below:

Numeric Grade	Letter Grade	Grade Point
90 – 100	A	4
85 – 89.99	B+	3.5
80 – 84.99	B	3
75 – 79.99	C+	2.5
70 – 74.99	C	2
65 – 69.99	D+	1.5
60 – 64.99	D	1
Below 60	F	0
Withdrawal	W	0
Incomplete	I	0

### Criteria for Honors Designations

To promote academic excellence and to recognize exemplary academic achievement, the following system is recommended for honor designations at evaluation periods and upon graduation.

4.0	High Academic Honors
3.5-3.99	Academic Honors

### Minimum SAP Academic Achievement and Completion Requirements

At the progress report evaluations, a student must meet the following minimum cumulative grade point average (CGPA) and cumulative completion rate by program (CROP) – CROP is evaluated by credit hour (i.e., credit hours attempted versus credit hours successfully completed). These standards are listed by program as follows:

#### Certificate/Diploma Programs

Progress Report Evaluation	Cumulative Grade Average	Cumulative Rate of Completion
End of Payment Period #1 (Midpoint Date)	2.0 CGPA	75%

#### On-Ground Associate Degree Programs

Progress Report Evaluation	Cumulative Grade Average*	Cumulative Rate of Completion
End of Payment Period #1 (Midpoint Date)	2.0 CGPA	75%
End of Payment Period #2 (Academic Year #1 End Date)	2.0 CGPA	75%

### Progress Reports

Students will receive regular evaluations of their progress which will occur officially at the end of each payment period. A summary of the grades and pace for each phase of the program, as well as cumulatively, is given to each student. The appropriate instructor, Assistant Campus Director of Education, or the Campus Director will be available to discuss any concerns.

### Satisfactory Academic Progress (SAP)

If the minimum standards for CGPA or CROP are not met at the end of a payment period, a student may be placed on Financial Aid Warning. The Financial Aid Warning period will be one payment period. Title IV funds may be disbursed during the Financial Aid Warning period.

If a student is substantially below the CGPA or CROP standards on any progress report, the student may be dismissed without a Financial Aid Warning period. This may be done if, in the opinion of the Campus Director, the student cannot meet the minimum standards for Satisfactory Academic Progress during the Financial Aid Warning payment period.

A student will be terminated at the end of the Financial Aid Warning period if the minimum standards of Satisfactory Academic Progress are not met. In addition, students may be terminated after a single module within the Financial Aid Warning period if it is determined the student will

not be unable to meet the conditions of the warning. Students who satisfy the conditions of Satisfactory Academic Progress at the end of the Financial Aid Warning period will be considered to be meeting Satisfactory Academic Progress standards.

Students are notified in writing should they fail to meet the minimum standards of Satisfactory Academic Progress following an evaluation period.

### **SAP Appeals (AAS Programs Only)**

Students who wish to appeal the determination that they are in violation of SAP must submit an appeal to the Campus Director. Appeals will be considered when extraordinary circumstances such as health, family, financial, transportation, childcare or other personal issues exist. The student's appeal must include why the student failed to meet SAP and what has changed that will allow the student to meet SAP standards at the next evaluation point. The letter must be postmarked within three (3) calendar days of the end of the SAP Warning Period. The letter should describe any circumstances that the student feels deserve further consideration. An appeal decision will be made and the student notified accordingly.

### **SAP Probation (AAS Programs Only)**

Students who are notified of an approved appeal will be placed on Satisfactory Academic Progress (SAP) Probation for one payment period. While on SAP Probation, the student is eligible to receive financial aid. Students who do not meet SAP requirements or the requirements of an Academic Plan upon the end of the SAP Probation period will be terminated. No additional appeal may be taken.

### **Withdrawals**

Non-punitive grades for courses awarded by the school include: "W". Non-punitive grades are not included in the computation of a student's overall CGPA. The credit hours associated with any courses for which non-punitive grades are received by a student are included in the student's Maximum Time Frame and credit completion percentage as credits attempted.

The grading scale for online programs does not include any non-punitive grades, and consequently, non-punitive grades are not included in the computation of a student's overall CGPA or in the student's Maximum Time Frame and credit completion percentage.

## **Externship**

### **Externship Assignments**

The externship is the final requirement for graduation for all certificate and diploma programs at Ross. It is arranged by Career Services and assigned to students two weeks prior to the scheduled start date. The Externship can begin no sooner than the day after the last day of classroom training. The duration will vary based on program of study.

All students are required to attend the mandatory Externship Seminars for the class. The seminars are scheduled every Friday during externship from 1:00 p.m. to 3:00 p.m. During externship you are required to attend weekly 2-hour seminars at the campus and complete all externship assignments.

### **Externship Eligibility**

In order to be eligible for externship, students must meet the following requirements:

- Successfully passed all other courses in the program of study with a minimum grade of 1.0/D
- Minimum attendance of 85%
- Tuition paid in full or payments up to date depending on the most recent tuition package worksheet or arrangements agreed to with the Central Financial Aid Office.

### **Determination of Externship Grade**

The externship evaluation is based on 0% to 100% which includes the following:

1. Professionalism
2. Clinical Skills/Technical Skills
3. Administrative Skills
4. Campus Seminars

## **Graduation**

### **Graduation Requirements**

A Certificate of Completion, Diploma or Associate of Applied Science Degree (AAS) will be awarded to each student who successfully completes all program requirements in the specified time, has a grade point average of 2.0/C or higher, with no less than a 1.0/D in any individual course and has a minimum of 85% attendance.

It should be noted that successful completion of the externship is a course requirement for all programs except the Associate Degree Programs and the Nursing Assistant Program. In addition, the student must satisfy his/her financial obligations to Ross Medical Education Center/Ross College in order to receive a copy of his/her transcripts.

### **Graduation Celebration**

Ross holds an annual graduation celebration the last Friday in April. All students who graduated April 1 through March 31 of the year are invited to attend. Details will come directly from the campus.



# GENERAL ADMINISTRATIVE INFORMATION

## Break Time

Students may be allowed to eat and drink in designated areas during scheduled breaks only (depending upon the Ross facility they are attending). All Ross campuses are located in non-smoking facilities.

## Conduct

Students should maintain a professional and positive attitude toward their schoolwork, the faculty and other classmates. Disruptiveness and disrespect on campus and on public property (which is in the same reasonably contiguous geographic area of the campus) will be considered cause for dismissal. Substance abuse, theft, cheating or plagiarism will also be causes for dismissal.

Students who disregard the rules and regulations will be subject to dismissal. In most cases, students will be warned and then dismissed if the misconduct continues. The Campus Director makes all determinations regarding conduct.

## Dress Code

The dress code requirement for Ross students follows the protocol found in most medical facilities. Students are required to wear their school issued name tag during all classroom and externship activities. Professionalism and safety should be practiced at all times while on campus.

### **Certificate and Diploma Programs**

Students are required to wear a school issued uniform or comparable style as determined by the Campus Director during their classroom training. Comparable style is determined to include scrubs or lab jackets only. Additionally, hooded sweatshirts and similar apparel is considered unacceptable classroom attire. The Campus Director makes all determinations regarding professional attire.

All Medical Assistant, Dental Assistant, Medical Insurance Billing and Office Administration, Pharmacy Technician and Veterinary Assistant programs will be issued two uniform scrubs and one lab jacket. The first set of Ross scrubs, are ordered during the student's first module. The second set of scrubs and lab jacket will be ordered after the student's third module.

All footwear must be appropriate for a healthcare facility and meet OSHA standards. All shoes must be closed toed and heels and be fluid and puncture resistance. All fingernails must be groomed to no more than ½ inch. For students in the Medical Assistant, Dental Assistant, Pharmacy Technician and Veterinary Assistant programs- no artificial or acrylic nails. All facial piercings must be removed or covered discretely. All tattoos must be covered appropriately. Personal grooming, including hair length and jewelry should be professional and not interfere with any classroom or clinical procedures. The standard for appropriateness will be determined by the administration on the campus.

During all clinical invasive procedures, students are issued and required to wear Personal Protective Equipment (PPE) which consists of an impervious gown, facial shield and gloves.

### **Associate Degree Programs**

Student enrolled in the Associate Degree programs will not receive Ross uniforms. They will be expected to wear business casual attire to class. Blue jeans, shorts or capris are not considered business casual and therefore not allowed. Closed toed shoes must be worn. All facial piercings must be removed or covered discretely. All tattoos must be covered appropriately. Personal grooming, including hair length and jewelry should be professional and not interfere with any classroom activities. The standard for appropriateness will be determined by the administration on the campus.

## **Electronic Devices**

### **Classroom Computers**

The computers at Ross are for educational purposes only. The programs on the computers cannot be changed in appearance or format, nor can programs or software be installed. The computers cannot be personalized in any way (i.e., screen savers, etc.). Computer disks and any external storage devices from outside Ross cannot be used in the computers. Any computer/hardware abnormalities must be reported to the instructor immediately. Ross provides and maintains computers and internet access for students while actively enrolled in a Ross program. All costs associated with these tools, including use of eBooks and supporting hardware, are included in the cost of tuition. However, damage or loss to related materials may result in additional costs to the student. Computer usage is intended for use relative to classroom assignments, eBooks and placement initiatives only. It is not intended for personal or non-school related use, Internet access is not to be used to send or receive copyrighted, offensive, illegal, pornographic, religious, racially explicit or political material. The electronic mail system is the sole property of Ross Education LLC.

### **E-book Devices, Personal Laptop and PDA Usage**

In order to prepare students for allied health careers, a variety of tools are available for program instruction. Delivery of the course material will be done using multiple platforms including, but not limited to, classroom textbooks, eBooks, computer web-based simulations, field trips and community guest speakers. Ross provides and maintains internet access for Ross computers and

student issued eBook devices only. Connection of other devices to Ross internet access is strictly prohibited. All eBook devices, Personal Laptops and PDA's must be turned off and put away while any test or evaluation is in progress. All classroom assignments must be completed on Ross issued computers. No personal usage of USB flash drives or similar devices will be permitted. In addition, usage of any personal email account, ftp site or file sharing site is strictly prohibited.

### **Ross Email Accounts**

Students will be issued a Ross email account during orientation and also access to the Student Portal to facilitate distribution of documents electronically. Students may not sign up for or access other personal email accounts or instant messaging programs on Ross computers or internet access lines.

## **Field Trips**

Students, who will be participating in a mandatory, class wide offsite learning activity (field trip), must complete the Release and Waiver of Liability Assumption or Risk, and Indemnity Agreement prior to participation. Students are expected to provide their own transportation to and from field trip locations and assume responsibility for all risks associated with the travel. Because field trips are scheduled during classroom training hours, students who do not participate will be considered absent for the class session and are subject to the terms of the current attendance policy. Students who are unable to participate in a scheduled field trip must contact his/her instructor prior to the date of the field trip to inquire as to the possibility of completing an alternative assignment in lieu of field trip participation.

## **Responsible Use of Social Media**

Students using sponsored Ross Education L.L.C. social media sites, such as pages in Facebook, and Instagram, are expected to conduct themselves in a manner that complies with the terms of the student code of conduct. The code of conduct also applies to those students who identify themselves with Ross Medical Education Center or Ross College and/or use their Ross email address in social media platforms such as professional blogs, LinkedIn, Facebook, etc.

While Ross does not typically provide editorial review of the content of social media sites used by its students, Ross does reserve the right to ask students to take down content that is deemed in violation of the student code of conduct, from third party complaints, applicable law or regulation, or computer and network management concerns.

# Student Safety

## Anti-Drug Policy

In compliance with the federal government's 1990 Drug-Free Schools and Campuses Act, each student receives a Ross anti-drug packet. The student should read the contents carefully; paying special attention to the institutional sanctions which will be imposed should the student fail to adhere to the school's explicit policy.

## Anti-Crime Policy

In compliance with the federal government's Campus Crime and Campus Security Act of 1990, Ross prepares, publishes, and distributes the annual Campus Crime and Safety Report to all current students and employees. This report includes information regarding campus security policies and campus crime. The Campus Crime and Safety Report and other informative information on crime and safety are also available for review to all prospective students and prospective employees.

As in any public facility, Ross urges you to be aware of conditions that could potentially jeopardize your safety, e.g., park in a lighted area, lock your car, keep your purse and other belongings with you, and report any suspicious occurrences or behaviors to your instructor or the Campus Director.

Ross encourages you to take advantage of community anti-crime programs. See your campus director for further information. You are also invited to peruse the crime awareness folder kept in your director's office. Information on self-defense, crime reporting, citizens' rights, home security, rape prevention, etc., is included.

## Bloodborne Pathogens and Infectious Diseases

All health care professionals working with sharps (needles, lancets, etc.) and body fluids must be gloved. Gloving is the number one protective measure to curb the spread of infectious diseases, specifically AIDS and Hepatitis B. Engineering controls and work practice controls are utilized to eliminate or minimize student exposure to bloodborne pathogens at Ross campuses. Where exposure remains after institution of these controls, the following personal protective equipment shall also be utilized by students:

1. Spill Kits
2. Sharps Containers
3. Gloves — in order to protect hands
4. Face Shields/Eye Wear— in order to protect eyes, nose, mouth and face
5. Long Sleeves or Impervious Gowns — in order to protect skin and clothing
6. Eyewash Stations

## Campus Closures

Like other postsecondary institutions (*and unlike grade school or high school*), Ross does not build "snow days" into published program schedules. Consequently, in the event of a school closing due to inclement weather or other unforeseen situations that will prevent the campus from opening, students will be notified of such closings via the Ross website at [www.rosseducation.edu/](http://www.rosseducation.edu/) weather.

In addition, every attempt will be made to also post the closing on a local television station. In the event of these closings, please note that all cancelled classes will be rescheduled in addition to and outside of regularly scheduled class hours.

### **Clean-up**

Students are responsible for keeping their work areas and other school premises clean at all times.

### **Emergency Management Plan**

All Ross campuses have an Emergency Management Plan which is designed as a comprehensive reference to assist Ross campuses in providing a safe learning environment. This plan includes risk assessment, evacuation procedures, lockdown procedures, communication to interested parties, designated media spokesperson, and training of staff and students. During Orientation, these significant points from the plan are reviewed to inform students of procedures in the event of an emergency. Practice drills are held randomly throughout the year. The detailed Emergency Management Plan is available for review by contacting the Campus Director.

### **Exposure to Radiation**

Most Ross campuses contain radiation equipment for exposing and processing x-rays as part of the Dental Assistant Program. Faculty members and students in the Dental Assistant Program will engage in classroom training using the radiation equipment. The radiation equipment, as well as the room in which the equipment is contained, have been approved by and meet the radiation safety standards set by the State for dental radiology teaching or training programs.

While risk of radiation exposure during the Dental Assistant Program is minimal, all students have the potential to be exposed to radiation while in the campus and on externship. Individuals that have any health concerns are pregnant or of reproductive age, are undergoing radiation therapy or engaging in other activity that may expose them to higher than normal levels of radiation, are advised to consult with a medical professional regarding any recommended precautions relative to radiation exposure.

### **Firearms and Weapons**

Ross Education, LLC does not tolerate any type of violence committed by or against students, staff or faculty including physical and/or verbal threats. Students are prohibited from making threats for engaging in violent activities. Possession of firearms or weapons of any sort on Ross property or grounds by anyone other than sworn police officer authorized to possess firearms is absolutely prohibited. Ross Education, LLC maintains a no tolerance violence policy, and violations of this policy constitute grave misconduct and may lead to disciplinary action including student termination and notification to local law enforcement. For the safety of students and staff, all Ross campuses are monitored by video surveillance.

### **Hazardous Materials**

A hazardous material is a substance (gas, solid, or liquid) capable of harming people, property and the environment, as a result of use, handling, storage or disposal. Ross' policy is to assure safe use, handling and storage of hazardous materials through proper labeling, provision of material safety data sheets (MSDS) and training. The use of sharps collectors is mandatory. All contaminated

materials, i.e., needles, syringes, etc., must be disposed of in these containers. Under no circumstances are sharps collectors allowed to be disposed of by students.

## Telephones

### Cell Phones

During school hours, excluding scheduled break times; cell phones must be stored with personal belongings and turned off or on silent mode as to not disrupt the flow of classroom instruction. Usage is limited to before class, after class or during break time. Cell phone usage is also limited to the student lounge area or outside the facility.

### School Phones

The school phones are not for student use. A student receiving an emergency call will be notified immediately. Calls of a non-emergency nature will not be relayed to the student. Cellular phone use is not allowed in the classrooms and is permitted in the break area only – before and after class, and during scheduled break times.

## Suggestions and Concerns

We encourage any suggestions or concerns students may have. Please offer these suggestions or voice concerns to the appropriate staff member. If the concern has not been resolved after meeting with the Campus Director, please adhere to the following procedure:

*Contact in writing the Concern Resolution Department of Ross Education, LLC:  
Ross Education, LLC, Concern Resolution Department  
22800 Hall Road, Suite 800, Clinton Township, MI 48036  
Or email: [RossStudentConcerns@rosseducation.edu](mailto:RossStudentConcerns@rosseducation.edu)*

The Concern Resolution Department will forward the concern to the appropriate corporate supervisor and a written concern will be acknowledged within three (3) working days. A response in writing will follow within ten (10) working days. Any and all parties regarding the complaint in question are aware of the progress of the complaint as it escalates and have the opportunity to speak on their own behalf when it comes to the complaint. If the response does not rectify the situation, contact the Ross Student Resolution Department at (810) 637-6100 Extension 20050, or if at any time a student cannot resolve the complaint in question at the institutional location level, he/she is not obligated to go straight to corporate but has the opportunity to go to THEC instead of going to corporate first. A meeting will be arranged for the concerned principals as needed.

*Please direct all state inquiries as follows:*

**Alabama Department of Postsecondary Education**

135 South Union Street  
Montgomery, AL 36104-4340

Or Fax to: (334) 293-4504

A Student Complaint Form can be found on their website at:

<https://www.accs.cc/index.cfm/school-licensure/complaints/>

**The Indiana Commission for Higher Education**

The Commission for Higher Education is responsible for responding to formal complaints against public, independent non-profit and proprietary institutions of higher education in Indiana.

Discrimination: If a student believes that an institution has acted in a discriminatory manner, he/she may wish to contact the Indiana Civil Rights Commission (ICRC) using the ICRC's complaint form or call them at (800) 628-2909.

Financial Aid: If a student has been denied state of Indiana financial aid, they may file an appeal. Students should complete the student financial aid complaint form or call (888) 528-4719 for assistance.

Law Violations: If a student believes that a college or university has violated state or federal law, he/she may wish to contact the Office of the Indiana Attorney General at (317) 232-6201 or [Constituent@atg.in.gov](mailto:Constituent@atg.in.gov).

If you have additional questions about the complaint process, or want to clarify that your individual complaint is reviewable by the Commission, please feel free to contact the main office at (317) 464-4400 ext. 0 or [complaints@che.in.gov](mailto:complaints@che.in.gov).

**Kentucky Commission on Proprietary Education**

Capital Plaza Tower, Room 303

500 Mero Street

Frankfort, KY 40601

Or Fax to: (502) 564-4248

A Student Complaint Form can be found on their website at <http://kcpe.ky.gov>.

**Michigan Department of Licensing and Regulatory Affairs**

Proprietary School Unit

2501 Woodlake Circle

Okemos, MI 48864

or Fax to: (517) 373-2162

[www.michigan.gov/pss](http://www.michigan.gov/pss) (The Complaint Form can be found on this website.)

**(Ohio) State Board of Career Colleges and Schools**

30 East Broad Street, Suite 2481

Columbus, OH 43215

Toll Free (877) 275-4219

or Fax to: (614) 466-2219

A Student Complaint Form can be found on their website at:

<http://scr.ohio.gov/ConsumerInformation/FilingaComplaint.aspx>

**Tennessee Higher Education Commission  
Division of Postsecondary State Authorization**

Parkway Towers, Suite 1900  
404 James Robertson Parkway  
Nashville TN 37243-0830  
Fax to: (615) 532-8845  
Attention: Complaints

Any person claiming damage or loss as a result of any act or practice by this institution that may be a violation of the Title 49, Chapter 7, Part 20 or Rule Chapter 1540-01-02 may file a complaint with the Tennessee Higher Education Commission, Division of Postsecondary State Authorization.

A Student Complaint Form can be downloaded on their website at:

<http://www.tn.gov/thec/article/frequently-asked-postsecondary-questions>

**(West Virginia) Community & Technical College School System of West Virginia**

1018 Kanawha Boulevard E., Suite 700  
Charleston, WV 25301  
or Fax to: (304) 598-3675

A Student Complaint Form can be found on their website at:

[http://www.wvctcs.org/images/stories/PDF/Complaint\\_Form.pdf](http://www.wvctcs.org/images/stories/PDF/Complaint_Form.pdf)

## Relationship Violence Policy & Sexual Misconduct, Procedures for Handling Relations Violence & Sexual Misconduct Complaints

### Definitions

Ross values civility, dignity, diversity, education, honesty, and safety and is firmly committed to maintaining a campus environment free from all forms of sex discrimination, sexual harassment, and sexual assault. Sexual Misconduct and Relationship Violence, defined more specifically below, are inconsistent with these values, violate institutional policy, and will not be tolerated at Ross and are expressly prohibited. Similarly, retaliation for having brought forward a concern or allegation or for participating in an investigation of a report of Sexual Misconduct or Relationship Violence is also expressly prohibited and is grounds for disciplinary action.

This Policy provides information regarding how an individual – whether a student, faculty member, or staff member can make a report of Sexual Misconduct or Relationship Violence impacting a student and how Ross will proceed once it is made aware of any such report.

### Preliminary Issues & Important Definitions

This Policy prohibits “Sexual Misconduct” and “Relationship Violence,” broad categories encompassing the conduct defined below. Sexual Misconduct and Relationship Violence can be committed by anyone, including third parties, and can occur between people of the same sex or



different sexes and regardless of one's biological sex or transgendered sex. This policy applies to Sexual Misconduct and Relationship Violence that is committed against a student when that Sexual Misconduct or Relationship Violence occurs: (i) on campus; (ii) off-campus if in connection with a Ross-sponsored program or activity; or (iii) off-campus if allegedly perpetrated by a fellow student, faculty member, staff member, or third party when the victim/reporting student reasonably believes that the off-campus conduct has created a hostile educational environment.

**Sexual Misconduct includes:**

- Sexual Assault - Having or attempting to have sexual intercourse, cunnilingus, or fellatio without Consent (as defined below). Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger, or inanimate object.
- Non-Consensual Sexual Contact - Any intentional sexual touching with any body part or object by any person upon any person without Consent.
- Sexual Exploitation - An act attempted or committed through the abuse or exploitation of another person's sexuality. Examples include, but are not limited to, prostituting another student; inducing a student into sexual intercourse, sexual contact, or other sexual activity by implicit or explicit threat of exposure of personal information or academic consequences; non-consensual video or audio-taping of sexual activity; allowing others to observe a personal consensual sexual act without the knowledge or Consent of all involved parties; and knowingly transmitting or exposing another person to a sexually transmitted infection without the person's knowledge.
- Indecent Exposure - the exposure of the private or intimate parts of the body in a lewd manner in public or in private premises when the accused may be readily observed.
- Sexual Harassment - unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following: (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic status; or (b) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting such individual; or (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment for working, learning, or living on campus.

**Relationship Violence includes:**

- Domestic Violence - Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a current or former spouse or intimate partner or any other person from whom the student is protected under federal or applicable state law.
- Dating Violence - Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such a relationship is generally determined based on a consideration of the length and type of relationship and the frequency of interaction.
- Stalking - A course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

**The following also constitute violations of this Policy:**

- Complicity - Assisting, facilitating, or encouraging the commission of a violation of this Policy.

- Retaliation - Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this Policy, or as retribution or revenge against anyone who has reported Sexual Misconduct or Relationship Violence or who has participated (or is expected to participate) in any manner in an investigation, or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. To be clear, retaliation against a Complainant for reporting an incident or against any witness who participates in an investigation is strictly prohibited.

#### **“Complainants” and “Respondents”:**

- Ross is not a court of law. We also do not engage in victim-blaming or rushes to judgment. Therefore, without judgment, we refer to anyone who reports that he/she has experienced Sexual Misconduct as a “Complainant” and to anyone who reportedly has engaged in Sexual Misconduct as a “Respondent.”

#### **Defining Consent**

In many cases of Sexual Misconduct, the central issue is consent or the ability to give consent. Consent is a voluntary agreement to engage in sexual activity. Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Past Consent does not imply future Consent, and Consent to engage in one form of sexual activity does not imply Consent to engage in a different form of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Consent must be knowing and voluntary. To give Consent, a person must be awake, of legal age, and have the capacity to reasonably understand the nature of her/his actions. Individuals who are physically or mentally incapacitated cannot give Consent.

Silence, without actions evidencing permission, does not demonstrate Consent. Where force, threats, or coercion is alleged, the absence of resistance does not demonstrate Consent. Force, threats, or coercion invalidates Consent. The responsibility of obtaining Consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one’s responsibility to obtain Consent or negate one’s intent.

Consent to engage in sexual activity may be withdrawn by either person at any time. Once withdrawal of Consent has been clearly expressed, the sexual activity must cease.

Incapacitation is the inability, temporarily or permanently, to give Consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, due to an intellectual or other disability that prevents the student from having the capacity to give Consent, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he or she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators that an individual is incapacitated may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, lack of awareness of circumstances or surroundings, or inability to perform other physical or cognitive tasks without assistance.

## **Reporting & Confidentiality**

Ross encourages victims of Sexual Misconduct & Relationship Violence to talk to somebody about what happened so individuals can get the support they need, and so the school can respond appropriately.

Ross will seek to protect the privacy and confidentiality of the individuals involved in any report of alleged Sexual Misconduct or Relationship Violence to the extent possible and allowed by law. The Campus Director will evaluate any request for confidentiality in the context of the school's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

Ross will complete any publicly available record-keeping, including Clery Act reporting and disclosure, without the inclusion of identifying information about the alleged victim. It will also maintain as confidential any interim measures or remedies provided to the alleged victim to the extent that maintaining confidentiality will not impair its ability to provide the interim measures or remedies.

In addition to internal reporting, Ross strongly encourages anyone who believes they have experienced a sexual assault (or any other crime) to make a report to local law enforcement. Collection and preservation of evidence relating to the reported sexual assault is essential for law enforcement investigations, so prompt reporting of the incident to law enforcement is especially critical. Designated staff will, upon request, assist an individual in making a report to law enforcement as necessary and appropriate.

Although Ross strongly encourage complainants to report to local law enforcement, such a report is not a prerequisite to the school's review and investigation of any complaint covered by this Policy. Ross will honor a Complainant's request not to report the matter to local law enforcement UNLESS we have a reasonable basis to believe that the safety and security of the campus community is at risk. In this event, Ross will endeavor to notify a Complainant or Reporter of the institution's intent to report the matter to law enforcement in advance of any such report.

Ross does not limit the time frame for reporting under this Policy, although a delay in reporting may impact the College's ability to take certain actions.

Other Code of Conduct Violations: The College encourages students who have been the victim of Sexual Misconduct or Relationship Violence to come forward. Students should not be discouraged from reporting such incidents because they fear discipline for their own violations of the Student Code of Conduct, such as use of alcohol on campus. Therefore, Ross has discretion not to pursue other violations of the Student Code of Conduct that occurred in the context of the reported incident of Sexual Misconduct or Relationship Violence.

## Response Procedure

Students are encouraged to report any incident of Sexual Misconduct or Relationship Violence to the Campus Director. If a report is made verbally, Ross will request a written statement by the student.

Upon receipt of a report, Ross will generally proceed as described below.

- **Investigation Commencement:** Ross will provide a timely and thorough investigation. Barring exigent circumstances, cases of Sexual Misconduct and Relationship Violence will generally be resolved within a 60 day period once the incident has been reported. An extension of time may be necessary if witnesses are unavailable or uncooperative or due to other extenuating circumstances beyond the control of the investigator.
- **Initial Response:** Once Ross is put on notice of possible Sexual Misconduct and Relationship Violence, the Complainant will be offered appropriate confidential support, accommodations, and other resources and will be notified of applicable policies and procedures. Accommodations include the ability to alter academic schedules, to withdraw

from/retake a class without penalty, and to access academic support. The Respondent also will be offered appropriate resources and notified of applicable policies and procedures.

- **Interim Intervention:** Pending a final determination, the Campus Director will take appropriate interim measures. These measures may include, but are not limited to, the imposition of a no-contact order and/or employment and academic modifications. Staff may limit a student or organization's access to certain Ross facilities or activities pending resolution of the matter. Ross may impose an Interim Suspension on the Respondent pending the resolution of an alleged violation when Ross determines, in its sole discretion, that it is necessary in order to protect the safety and well-being of members of the campus community.
- **Decision to Proceed to Investigation:** If the Complainant is willing to participate in the review and investigation process, Ross will proceed as described below.

If the Complainant requests a confidential investigation, Ross will seek to protect the privacy and confidentiality of the Complainant to the extent possible and allowed by law. The Campus Director will evaluate any request for confidentiality in the context of the school's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

If a confidential investigation is requested and agreed to, Ross will investigate without revealing the name of the Complainant in any interview or email and will not ask questions that inadvertently or reasonably could reveal the identity of the Complainant.

If the Complainant asks that the report of sexual misconduct not be pursued, Ross will consider the interests of the Complainant, the campus community, law enforcement, and/or other appropriate interests under the circumstances. The Campus Director, in consultation with the Campus's Regional Vice President, will make a final decision on whether an investigation will take place and to what extent, and notify the Complainant promptly.

## Investigation Procedure

Investigators do not function as advocates for either Complainants or Respondents. Investigators can, however, identify advocacy and support resources for either Complainants or Respondents.

The Respondent will receive written notice of the report and the nature of the alleged misconduct. He/She will be advised in writing of the investigation process and opportunity to provide any relevant evidence.

The Investigation will generally be conducted by the Campus Director if the Respondent is a student. If the Respondent is a faculty or staff member, Employee Relations will also participate in the investigation.

The investigator will separately interview both Complainant and Respondent. Both parties will be able to provide evidence and suggest other witnesses to be interviewed. The investigator will interview other relevant witnesses and review any other available relevant evidence. Both the Complainant and Respondent can have another individual present during their own respective interviews. If the Complainant or Respondent elects, they may have an attorney present during their own interview, but said attorney may not advocate during the interview.

### Determinations

- For cases where the Respondent is a student - The investigator will present all evidence to the Campus Director. In all cases, the Campus Director will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases.

The Campus Director will weigh the evidence presented and decide whether additional evidence is necessary for consideration. Ultimately, the Campus Director will make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

The College reserves the right to convene a Determination Panel to review the evidence and make the determination in appropriate circumstances.

- For cases where the Respondent is a Faculty or Staff Member - The investigator will present all evidence to the Campus Director. The Campus Director will consult with the Campus's Regional Vice President to weigh the evidence presented and make a determination whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

### **Standard of Proof**

In all cases under the Sexual Misconduct policy, the Campus Director will determine if a violation of policy has occurred by the preponderance of evidence standard. Thus, he/she will determine whether it is more likely than not that a violation has occurred.

### **Potential Sanctions**

If a violation of policy has been found, the Campus Director will impose appropriate sanctions, including but not limited to coaching, training, probation, suspension, or expulsion in the case of students or coaching, training, written warning, demotion, or termination in the case of employees.

### **Outcome Notifications**

Both the Complainant and Respondent will be notified in writing of the outcome of the investigation and of the sanctions imposed, if any.

## **Appeals**

If the Complainant or Respondent is a student, he or she may appeal the outcome determination by written appeal to the Campus Director within 15 days of notification of the outcome. An appeal may be made based only on one or more of the following reasons:

1. New and significant evidence appeared that could not have been discovered by a properly diligent charged student or complainant before or during the original investigation and that could have changed the outcome.
2. The Finding is Arbitrary and Capricious - Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the Campus Director is allowed to make all logical inferences in benefit of the non-appealing party.
3. Disproportionate Sanctions - The sanctions were disproportionate to the findings.

The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining in detail the basis for the appeal. The Campus Director, or designated representative, will notify the non-appealing party of the request for an appeal. Within five working days of receipt of the notice, the non-appealing party may submit a written statement to be included in the case file. The appeal may proceed without the non-appealing party's written statement if it is not submitted within the designated time limit.

The Campus Director will endeavor to make a determination of the appeal within 15 business days of receipt. The Campus Director's decision is final.

***Failure to adhere to the student guideline regulations will be cause for disciplinary action, up to and including dismissal from the program and school.***