



## Code of Community Standards

College of Arts and Sciences

### I. Purpose and Philosophy

The University of Redlands is committed to fostering a campus environment conducive to student wellbeing and academic success. The University establishes high expectations for how members treat themselves, one another, and this community, and encourages students and student organizations to, at all times, exemplify honesty and accountability for one's actions. This Code of Community Standards describes these expectations, and the educational process used when members of our community fail to meet those expectations. The University encourages students to understand their rights, and understands that lapses in judgement will occur. Making mistakes is part of learning, and the Community Standards Process seeks to facilitate reflection, learning, and personal responsibility for one's actions. The three goals of the Community Standards Process are to: repair any harm that has been done, restore trust within the community, and prevent recurrence. The Community Standards Process is designed to afford fairness to all; therefore full, honest participation from all persons is essential.

### II. Scope and Applicability

Students are provided access to this Code, and are expected to read and understand it, as they are obligated to abide by its contents. This Code applies to conduct that occurs on campus, at University-affiliated events or activities regardless of location, and at events or activities sponsored by students or student organizations regardless of location. This Code may also apply to behaviors that occur off campus if those behaviors are detrimental to the interests/pursuits of the University or the city of Redlands, or if those behaviors present a threat to the health and safety of any person, constitute a violation of local, state, or federal law, or significantly infringe on the rights of others.

University email is the University's primary means of communication with students, and students are responsible for regularly checking and responding to their University email.

This Code may be used to address violations of other campus policies, including (but not limited to): the Room and Board Contract, Student Expression Policy, and University Party Policy.

This Code does not apply to conduct reflective of academic performance; however, it may apply if alleged conduct in an academic setting, to include study away experiences, violates expectations articulated in this Code. The University prohibits all forms of academic dishonesty, but such violations are under the jurisdiction of the Academic Review Board. This Code does not apply to graduate or undergraduate students in the School of Business, School of Education, School of Continuing Studies, and Graduate School of Theology, as they have their own codes. In addition, the Johnston Center for Integrative studies functions as an autonomous living/learning community that is self-governing based



on a system of consent of all community members (inclusive of students, faculty, and staff). While Johnston students are expected to abide by this Code, the Johnston community has additional policies and practices not covered in this document.

The Code of Community Standards may be applied to all behavior, including behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking platforms are in the public sphere and are not private. These postings can subject a student to allegations of policy violations if such evidence is posted online. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials. However, most online speech by students not involving University networks or technology and not otherwise violating University policies will be protected as free expression and not subject to this Code. Refer to the Student Expression Policy for more detail.

The University considers an individual to be a student when they matriculate as a student and thereafter as long as the student has a continuing educational interest in the University. The University may address through its Community Standards Process students who choose to take a leave of absence, withdraw or have graduated for any incidents that occurred prior to the leave, withdrawal or graduation. If found responsible, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate, and all sanctions must be satisfied prior to such a hold being removed. In the event of serious misconduct committed while still enrolled but reported after a student has graduated, the University may invoke these procedures and should the former student be found responsible, the University may revoke that student's degree.

Student Organizations are subject to the same expectations and standards as are individual students. Any violation of the Code by a student organization or its members acting in concert, or the failure of the student organization to prevent violations of the Code by its members will be addressed via a Community Standards Process for the organization, individual students, or both. "Organization" may also refer to groups of students acting collectively who are not formally recognized as student organizations.

The University of Redlands also has an obligation to uphold local, state and federal law. While the activities covered by these laws may overlap with University of Redlands' policies, it is important to note that the community's laws and the University of Redlands' policies operate independently and do not substitute for each other.

The University makes no attempt to shield members of the University community from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the University community does not exempt anyone from local, state, or federal laws, but rather imposes the additional obligation to abide by all the University of Redlands' policies.



This Code applies to guests of community members, whose hosts may be held accountable for the misconduct of their guests. Students also bear some responsibility for actions that take place within their living area. If a policy violation occurs in a room, suite, hall, apartment, or house on campus, and some or all residents in that area knew, or reasonably should have known of the violation, those students may also be held accountable through this Code.

Any person (including visitors, guests, and neighbors) may make a report of behaviors they feel may violate this Code, by notifying Public Safety, or using the link provided on the Office of Community Standards and Wellbeing website. There is no time limit on reporting; however, the longer someone waits to report, the harder it becomes for the University to obtain information and to make accurate determinations of responsibility. Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint.

Persons reporting will typically be expected to participate in the Community Standards Process as a reporting party. However, the University may stand in lieu of a reporting party, or protect the identity of a reporting party or witness, when a good-faith determination has been made that the reporting party/witness may be subject to adverse action (e.g. retaliation). In such situations, the University will provide means for responding parties to meaningfully respond to information presented. See section on "Exceptions to the Appearance of Parties" below.

Students who violate this Code within the capacity of their University-sponsored employment may be subject to discipline under this Code and through their employment supervisor. In some circumstances, a student may receive both educational sanctions through the Community Standards Process, and employment sanctions for the same infraction. Student Organizations, Athletics, and others may have additional expectations that come with participation in such activities. Students may be held accountable to those expectations and procedures, in addition to this Code.

The Community Standards Process may also be used to prevent a foreseeable negative event. For example, if staff become aware that students have planned a large and potentially risky party, those students might be required to meet with a Community Standards Educator to discuss how they plan to manage that event and minimize the risk to attendees.

The Community Standards Process considers attempts to commit violation(s) as if those violations have been completed.

### III. Prohibited Behaviors

- A. **Discrimination, Harassment, Sexual Misconduct, and Retaliation-** The University of Redlands prohibits discrimination, harassment, sexual misconduct (inclusive of sexual assault, stalking, dating violence and domestic violence), and retaliation. Refer to the University of Redlands



[Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, and Retaliation](#) for all policies and procedures governing those violations of University expectations.

**B. Harm to Others**

1. Violence, threatening or causing physical harm, actions determined to be of a retaliatory nature, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person, including one's self;
2. Threatening or endangering the health or safety of an animal, through direct action or neglect/abandonment;
3. Hazing; Consistent with state law, the University defines "hazing" as any method of initiation into a student organization/group or any pastime or amusement which threatens, intimidates, causes, or is likely to cause, bodily, physical, or emotional harm or injury to any student, employee, or guest of the University as part of a new member process, initiation affiliation or similar activities with respect to the group/organization, regardless of the physical cooperation with or submission to the activities by the victim; hazing does not refer to customary athletic events or similar contests or competitions;
4. Hate/Bias-related Violations; Violations against a person, organization or their property as specified by this Code that are committed with the intent to harm or debase others because of an actual or perceived protected characteristic, or affiliation/association with other individuals in a protected class (as defined by law or University of Redlands [Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, and Retaliation](#));
5. Harassment and Bullying; Severe and/or pervasive unwelcome behavior that unreasonably interferes with the person's ability to carry out her or his educational functions or otherwise meet her or his responsibilities or creates an intimidating, hostile or offensive academic environment. Behavior which is likely to, or intended to, hurt, control, or diminish another person physically, emotionally, and/or mentally. This does not include stray, insensitive, or even offensive remarks or behaviors when such remarks or behaviors are neither severe nor pervasive;
6. Unreasonably interfering with the freedom of expression of others on University premises or at University sponsored activities;
7. Failing to respect the rights of privacy of any member of the University community, which can take place via accessing/sharing records, or digitally/physically invading a space in which a person has a reasonable expectation of privacy;
8. Destruction, damage, or vandalism to University property or to the property of another, including damage caused by recklessness or negligence;
9. Intentionally, recklessly and/or negligently causing a fire which damages University or personal property or which causes injury to any member of the community;
10. Intentional theft or unauthorized taking of the property of the University or property of another;
11. Knowingly taking possession of stolen property;



12. Knowingly furnishing or possessing false, falsified, or forged information, via verbal, written or otherwise communicated statements, falsification or misuse of documents, accounts, records, identification (e.g. Identity theft), or financial instruments;
13. Obstruction of freedom of movement by community members or visitors;
14. Action in collusion with a wrongdoer, or inaction when present at a violation of law or University policy. In situations in which students know or reasonably should know of violations of law or University policy, students are expected to discourage or end the offending behavior, report the behavior appropriately, and/or remove themselves from the situation.

**C. Obstruction of University Operations or Community Interests**

1. Any disruption of University operations, including obstruction of teaching, research, administration, other University activities (e.g., invited speakers), or other authorized non-University activities which occur on campus;
2. Conduct which creates a community disturbance, or creates an environment that is detrimental to the educational pursuits of others;
3. Failure to comply with directions of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
4. Tampering with the election of any University recognized student organization;
5. Violations of positions of trust or authority within the community;
6. Misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespass, or unauthorized possession, duplication, or use of means of access (e.g. keys, cards, etc.) to any University building;
7. Misuse or unauthorized use of University or University-affiliated organizational names and images;
8. Abuse of the Community Standards Process, including:
  - a) Failure to attend scheduled meetings related to the Community Standards Process;
  - b) Falsification, distortion, or misrepresentation of information;
  - c) Failure to provide, destroying or hiding information relevant to an alleged policy violation;
  - d) Attempting to discourage an individual's proper participation in, or use of, the Community Standards Process, or retaliating against that individual;
  - e) Harassment (verbal or physical) and/or intimidation of a member of a Community Standards Process body prior to, during, and/or after a proceeding;
  - f) Failure to comply with the sanction(s) imposed by the Community Standards Process;
  - g) Influencing or attempting to influence another person to commit an abuse of the Community Standards Process;



- h) Knowingly or negligently violating the terms of any sanction imposed in accordance with this code;
- 9. Any violation of the Policy for Acceptable Use of Information Technology, including but not limited to:
  - a) Access, use, inspection, or modification of data or functions that are neither allotted nor authorized as a part of the user's account;
  - b) Accessing or attempting to access University servers, cloud systems or other computing resources from within the University computing environment without expressly granted authorization;
  - c) Installing or executing unauthorized or unlicensed software on any computer resource;
  - d) Access or use of another user's account and the data contained in that account without specific authorization;
  - e) Theft, destruction, modification, or deletion of equipment or data on University-owned computing resources;
  - f) Physical or electronic interference with other computer systems;
  - g) Dissemination or distribution of a user account password to any other person;
- 10. Violating any other University policy (including but not limited to: discrimination, stalking, harassment and bullying, invasion of privacy) via electronic or digital means, whether or not University computing facilities or networks were involved;
- 11. Conduct which is indecent or obscene (e.g., public urination, public nudity, exposure);
- 12. Rude or discourteous behavior directed at, or impacting residents of the City of Redlands, to include littering, excessive noise, disrupting normal City operations, etc.;
- 13. Violation of other published University rules or policies;
- 14. Behaviors which could constitute violations of federal, state or local laws;

**D. Risk to Community Health and Safety**

- 1. Possession of firearms, explosives, other weapons or dangerous chemicals while on campus; Consistent with California state law, "weapon" means any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to firearms, BB/pellet/air soft guns, paint guns, knives with blades 2½ or more inches in length, and dangerous chemicals such as "Mace" or tear gas. Students are permitted to carry/possess personal protection pepper spray (not exceeding 2.5 ounces net weight of aerosol spray), known as Oleoresin Capsicum (OC), on campus properties. Persons carrying personal protection pepper spray are responsible for complying with all laws governing the possession and use of chemical/pepper spray weapons. Accidentally or irresponsibly discharging pepper spray can violate this Code, as well as criminal law, especially if the discharge results in harm to self or others, damage, or a community disruption.
- 2. Violation of state, local, or campus fire policies, including:
  - a) Failure to evacuate a University-owned or managed building during a fire alarm;



- b) Improper use, misuse or abuse of University fire safety equipment;
- c) Tampering with or improperly engaging a fire alarm in a University building;
- 3. In accordance with California law, smoking (or vaping) is prohibited in all University buildings as well as within 20 feet of any University building;
- 4. Unauthorized possession or use of unapproved pets, creatures, or animals on campus or at University sponsored activities;
- 5. Gambling as prohibited by the laws of the State of California. Gambling may include raffles, lotteries, sports pools and online betting activities;

#### IV. Alcohol and Other Drug Policy

The University of Redlands is committed to providing education and resources to assist all community members in making responsible decisions regarding alcohol and other drugs.

The University recognizes that, as adults, students make individual choices regarding the use or non-use of alcohol and other drugs. However, the health and safety of every member of the University community is paramount, and the University has an obligation to uphold the laws of the larger community.

Help for users is available and can be coordinated through the Student Affairs Office or can be coordinated confidentially through the Counseling Center or University Health Services.

##### A. Alcohol Violations

- 1. Possession/consumption by those under the age of 21, or being present at an alcohol violation under circumstances in which the person(s) present knew or reasonably should have known of the violation;
- 2. Irresponsible use of alcohol, regardless of age, including use which threatens the health or wellbeing of any person (including the user), interferes with the peace/freedoms of others, interferes with the normal operations of the University, creates a community disturbance, creates an environment that is detrimental to the educational pursuits of others, or violating other campus policies while under the influence of alcohol;
- 3. Providing alcohol to persons under the age of 21, or persons who are obviously intoxicated;
- 4. Possession of binge drinking paraphernalia (e.g. funnels, beer bong), or containers of alcohol larger than one (1) gallon in size;
- 5. Driving under the influence;
- 6. Other alcohol violations including all as defined by California state law or Redlands City Code (e.g. public intoxication, etc.);

##### B. Drug Violations

- 1. Under the influence of and/or the use or possession of any federally-controlled substance (including marijuana), the use of general products as intoxicants, the possession of drug



paraphernalia, or being present at a drug violation under circumstances in which the persons present knew or reasonably should have known of the violation;

2. Irresponsible use of drugs, including use which threatens the health or wellbeing of any person (including the user), interferes with the peace/freedoms of others, interferes with the normal operations of the University, creates a community disturbance, creates an environment that is detrimental to the educational pursuits of others, or violating other campus policies while under the influence of drugs;
3. Abuse and/or misuse of prescription or over-the-counter medication. This includes use in any way other than as directed by the prescribing physician, and allowing someone else access to your prescription, whether or not they have a prescription for the medication themselves;
4. Distribution of narcotics or any federally-controlled substance, or narcotics in sufficient quantities, packaging for sale, scales, large amounts of cash, or other circumstances that suggest potential distribution;

C. Alcohol and Other Drug Enforcement

1. The Residence Life Staff, Public Safety, and other campus officials will enforce all federal, state, and local laws and University policy. When alleged violations are observed one or more of the following courses of action will be implemented:
  - a) Document the incident for follow-up by the Office of Community Standards and Wellbeing.
  - b) Ask the individual(s) to dispose of the alcoholic beverage(s) by dumping it out.
  - c) In a case of non-residents, ask the individual/group to leave campus.
  - d) Confiscate all alcoholic beverages, drugs, or drug paraphernalia.
  - e) Shut down all gatherings of individuals/groups and disperse the crowd.
  - f) Contact Redlands Police as needed.
  - g) With voluntary consent, a breath screening test may be administered by Public Safety.
2. Alcohol and Other Drugs in Residence Halls
  - a) Possession/Use: Students may not possess alcohol in any public area of the residence hall. This includes, but is not limited to, the hallways, study rooms, bathrooms, laundry rooms, kitchens, lounges, and commons areas of the residence halls/apartments. Students in residence halls, 21 years of age or older, may possess/consume alcohol in a residence hall room in accordance with state laws and this policy, provided the door to the room is closed. Students under 21 years of age may be present in a room with others (over 21) who are consuming alcohol, provided that use is in accordance with state laws and University policies, and the preponderance of evidence indicates only those over 21 are consuming.
  - b) Transportation. All alcoholic beverages transported into or through the residence halls must be unopened, without the original seal broken, and not in plain sight.





3. Substance-Free Halls/Floors- In Substance-Free halls/floors alcohol may not be transported, possessed, or consumed. Residents of these areas will be advised of this designation and these expectations.

#### D. Alcohol and Drugs in Non-Residential Public Spaces

The consumption of alcoholic beverages in non-residential public and private spaces on campus is only permitted when the event at which the consumption occurs is an approved and registered event.

Use or possession of alcohol and other drugs is prohibited at any sports event, including intercollegiate athletic competitions, intramural sports events, and non-organized games (e.g. - on the quad or outdoor volleyball and basketball courts). Institutional policy and the Intramural and Club Sports regulations specifically prohibit use and possession of alcohol and other drugs at their respective events, with the exception of what is permitted by the football-only Tailgating Policy found under Fan Central at [www.goredlands.com](http://www.goredlands.com). Smoking (including the use of vaporizing devices), and the use of other tobacco products is also prohibited at any sports event.

#### V. Limited Amnesty (“Good Samaritan”) Policy

The University of Redlands community encourages the reporting of crimes by victims or others who become aware of behavior that violates the law or University policy. The University of Redlands also encourages all students to offer help and assistance to others in need, and to seek medical assistance for themselves when needed.

Sometimes, victims or others are hesitant to report to University officials because they fear that they themselves may be held accountable for policy violations, such as underage drinking at the time of the incident. Similarly, students may be hesitant to offer assistance to others, for fear that they may get into trouble (for example, a student who has been drinking underage might hesitate to call Public Safety or 911 for a friend that needs medical attention).

To encourage reporting and offering assistance to those in need, the University offers limited amnesty under these aforementioned conditions.

Students receive amnesty when it is determined by a Community Standards Educator that they were in good faith seeking emergency or medical attention for themselves or another person, or reporting dangerous/problematic behavior. If amnesty applies, the student will not be formally found responsible for minor violations related to alcohol or drug use (and potentially other minor policy violations) but may still be referred to (and required to complete) educational options, including assessments or other educational activities.



## VI. Educational Sanctions

Students who are found responsible for violating the standards of the University Community will be assigned one or a combination of the following educational sanctions, commensurate with the gravity of the violation and history of the student or organization. Serious violations (particularly those that involve dishonesty or harm to others/community) may necessitate separation from the University for some length of time via suspension or dismissal. Even these sanctions are educational; significant time and/or space may be necessary to reflect on past decisions, make positive changes in behavior and reconsider one's relationship to their community.

- A. Warning Letter/Letter of Censure – The student/organization is notified in writing that their actions have constituted a violation of Code or University policy and are therefore inappropriate. The letter will be included in the Community Standards records of the student or organization.
- B. Education Experiences – The student or organization is required to demonstrate their responsibilities within the University community by performing certain reasonable and relevant educational activities or assessments. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Failure to complete the educational experience in the time prescribed may result in suspension from the University. Failure of student organizations to complete the educational experience in the time prescribed may result in withdrawal of University recognition. Any fees associated with the educational experiences will be the responsibility of the student/organization.
- C. Fine/Fee – An imposition of a monetary fine to deter behavior, or a fee associated with education or services to which the student is assigned. Collected fine and fee money is dedicated to providing the educational activities that may be assigned through the Community Standards process, and programs and activities that promote student health and wellness.
- D. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service or be monetary or material
- E. Confiscation of Prohibited Property -- Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Associate Dean of Community Standards and Wellbeing and/or Public Safety. The University may also instruct students to properly dispose of prohibited property and supervise the disposal.
- F. Community Service – Students/organizations may be required to perform community service. The assigned community service must be performed at an approved agency within the surrounding community or within the University. The location of the service must be approved by the Community Standards Educator in advance. When appropriate, specific service opportunities may be recommended/assigned.
- G. Behavioral Requirement - Students/organizations may be required to complete activities including, but not limited to, writing a letter of apology, completing an assessment or substance abuse screening, academic counseling, or other appropriate course of action to address the behavior(s) that led to the original violation(s).



- H. Loss of Privileges - The student/organization will be denied specified privileges for a designated period of time, including but not limited to: restriction from certain campus activities or facilities (including residence halls), parking privileges, visitation privileges, restriction from representing the University or participating in extra-curricular activities. This may also apply to academic privileges such as May Term or Study Abroad.
- I. No Contact Order – A student/organization may be directed that they are to make no direct or indirect contact with certain persons involved. The duration of the sanction will be determined by the designated Community Standards Educator or UAB.
- J. Parental Notification - The University reserves the right to notify the parents/guardians of dependent students regarding violations of this Code. The University typically notifies parents of dependent students under the age of 21 about alcohol and drug violations. The University may also notify parents/guardians of non-dependent students in situations that present any risk to health and safety, or alcohol and drug violations if the non-dependent student is under the age of 21. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or consent of the student.
- K. University Housing Reassignment/ Removal – Reassignment to another housing facility or space, or removal from University Housing. Loss of visitation privileges will likely accompany reassignment/removal, and conditions for re-admission to University housing may be specified. Under this sanction, a student may be required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of the administrator of the sanction.
- L. Community Standards Probation -- The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student will face suspension or dismissal, unless significant mitigating circumstances or evidence is identified. Regular probationary meetings may also be imposed.
- M. Disciplinary Suspension – Separation of the student/organization from the University for a defined period of time, after which they are eligible to return. Under this sanction, a student may be required to vacate campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of the administrator of the sanction. During the period of disciplinary suspension, access to campus is prohibited and a violation will be treated as a criminal trespass. Conditions for return or readmission may be specified. In case of students, Disciplinary Suspension may be noted on the transcript.
- N. Disciplinary Dismissal – Separation of the student/organization from the University. Dismissal means access to campus is prohibited and a violation will be treated as a criminal trespass. In the case of students, Disciplinary Dismissal may be noted on the transcript.
- O. Suspension or Revocation of Organizational Charter/Recognition- Withdrawal of University recognition and all rights and privileges granted to University organizations.
- P. Loss of Degree – A student may have his/her degree revoked or rescinded by the University if misconduct warranting such action is discovered after it has been awarded. The University may also postpone the awarding of a degree or withhold the degree all together for misconduct that warrants such action and such misconduct is discovered before the degree has been awarded.

## VII. Community Standards Process

- A. Review of an Incident Report- Reports are reviewed and evaluated by the Office of Community Standards and Wellbeing. If the information reported provides reason to believe students or organizations named in the report may have violated the Code or another University policy, the student or an officer from the organization will be notified that they must meet with a Community Standards Educator regarding their alleged involvement in the incident. Students/organizations will be notified in writing through the best available means (typically via University email), with a request to attend an appointment with the Community Standards Educator. Upon receipt of this notice, if a student or organization feels the specific Community Standards Educator cannot be fair/impartial, they should contact the Associate Dean of Community Standards and Wellbeing or University Dean for Student Affairs immediately, and request that a different Community Standards Educator be assigned.
- B. Interim Restrictions- When deemed appropriate, interim restrictions (including interim suspension) may be imposed on a student or organization, pending the completion of the Community Standards Process or reevaluation when more information is available.
  1. Such restrictions will only be implemented if a good-faith analysis of available information indicates that such restriction is necessary to: (1) protect the University community or specific members from harm, (2) prevent disruption of the normal operations of the University, or (3) preserve the integrity of an investigation.
  2. Restrictions can include (but are not limited to): no-contact expectations, restrictions from certain parts of campus or specific activities/privileges, temporary housing relocation, restriction to being on campus for academic classes only, and interim suspension. In all cases, the Office of Community Standards and Wellbeing will endeavor to make the restrictions narrowly tailored, and prioritize a student's ability to continue academic coursework in some form. Affiliating with Student Organizations is a privilege and (in most cases) not required for academic progress. Therefore, interim restrictions or suspension may be placed on an organization based on the criteria described above.
  3. A student who receives interim restrictions may request a reevaluation of the restrictions by the Community Standards Educator if/when new information becomes available sufficient to alter the restrictions. In the case of interim suspension, or restrictions that prevent a student from continuing coursework, a meeting to review the suspension/restrictions must take place within three (3) business days of those restrictions taking effect.
- C. Educational Conference- The primary tool for resolution of reports is an Educational Conference, in which the student or organization will be afforded the opportunity to share their perspective and all facts they believe relevant, respond to available information, and accept or deny responsibility for certain actions/behaviors. This process is only effective if a student participates openly, respectfully and honestly.
  1. Support Persons- Educational Conferences and all other meetings related to the Community Standards Process are closed to the public. An accused student/organization may seek the help of a Support Person of their choosing and invite that individual to attend the meetings/proceedings. A Support Person may be present for consultation and advice, but Support Persons may not directly participate in the meeting or proceeding, may not serve as an advocate or spokesperson, and may not interfere with or disrupt the meeting or



proceeding. Support Persons who do not abide by these restrictions, or who otherwise fail to abide by reasonable directions provided by individuals responsible for the Community Standards Process, will be removed; a substitute Support Person may be selected for future meetings/proceedings. Students and organizations should be aware that the meeting or proceeding will likely still continue if a Support Person is removed, especially in the case of a University Appeals Board Review. Organizations may request additional leaders/advisors be present, responses to which will be at the sole discretion of the Community Standards Educator.

2. Failure to appear- If the student or officer of an organization does not respond to the notification or participate in the Educational Conference, the Community Standards Educator may proceed by determining responsibility without their input and, if applicable, may assess binding sanctions, or may place a hold or other restrictions on the student or organization.
3. Separated/consolidated reviews- In proceedings instituted to resolve allegations of misconduct naming more than one student or organization, the Community Standards Educator may review the information in a combined process and make separate determinations and assess related educational sanctions for each student or organization. Any named students/organizations may request a separate review; however, such requests will be at the discretion of the Community Standards Educator who will consider the interests of fairness and the alleged degree of involvement, as well as procedural expedencies in deciding whether or not to grant the request.
4. Duration of Process- Often the Educational Conference will be just one meeting. When the Community Standards Educator needs to meet with others involved and/or collect additional information, the student or organization will be aware of the need, and the expanded timeline. The student or organization will have the opportunity to respond to information discovered in this expanded process before the Community Standards Educator makes a determination of responsibility.
5. Exceptions to the Appearance of Parties- Typically all persons with pertinent information will be expected to participate in the Community Standards Process. However, the Community Standards Educator may address reasonable concerns for personal safety, wellbeing, and/or fears of confrontation/retaliation, by providing alternative methods for participation (written statements, audio, or video recordings, etc.). In rare instances, protecting a person's identity may take precedence over the expectation to participate. In such situations, the University will provide means for responding parties to question those persons and meaningfully respond to information presented. Reasonable accommodations will also be provided for participants with documented disabilities.
6. Standards of Information/Decisions- The University, acting on behalf of reporting parties, is responsible to establish a preponderance of information in order to support a finding of responsibility for any violation of this Code. Preponderance of the information is determined by comparing the weight of all available evidence for validity, reliability, credibility and relevance, toward concluding what was more likely to have occurred than not. The Community Standards Process is not bound by the same rules of evidence that govern legal/court proceedings; rather by fairness and the best means available, to arrive at



the most accurate representation of the facts. Consequently, the Community Standards Educator may accept testimonial “hearsay,” but will give it little or no probative value if it is contradicted by written or oral information from someone who directly observed a relevant event or was a direct party to a relevant conversation. Individuals providing oral information must address actual events. Statements of character must be submitted in writing. The Community Standards Educator may limit the number of individuals providing oral information or written statements to avoid redundant, irrelevant, or immaterial information.

7. Questions of Procedure/Partiality- The Educational Conference, and potential subsequent information gathering process, are designed to be non-adversarial, educational proceedings. However, Community Standards Educators are charged with applying scrutiny to all information presented and challenging information that contradicts known facts. Procedural questions should be directed to the Community Standards Educator. If a student or organization feels the Community Standards Educator is unable to be fair and impartial, they should bring that concern to the Associate Dean of Community Standards and Wellbeing, or University Dean for Student Affairs. That individual has sole discretion in determining whether the Educational Conference will move forward as is, or whether another Community Standards Educator will serve as decision-maker, recognizing that all students and organizations have the option to appeal the decision made by the Community Standards Educator. It is the responsibility of the student to provide grounds for their concern.
8. Decisions- Based on all information available, one of the following outcomes will occur:
  - a) Not Responsible- When the Community Standards Educator determines there is not a preponderance of evidence to support that a violation took place, the finding will be not responsible. In such cases, the Community Standards Educator may make recommendations (because a finding of “not responsible” is not an endorsement of all behaviors/decisions), but those recommendations are not compulsory. Reporting Parties can appeal this decision (see below).
  - b) Responsible- The Community Standards Educator and student or organization may both agree on responsibility and educational sanctions, or the Community Standards Educator may find the student or organization responsible for violations of this Code based on the preponderance of available information. In either case, reporting parties and the student or organization can appeal this decision (see below).
  - c) Referral to Alternative Resolution Process- The University recognizes that no singular process is best suited for all conflicts, and places a high value on collaborative responses to conflict or lapses in judgement. The Community Standards Educator may provide information and/or refer the student or organization to one of the Alternative Resolution Processes below. These processes are only appropriate when there exists agreement on the events that took place and responsibility for harmful behaviors/violations of this Code. Therefore, use of them is at the sole discretion of the Community Standards Educator. These processes are also voluntary, and only proceed through the mutual consent of all involved parties. Because of the voluntary nature of these processes, there is no appeal.

- i. Restorative Justice Conference (RJC)- Restorative Justice is a collaborative decision-making process that includes Harmed Parties, responding students, and others seeking to hold responding students accountable working together to understand and identify harm and brainstorm ways for the person(s) responsible to repair the harm. When all parties in the conference agree, the agreement is then included in the student's record (in the same way all Community Standards Process decisions are recorded), and the responding student is held accountable to that agreement. Students participating in an RJ process may elect to withdraw from the process at any time prior to completion of the conference and agreement, and the matter will revert back to an Educational Conference.
- ii. Organizational Partnership Process- The Community Standards Educator will charge officers of the organization to conduct an internal investigation and present the results of that investigation and a corrective action plan within a specified timeframe. The Community Standards Educator and officers may meet multiple times throughout this process to resolve any uncertainties or discrepancies. If both parties are able to reach an agreement on responsibility and corrective action, that agreement is then included in the organization's record (in the same way all Community Standards Process decisions are recorded), and the responding organization is held accountable to the corrective action outlined in the agreement. If the organization and Community Standards Educator are not able to agree on both responsibility and corrective action, the matter will revert back to an Educational Conference.

#### D. Appeal Processes

1. Opportunity to Appeal- An appeal is an opportunity for a student or organization to request additional review of a decision made by a Community Standards Educator. The responding student/organization or the reporting or harmed party may request an appeal. Decisions can only be appealed on the following grounds:
  - a) A procedural or substantive error occurred that significantly impacted the outcome of the Educational Conference (e.g. substantiated bias, material deviation from established procedures, etc.). A summary of the perceived error, and its impact, must be included in a written appeal request.
  - b) A request for consideration of new information, unavailable at the time of the Educational Conference and the associated deliberation, that could substantially impact the original finding or associated sanction(s). A summary of this new information and its potential impact must be included in a written appeal request. Failure to provide information during, or to participate in the Community Standards Process, even as a result of concern over pending criminal or civil proceedings, does not make information "unavailable" at the time of the conference;
  - c) The assigning of sanctions believed to be substantially disproportionate to the severity of the violation. A summary of the why the sanctions are "substantially disproportionate," as well as what is believed to be more proportionate sanctions and why, must be included in the written appeal request.



2. Appeal Timeline- Requests for an appeal must be submitted in writing to the Associate Dean of Community Standards and Wellbeing or University Dean of Student Affairs within three (3) business days after the written decision was provided to the student or student organization.
3. Appeal Review- The Dean (or designee) will review the appeal request to determine if it is timely and substantively eligible under at least one of the three conditions described above; the applicable condition(s) must be articulated and substantiated in the appeal request. Decisions that involve separation from the University (via suspension or dismissal) will typically be granted appeal if requested by the student. This does not apply to loss of May term.
  - a) If the appeal is not timely or substantively eligible, the original finding and sanction will stand, at which point the decision is final.
  - b) If the appeal is timely and substantively eligible, the Dean (or designee) will determine, usually within five (5) business days, whether to refer the appeal to the University Appeals Board or to remand it to the original decision-maker(s). Appeals will typically be directed to the University Appeals Board only when the original decision-maker(s) may be biased by a substantive or procedural error.
4. Remanded Appeals- If the appeal is remanded to the original decision-maker(s), the Community Standards Educator, and the originator of the appeal request, will receive notice from the Dean (or designee), with clear and definitive parameters for reconsideration in light of the granted grounds for appeal. The Community Standards Educator will review the parameters established by the Dean (or designee) and new information, as appropriate, and render a decision (typically within five (5) business days). That decision will be reviewed by the Dean (or designee), and delivered by the Dean (or designee) to the student or organization. The decision will then be considered final and the matter closed.
5. University Appeals Board (UAB): The UAB will hear granted appeals at the request of the University Dean of Student Affairs or designee.
  - a) Membership- The UAB is comprised of faculty, staff, and students. Members of the UAB receive training in University policy and procedures as well as questioning and evaluating evidence.
  - b) Quorum- Three UAB members are necessary for a Review. Some Reviews may include student UAB members, while others may not.
6. University Appeals Board Review- The Dean (or designee) will identify a Presiding Officer, whose role is to oversee the UAB Review to ensure procedural adherence and fundamental fairness. The Presiding Officer is not a voting member of the Review. The Presiding Officer also serves as the main point of contact for the responding student or organization, and will answer questions and help the student/organization understand and navigate the process.

The Board will conduct a holistic review of the incident, process, and decision, however the board does not re-investigate the entire matter. Instead, determinations about the scope of the review will be made by the Presiding Officer on the basis of: what is material to the grounds for appeal as articulated by the student/organization, fundamental fairness,





adherence with procedure and this Code, feasibility, and burden to other involved parties. For example, the board may not re-interview every witness; existing documentation from the original Educational Conference/investigation may be relied upon, unless a substantive or procedural error is identified related to that witness/aspect.

- a) Notice of Review – The Presiding Officer will prepare written notice for a UAB Review and provide it to both parties. The notice will include:
  - i. A citation of the provision(s) of the Community Standards Code or other University policy alleged to have been violated;
  - ii. The date, time and location of the Review. Every effort will be made to schedule the review at a time that does not conflict with student obligations, including classes or established work schedules within fifteen (15) business days from the date the notice was provided, but not fewer than five (5) business days from the same date unless the responding student or organization and the University agree to an earlier date;
  - iii. A statement informing the student or organization that they may be accompanied by an Support Person of their choosing, subject to the terms of this policy;
  - iv. A statement informing the student/organization that failure to appear and respond to the allegation may allow the UAB to conclude that the allegations are true and valid, and that appropriate sanctions are warranted;
  - v. A statement informing the student/organization that they must provide the UAB any documents or other information, along with the names of those who will provide oral information, and the purpose/relevance of that information to the Review. This information must be provided at least 3 business days prior to the appeal meeting;
  - vi. The statement will also advise that the student/organization will have access to, and may request an opportunity to review what will be provided to the UAB by the Community Standards Educator. This includes documents, or other information including names of those who will give oral information and the purpose/relevance of that information. In the event new information is discovered after the initial requests have been fulfilled, such new information must be made available to the UAB and respective parties prior to the beginning of the Review.
  - vii. The names of eligible UAB Committee members, and notice that objection to a specific committee member must be made in writing within three (3) days following receipt of the notice, and that the written objection must provide a factual basis for any objection.
  - viii. An invitation for relevant parties to meet, in person, with the Presiding Officer to review procedures and address concerns.
- b) Document Review- Students/organizations will have access to pertinent documents, but may not receive hard copies. Documents may also be excerpted or redacted to preserve the privacy of others. Requests for additional information/documents may be made to the Presiding Officer in accordance with the procedures described below. The Presiding



Officer will also make available the script/outline of the Review process, and can answer any questions.

- c) Additional Requests- The student or organization, or Community Standards Educator, should direct any requests (e.g. for additional support persons, time, information, or other adjustments) to the Presiding Officer who will review the request and make a decision based on: what is material to the grounds for appeal as articulated by the student/organization, fundamental fairness, adherence with procedure and this Code, feasibility, and burden to other involved parties.
  - d) Failure to Appear – The UAB may proceed in the absence of the student/organization if the UAB members are satisfied that the student/organization was given proper notice and where the student/organizational representative fails to appear at the time and place specified.
7. Recommended Decisions by the UAB – Following deliberations, the UAB will arrive at a recommended decision by consensus (in accordance with the Standards of Information/Decision section above). This recommended decision will uphold or modify the original findings (of responsible or not responsible), and uphold or modify sanctions. At the close of the review, the recommended decision will read to parties, and delivered to the Dean (or designee), who will then make a final determination, which will be delivered in writing to all parties. The Dean (or designee) must show cause in writing for modifying the recommended decision of the UAB, should that occur. The written decision of the Dean (or designee) is final.

## VIII. Community Standards Records and Decisions

- A. Sharing of Decisions- In some cases the University may share the outcome of a decision with reporting or harmed parties, as well as NCAA team coaches, and University officials with a legitimate educational interest. The University may also, at times, share information/decisions with local law enforcement (typically when obligated under state law, or for behaviors that constitute serious criminal activity- hazing, drug dealing, crimes of violence, etc.). Information and decisions may be shared more widely in the interest of public safety (e.g. crimes of violence, or other ongoing threat to the University or community).
- B. Community Standards Records
  1. Community Standards records are retained for seven (7) years. At that time, the record may be destroyed unless the record relates to the suspension or dismissal of a student, in which case it may be retained indefinitely.
  2. Dismissal and suspension may be noted on the student’s official University transcript. Suspension notation will be removed once the suspension and any attendant sanctions have been completed.
  3. Community Standards Process outcomes may be reported outside the University (such as transfer or graduate school applications, employer inquiries, or licensing agencies). Unless required by law, low level violations that result primarily in educational sanctions will not be reported outside the University; only violations serious enough to result in disciplinary



probation or separation from the University (via suspension or dismissal) will be reported externally.

4. Community Standards records not covered by Title IX may be expunged by the Administrator for good cause, upon written petition of the respondent to the University's Chief Student Affairs Officer. Factors to be considered in review of such petition include: (1) The present demeanor of the respondent, (2) The conduct of the respondent subsequent to the violation, and (3) The nature of the violation and the severity of damage, injury or harm resulting from it.

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