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Student Handbook

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Section II - The Student Code of Conduct: Student Rights & Responsibilities

Connecticut College is a private liberal arts college whose goals include: 1.) providing students with the opportunity for intellectual and personal development, and 2.) gaining a broad appreciation of diverse cultures and perspectives. To achieve these goals, there must be a willingness and commitment among those within the College to associate in such a way that allows individual freedom, rights and privileges to coexist with reasonable order. Membership in the College community assumes a respect for these basic principles that enable the College to accomplish its mission.

The Student Code of Conduct, Student Bill of Rights, and Adjudication Procedures are an important part of the educational mission of the College. They are designed to foster an effective learning environment and support the values of our educational community. They are not based on, nor are they intended to, mirror the rights or procedures in civil or criminal court proceedings.

The information that follows applies to all Connecticut College students. Separate documents outline the community responsibilities related to faculty, staff and administrators. All rights, responsibilities and procedures included in this section, as well as the Student Handbook in its entirety, are effective as of July 1, 2006. Changes to the "Student Rights and Responsibilities" section of the Student Handbook are generally made by the Dean of Student Life in consultation with the SGA, and are approved by the Dean of the College Community, President of the College and Trustees. The College reserves the right to amend the policies and procedures at any time, giving the community reasonable notice of the changes.

Initiating a Complaint

All complaints concerning infringement of student rights and/or alleged violations of the Student Code of Conduct shall be responded to through the Connecticut College judicial system. This response shall apply to individual students and student groups.

Any member of the Connecticut College community may initiate the College's judicial process by alleging a violation by a student. This includes, but is not limited to students, faculty, Campus Safety Officers, a member of the Offices of Student Life, campus organizations and departments. Complaints must be submitted in writing to the Office of the Dean of Student Life within 45 days (except for allegations of sexual misconduct, which may be submitted within one year) from the time the Complainant (person submitting the complaint) became aware of the alleged violation. The written complaint should present any allegations concerning specific violations of the Student Code of Conduct and the names of the student(s) responsible for one or more of these violations. The College may, at its discretion, initiate the judicial process on behalf of the College or on behalf of other persons.

STUDENT BILL OF RIGHTS

As a Connecticut College student, you are entitled to basic rights, which have been established by the College to help in your academic and personal development. All rights must be exercised in accordance with local, state and federal laws, the rules and regulations of Connecticut College, and the Student Code of Conduct. Your

rights as a Connecticut College student are outlined below. Amendments to the Student Bill of Rights can be made by a two-thirds majority vote of the Student Assembly, a simple majority vote of an all campus referendum, and a majority vote of the Board of Trustees.

1. **The Right to Individual Beliefs and Expression** Students have the right to express their ideas, thoughts, and opinions without fear of censure or retribution. Students have the right to state and exercise their beliefs including but not limited to religious, political and social beliefs, and students have the right to associate with or create organizations in accordance with these beliefs. As a result, students have the right to have their classroom performance evaluated solely on an academic basis, and not on opinions or conduct in matters unrelated to academic standards.
2. **The Right of Governance and Participation**
Students have the right to establish representative governmental bodies and to participate in College governance in accordance with the rules and regulations of Connecticut College. As constituents of the academic community, students are free to express, individually and collectively, their opinions on issues of institutional policy and on matters of general interest to the student body. The Charter of the Student Government Association of Connecticut College clearly defines the means through which the student body can participate in the formulation and application of institutional policy affecting academic and student affairs. Editors and managers shall be responsible for insuring the constitutional obligations and all legal statutes that may apply to such organizations (e.g. WCNI FCC regulations).
3. **The Right of Inquiry and Expression**
Students and student organizations are free to examine and to discuss all questions of interest to them and to express opinions concerning these questions publicly and/or privately. They are always free to support causes by orderly means that do not disrupt the regular and essential operation of the College. In their public expressions or demonstrations, students or student organizations speak only for themselves. Students are allowed to invite and to hear any person of their own choosing. Those routine procedures required before a guest speaker is invited to appear are designed only to insure that there is orderly scheduling of facilities and adequate preparation for the next event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities will not be used as a device of censorship. Sponsorship of guest speakers does not imply approval or endorsement, either by the sponsoring group or the College, of the views expressed.
4. **The Right of Student Control of a Free Media**
Methods of communication among students, such as newspapers, radio stations and other publications are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the faculty and administration and of formulating student opinion on various issues on the campus and in the world at large. Students have the right to maintain a free press and radio, not subject to administrative censorship of copy or script, and the editors and managers are free to develop their own editorial policies and news coverage. Editors and managers of student publications are protected from arbitrary suspension or removal because of student, faculty, administrative, or public disapproval of editorial policy and/or content. The body of students or membership of these groups responsible for the appointment of editors and managers shall be responsible for their removal. Personal opinions expressed through the college media do not necessarily reflect the opinions of the College or of the student body. The College media shall not engage in enterprises that may jeopardize the tax-exempt status of the College or actions that may violate FCC violations.
5. **The Right of Academic Pursuit**
Enrolled students have the right to an environment conducive to the pursuit of academic requirements and interests, and reasonable access to, and support of, faculty and staff.
6. **The Right of Non-Discrimination**
Connecticut College is committed to the goal of achieving equal opportunity for all and, accordingly, does not discriminate on the basis of race; color; sex; sexual orientation; gender identity, expression and characteristics; age; religion; national or ethnic origin; visible or invisible disability; or status as a disabled veteran or veteran of the Vietnam era. The College complies with

federal and state legislation and regulations regarding nondiscrimination. This policy applies to faculty and staff, applicants for faculty and staff positions, students and applicants for educational programs and activities. Inquiries concerning this policy should be addressed to: Affirmative Action Officer, Fanning Hall, Connecticut College, 270 Mohegan Avenue, New London, CT 06320-4196.

7. The Right to a Safe Environment

Students have the right to an environment in which the College takes reasonable measures to offer students protection from foreseeable danger.

8. The Right of Privacy

Students have the right to reasonable privacy in their academic, co-curricular, and personal lives. Information about student views, beliefs, and political association which professors require in the course of their work as instructors and advisors should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge and consent of the student.

9. The Right of Confidentiality

Students have the right to access, and control access to, their educational records as provided in the federal Family Educational Rights and Privacy Act (FERPA) of 1974, also known as the Buckley Amendment. This includes the right to review and challenge the content of educational records, to control disclosure of personal and academic information to third parties, and to limit the routine disclosure of all or some information defined as "directory information" by the College's FERPA Notification of Rights Policy. This policy can be found in the College Catalog and the Student Handbook.

10. The Right of Access to College Documents Students have the right to view and/or obtain any public College documents.

11. The Right of Fair Practice in Disciplinary Matters

Students have the right to a fair process in addressing alleged violations of the Student Code of Conduct. Connecticut College's judicial process follows procedures of "Fair Practice." Fair Practice is defined as "a flexible term generally indicating that the student accused of a violation of the Student Code of Conduct will be provided with full and fair notice of the alleged violation(s) and an opportunity to be heard." Fair Practice normally includes written notification to the student of the alleged violation of the Student Code of Conduct, an Administrative Disposition or a hearing by the Judicial Board, Adjudication Team, Dean's Process, or the Dean's Grievance Committee, and the right of appeal.

STUDENT RESPONSIBILITIES

In your relationships with other members of the Connecticut College community and the surrounding neighborhood, you are expected to be aware of, and demonstrate respect and courtesy for, the rights and needs of others. Membership in the Connecticut College community does not exempt anyone from local, state, or federal laws, but rather imposes an additional obligation to abide by all of Connecticut College's regulations.

Should a student violate Honor Code or other policy, s/he must report it to a Housefellow, Campus Safety, or a staff member in the Offices of Student Life. If a student is aware that an infraction has been committed, that student should confront the responsible individual and remind him/her to report themselves within 24 hours. After that period of time, if the accused has not reported him/herself, the witness should report that student.

I. Academic Honor

Academic honor is of utmost importance in maintaining the high standards of scholarship in the Connecticut College community. In accepting admission to Connecticut College, students accept the responsibility for maintaining high standards of academic integrity and scholarly practice.

Academic Integrity

Academic dishonesty is considered to be a serious offense against the College community. The College will apply sanctions when student conduct interferes with the College's primary responsibility of ensuring its educational objectives. Students

at Connecticut College will be subject to disciplinary action for behavior including, but not limited to:

- a) unauthorized discussion of the content of an examination or assignment (see Lips Sealed Policy),
- b) any attempt to give or receive unauthorized aid on an examination or any graded assignment,
- c) plagiarism, including the negligent failure to follow the proper documentation procedures,
- d) breaches of examination procedures include, but are not limited to:

- 1. leaving the designated exam areas
- 2. communication of any kind in the examination room
- 3. exceeding the permitted time constraint
- 4. excessive noise within the examination center
- 5. smoking in an examination room

e) any other deceptive or dishonest academic behavior.

The following pledge must be written and signed on every exam before it is handed in for grading:

"I promise neither to give nor receive any aid on this examination."

Students MUST complete final examinations in designated rooms, unless otherwise specified by the professor. The exam (both questions and answers) must be returned, to the Test Center staff, sealed in the envelope with the Honor Pledge signed.

Lips Sealed Policy

During the Spring semester of 2004, the SGA voted to promote the following "Lips Sealed Policy":

To ensure the integrity of the Academic Honor Code, any student who has completed or is in the process of completing any examination is forbidden to divulge the content or level of difficulty of that examination to anyone before the end of the examination period.

Plagiarism

Plagiarism adversely affects each member of the College community because it threatens the academic integrity of the institution; it is the student's obligation to acknowledge all resources and cite them according to proper procedure. Plagiarism occurs when academic work does not reflect the student's personal and original words, word-groupings or ideas. Plagiarism is a violation of the Student Code of Conduct and the Honor Code, regardless of intent. Ignorance or negligence is not considered an excuse for plagiarism. Plagiarism consists of:

- a. handing in a paper that is not one's own work;
- b. using the language of another writer without proper documentation (e.g. footnotes, quotation marks, parenthetical documentation, bibliography);
- c. using the ideas, arguments, or organization of another writer without proper acknowledgment;
- d. submitting a paper as original work in one course when the paper has already received credit in another course (unless prearranged with the professor).

DIRECT QUOTATIONS: A student may quote words, phrases, sentences, and paragraphs if the quoted material is placed in quotation marks and the sources are cited. A student is guilty of plagiarism by using the exact words of another person and failing to give the original source credit by omitting either quotation marks or proper footnotes.

PARAPHRASING: When using an idea from an author, the student must express the idea entirely in the student's own words. The sentence or paragraph must

conclude with a proper footnote or parenthetical documentation crediting the author's original idea.

USE OF TERMS AND EXPRESSIONS: Any convenient terms or expressions appropriated by the student that are not commonly known, or are peculiar to that source alone, must be quoted and footnoted even if surrounding material is stated in the student's own words.

BIBLIOGRAPHY: Any source used to prepare for a paper, regardless of whether or not it is cited in the paper, must be included in the bibliography.

DIRECT QUOTATIONS - PROPER EXAMPLE: "One of the basic freedoms which should be reserved for the individual is the liberty of conscience in the most comprehensive sense; liberty of thought and feeling."¹

¹John Stuart Mill, "On Liberty," *The Six Great Humanistic Essays of John Stuart Mill*, (New York: Washington Square Press, 1963), pp. 137-138.

When the original source is copied word for word, the borrowed material must be put in quotation marks and documented.

DIRECT QUOTATIONS - IMPROPER EXAMPLE: A second fundamental liberty which should be respected in a free society is the liberty of conscience, in the most comprehensive sense; liberty of thought and feeling. The last half of the sentence is copied word for word from the original source. The student gave no credit to the original source, and omitted both quotation marks and footnotes. THIS IS PLAGIARISM.

PARAPHRASING - PROPER EXAMPLES: All of the following examples illustrate the mechanics of paraphrasing an original source

ORIGINAL: "from this liberty of each individual, follows the liberty of combination among individuals."²

PARAPHRASE: As Mill points out, in a larger sense, the group is equally free as any being in it...absolute freedom of opinion and sentiment on all subjects."³ Ibid., p. 138 ³ Ibid.

PARAPHRASING - IMPROPER: By substituting words for those in the original source or paraphrasing a borrowed idea without giving credit to the original source through footnotes or parenthetical documentation, a student is guilty of plagiarism. A student must be careful not to closely follow the same word sequence, or the same paragraph sequence as the original.

KEY WORDS: Proper use of key words and phrases involves the use of quotation marks and documentation. An example of a phrase from Mill follows: "...impediment from our fellow creatures."⁴

⁴ Ibid., p. 137

The recommended procedure is to consult with your professor to avoid errors or misunderstandings. When in doubt, ask. You can also seek help at the Writing Center located in Blaustein 214. Trained staff will help you learn the proper procedures for documenting sources. Please call ahead of time to make an appointment.

II. Social Honor

1. Alcohol and Other Illicit Drug Possession and Use

Federal, state, and/or local laws govern the use, possession, and distribution of alcoholic beverages and illicit drugs. Students under the age of 21 may not possess or consume alcoholic beverages on Connecticut College property. Students who are legally able to consume alcohol should understand that it is a violation of Connecticut State Law to provide alcohol to persons under the legal age for alcohol consumption. It is a violation of the Connecticut College Alcohol Policy for any student to possess an open container of alcohol in any public space, even if the student is of legal drinking age. Additionally, negative behaviors resulting from being under the influence of alcohol or other illicit drugs while on the Connecticut College campus are unacceptable. Drinking games promote abuse of alcohol, which can lead to alcohol poisoning. For this reason, drinking games are prohibited on campus, regardless of one's age. Driving a motor vehicle under the influence of alcohol is considered a serious violation of the Honor Code as well as the Student Code of Conduct, and is also a violation of Connecticut state law. For additional information on Connecticut Statutes go to <http://www.cga.ct.gov/2005/pub/titles.htm>.

Amnesty Policy

In cases of intoxication, alcohol poisoning, and/or sexual assault, the primary concern is the health and safety of the involved student(s). Individuals are strongly encouraged to call for medical assistance (x111) for themselves or a friend or individual who is dangerously intoxicated (e.g. unable to stand, vomiting, passing out, etc.) and/or who may have been the victim of a sexual assault.

No student seeking medical attention (either for oneself or another) for an alcohol or other drug-related overdose or for a sexual assault will be subject to the College's judicial process for a violation of using or possessing alcohol or other drugs.

Please refer to the Campus Life Policies section for more detailed information regarding the Alcohol Policy.

2. Civil Conduct

Any person who becomes aware of an incident related to civil misconduct should call Campus Safety immediately. If graffiti is involved, Campus Safety will take a picture of it, collect any additional evidence, and report it to the Office of the Dean of Student Life to initiate an investigation of the incident.

A. Assault

Any unwanted physical contact with harmful intent or result by a Connecticut College student against another individual is construed as physical assault and is strictly prohibited.

B. Non-Discrimination

Connecticut College does not tolerate discriminatory hostility against someone, or against a group, on the basis of race; color; sex; sexual orientation; gender identity, expression and characteristics; age; religion; national or ethnic origin; visible or invisible disability; or status as a disabled veteran or veteran of the Vietnam era. Discrimination may take the form of repeated offensive behavior with hostile, abusive intent or discriminatory behavior that creates an intimidating and offensive work, study or social environment.

A "bias incident" is an action intended to harm, intimidate, or threaten another person or group and which, in any way, constitutes an expression of hostility based on race, ethnicity, gender, gender identity, expression and characteristics, disability, age, religion, sexual orientation, or national origin. This includes, but is not limited to threats, physical assaults, vandalism, destruction of religious symbols, and graffiti that harasses or threatens people based on these characteristics. Please refer to the Campus Life Policies section (page 67) for the Bias Incident Protocol .

Complaints alleging hate/bias incidents will generally be addressed via the Dean's Grievance Committee when the person alleged to have committed this violation is a student.

For infractions of the Student Code of Conduct that exhibit hate, harassment, or violence towards a selected person or group because of race; color; sex; sexual

orientation; gender identity, expression and characteristics; age; religion; national or ethnic origin; visible or invisible disability; or status as a disabled veteran or veteran of the Vietnam era, the sanction imposed may be enhanced or made more severe than sanctions typically warranted by these types of actions.

C. Harassment Policy. This policy applies to all members of the Connecticut College community.

Connecticut College strives to be a community in which all members feel comfortable, respect each other's differences, and seek common ground. Individuals are expected to abide by the principles of honesty, justice, impartiality, and fairness, which serve as the foundation for equity and a healthy learning environment. Connecticut College is committed to the values of mutual respect, understanding and tolerance and is resolute in its absolute rejection of bigotry and persecution. Furthermore, the College will not tolerate harassment as defined below. Regardless of whether actions or statements from individuals constitute a harassment violation, members of the college community should always strive to communicate with each other in a respectful and considerate manner to encourage development of a community that builds greater access, opportunity, and equity.

According to interpretations by the courts and the Equal Employment Opportunity Commission, the federal civil rights laws prohibit harassment based on race, gender, religion, national origin, age, disability, or any other protected class. The College is required to act promptly so as to assure that if such harassment is, in fact, occurring, or has occurred, the problem will be dealt with effectively. By this policy statement, the College itself prohibits any form of harassment based on race; color; religion; gender; disability; age; veteran status; sexual orientation; national origin; gender identity, expression, or characteristics; or any other class protected by applicable law.

Definition. According to this College policy, the following three points, taken together, define harassment:

1. Harassment includes, but is not limited to, any spoken, written, or physical conduct that has the intent or effect of unreasonably interfering with the activities of any member of the Connecticut College community or of creating an intimidating or hostile environment.
2. To be considered harassment, an act of spoken, written, or physical conduct must be directed at the individuals whom that act insults or stigmatizes.
3. To be considered harassment, the insult or stigma must be based on race; color; religion; gender; disability; age; veteran status; sexual orientation; national origin; gender identity, expression, or characteristics; or any other class protected by law. *

* "Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors," June 18, 1999, makes clear the view of the Equal Employment Opportunity Commission (EEOC) that the standards for sexual harassment apply to race, color, sex, religion, national origin, protected activity, age, or disability. It notes that harassment does not violate federal law unless it involves discriminatory treatment based on one of these protected categories. (According to federal regulation 29 C.F.R. 1604.11(a), footnote 1, the principles of sexual harassment apply to race, color, religion and national origin.)

Discussion. Harassment is a very serious matter having far-reaching effects on the lives and careers of individuals. Harassment is contrary to the standards of conduct of the College community. It diminishes individual dignity and impedes equal employment and the educational process. Harassment is a barrier to fulfilling the College's mission.

Because harassment can take the form of speech, it is therefore necessary to distinguish such forms clearly from protected speech, which is vital to the intellectual enterprise of the College. Thus:

a. Speech which conveys reasoned opinion, principled conviction, or speculation is not harassment. For example, the assertions that "all whites are racist" or "affirmative action is wrong" or "Christians are fools to believe in a nonexistent God" are not harassment. Of course, the mere claim of engagement in reasoned opinion is not sufficient to lift the charge of harassment. For example, shouting racist insults under a residence hall window at night cannot disguise itself as "reasoned opinion." However, debates, discussions, arguments - however lively - do not give grounds for harassment charges.

b. Political commentary and satire are not harassment. For example, satirical comments about someone's chosen political candidate or political jokes would not be harassment, however insensitive these acts may be deemed by many. Again, the mere claim of political commentary cannot excuse what is really harassment.

c. Speech which occurs in the ordinary course of classroom discussion and teaching is especially protected. That is, any opinion, including that of Hitler, for example, has to be allowed for discussion and even advocacy in the classroom. An outburst of harsh, insulting, racist language, directed against a particular student or students and unrelated to the academic content of the class, might, however, be deemed harassment.

The Connecticut College harassment policy stated above provides the basic policy for the entire campus. In addition, the separate handbooks for students, staff and faculty each contain materials and procedures to be followed when a member of that constituency is accused of perpetrating harassment.

D. Racial Harassment

Connecticut College does not tolerate racial harassment. The college will take appropriate disciplinary action against those found to have committed racial harassment, up to and including dismissal. This policy applies to all members of the College community: faculty, staff and students.

College should be a time when young people gain empowerment through knowledge and growth. Racial harassment and discrimination are debilitating, disenfranchising and lead to feelings of impotence and anger all of which oppose the purpose and goals of education.

Harassment may encompass a wide range of behavior. The context of harassment may vary, but the effects are common and include loss of self-esteem, a sense of danger and a feeling that one's personal security and dignity have been undermined.

Racial discrimination is the practice of treating individuals or groups in a negative way on the basis of race. The differential treatment has a negative effect; it debases, disfavors or denies an opportunity, privilege or right. Obviously harassment and discrimination are not mutually exclusive.

Race and ethnicity are openly visible characteristics by which people may be identified, to which they may be legitimately referred, and by which they may be categorized. There is a fine line between legitimate attention or acceptable humor and harassment. If the intent or outcome, however subtle, of a behavior is to demean, harm, ridicule, or cause psychological stress (i.e. withdrawal, fear, anxiety, depression) to others, one runs the risk of a harassment complaint. Members of the community should examine their motives and consider the effects of their behavior before acting. Though alcohol and other drugs have been shown to be associated with incidents of harassment, they will not be treated as a mitigating factor. Rather, such association may increase the severity of the penalty.

Complaints alleging racial harassment will generally be addressed via the Dean's Grievance Committee when the person alleged to have committed this violation is a student.

E. Sexual Harassment

Connecticut College does not tolerate sexual harassment. The college will take appropriate disciplinary action against those found to have committed sexual harassment, up to and including dismissal. This policy applies to all members of the College community: faculty, staff and students.

Sexual harassment may involve women being harassed by men, men being harassed by women and harassment between persons of the same sex. "Sexual Harassment" includes any advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges, or placement services or as a basis for the evaluation of academic achievement; or
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
3. such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating, or sexually offensive educational environment.

It is unlawful to retaliate against a student, employee, or any other person in the College for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment. Any student, employee, or any other person in the College who is found to have engaged in sexual harassment is subject to discipline up to and including termination of employment or expulsion.

Complaints alleging sexual harassment will generally be addressed via the Dean's Grievance Committee when the person alleged to have committed this violation is a student.

Some members of the College community hold positions of authority that may involve the legitimate exercise of power over others. It is the responsibility of those individuals to use that power appropriately. Faculty members and supervisors, in their relations with students and with subordinates, must be particularly aware that sexual motivations have the potential to cause conflicts of interest and the possible compromise of their evaluative objectivity.

When through fear of reprisal a student, staff member or faculty member submits, or is pressured to submit to unwanted sexual attention, the College's ability to carry out its mission is undermined. Sexual harassment is especially serious when it threatens relationships between faculty member and student or between supervisor and subordinate. In such situations, sexual harassment exploits unfairly the power inherent in a faculty member's, staff member's, or supervisor's position. Through grades, wage increases, recommendations for graduate study, promotion and the like, a faculty member or supervisor can have a decisive influence on a student's career at the College and beyond.

While sexual harassment most often takes place in situations of a power differential between the persons involved, the College also recognizes that sexual harassment may occur between persons of the same College status. The College does not condone sexual harassment among members of the College community and it creates an unacceptable working and educational environment.

One form of sexual harassment is called "stalking." A student who willfully and repeatedly follows or lies in wait for another person and causes the person to reasonably fear for his/her safety is considered to have violated the stalking/harassment policy.

F. Sexual Misconduct

Connecticut College does not tolerate sexual misconduct. The college will take appropriate disciplinary action against those found to have committed sexual misconduct, up to and including dismissal. This policy applies to all members of the College community: faculty, staff and students. For faculty and staff, sexual misconduct is included in the sexual harassment policies found in Information for Faculty and the Connecticut College Employee Handbook.

Connecticut College defines "sexual misconduct" as any sexual contact or activity that occurs without the informed consent of any individual involved. According to Connecticut College policy, "consent" implies words and/or actions that demonstrate a voluntary agreement to engage in mutually agreed-upon sexual activity. For consent:

1. Both partners must clearly communicate their willingness and permission. Consent is not the absence of the word "no." Failure to resist sexual advances, silence, and/or prior relationship does not constitute consent.
2. Both partners need to be fully conscious and aware of their actions. A person is unable to give consent if they are asleep, drugged, intoxicated, unconscious, a minor, mentally impaired or incapacitated. Signs that a person is intoxicated, incapacitated, or otherwise unable to give consent include but are not limited to: slurred speech, loss of coordination, passing out for any period of time, vomiting, and a verbalized feeling of being nauseous.
3. Both partners must be equally free to act. The decision to be sexually intimate must be made without coercion and both partners have the right to revoke their consent at any time during sexual activity by actively (verbally or non-verbally) communicating their desire to stop the activity. A verbal "no" (no matter how indecisive) or resistance (no matter how passive) constitutes a lack of consent.

An individual accused of sexual misconduct does not avoid or mitigate responsibility because s/he was under the influence of alcohol or other drugs.

Complaints alleging sexual misconduct will generally be addressed via the Dean's Grievance Committee when the person alleged to have committed this violation is a student.

In cases of alleged sexual misconduct, the complaint should be brought to the attention of the Dean of Student Life, or designee, as soon as possible after the situation occurs. An individual who wishes to put forth a formal complaint must submit the written complaint no longer than one year after the date of the incident (as opposed to 45 days for all other complaints). Allegations of sexual misconduct against faculty or staff are addressed in their respective policies.

Members of the Offices of Student Life, Student Counseling Services, Student Health Services, and Campus Safety are available on a twenty-four hour emergency basis and can assist with the initial support following a sexual assault.

The College reserves the right to take whatever measures it deems necessary in response to a charge of sexual misconduct in order to protect the rights and personal safety of anyone bringing a complaint. Such measures include, but are not limited to, modification of living arrangements, summary removal from campus pending a hearing and reporting to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose differing sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The College will consider the concerns and rights of both the Complainant and the person accused of sexual misconduct.

G. Civility

Connecticut College also prohibits any verbal, written, or physical conduct that has the intent or effect of unreasonably interfering with the activities of any member of the Connecticut College community, or of creating an intimidating or hostile environment. Examples include, but are not limited to conduct based on political affiliation and physical characteristics.

Connecticut's Sexual Assault Law

Sexual Intercourse: Penetration, however slight, of the anus or vagina by an object, digit, or penis or oral stimulation.

Sexual Contact: Contact with the intimate parts (genital area, groin, anus, inner thighs, buttocks or breasts) for gratification or degrading or humiliating another person.

First Degree Sexual Assault

Intercourse by force or threat, with a person under age 13 with an individual more than 2 years older, sexual assault in the 2nd degree aided by two or more persons actually present, by force or threat with a spouse or cohabiter, with an individual who is mentally incapacitated to the extent that they are unable to consent. First Degree Sexual Assault is a Class B Felony - 2 years of the sentence imposed may not be reduced; for the sexual assault of a minor under 10 years old, 10 years of the sentence may not be reduced.

Second Degree Assault

Intercourse with a person over 13 but under 16 with an individual more than two years older, with an individual who is mentally defective to the extent that they are unable to consent, with a physically helpless individual, with a person under 18 by a parent or guardian, by an employee of the school system with a student. Second Degree Sexual Assault is a Class C Felony - nine months not suspendable.

Third Degree Sexual Assault

Sexual contact by force or threat, sexual intercourse with a known relative. Third Degree Sexual Assault is a Class D Felony - maximum possible sentence is 5 years; any sentence is suspendable with probation.

Fourth Degree Sexual Assault

Sexual contact with someone under 15, mentally defective or mentally incapacitated, physically helpless, less than 18 by a parent or guardian, without a person's consent, by an employee of the school system with a student. Fourth Degree Sexual Assault is a Class A Misdemeanor: maximum possible sentence is 1 year; any sentence is suspendable with probation.

3. Compliance

Students are required to comply with reasonable directives from members of the Connecticut College faculty and staff acting in the performance of their duties. In situations when a staff or faculty member is immediately unavailable and a policy violation is occurring, students and their guests are expected to follow a reasonable request by another student.

4. Computing Resources

Student responsibility extends to the proper use of Connecticut College's computing resources, as defined and discussed in the College's Appropriate Use Policy - <http://camel2.conncoll.edu/is/policy.html>. Students access to and use of the College's computing resources is conditioned upon the Appropriate Use Policy. Connecticut College's computing resources may not be used for purposes which may be considered civil or criminal offenses or which violate the College's official standards governing behavior in general. Misuse of computer technology including, but not restricted to the following examples, will result in disciplinary measures and may lead to prosecution under civil and/or criminal law.

- tampering with or falsifying official records relating to grades, finances, or confidential information
- appropriation or use of computer access codes
- attempting to prevent other user's access to the College's computer systems
- the introduction of programs aimed at disrupting the system ("viruses")
- copying or destroying files or programs without specific authorization
- downloading copyrighted music, movie, or software files from the internet without the permission of the copyright owner; please refer to the following link for more detailed information:
<http://cameldev.conncoll.edu/is/policies/studentinfringement.html>

5. Creating Dangerous or Unhealthy Conditions

All students are expected to respect the need for ensuring the safety of others within the Connecticut College community. Creating a dangerous condition threatens the integrity of the community. Examples of such prohibited behaviors include, but are not limited to:

- possession or unauthorized use of flammable, corrosive, or poisonous chemicals on College premises
- possession of firearms, explosives, or other weapons

- misuse of any fire or safety equipment or related fixtures
- failure to evacuate during a fire alarm
- manipulation of door locks, peepholes, or emergency doors
- utilization of roof tops, except in case of emergency
- utilization of any window as means of entering or exiting a College building, except in the case of an emergency
- utilization of balconies connected to residential houses on campus
- alteration or duplication of College keys
- exposing others to a biohazard, including but not limited to, bodily fluids or wastes
- drugging another person's food or drink
- throwing anything out of campus windows
- failure to submit necessary health forms as required by Student Health Services
- possessing and/or lighting candles and/or incense in residential areas

Activities that endanger the safety of one's self or others may result in required withdrawal from the College for the student in question. Such behavior may include, but are not limited to suicidal behavior, eating disorders, and repeated alcohol intoxication.

6. Departmental Regulations

Members of the community are expected to follow the established and publicized regulations. They are intended to cover the operating regulations of academic or nonacademic offices, laboratories, and campus departments.

7. Disruption

Students may not unreasonably disrupt or interfere with the orderly processes of the College, involving teaching, research, administration, disciplinary proceedings, or other College activities. Actions disruptive to the orderly processes of Connecticut College include, but are not limited to, unauthorized entry into private offices, work areas, teaching areas, libraries, laboratories, or social facilities. It is also a violation to disrupt students who are exhibiting freedom of expression by depriving them of the opportunity to speak or be heard, physically obstructing their movement, or by interfering with academic freedom otherwise.

8. Documents

Forgery, alteration, or unauthorized possession or use of College documents, records, or instruments of identification, is strictly prohibited.

9. External Community

This Student Code of Conduct applies to the behavior of Connecticut College students outside the immediate confines of the College, including the conduct of students studying abroad or at other institutions. The College may invoke disciplinary action under one or more of the following circumstances:

- a member of the Connecticut College community is the victim of an alleged violation of the Student Code of Conduct
- the alleged violation occurred at a College sponsored or sanctioned event or program
- the accused student used his/her status as a member of the College community to assist in the commission of the alleged violation
- the misconduct has a direct and distinct adverse impact on the College community, its members, and/or its objectives
- a reasonable belief exists that the alleged violation (or known) violation poses a threat to the health or safety of any members of the College community.

Policies on felonies

In the event that a student has been arrested or otherwise charged with the commission of a felony by any police, campus authority, state's attorney, or in any court, at any time subsequent to the student's admission to Connecticut College, whether or not the commission or alleged commission of said felony occurred on College property, there shall be an inquiry to determine whether the student should continue in student status. Pursuant to the interim sanctions policy, the College reserves the right to suspend the student, or take other disciplinary or preventative measures, until the issue is resolved in the courts if his/her continued presence is considered a threat to the physical safety of

himself/herself and/or others, or otherwise poses a risk to the College community or to the educational processes of the College. The Dean of the College Community and/or the Dean of Student Life will conduct the inquiry to determine the student's status, pending disposition of the charge and conduct a Deans' Adjudication Process, if appropriate, as described in the Adjudication section of the Student Handbook.

10. Gambling

Any member of the College community found to be involved in any form of gambling on College property will be subject to disciplinary action.

11. Host

- A. **Room Host:** All students living in campus housing shall be held responsible for violations that occur in their room by their guest(s) so long as they had reasonable knowledge of the violation or if the host allowed the individual(s) access to the room.
- B. **Guest Host (non-student):** Students hosting guests are accountable for the whereabouts and actions of their guests at all times, and the host assumes responsibility for the actions and behaviors of their guests while the guests are on the Connecticut College campus. In order to protect the integrity of the community, guests are expected to conduct themselves in a manner in keeping with the policies and standards of the campus community. Guest who do not do so may be required to leave campus. All guests are expected to produce identification at the request of a College official. Unescorted guests may be required to leave the campus.
- C. **Party Host:** At a registered party, the students hosting the event are considered the "party hosts." Hosts are responsible for adhering to all private party guidelines (see Section III: Regulations for Social Functions)

12. Hazing

Hazing is a crime in Connecticut. Hazing is defined as any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping; beating; branding; forced calisthenics; exposure to the weather; forced consumption of any food, liquor, beverage, drug or other substance; or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep, rest, or extended isolation.

Any member of the Connecticut College community who becomes aware that another person is the victim of hazing as defined above is expected to immediately report the incident to Campus Safety. Hazing is strictly prohibited at Connecticut College (see "Most Serious Community Violations").

13. Noise and/or Privacy

Infringing on the rights to individual privacy, including a failure to maintain a reasonable level of peace and quiet, is prohibited.

14. Personal Representation

Students are expected to carry their Connecticut College ID at all times and display the ID to college officials upon request. Intentional misrepresentation of identification or factual information to College officials or in relation to campus disciplinary proceedings is considered a serious violation of the Student Code of Conduct.

15. Property

Damaging, destroying, and misusing College buildings, grounds, equipment, educational materials, or personal belongings of others, including but not limited to a student or employee's identification, is prohibited, regardless of intent. Theft of property is also a violation. All students living in campus housing shall be held

responsible for all College furnishings within that room and are also responsible for violations that occur in their room so long as they had reasonable knowledge of the violation.

16. Responding to Violations or Dangerous Situations

Upon becoming aware that a violation of the Student Code of Conduct is occurring, a Connecticut College student is expected to remove him/herself from the environment in which the violation is occurring. Further, the Honor Code includes an expectation that the student will encourage the individual (s) responsible for the violation to report the incident to a Housefellow, Campus Safety officer, or a member of the Offices of Student Life and if not accomplished within a reasonable period of time, to report the incident directly. If a student is made aware that a member of the Connecticut College community is in imminent harm or danger, s/he is expected to immediately inform an appropriate College staff person.

17. Smoking

Smoking is prohibited inside all Connecticut College buildings, including private residential rooms, hallways or living rooms. Smoking is not permitted within 20 feet outside doorways of residential houses. On campus grounds, smoking is permitted in designated areas only.

18. Threats

It is an explicit violation of College policy for any student or member of the community at large to threaten a student or an employee of Connecticut College, whether the threat is of a verbal, written, or physical nature.

Most Serious Community Violations

Although the following violations appear elsewhere in the Student Code of Conduct, they are repeated here to indicate that they represent the most serious forms of violations that compromise the safety and security of the Connecticut College community and, as a result, will not be tolerated under any circumstances. The following violations will typically lead to a student's suspension or expulsion from the College when a determination of responsibility has been made.

1. Serious acts against persons including, but not limited to civil misconduct violations:

- physical assault
- rape or other sexual assault
- hate/bias crimes
- stalking

2. Serious acts against property including, but not limited to:

- arson
- destruction of property, including electronic property
- illegal occupation of a building

3. Possession or discharge of weapons

4. Illegal alcohol distribution or illicit drug distribution

5. Seriously jeopardizing the safety and lives of others including, but not limited to:

- false reporting or creation of bombs
- hazing
- inciting a riot
- resisting arrest
- tampering with fire or safety equipment, including the instigation of a false fire alarm
- driving on campus under the influence of alcohol or drugs

SUPPORT FOR STUDENTS INVOLVED IN CAMPUS INCIDENTS

I. Judicial Process Ombudspersons

Two student positions called "Judicial Process Ombudspersons" (JPO) are available to any member of the community involved in a disciplinary adjudication process. The JPO has no involvement in the adjudication of any cases, serves as an impartial and confidential information source, and can answer questions about any of the judicial processes from the standpoint of the Complainant or the Respondent. The JPO can also assist faculty members, staff, and students who wish to better understand the various processes. The JPO is an annually appointed position. The College will strive to appoint one female and one male JPO each year. A team comprised of the Associate Dean of Student Life, the Chair of the Judicial Board and one student appointed by the President of the SGA will advertise for, interview, and select the JPO positions. The JPO will normally be a member of the junior or senior class although sophomores with previous Judicial Board experience will also be eligible. The JPO will participate in all pertinent training sessions as determined by the team responsible for selecting the position and will periodically offer information via education forums, VOICE articles, or CONNtact submissions intended to help the community better understand the campus judicial processes.

II. Supports Available to Victims of Bias-Related Incidents

When an incident involving bias occurs, a member of the Offices of Student Life will contact the victim to offer support. This might take the form of a conversation, an option to change residences for a period of time, the implementation of a no-contact order against the alleged student responsible for the incident, a referral for counseling, or something else that the victim requests. Depending on the timing of the incident, there are a number of supports available to a victim of a bias-related incident, including:

Student Counseling Services x4587
 Dean of Multicultural Affairs x2105
 Director of Unity House x2628
 Affirmative Action Officer x2103
 Dean of Student Life x2825
 Associate Dean of Student Life x2825
 Residential Life and Housing x2834
 Student Activities x2834
 College Chaplains x2451
 Dean of Religious and Spiritual Life x2451
 Dean of the College Community x 2035
 Academic Deans x2050/2053
 Campus Safety x2222
 New London Police Department (non-emergency) 860-447-5269
 Housefellows:

360/Earth - x4518
 Abbey - x4320
 Addams - x4001
 Blackstone - x4246
 Blunt - x3666
 Branford - x3965
 Burdick - x4150
 Freeman - x3373
 Hamilton - x4350
 Harkness - x3855
 Knowlton - x4670
 Lambdin - x4660
 Larrabee - x3450
 Lazrus/Warnshuis - x4705
 Marshall - x4445
 Morrisson - x3790
 Park - x3131
 Plant - x3721
 River Ridge - x3004
 Smith - x4205
 Windham - x4990
 Wright - x4160

The Offices of Student Life staff member will ask the victim if s/he is comfortable having the incident listed on the CamelWeb Bias Incident Log and possibly included in an all-campus communication. For these communications, no names are used and the victim will be asked to decide any information s/he is comfortable sharing with the campus. If the person (s) responsible for the bias incident is identified, the Offices of Student Life staff member can help the victim bring a disciplinary

complaint if s/he so chooses.

Please refer to the Bias Protocol on page 67 for more information.

III. Procedures & Supports for Responding to Student Complaints of Racial/Sexual Harassment or Discrimination

This procedure governs any case in which a member of the campus community brings a complaint of discrimination or harassment against a student at the College on the basis of race; color; sex; sexual orientation; gender identity, expression and characteristics; age; religion; national or ethnic origin; visible or invisible disability; or status as a disabled veteran or veteran of the Vietnam era. Since an instructor's evaluation of the quality of a student's work is final, this procedure does not apply in any dispute about a grade assigned, unless it is alleged that the determination of the grade was based on improper considerations extrinsic to a judgment of the merit of the student's work. Allegations of discrimination as outlined above against faculty or staff are addressed according to their respective policies.

There are informal and formal procedures that may be followed in the event of alleged discrimination or harassment. The complainant decides which procedure to follow. **It is not necessary to complete the informal procedures before initiating steps towards a formal complaint.** Informal procedures allow those being discriminated against or harassed to express their concern about the situation to specific individuals who are trained to help improve matters. Formal measures require a submission in writing to the Dean of Student Life or the Dean of the College Community and disciplinary action may be taken against the member of the community who allegedly has committed the discriminatory or harassing act.

a. Informal Procedures

The student may seek assistance and advice on how to secure an equitable solution to the problem from an administrator or faculty member of the College who is trained by the College regarding these matters. Examples include:

1. Dean of Student Life
2. Associate Dean of Student Life
3. Affirmative Action Officer
4. Dean of the College Community
5. Dean of Multicultural Affairs
6. Director of Unity House
7. College Chaplain

These people will try to help solve the problem and will keep the information confidential. The purpose of the informal procedures is to talk to an individual who can provide experienced and objective help in dealing with discrimination or harassment. Especially in cases of doubt or ambiguity, the informal procedures may be helpful in analyzing the situation and clarifying the issues in question. If, at any time, the student feels that the informal procedures are inadequate, s/he should feel no hesitation in switching to the formal procedures.

b. Formal Procedures If the problem cannot be resolved by informal discussion, the student should submit a letter to the Dean of Student Life or the Dean of the College Community describing the complaint and the evidence upon which it is based, specifying the issues in question and indicating what redress or resolution is sought. The complaint should be brought to the attention of the Dean or the Dean's designee as soon as possible after the action giving rise to it, but in no case may a complaint be submitted later than 45 days after the action complained of.

Within the first weeks after the submission of the complaint, the Dean, or the Dean's designee, may try to resolve the complaint informally. However, if the complaint has not been resolved within this period, and if the Complainant indicates agreement that such a referral is desired, the Dean or his or her designee will generally refer the case to the Dean's Grievance Committee. For cases that have been informally resolved within the stated timelines, the complainant may opt to take formal action within 30 days of the informal agreement.

IV. Procedures for Responding to Student Complaints of Sexual Misconduct

If a student believes s/he has been the victim of sexual misconduct, s/he has several choices in terms of information, support, and recourse. The following outline displays the steps the student may take. None of these steps is mutually exclusive; s/he may pursue any or all options.

There are informal and formal procedures that may be followed in the event of sexual misconduct. The complainant decides which procedure to follow. **It is not necessary to complete the informal procedures before initiating steps towards a formal complaint.** Informal procedures allow a student to express his/her concern about the situation to specific individuals who are trained to help improve matters. Formal measures require a submission in writing to the Dean of Student Life or the Dean of the College Community or the and disciplinary action may be taken against the member of the community who allegedly has committed the sexual misconduct act

i. Recommended First Response

These contacts will offer support and explain options in clear terms and help in the decision-making process.

On-Campus: Connecticut College Campus First Contacts

- Housefellows (see list at end of this policy for phone numbers)
- Student Counseling Services (x4587)
- Student Health Services (x2275)
- Campus Safety (Emergencies x111, Non-emergencies x2222). The officers can make contact with a Rape Crisis Counselor, a College administrator, the New London Police, or medical personnel. All calls to Campus Safety are reported to select College personnel on a confidential basis.

Off-campus: City of New London First Contacts

- Women's Center of Southeastern CT hotline (860-447-0366)
- New London Police (Emergencies 911, Non-emergencies 860-447-5269)

To assist in the decision-making process, the following information is important for a victim of sexual assault and friends assisting him or her:

Physical evidence of a criminal sexual assault must be collected within 72 hours. However, students are also strongly encouraged to seek medical attention after that time period. If you believe you have been a victim of criminal sexual assault, you may first go to Health Services. Staff there can provide support and can arrange for transportation and an escort to the Lawrence and Memorial (L & M) Emergency Room (365 Montauk Avenue, New London). It is important that you not wash yourself or your clothing before an examination. The Sexual Assault Nurse Examiner (a specially trained nurse) at L & M is on call 24 hours a day, 7 days a week (call the Emergency Room at 442-0711 if you want to speak to the nurse; ER will refer you). A Rape Crisis Counselor from the Sexual Assault Crisis Center of Eastern CT can also meet you at L & M Hospital - call the 24-hour State Hotline at 888-999-5545.

ii. Options for Follow-up

A student may report sexual misconduct in any of the following three ways. The student may take any one of these options, or may pursue all three of them - the choice is his/hers.

1. Internal Support System: This is the option a student may choose when s/he would like to focus on the emotional and physical healing process in relation to his/her experience as a survivor. It is an informal way of reporting the experience. However, the Informal Support System can also assist a student to explore options in case s/he decides to pursue a formal hearing or file a criminal charge. The people listed below may be able to assist the student with room changes, course changes, access to emergency funds, etc.

The following resources comprise the Internal Support System:

- Student Counseling Services x4587
- Student Health Services x2275

- Dean of Student Life x2825
- Associate Dean of Student Life x2825
- Dean of the College Community x2703
- College Chaplain x2451
- Housefellows (complete listing at the end of this policy)

When an individual comes to one of these Internal Support System people for support and advice, they are not required to report specific details of sexual assaults to anyone outside the College, but must anonymously inform Campus Safety that an incident was reported, per the federal Cleary Act. However, Counselors and the College Chaplains are not required to report this information to Campus Safety.

2. Formal Resolution: Formal complaints are filed with the Dean of Student Life, the Associate Dean of Student Life or the Dean of the College Community. The respective Dean may seek advice from the Dean's Grievance Committee. With this option, a student can file a formal complaint alleging a violation of the Sexual Misconduct Policy. The formal complaint must be submitted no later than one year after the date of the incident, as opposed to 45 days for all other complaints.

These people can provide guidance regarding options and are legally obligated to gather statistics on campus crime derived from formal complaints and to report possible felonies to the police.

3. New London Police: This option, external to the College, is available if a student would like to report an assault and, possibly, initiate a criminal investigation. Connecticut College encourages students to report all crimes to the New London Police Department. Again, this option of reporting is not exclusive; a student may seek internal College support and also file a formal complaint with the Dean of Student Life, Associate Dean of Student Life or the Dean of the College Community, in addition to reporting to the police.

Campus Safety is available to initiate contact and arrange a meeting between a student and the New London Police. A representative of the College will accompany the student, if s/he wishes. Once a student reports a criminal incident to the police, the College has no control over the investigation and legal process that may result.

Important Phone Numbers

- Campus Safety Emergencies x111; Non-emergencies x2222
- Escort Service (contact Campus Safety to be escorted at night)
- New London Police Department (Emergencies 911, Non-emergencies 860-447-5269)
- Sexual Assault Crisis Center of Eastern CT 888-999-5545
- Health Services x2275
- Counseling Services x4587
- Lawrence and Memorial Hospital 444-0711 (ask for the emergency room)
- Dean of Student Life x2825
- Associate Dean of Student Life x2825
- Dean of the College Community x2035
- Office of Residential Life x2834
- Housefellows

360/Earth x4518
 Abbey x4320
 Addams x4001
 Blackstone x4246
 Blunt x3666
 Branford x3965
 Burdick x4150
 Freeman x3373
 Hamilton x4350
 Harkness x3855
 Knowlton x4670
 Lambdin x4660
 Larrabee x3450
 Lazrus/Warnshuis x4705
 Marshal x4445
 Morrisson x3790

Park x3131
Plant x3721
River Ridge x3004
Smith x4205
Windham x4990
Wright x4160

ADJUDICATION PROCEDURES

The rules of evidence and other procedures in civil or criminal trials in court do not apply to Adjudication Proceedings at the College.

The disclosure of personally identifiable information from student education records is limited by FERPA, and the right to such information and the right of certain individuals to be present when such information is disclosed may be limited by FERPA.

Interim Sanctions

An interim sanction, i.e. a sanction imposed before completion of the adjudication process, may be imposed by the Dean of Student Life or his/her designee if there is a reasonable belief that:

1. a student's own safety and/or well-being is at risk;
2. a student poses a threat to the health and/or safety of any members of the College community;
3. a student poses a threat of disruption or interference with the normal operations of the College.

An interim judicial sanction may include:

Suspension from the College - While interim suspension status is in effect, a student is denied access to classes, activities, and facilities pending resolution of the judicial case or completion of the adjudication process.

Campus Restriction - While campus restriction is in effect, a student is allowed access to classes; however, access to any activities, campus facilities, and campus property is denied.

No-Contact Order - While a no-contact order is in effect, a student is instructed not to engage in either direct or indirect contact with the Complainant(s) and witnesses. Methods of contact include verbal exchange, telephone, email, letter, and communication via another party on the student's behalf.

The Initial Complaint Adjudication Process

A Case Review Team (CRT) consisting of the Associate Dean of Student Life, the Chair of the Judicial Board, and the Director of Campus Safety will normally determine the initial process a complaint will follow. The CRT may refer a case to the Judicial Board, Dean's Grievance Committee, Dean's Adjudication Process, Adjudication Team, or a member of the Dean of Student Life staff.

The College's adjudication process follows procedures of "Fair Practice." Fair Practice is a flexible term generally indicating that a student accused of a violation of the Student Code of Conduct will be provided with full and fair notice of the alleged violation(s) as well as an opportunity to be heard. Both the Complainant (the person submitting the complaint) and the Respondent (the person responding to the complaint) will have the right of appeal following any adjudication process as specified in the appeal procedures. The College reserves the right to refer cases to civil or criminal authorities for action, in addition to, or instead of resolving the case through the campus's judicial procedures.

Normally, upon receipt of a complaint, a letter will be sent to the student alleged of being in violation of campus policy(s) asking if s/he accepts responsibility or does not accept responsibility for the alleged violation(s). If the individual accepts responsibility, the matter will be adjudicated with a member of the Offices of Student Life. If the individual does not accept responsibility, the case will likely be sent to the Judicial Board or an Adjudication Team.

The CRT may, at its discretion, directly refer any case to the Judicial Board if the alleged violation or student's current disciplinary status indicates the possibility of the student receiving a sanction of Residential Suspension or Expulsion, or Suspension or Expulsion from the College, or the case may be referred to the Dean's Adjudication Process if it involves unusual elements (see Dean's Adjudication Process). Additionally, the case may be referred to the Dean's Grievance Committee if it alleges discrimination, sexual misconduct, or sexual or racial harassment.

All persons associated with any complaint adjudication process are expected to keep all details of the case confidential, except as permitted by FERPA regulations. A breach of confidentiality is considered to be a serious breach of the Honor Code and Student Code of Conduct.

The Complaint Adjudication Process

After the Case Review Team determines the initial process, a complaint will generally be processed in the following manner:

1. The Respondent will receive written notification of the alleged violation(s) and will need to choose to either **accept** or **deny** responsibility for the alleged violations of the Student Code of Conduct. The student must respond to the complaint letter in writing to the Office of Dean of Student Life within five business days.

2a. If the student **accepts responsibility** for the alleged violation, a staff member in the Offices of Student Life will conduct an Administrative Disposition meeting with the student and determine what sanction, if any, is appropriate.

2b. If the student **denies responsibility** for the alleged violation, the student will typically have a hearing with the Judicial Board or an Adjudication Team.

MEANS OF ADJUDICATION

A. ADMINISTRATIVE DISPOSITION

At an Administrative Disposition, the student (Respondent) is given the opportunity to explain all circumstances relevant to the violation(s) for which s/he has accepted responsibility. Following the Administrative Disposition, the administrator conducting that disposition will recommend an appropriate judicial sanction, if one is deemed appropriate, to the Associate Dean of Student Life or his/her designee. The Associate Dean or his /her designee may either approve the recommendation or impose a different sanction. The final written decision will be available to the student. Upon the issuance of an Administrative Disposition sanction, the Complainant will be notified that the Respondent has accepted responsibility for violating the Student Code of Conduct and that s/he has been sanctioned accordingly. The guidelines for appealing a sanction imposed at an Administrative Disposition are the same as those for appealing a sanction imposed at a Judicial Board hearing.

B. JUDICIAL BOARD

The Judicial Board is a student committee that formally adjudicates alleged violations of the Student Code of Conduct.

Membership of the Judicial Board

The entire membership of the JB includes ten students, composed of two representatives from each class, the student Chair, and the student administrative assistant. The Associate Dean of Student Life serves as advisor to the Board. Each member of the JB shall serve for a minimum term of one academic year.

The composition of the voting members includes the eight class representatives. The Chair presides over all hearings except in cases where a conflict of interest exists and only votes in the case of a tie. A Judicial Board hearing may take place only when a quorum is present. A quorum is deemed to be five voting members.

1. The student members of the JB shall be elected by the student body as outlined in the C-Book. Student JB members must be in good academic and disciplinary standing when elected and during their membership on the Board.
2. In the event that the Associate Dean of Students is unable to serve as advisor to the Board, the Dean of Student Life, or his/her designee, shall appoint another administrator knowledgeable about the JB process to serve as advisor.
3. A Board member may resign by notifying the Chair in writing.
4. If a conflict of interest exists, a Board member, including the Chair as appropriate, shall withdraw from a case. A Board member may withdraw from hearing a specific case through written notification to the Chair prior to the hearing.
5. In the event that the Chair is unable to serve on the Board, the Dean of Student Life, or his/her designee, shall appoint another student representative from the Board (usually a senior representative) to serve as Chair.
6. If there is just cause, the Chair of the Judicial Board may remove a member from the Judicial Board.
7. If there is just cause, the members of the Judicial Board may remove the Chair from hearing a case through a majority vote. Permanent removal of the Chair must follow established SGA procedures as outlined in the C-Book.

PROCEDURES OF THE JUDICIAL BOARD

1. All cases referred to the Judicial Board will be handled as soon as is reasonably practical. Typically, after a complaint is filed, cases will be heard within a two-week period. The Board may make exceptions as deemed necessary. The only reason an individual may not attend a hearing is due to a scheduled class or intercollegiate athletic game. Generally, in cases of a particularly serious nature and/or having a serious outcome (such as suspension), an intercollegiate athletic game may not be considered an excuse.
2. Upon receiving a referral of a case for resolution, the Chair will notify all involved persons and members of the Board of the scheduled hearing. The student responding to the complaint will be provided with a written statement of the complaint and will be granted access to copies of all relevant materials. Once a student is verbally notified for an alleged policy violation, it is the student's responsibility to check his/her email for follow-up information.
3. A written statement by the Respondent must be provided to the Chair 24 hours in advance of the hearing. This statement will be shared with the Complainant as soon as it is reasonably practical.
4. Both the Complainant and the Respondent may request the assistance of an advisor from within the Connecticut College community. Neither the Complainant nor the Respondent may have an attorney present during the hearing. If the advisor will be in attendance at the hearing, his/her name must be shared with the Chair at least twenty-four hours in advance of the hearing. During the hearing, the advisor's role will be limited to consultation with the advisee.
5. Names of witnesses being called by either party must be given to the Chair at least twenty-four hours in advance of the hearing. These names will be provided to the other party as soon as is practical thereafter. Neither the Complainant nor the Respondent has a right to compel witnesses to appear or speak but both may request the College to do so with sufficient notice.

Witnesses shall only be allowed to share information that is factual and directly pertinent to the specific incident being reviewed; character references will not be heard.

6. The Judicial Board may require the cooperation of any member(s) of the Connecticut College community in providing information during the hearing. However, no member of the College staff with whom the Complainant or Respondent has entered into a confidential relationship can be required to give information arising from that role without the permission of the Complainant or Respondent.
7. During the hearing, normally only the Complainant, the Respondent, Board members, witnesses, and advisors may be present. Witnesses shall be present only when sharing information with the Board, unless noted at the discretion of the Chair. At the request of a hearing participant, the Chair will take appropriate action to maintain a safe environment for all parties. Such action may include offering a physical separation of the parties during the hearing and/or adding the presence of a Campus Safety Officer at the hearing.
8. During a hearing, the Judicial Board will allow the Complainant, the Respondent, and witnesses to share information. The Complainant and Respondent will have the opportunity to ask questions of each other and of witnesses, either directly or through the Chair.
9. All information shared at the hearing will be audio taped for the Board's review. If any person scheduled to be present at the hearing has an objection to the audio taping of the hearing, notice of this objection must be given in writing to the Chair of the Judicial Board twenty-four hours in advance of the hearing. In the event an objection is given, provisions will be made to record the hearing information on paper. The Board's deliberations will not be taped. The tape is the property of the College. It will be preserved only until the conclusion of any appeal process.
10. If the Respondent chooses not to speak at or attend the hearing, the JB procedures will still be followed and sanctions, if appropriate, will be imposed.
11. The Chair will promote a civil and respectful proceeding. Hence, the Chair reserves the right to remove any individual who impedes the judicial process.
12. A case may be recessed or continued at the Board's discretion.
13. The JB shall invoke the evidentiary standard Preponderance of Evidence, which means "more likely than not," when determining whether a violation has occurred.
14. Following completion of the hearing, the Board members shall decide by majority vote whether or not each Respondent is responsible for the violation(s) of the Student Code of Conduct.
15. If the majority decides the Respondent is responsible for a violation and a sanction is deemed appropriate, a separate majority vote will take place to determine the sanction that will be imposed. Pertinent records of previous disciplinary action may be used in determining an appropriate sanction.
16. The Board's deliberation to determine responsibility and sanction, if appropriate, are confidential, not recorded, and only the Board members and Advisor are entitled to be present. On occasion, for training purposes, additional people may be entitled to be present.
17. At the conclusion of the judicial proceeding, the final decision will be delivered (normally within 5 days) in writing to the Respondent from the Chair of the Judicial Board or his/her designee, in the name of the College. If a student accepts responsibility or is found responsible for a violation by the Judicial Board a \$5 fee will be charged to the respective student's account.
18. If the incident involved an issue of violence, the Dean of Student Life or his/her designee will notify the Complainant of the decision, in compliance with FERPA regulations.

C. ADJUDICATION TEAM

An Adjudication Team generally operates under the same guidelines as the Judicial Board. Adjudication Teams are normally comprised of two student-voting members of the Judicial Board and one member from the staff of the Dean of the College Community. The adjudication teams are generally utilized when it is not feasible or prudent to utilize a full Board.

D. DEAN'S ADJUDICATION PROCESS

The Dean's Adjudication Process may be utilized by the Dean of Student Life or his/her designee in cases including, but not limited to, circumstances in which the Judicial Board and Adjudication Team are unavailable; the allegation involves constituencies outside the campus community; the case is of a highly sensitive or personal nature; and/or the continued presence of a student on campus constitutes a present or potential risk to the community. The Dean's Adjudication Process hearing generally operates under the same guidelines as the Judicial Board. The Dean's Adjudication Process will normally be comprised of: two staff members (one being a Dean or Associate Dean from the Dean of the College Community Division) and a trained student from the Judicial Board or Dean's Grievance Committee. In the event that it is not practical to have a student representative, an additional staff member will be included.

As in all adjudication processes, a Respondent involved in a Deans' Adjudication Process has a right to written notification of alleged violation, the right to submit a statement on his/her own behalf, the right to present relevant information and witnesses on his/her own behalf, the right to confidentiality, and the right of appeal.

E. DEAN'S GRIEVANCE COMMITTEE

The Dean's Grievance Committee adjudicates formal allegations of racial or sexual harassment, discrimination, sexual misconduct, or bias incidents as described in Civil Conduct (located under Student Responsibilities, 2B) in which the alleged violator is a student. The Dean's Grievance Committee hearing generally operates under the same guidelines as the Judicial Board.

Review by the Dean's Grievance Committee

This Committee is a standing committee composed of sixteen members: four faculty members, four administrators, and eight students. For an actual grievance, however, seven members will participate: two faculty, two administrators, and three students. The Dean of the College Community will appoint four faculty members (in consultation with the FSCC) and four administrators (in consultation with the Dean of Student Life) to serve for two year terms. The student composition will be as follows: the Judicial Board Chair, two students appointed by the SGA President, one student at large and four students appointed by the Dean of Student Life. The Dean of Student Life, or his or her designee, will serve as an ex officio member of the committee who will participate fully in the committee's deliberation, but who will not vote on any resolution of a complaint. The Dean will Chair the committee meetings and be available to gather pertinent information that the committee deems appropriate. Members of the committee who may be directly involved in any complaint are to excuse themselves during the review of the complaint. When members are excused or otherwise unavailable to participate in the deliberation, the Dean will designate appropriate substitutes to serve for the duration of the pending case.

The Dean's Grievance Committee will inform the Complainant and Respondent that it is reviewing the complaint. The person against whom the complaint has been lodged will also be given a copy of the letter to the Dean describing the complaint. Reasonable time is to be allowed between the receipt of the written notification and the setting of a hearing date in order to provide the participants time to prepare for the meeting with the committee if either they or the committee requires it. A written statement by the Respondent must be provided to the chair 24 hours in advance of the hearing. This statement will be shared with the Complainant as soon as it is reasonably practical.

In meetings with the committee, the Complainant and the Respondent (person complained against) are not entitled to legal counsel but may each be accompanied by a member of the College community, i.e. student, faculty member, administrator or other employee. The Complainant and Respondent shall have the opportunity to present relevant information and witnesses. Names of advisors or

witnesses being called by either party must be given to the Chair at least twenty-four hours in advance of the hearing. These names will be provided to the other party as soon as is reasonably practical. Ordinarily, the committee interviews the Complainant, Respondent and any witnesses with both the Complainant and the Respondent present. However, the committee may go into closed session without one or both parties upon the vote of a majority of the members of the committee.

The Dean's Grievance Committee, having thus conducted its inquiry and having heard any and all witnesses it deems necessary, shall make a decision on the matter and communicate the decision through the Chair. The report of the committee shall be adopted only if the majority of the members who participated in the committee are in agreement. All members of the committee, Complainant, Respondent, and witnesses, are bound by confidentiality. They may not disclose any aspect of the case nor acknowledge that the case existed.

College sanctions range from oral warning to permanent expulsion, as explained in the Student Handbook. Typical sanctions include disciplinary probation, suspension, community service, referral for an educational program, and/or counseling. Depending upon the circumstances of an individual complaint, the College's Policy on Felonies may apply.

As in all adjudication processes, an accused student involved in a Deans' Grievance Committee adjudication process has a right to written notification of alleged charges, the right to submit a statement on his/her own behalf, the right to present relevant information and witnesses on his/her own behalf, the right to confidentiality, and the right of appeal.

Time Guidelines for Dean's Grievance Committee Resolution

The Committee's decision should ordinarily be rendered within two months after submission of the complaint to the Dean or the Dean's designee. If the College is not in session during part of that two-month period or in instances where additional time may be required because of the complexity of the case or unavailability of parties or witnesses, the Dean may extend the time beyond the two-month period. If the period is extended, the Complainant and the Respondent will be informed.

Questions and answers relating to the Sexual Misconduct Policy and Dean's Grievance Committee procedures

The following are some of the most commonly asked questions regarding Connecticut College's Sexual Misconduct Policy and related procedures.

1. Does the case remain confidential?

The confidentiality of all parties to a complaint of sexual misconduct must be strictly observed, except insofar as it interferes with the College's obligation to fully investigate and act on allegations of sexual misconduct or disclosure is required as a matter of law. In all other cases, the Complainant and the Respondent may not disseminate information and/or written materials to persons not involved in the complaint procedure. Violations of confidentiality by either the Complainant or the Respondent may lead to disciplinary action by the College.

In all cases of sexual misconduct involving violence, the Complainant will be informed of the outcome. In some instances, the Dean of the College Community or Dean of Student Life, or his/her designee, may also choose to make a brief announcement of the nature of the violation and the action taken, using no names. Certain College administrators are informed on a confidential basis (e.g. the President of the College, Dean of the College Community, Dean of Student Life, Director of Campus Safety). If a student reports an act of alleged sexual misconduct to a member of the Informal Support System or to the Dean's Office and there is evidence that a felony has occurred, the student will be strongly encouraged to report that incident to the local police. The College is required by federal law to include in a statistical report the occurrence on campus of any major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

All students, faculty members and administrators are bound by confidentiality. They must not discuss any aspects of the case with anyone, even to acknowledge that a case existed. However, the Respondent may disclose the charge and decision of the

Dean's Grievance Committee once the case has been adjudicated. The Respondent may not reveal the Complainant, any information leading to the Complainant's identity, nor any other pertinent information, including proceedings before, during, or after the case.

2. Will my parents be told?

No, not unless you tell them. Whether you are the Complainant or the Respondent, Connecticut College's primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. College officials will directly inform parents when requested to do so by a student, or, in emergency situations, when it is deemed necessary to protect the health or safety of the student or others, pursuant to federal law.

3. Will I have to confront the accused?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense, and the accused has the right to be confronted by the Complainant in a formal hearing.

4. Do I have to name the accused?

Yes, if you want formal action to be taken against the accused. No, if you choose to respond informally and do not file a formal complaint.

5. What do I do if I am accused of sexual misconduct?

You may immediately want to contact someone in the campus community whom you trust and who can provide information and support; a member of the Informal Support System, the Dean or Associate Dean of Student Life or the Dean of the College Community. Any one of these people can explain the College's procedures for dealing with sexual misconduct complaints.

6. Will I have to pay for counseling or medical care?

No fee is charged for care that is provided through the Student Health Center or Counseling Services. Hospital and off-campus fees are covered according to your own insurance policy; however, any person who decides to pursue criminal charges will not have to pay to have the Physical Evidence Recovery Kit (PERK) procedure performed at the hospital in the case of a sexual assault. Emergency money may be available through the Office of the Dean of Student Life.

7. What do I do about legal advice?

The role of any legal advisor would be limited to giving you advice about your situation. Connecticut College's procedures are internal and are only designed to determine whether College policies have been violated.

If you are pressing charges of criminal sexual assault, you need not retain a private attorney because legal issues will be handled through a representative from the State's Attorney's office. You may want to retain an attorney if you are accused or are considering filing a civil action against the accused. The College's legal counsel represents and advises the College and does not represent individual students.

8. What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is the College's policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal complaint. The accused will likely be moved immediately, and the permanence of this action will be based upon the outcome of the Dean's Grievance Committee hearing.

9. In the definition of sexual misconduct, reference is made to a person being "incapable of giving consent because of temporary mental or physical incapacity." What does this mean?

"Mental or physical incapacity" includes a variety of situations including, but not limited to being under the influence of alcohol or drugs. It generally means that a person is not able to make a rational decision.

10. What do I do about preserving evidence of sexual assault?

Physical evidence of a criminal sexual assault must be collected within 72 hours. However, students are also strongly encouraged to seek medical attention after that time period. If you believe you have been a victim of criminal sexual assault, you may first go to Health Services. Staff there can provide support and can arrange for transportation and an escort to the Lawrence and Memorial (L & M) Emergency Room (365 Montauk Avenue, New London). It is important that you not wash yourself or your clothing before an examination. The Sexual Assault Nurse Examiner (a specially trained nurse) at L & M is on call 24 hours a day, 7 days a week (call the Emergency Room at 442-0711 if you want to speak to the nurse; ER will refer you). A Rape Crisis Counselor from the Women's Center of Southeastern CT (call their 24-hour Hotline at 447-0366) can also meet you at L & M Hospital.

11. Will a student be punished when reporting a sexual misconduct policy violation if s/he has illegally used drugs or alcohol?

The seriousness of sexual misconduct is a major concern, and the College does not want any of the circumstances, e.g. drug or alcohol use, to inhibit the reporting of sexual misconduct. The severity of the infraction will determine the nature of the College's response, but whenever possible the College will respond educationally rather than punitively to the illegal use of drugs and/or alcohol consistent with the College's policy on alcohol and other drugs.

12. Will the use of drugs or alcohol affect the outcome of a formal sexual misconduct complaint handled by the Dean's Grievance Committee?

The use of alcohol and/or drugs by either party will not diminish the accused assailant's responsibility. On the other hand, alcohol and/or drug use is likely to affect the Complainant's memory and, therefore, may affect the outcome of the case. A person bringing charges of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence to prove his/her case. If the Complainant does not remember the circumstances of the alleged incident, it may or may not be possible to impose sanctions on the accused.

13. Will either party's prior use of drugs and/or alcohol be a factor during a sexual misconduct investigation?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present case.

14. What should I do if I am uncertain about what happened?

If you believe that you have experienced a non-consensual sexual contact, but are unsure of whether it was a violation of the College's Sexual Misconduct Policy, you should contact a member of the Internal Support System (names and phone numbers included earlier). These individuals serve as advisors who can help you to define and clarify the event(s) and advise you of your options.

15. When both parties are drunk, is the male always at fault?

Incidents are reviewed and investigated on a case-by-case basis.

16. What is the difference between a bad sexual experience and sexual misconduct?

It is important to realize that students sometimes have sexual experiences that are unpleasant or even traumatic, especially when the sexual encounter occurs in response to strong, physical sexual urges rather than growing out of a mutually deep and respectful human relationship. If both students consent to the sexual encounter at the time it occurs, it is not an act of sexual misconduct, even if one wishes later that the encounter had not happened. If, however, one of the students does not actively consent to the sexual encounter and the other student continues to engage in the sexual activity with him or her, the student who did not consent may have grounds for a sexual misconduct charge.

17. What should I do if I am a student and I believe I have been sexually assaulted or raped by a member of the faculty or staff?

See the previous question about preserving physical evidence of a sexual assault. Sexual assault and rape are crimes that should be handled by the police and the court system. See the section above titled Complaint Procedures for information about contacting the New London Police. If you also want the College to take action, you should see the Affirmative Action Officer.

JUDICIAL SANCTIONS

Judicial sanctions may be imposed on a student found responsible for violating the Student Code of Conduct. Typically, sanctions cannot be fulfilled while a student is not an active student or on-leave from the College.

Enhanced or more severe sanctions may result from repeated infractions of the Student Code of Conduct and/or infractions that exhibit hate, harassment, or violence towards a selected person or group because of race; color; sex; sexual orientation; gender identity, expression and characteristics; age; religion; national or ethnic origin; visible or invisible disability; or status as a disabled veteran or veteran of the Vietnam era.

If the violation involved violence, the Complainant will be informed of the specific sanction per FERPA guidelines.

All decisions regarding academic cases shall be communicated to the faculty member, the student involved, and the academic dean. When a student is found responsible for a violation of Academic Integrity, the Hearing Officer or Board may impose a judicial sanction and also recommend an educational sanction (see individualized sanctions). The faculty member may accept the recommendation or impose an educational sanction of their own choosing.

Graduate schools, professional schools, and College programs (i.e. Study Abroad and Internships) may request information about a student's Disciplinary Standing. They will be informed that a student is not in good Disciplinary Standing if the student's judicial status is Disciplinary Probation or any form of Suspension or Expulsion. It will be assumed that a request for a Dean's recommendation provides implied permission for release of this information.

Letter of Warning - A letter indicating that a student has been found responsible for a violation of policy of the Student Code of Conduct. This sanction will be in effect for a specified period of time and indicates that if the student is again found in violation of the Student Code of Conduct during the period of this status, a sanction will likely be imposed that reflects a repeated violation.

Social Warning - A letter indicating that a student has been found responsible for a violation of policy of the Student Code of Conduct that reflects a more serious violation. This sanction will be in effect for a specified period of time and indicates that if the student is again found in violation of the Student Code of Conduct during the period of this status, a sanction of Disciplinary Probation or greater will likely be necessitated.

Disciplinary Probation - Formal notice that a student's status at the College is in jeopardy as a result of one or more violations of the Student Code of Conduct. This sanction will be in effect for a specified period of time and indicates that if the student is found in violation of the Student Code of Conduct during the period of this status, the imposed sanction may include Residential Suspension or Expulsion, Suspension from the College, or Expulsion from the College. While on probation, a student will not be permitted to serve as a member of Student Government Association, an executive Board member of a student organization, or on any standing College committee.

Residential Suspension - Temporary dismissal from College owned housing for a specified period of time and without financial reimbursement. After this period is concluded, the student may regain his or her ability to live in a residence hall following an interview with the Dean of Student Life or his/her designee. A residentially suspended student may not enter any College owned housing during this time.

Residential Expulsion - Permanent expulsion from College owned housing without financial reimbursement. A residentially expelled student may not enter any College owned housing for the remainder of his/her College career.

Suspension from the College - Temporary dismissal from the College for a specified period of time. After this period is concluded, the student may resume his or her studies following an interview with the Dean of Student Life or his/her

designee. A suspended student may not engage in College activities, use any College facilities, or be on College property without expressed permission from the Dean of Student Life or his/her designee. Financial reimbursement is made according to the refund schedule listed in the College Catalog.

Expulsion from the College - Permanent dismissal from the College, without the right to return. An expelled student no longer has the privileges of matriculated students and may not engage in College activities, use any College facilities, or be on College property. Financial reimbursement is made according to the refund schedule listed in the College Catalog.

Individualized Sanctions - Special sanctions directly related to individual cases may be imposed in place of, or in addition to, other imposed sanctions. Examples of possible sanctions follow:

- substance abuse education
- substance abuse counseling
- restitution
 - payment for property loss/damage
- community work hours
- loss of privileges
 - denial of specified privileges for a designated period of time
- fines
 - fire violations will typically result a \$150 fine
 - vandalism fines will typically result in a \$100 per occurrence in addition to restitution
- required assignment i.e. visit to the Writing Center

Additional sanctions that may be recommended to, or imposed by faculty in reference to academic honor violations include, but are not limited to:

- loss of self-scheduled and/or un-proctored exam privileges
- grade reduction
- an "F" for the exam/assignment/course
- no credit for the exam/assignment

JUDICIAL REVIEW/APEALS PROCESS

1. Both a Complainant and/or a Respondent may request the Dean of Student Life, or his/her designee, to review all judicial decisions and sanctions, excluding Suspension from the College and Expulsion from the College. Both a Complainant and/or a Respondent may request the Dean of the College Community, or his/her designee, to review a judicial decision and sanction involving Suspension from the College and Expulsion from the College.
2. Appeals are limited to the following grounds only:
 - The basic tenets of Fair Practice, as defined earlier, were not met.
 - Pertinent new information, that was not available at the original hearing, is introduced. In cases where new information is introduced, the Dean or his/her designee may refer the case back to the initial adjudicating body (Judicial Board, Adjudication Team, Dean's Grievance Committee, etc.), to make a determination whether the new information warrants a change in that body's decision in the case.
 - The information presented in the case clearly and convincingly does not support the decision of the adjudicating body. In reviewing the decision, the Dean or his/her designee will give substantial deference to credibility determinations and also to factual findings of the adjudicating body unless they are clearly erroneous or clearly not supported by the information presented.
 - The imposed sanction is not consistent with sanctions imposed in similar cases or is inappropriately severe, given the information shared in the case and the student's previous disciplinary status.
3. If the Dean of Student Life imposes a sanction and an appeal ensues, the appeal will be heard by the Dean of the College Community.
4. In order to request an appeal, the Respondent or Complainant must

hand-deliver a typed-written request or send an email within five business days after receipt of the judicial decision to the Dean of Student Life for all sanctions less severe than suspension from the College and to the Dean of the College Community for suspension or expulsion from the College. The appeal must include the reasons on which the request is based.

5. When a review has been requested, the appropriate Dean or his/her designee shall have access to the case file.
6. The Dean or his/her designee may, at their discretion, meet with the Respondent and/or Complainant. The Dean shall have the sole discretion in accepting or rejecting a case for review based on the grounds listed in #2 above; obtaining additional information relative to the case; and upholding, reversing, or amending the decision of the adjudication body. The Dean or his/her designee may also request an ad hoc body to review the case and make recommendations to him/her prior to making a final decision on the appeal. Normally, appeals involving sanctions of Suspension and Expulsion heard by the Dean of the College Community will occur in conjunction with a member of the faculty and staff.

JUDICIAL RECORDS

A file will be maintained in the Office of the Dean of Student Life on each case presented to the judicial system. The file will include all related documents and correspondence.

All information contained in the Office of the Dean of Student Life files shall be confidential, but may be shared with employees of the College designated as "school officials" and having a "legitimate educational interest" in the student information, as defined by FERPA, and information constituting a student's education record will be available to the student pursuant to FERPA.

Both the Complainant and Respondent can access the written or tape-recorded transcript of a hearing in order to formulate an appeal. This access is limited to listening to the tape or viewing the written record of the hearing in the Office of the Dean of Student Life area. The tape will be destroyed at the conclusion of the appeal or appeal period.

The College will maintain judicial files for a period of seven years from the date on a sanction letter unless otherwise noted in the letter.

For students applying to professional schools, transfer institutions, governmental agencies, or the military, requests for such information are routinely made on student applicants. As part of the application process to these programs, students often provide formal permission for the release of confidential information.

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