

University of Connecticut
Responsibilities of Community Life: The Student Code

“We never educate directly, but indirectly by means of the environment. Whether we permit chance environments to do the work, or whether we design environments for the purpose makes a great difference.” (John Dewey 1933, p. 22).

Preamble

Admission to the University of Connecticut means acceptance into a new and special kind of community - an academic community. With acceptance comes a responsibility to uphold and build upon the values and the traditions that have served to define and to strengthen this community over time. New students are welcomed as partners in a fellowship of learning and personal growth. Membership in the University of Connecticut academic community should be considered a privilege and an honor by those students who are invited to join.

The “spirit of inquiry” lies at the heart of our community. It is the realization that the act of learning is essential to personal growth. The desire to know and the willingness to explore require the strength to resist the false promises of shortcuts and substitutes in the process of learning. The spirit of inquiry is the passion and the patience to commit oneself to a continual journey toward understanding.

Incorporating the spirit of inquiry into one’s life as a student is not easy. It calls for curiosity, stamina, vulnerability, honesty, grace, courage, and integrity. A student needs to look beyond comfortable assumptions in search of new perspectives and seek the very information that might change his or her mind. To adopt the spirit of inquiry is to consciously decide to explore opportunities that may be hidden in contradictions. Facing the unfamiliar, making decisions on the value as well as on the meaning of new information, reflecting on the “how” and the “why” of personal choices, and accepting responsibility for one’s actions are all part of this process.

The spirit of inquiry can only flourish in an environment of mutual trust and respect, and that environment cannot be limited to the classroom or to the lab. Each member of the community must have the opportunity to participate fully in the process of learning and understanding if the community as a whole is to remain strong and vital. Therefore, all members must accept responsibility for creating an environment that promotes individual growth and builds community through the safe, respectful exchange of diverse thought, opinion, and feeling.

Unfortunately, a few students may abuse the freedom inherent in such an environment. Students who breach the trust that has been extended to them by the University community shall be held accountable for their actions. *Responsibilities of Community Life: The Student Code* describes the process for addressing such matters. It rests on the principles of individual development, community involvement, and fairness. Therefore, whenever appropriate, it encourages alternative methods of dispute resolution.

Introduction

The University of Connecticut seeks to balance the needs and the rights of the individual with the welfare of the community as a whole. Students are expected to conduct themselves in a manner that is consistent with the values embraced by the University community and reflected in its various policies, contracts, rules and regulations, including those contained herein.

This document is intended to describe the types of acts that are not acceptable in an academic community as well as the general process by which they will be addressed (including the types of sanctions that may be imposed). Procedural rules consistent with the provisions of this code will be developed as necessary from time to time so that fundamental fairness may prevail.

Students do not lose their rights as citizens of or visitors in this country when they become members of the University community. Conversely, they do not shed their responsibilities. For example, the University supports a student's freedom of expression and expects that freedom to be exercised by the student in a manner that does not violate the law or University policy.

Maintaining a balance between the individual and the community is a continual process that requires insight, sensitivity, and diligence on the part of each member of the University. Students are encouraged to become involved in University programs and services that promote this effort. For more information on these and other opportunities, please contact Community Standards.

Part I: Student Conduct Authority

The University of Connecticut *Responsibilities of Community Life: The Student Code (The Student Code)* was approved by the Board of Trustees on April 11, 2000. It is administered under the direction of the Office of the Provost and Executive Vice President for Academic Affairs (Provost). The Vice President for Student Affairs shall coordinate recommendations from members of the University community regarding suggested revisions to *The Student Code*, and shall present proposed substantive changes to the Student Life Committee of the Board of Trustees for consideration by the full Board.

Part II: Definitions

The following selected terms are defined in an effort to facilitate a more thorough understanding of *The Student Code*. This list is not intended to be a complete list of all the terms referenced in *The Student Code* that might require interpretation or clarification. The Director of Community Standards or designee shall make the final determination on the definition of any term found in *The Student Code*.

1. **“Accused student”** means any student accused of violating *The Student Code*.
2. **“Administrative hearing officer” or “student conduct officer”** means a University staff member who is authorized to determine the appropriate resolution of an alleged violation of *The Student Code*, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provision in this code, an administrative hearing officer as well as a student conduct officer is vested with the authority to, among other duties, investigate a complaint of an alleged violation of *The Student Code*; decline to pursue a complaint; refer identified disputants to mediation or other appropriate resources; establish *The Student Code* alleged violations regarding an accused student; approve an administrative agreement developed with an accused student; conduct an administrative hearing; impose sanctions; approve sanctions recommended by another hearing body; chair and/or advise a hearing or Probation Review Committee; and conduct an appellate review.
3. **“Appellate body”** means any person or persons authorized by the Provost, Vice President for Student Affairs, or designee to conduct a review of a decision reached by a hearing body.
4. **“Business day”** means any day, Monday through Friday, that the University is open.
5. **“Complainant”** means any person who submits an allegation that a student violated *The Student Code*. When a student believes that s/he has been a victim of another student's misconduct, the student who believes s/he has been a victim will have the same rights under *The Student Code* as are provided to the complainant, even if another member of the University community submitted the charge itself.
6. **“Consent”** is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative

response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past consent of sexual activity does not imply ongoing future consent. See Appendix B for additional definitions regarding sexual misconduct and relationship violence.

7. **“Designee”** refers to a staff or faculty member who has responsibility for implementing the student conduct process or administering the student conduct system, in part or in whole.
8. **“Director of Community Standards”** refers to that person in Student Affairs, designated by the Provost to be responsible for the overall coordination of the University student conduct system, including the development of policies, procedures, and education and training programs. The Director of Community Standards may serve as an administrative hearing officer, student conduct officer, and/or an appellate body.
9. **“Hearing/Board Advisor”** means an administrative hearing officer who observes a hearing body or the Probation Review Committee throughout the hearing/meeting and during the hearing body’s/committee’s private deliberations for the purpose of providing information and interpretations relative to the University student conduct system and *The Student Code*.
10. **“Hearing Body”** means one or more members of the University community authorized by the Director of Community Standards or designee to determine whether a student has violated *The Student Code* and to impose sanctions as warranted.
11. **“Incident database”** means the electronic database used to track an incident and the response taken.
12. **“Instructor”** means any faculty member, teaching assistant, or any other person authorized by the University to provide educational services (e.g., teaching, research, or academic advising).
13. **“May”** is used in the permissive sense.
14. **“Member of the University community”** includes any person who is a student, instructor, or University staff member; any other person working for the University, either directly or indirectly (e.g., private enterprise on campus); or any person who resides on University premises. A person’s status in a particular situation shall be determined by the Director of Community Standards.
15. **“Policy”** is defined as the written regulations, standards, and student conduct expectations adopted by the University and found in, but not limited to, *The Student Code*; *The On-Campus Housing Contract*; the *Policy on Alcohol and Other Drugs*, the *Policy on Harassment*; graduate and undergraduate catalogs; and other publicized University notices.
16. **“Probation Review Committee”** shall review University Probation removal petitions upon the request of a student or registered student organization at least six months after the student is placed on University Probation. The Probation Review Committee shall typically consist of at least two University community members. Generally, a Probation Review Committee shall have an advisor. Probation Review Committees do not conduct hearings of alleged violations.
17. **“Shall”** and **“Will”** are used in the imperative sense.
18. **“Student”** means any person admitted, registered, enrolled, or attending any University course or University conducted program; any person admitted to the University who is on University premises or University-related premises for any purpose pertaining to his or her registration or enrollment.
19. **“Student conduct file”** means the printed/written/electronic file which may include but is not limited to incident report(s), correspondence, academic transcript, witness statements, and student conduct history.
20. **“Student organization”** means an association or group of persons that has complied with the formal requirements for University recognition.
21. **“Support person”** means any person who accompanies an accused student, a complainant, or a victim to an administrative hearing for the limited purpose of providing support and guidance. A support person may not directly address the hearing body, question witnesses, or otherwise actively participate in the hearing process.

22. **“University”** means the University of Connecticut.
23. **“University official”** includes any person employed by the University to perform administrative, instructional, or professional duties.
24. **“University premises”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, either solely or in conjunction with another entity.

Part III: Proscribed Conduct

The Student Code applies to students and to their registered organizations. Throughout this document the term “student” generally shall apply to the student as an individual and to a registered student organization as a single entity. Registered student organizations may be held accountable either through Department of Student Activities’ policies or *The Student Code*. The officers or the leaders of a particular registered student organization usually will be expected to represent the organization during the student conduct process. Nothing in this code shall preclude holding certain members of an organization accountable for their individual acts committed in the context of or in association with the organization’s alleged violation of *The Student Code*.

Individual accountability is a cornerstone of *The Student Code*. Normally, the influence of drugs and/or alcohol on a student’s judgment or behavior will not be accepted as a mitigating factor with respect to the resolution of an act of misconduct.

A. Jurisdiction of the University

1. Each student shall be responsible for his/her conduct from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his/her conduct is not discovered until after a degree is awarded). *The Student Code* shall apply to a student’s conduct even if the student withdraws from the University while a student conduct matter is pending.
2. Generally, University jurisdiction shall be limited to student conduct that occurs on University premises or at University-sponsored or University-supervised events (including students involved with off-campus internships and study abroad programs). However, the University may apply *The Student Code* to students whose misconduct has a direct and distinct adverse impact on the University community, its members, and/or the pursuit of its objectives regardless of where such conduct may occur. The following examples describe the kinds of off-campus acts that might be addressed through the University student conduct system. They are illustrative in intent and they should not be regarded as all-inclusive: driving under the influence of alcohol or drugs; physical/sexual assault; sale/distribution of illegal substances; and malicious destruction of property. Should the Director of Community Standards reasonably determine that a particular alleged act of off-campus misconduct falls within the jurisdiction of the University, the case will be referred to the University student conduct system.
3. University student conduct proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and *The Student Code* (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under *The Student Code* may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Director of Community Standards. Determinations made or sanctions imposed under *The Student Code* shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

B. Conduct Rules and Regulations

As members of the University community, students have an obligation to uphold *The Student Code* as well as to obey federal, state, and local laws. The Director of Community Standards or designee shall make the final determination on what constitutes a potential violation of *The Student Code* and shall establish the specific behavioral allegations(s) as appropriate.

The following list of behaviors is intended to represent the types of acts that constitute violations of *The Student Code*. Although the list is extensive, it should not be regarded as all-inclusive. All community members are responsible for knowing and observing all University policies and procedures.

1. Violation of the Academic Integrity in Undergraduate Education and Research policy (Appendix A).

2. Disruptive behavior which is defined as participating in or inciting others to participate in the disruption or obstruction of any University activity, including, but not limited to: teaching, research, events, administration, student conduct proceedings, the living/learning environment, or other University activities, on or off-campus; or of other non-University activities when the conduct occurs on University premises; or of the living environment, on or off-campus.
3. Harming behavior which includes, but is not limited to, the true threat of or actual physical assault or abuse; bullying; and/or harassment. In determining whether an act constitutes harassment, Community Standards will consider the full context of any given incident, giving due consideration to the protection of University climate, individual rights, freedom of speech, academic freedom and advocacy. Please note that not every act that might be offensive to an individual or a group necessarily will be considered as harassment and/or a violation of *The Student Code*.
4. Relationship violence, sexual misconduct, and/or stalking (Appendix B).
5. Endangering behavior which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including one's self.
6. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense. Apathy and/or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
7. Violation of the *Policy on Alcohol and Other Drugs* (Appendix C).
8. Use, possession, or distribution of firearms, weapons, facsimile of weapons, fireworks, explosives, or dangerous chemicals.
9. Uncooperative behavior which includes, but is not limited to, uncooperative behavior and/or failure to comply with the directions of, providing false information, and/or failure to identify oneself to University officials or law enforcement officers acting in the performance of their duties.
10. The setting of unauthorized fires; the unauthorized or improper possession, use, removal, or disabling of fire safety equipment and warning devices; failure to follow standard fire safety procedures; or interference with firefighting equipment or personnel.
11. Assisting another person in the commission, or attempted commission, of a violation of *The Student Code*. This includes hosting a non-student who commits a violation.
12. Violation of published University policies, rules or regulations.
13. Violation of the On-Campus Housing Contract.
14. Theft which includes, but is not limited to, attempted or actual theft of property or services.
15. Forcible entry and/or unauthorized presence in University-owned buildings or property. Reasonable notice of authority, or lack thereof, shall be given.
16. Unauthorized possession, duplication, or misuse of University property or other personal or public property, including but not limited to records, electronic files, telecommunications systems, forms of identification, and keys.
17. Damage or misuse of property which includes, but is not limited to, attempted or actual damage to or misuse of University property or other personal or public property.
18. Violation of federal, state or local law.

19. Abuse of the University student conduct system, including but not limited to:
 - a. Disruption or interference with the orderly conduct of a student conduct proceeding.
 - b. Falsification, distortion, or misrepresentation of information to a student conduct officer or hearing body.
 - c. Influencing or attempting to influence another person to commit an abuse of the student conduct system.
 - d. Attempting to discourage an individual's proper participating in, or use of, the student conduct system.
 - e. Attempting to intimidate a member of the hearing body prior to, during, and/or after a student conduct proceeding.
 - f. Institution of a student conduct code proceeding in bad faith.
 - g. Failure to comply with the sanction(s) imposed under *The Student Code*.

Part IV: Student Conduct Policies

A. Allegations

1. Any person may file a report regarding any student or registered student organization alleging misconduct. Reports shall be prepared in writing and directed to the Director of Community Standards or to a designee. Complaints regarding alleged misconduct by a student or registered student organization at a regional campus shall be directed to the Associate Vice Provost or designee. A report should be submitted as soon as possible after the alleged misconduct takes place.
2. The Director of Community Standards or designee shall determine if a complaint alleges or addresses a potential violation of *The Student Code* and will notify the accused student of such allegations. The decision to continue a complaint through the conduct process is the decision of the Director of Community Standards or designee.
3. Generally, the Director of Community Standards or designee will assign a student conduct officer(s) to the case who will investigate, schedule a conference with the accused student(s) and other individuals as deemed necessary and appropriate.

B. Administrative Conference

1. The administrative conference is a meeting between an accused student and a student conduct officer to review a complaint/incident, explain the student conduct process, and possible options for resolving the matter.
2. After reviewing the incident with the student, the student conduct officer will determine appropriate allegations, if any, and whether or not the situation may be resolved by way of an administrative agreement or by an administrative hearing. Students can also request an administrative hearing. A student who agrees to resolve any allegation(s) without an administrative hearing shall have no right to appeal.

C. Administrative Hearing Bodies

The Director of Community Standards or designee will assign either an administrative hearing officer(s) or an academic misconduct hearing board to conduct an administrative hearing depending on the nature of the matter.

1. **Administrative hearing officers:** The Director of Community Standards designates and trains administrative hearing officers annually. Administrative hearing officers are University officials. They may conduct hearings on any type of alleged violation of *The Student Code*. Administrative hearing officers may impose any sanction as appropriate. Typically, a hearing will consist of one or two administrative hearing officers.
2. **Academic misconduct hearing board:** Academic misconduct hearing boards for undergraduate academic integrity issues shall typically consist of two faculty members, two students, and one hearing advisor. They may conduct hearings on any alleged violation regarding *Academic Integrity in Undergraduate Education and Research* (Appendix A). The board may impose any sanction as appropriate. Academic consequences are determined by the instructor.

D. Administrative Hearing

Generally, an administrative hearing brings several people together in an effort to allow for the full consideration of an allegation that a student has violated *The Student Code*. The hearing participants may include the investigating student conduct officer, accused student(s), a complainant, witnesses, and a support person for each accused student or complainant, the member(s) of the hearing body, and a hearing advisor.

An essential component of any administrative hearing is the determination and the weighing of the facts that pertain to the allegation(s). Therefore, it is vital that personal statements and other information be presented clearly and factually. All participants are expected to be respectful of each other's purpose in the hearing process and to conduct

themselves according to the direction of the hearing body. In an effort to be as fair as possible to the complainant and accused student, student conduct procedures may be modified by Community Standards. In certain cases, such as those involving assault and harassment, support and privacy of all those potentially involved in the hearing process must and will be taken into consideration. This may include, but is not limited to, alteration of the hearing room setup, use of multiple rooms and video-conferencing equipment, or other electronic means.

1. Normally, an administrative hearing will be conducted within fifteen (15) business days of the accused being notified of the hearing and allegations.
2. The complainant, any alleged victim and the accused student shall each have the right to:
 - a. Be notified of all alleged violations by means of the address (University e-mail, residence hall address, or permanent address) provided by the student via the Registrar's Office.
 - b. Review any written complaint(s) submitted in support of the allegation(s).
 - c. Be informed about the hearing process.
 - d. A reasonable period of time to prepare for a hearing.
 - e. Request a delay of a hearing due to extenuating circumstances.
 - f. Be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing or provide written information for the hearing when such information is known by the Director of Community Standards or designee prior to the hearing.
 - g. Be accompanied by a support person during the portions of the hearing in which the student is participating. A student should select a support person whose schedule allows attendance at the scheduled date and time for the administrative hearing because delays will not normally be allowed due to the scheduling conflicts of a support person.
 - h. Be present at the pertinent stages of the hearing process as indicated by the Director of Community Standards or designee. The deliberations of the hearing body are private. Following the hearing, the hearing body shall advise the accused student in writing of its determination and of the sanction(s) imposed, if any. The Director of Community Standards or designee will disclose to the alleged victim of any crime of violence, non-forcible sex offense, or sexual harassment the results of the hearing in writing.
 - i. Submit a written account or present a personal statement regarding the incident. The decision to not present information is not an admission of responsibility.
 - j. Present information, incident witnesses, and incident witness statements when deemed appropriate and relevant by the hearing body.
 - k. Respond to statements and other information presented at the hearing.
 - l. Present a personal or community impact statement to the hearing body upon a finding of "Responsibility".
3. An administrative hearing shall be conducted by a hearing body in accordance with the procedures listed below. When a University official serves as the sole member of the hearing body, that official may also be referred to as the "chair". Specific hearing bodies may adopt additional procedures that are not inconsistent with the provisions of *The Student Code*:
 - a. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in these proceedings.
 - b. A hearing shall be conducted in private.
 - c. Admission of any person into the hearing room shall be at the discretion of the chair of the hearing body. The chair shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings. Names of witnesses coming to the hearing should be presented to the chair of the hearing body at least two days prior to the hearing.
 - d. When a hearing involves more than one accused student, the Director of Community Standards or designee may, at his or her discretion, permit the administrative hearings concerning each student to be conducted either separately or jointly.
 - e. If an accused student, after receiving notification, does not appear for a hearing, the hearing will proceed without the student.
 - f. Except as directed by the chair, the support person shall limit his/her role in a hearing to that of a consultant to the accused, to the complainant, or to the victim.
 - g. The complainant, the accused student, the investigating student conduct officer, and the hearing body may arrange for witnesses to present pertinent information to the hearing body. The accused student, complainant, investigating student conduct officer, and any witnesses will provide information to and answer questions from the hearing body. Questions may be suggested by the investigating student conduct officer, accused student and/or complainant to be answered by each other or by other witnesses. This will be conducted by the hearing body with such questions directed to the chair, rather than to the witnesses directly. This method is

used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the chair.

- h. Pertinent records, exhibits, and written statements (including student impact statements) may be accepted as information for consideration by the hearing body at its discretion. Information presented by a student during a hearing that indicates a potential violation of *The Student Code* may be adjudicated at a future time.
 - i. After the portion of the hearing concludes in which all pertinent information has been received, the hearing body shall determine whether the accused student has violated each section of *The Student Code* which the student is alleged with violating.
 - j. The hearing body's determination shall be made on the basis of whether it is more likely than not that the accused student violated *The Student Code*.
 - k. When an accused student has been found "Responsible" on any violation, the hearing body shall review the student's academic transcript and student conduct history, hear impact statements by both the accused student, complainant, investigating student conduct officer, and impose the appropriate sanction(s).
 - l. All procedural questions are subject to the final decision of the chair or the hearing advisor of the hearing body.
4. All administrative hearings will be recorded and the University will maintain the audio recordings as required by Connecticut state law and are the property of the University. Participants are prohibited from making their own recording. Upon written request, an accused student or complainant may review the audio recording and make appropriate arrangements for it to be transcribed on University premises. Arrangements for a transcriber and all associated costs involved in the transcription will be the responsibility of the requesting individual.

E. Sanctions

1. The following sanctions may be imposed, individually or in various combinations, on any student found to have violated *The Student Code*. Please note this is not an exhaustive list of sanctions:
 - a. **Warning:** A notice that the student has violated University policy and a warning that another violation will likely result in a more severe sanction which could include University Probation, University Suspension or University Expulsion.
 - b. **University Probation:** University Probation is an indefinite period of time where the student is given the opportunity to modify unacceptable behavior, to complete specific assignments, and to demonstrate a positive contribution to the University community in an effort to regain student privileges within the University community. After six months from being placed on University Probation, the student may apply for a review of the student's probationary status. The student will need to meet with the Probation Review Committee and demonstrate significant contributions, both of an academic and co-curricular nature, to the University community. The Probation Review Committee will determine if the student will continue on University Probation or if the University Probation is lifted. The decision of the committee is final and not subject to appeal. If it is decided that University Probation will continue the student may re-apply in six months after the committee's decision. Due to the student's conduct history there is the possibility of University Suspension or University Expulsion if the student is found responsible for a subsequent violation.
 - c. **University Suspension:** University Suspension is separation from the University for a designated period of time after which the student shall be eligible to apply for readmission to the University. Readmission to the University is not guaranteed. Conditions for consideration of readmission may be specified. A student's reacceptance into his/her school or college is at the discretion of the school or college. A student who is on suspension is prohibited from participating in any University activity or program. The individual may not be in or on any University owned or leased property without securing prior approval from the Director of Community Standards or designee. A notation of "Suspension" shall be placed on the student's official transcript until graduation. However, the student may petition the Director of Community Standards for earlier removal of the notation upon completion of the suspension. The University of Connecticut will not accept credits earned at another institution during a period of suspension.
 - d. **University Expulsion:** University Expulsion is permanent separation from the University. A student who has been expelled is prohibited from participating in any University activity or program. The individual may not be in or on any University owned or leased property. A permanent notation of "Expulsion" shall be placed on the student's transcript.
 - e. **Additional Sanctions:** The following may be given in conjunction with any of the above:
 - i. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
 - ii. **Restitution:** Compensation for loss of or damage to property or services rendered. This may take the form of appropriate service and/or monetary or material replacement.

- iii. **Removal from Housing:** Separation of the student from University approved housing for a designated period of time after which the student shall be eligible to return. Removal may include loss of dining privileges. Conditions for readmission may be specified.
 - iv. **UConn Compass:** The UConn Compass program has a sanction component which is designed to promote student engagement through co-curricular involvement. UConn Compass facilitators will assist students in designing a customized involvement plan based on their individual interests and academic plans.
 - v. **Educational Initiatives:** Projects; participation in health or safety programs (the student may be required to pay a fee); service to the University or to the larger community; seminars; and other assignments as warranted.
2. The following sanctions may be imposed upon registered student organizations:
- a. Those sanctions listed above in Part IV, E.1, “a” through “e”.
 - b. **Loss of Recognition:** Loss of all University privileges for a designated period of time. Loss of recognition for more than two consecutive semesters requires an organization to reapply for University recognition. Conditions for future recognition may be specified.
3. Aggravated Violations: If a student is responsible for violation of any University policy that is directed toward an individual or group due to race, ethnicity, ancestry, national origin, religion, gender, sexual orientation, gender identity or expression, age, physical or mental disabilities, including learning disabilities, mental retardation, and past/present history of a mental disorder the student conduct officer or hearing body may enhance the sanctions.

F. Appeals

1. A decision reached by the hearing body or a sanction imposed by the hearing body may be appealed by the accused student(s) or complainant(s) to the next level of student conduct authority within five (5) business days of the decision. All appeals shall be in writing and shall be delivered to the designated appellate body. The decision reached as a result of an administrative conference may not be appealed.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the student conduct file. The audio recording of the administrative hearing shall be available for the appellate body for review as necessary. The review shall be for one or more of the following purposes:
 - a. To determine whether the administrative hearing was conducted in conformity with prescribed procedures giving the complainant and investigating student conduct officer a reasonable opportunity to prepare and to present information that *The Student Code* was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations.
 - b. To determine whether the sanction(s) imposed were appropriate for the violation(s) of *The Student Code* which the student was found responsible.
 - c. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original administrative hearing.
3. If an appeal is upheld by the appellate body, the matter shall either be referred to the original hearing body for re-opening of the administrative hearing to allow reconsideration of the original determination or the appellate body will determine any change in sanctions. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

G. Accommodations for Students with Disabilities

1. By federal law, a person with a disability is any person who: 1) has a physical or mental impairment; 2) has a record of such impairment; or 3) is regarded as having such an impairment, which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning.
2. A student requesting an accommodation in regard to an administrative conference, hearing, or probation review meeting must follow the appropriate process for requesting an accommodation through the Center for Students with Disabilities. The Center for Students with Disabilities will make a determination regarding the request and notify the appropriate parties.
3. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific methods

requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

Part V: Interim Administrative Action

The Provost or designee may impose an interim “University Suspension”, an interim “Removal from Housing,” an interim “Loss of Recognition”, and/or other necessary restrictions on a student prior to an administrative hearing on the student’s alleged violation. Such action may be taken when, in the professional judgment of a University official, a threat of imminent harm to persons or property exists.

Interim administrative action is not a sanction. It is taken in an effort to protect the safety and well being of the accused student, of others, of the University, or of property. Interim administrative action is preliminary in nature; it is in effect only until a hearing has been completed.

Part VI: Maintenance and Review of Student Conduct Files

Student conduct files are maintained separately from any other academic or official file at the University by the Director of Community Standards or designee. Generally, information from the files is not released without the written consent of the student. However, certain information may be provided to individuals within or outside the University who have a legitimate legal or educational interest in obtaining it (Please refer to the federal [Family Educational Rights and Privacy Act of 1974](#), as amended).

The sanctions of “Suspension” and “Expulsion” will be noted on the student’s official transcript. A suspension will be noted until graduation or four (4) years following the end of the period of suspension, whichever occurs first. An expulsion will be noted permanently.

A student conduct file is maintained chronologically by incident date and then by accused student. A student may have more than one file. Generally, a student conduct file, including related documents, will be kept seven (7) years from the date of the incident. The student conduct file of an expelled student shall be retained indefinitely. Audio recordings of administrative hearings are used for appellate purposes only and are not part of the student conduct file. Audio recordings are generally retained until the end of the appeal process. Information contained in the incident database is maintained for seven (7) years from the date of the incident.

Part VII: Interpretation and Revision

1. Any question of interpretation regarding *The Student Code* shall be referred to the Director of Community Standards or designee for final determination.
2. *The Student Code* shall be reviewed at least every three (3) years under the direction of the Vice President for Student Affairs. Substantive revisions shall be approved by the Board of Trustees.

Appendix A
Academic Integrity in Undergraduate Education and Research
[Adopted March 2008]

The following policy on undergraduate academic integrity was originally formulated by the University of Connecticut Scholastic Standards Committee. It was adopted by the University Senate on March 31, 2008 and modified by the University Senate in December of 2012.

This appendix of *The Student Code* describes the types of acts that shall be considered academic misconduct by undergraduates, and it presents the process for resolving complaints of academic misconduct.

Cheating – Student Academic Misconduct

Academic misconduct is dishonest or unethical academic behavior that includes, but is not limited, to misrepresenting mastery in an academic area (e.g., cheating), failing to properly credit information, research or ideas to their rightful originators or representing such information, research or ideas as your own (e.g., plagiarism).

A. Instructor’s Role

1. Instructors shall take reasonable steps to prevent academic misconduct in their courses and to inform students of course-specific requirements.
2. When the instructor of record or designee (instructor) believes that an act of academic misconduct has occurred s/he is responsible for saving the evidence in its original form and need not return any of the original papers or other materials to the student. Copies of the student’s work and information about other evidence will be provided to the student upon request.
3. When an instructor believes there is sufficient information to demonstrate a case of academic misconduct, s/he shall notify the student in writing of the allegation of misconduct and the academic consequences that the instructor will impose. The appropriate academic consequence for serious offenses is generally considered to be failure in the course. For offenses regarding small portions of the course work, failure for that portion is suggested with the requirement that the student repeat the work for no credit. The written notification shall also inform the student whether the case has been referred to the Academic Integrity Hearing Board (Board) for consideration of additional sanctions. The instructor shall send the written notification to the student with a copy to the Office of Community Standards (Community Standards) within five business days of having discovered the alleged misconduct. At the Regional Campuses, a copy shall be sent to the Office of Student Affairs (Regional Campus Student Affairs). Cases that are purely technical in nature, without any perceived intent to achieve academic advantage, may be reported at the discretion of the instructor.
4. In certain cases, the Dean of a school or college or designee may become aware of alleged academic misconduct and may bring a complaint forward to the Board.
5. The student has five business days from receipt of the written notice to respond to the instructor and/or to request a hearing (see “Academic Integrity Board”). If the student does not respond within the allotted time the instructor’s sanctions shall be imposed. If the student requests a hearing the instructor shall forward the request to Community Standards or the Regional Campus Student Affairs. If the student and the instructor reach a mutually acceptable resolution of the case the instructor shall notify Community Standards (or Regional Campus Student Affairs) of the agreement. The instructor shall also notify Community Standards (or Regional Campus Student Affairs) if s/he withdraws the allegation of misconduct. A student who has been notified that s/he has been accused of academic misconduct may not withdraw from the course in which the alleged misconduct has occurred without the approval of the instructor and the appropriate dean. If a student withdraws from a course during a pending academic misconduct case, any academic sanction imposed will overturn the withdrawal.
6. If a semester concludes before an academic misconduct matter is resolved, the student shall receive a temporary “I” (Incomplete) grade in the course until the instructor submits the appropriate grade.

B. The Academic Integrity Hearing Board

1. The Academic Integrity Hearing Board, which is administered by Community Standards, is comprised of two faculty members, two students, and a nonvoting chairperson, all of whom are appointed by the Director of Community Standards. At each Regional Campus, a designee working in conjunction with Community Standards is responsible for the organization and administration of their Academic Integrity Hearing Board. Hearing procedures will be in

accordance with the hearing procedures described below. Community Standards will ensure that appropriate Dean(s) and Faculty are kept informed of the status of misconduct cases in a timely fashion.

2. The accused student or the accusing instructor may refer a case of alleged academic misconduct to Community Standards for it to be adjudicated by the Board. Community Standards will review all academic misconduct cases as they are received to determine if a case needs to be heard by the Board to determine if additional sanctions need to be considered. After receiving written notification of the academic misconduct from the instructor, Community Standards may meet with students to discuss additional sanctions outlined in *The Student Code* to determine if an agreement about additional sanctions can be reached. If an agreement cannot be reached between a student and Community Standards, the case will be heard by the Board.

C. Hearing on Academic Misconduct

1. An essential component of any academic integrity hearing is the determination and the weighing of the facts that pertain to the allegation(s). Therefore, it is vital that personal statements and other information be presented clearly and factually. All participants are expected to be respectful of each other's purpose in the hearing process and to conduct themselves according to the direction of the Board.
2. Normally, an academic integrity hearing will be conducted within fifteen (15) business days of the accused being notified of the hearing.
3. The complainant (instructor or designee), any alleged victim and the accused student shall each have the right to:
 - a. Be notified of all alleged violations. This will typically be done through the University e-mail system. Students are responsible for checking their University e-mail and following the instructions contained within the e-mail.
 - b. Review any written complaint(s), as permitted by law, submitted in support of the allegation(s).
 - c. Be informed about the process.
 - d. Submit a written account, a personal statement regarding the incident and/or any relevant documentation or records. All documentation must be provided by the date established by the non-voting chairperson. Documentation will not be accepted past the established deadline and failure to provide documentation by the established deadline will not be an acceptable reason for an appeal. The decision to not present information is not an admission of responsibility.
 - e. Provide the names and contact information of incident witnesses, those who have direct knowledge of the incident, and provide a list of questions for any incident witnesses, including the involved parties. This information must be provided by the date established by the non-voting chairperson. Failure to provide witness information by the established deadline will not be an acceptable reason for an appeal. The non-voting chairperson will make every effort to interview those witnesses with direct knowledge; however, the witness cannot be compelled to speak with the non-voting chairperson.
 - f. Be notified of the identity of witnesses, as permitted by law, who have been called to speak at the hearing or who have been asked to provide additional written information by the Board.
 - g. Be accompanied by a support person. A student should select a support person whose schedule allows attendance at the scheduled date and time for the meeting(s) because delays will not be allowed due to the scheduling conflicts of a support person. A student is only allowed one support person.
 - h. Be present at the pertinent stages of the hearing as indicated by the Board. The deliberations of the Board are private.
 - i. Present a personal or community impact statement to the Board upon a finding of "Responsibility".
 - j. Following the hearing, the Board shall advise the accused student in writing of its determination and of the sanction(s) imposed, if any.
4. An academic integrity hearing shall be conducted by the Board in accordance with the procedures listed below:
 - a. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in these proceedings.
 - b. A hearing shall be conducted in private.
 - c. Admission of any person into the hearing room shall be at the discretion of the Board. The Board shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.
 - d. When a hearing involves more than one accused student, the Director of Community Standards or designee may, at his or her discretion, permit the hearing concerning each student to be conducted either separately or jointly.
 - e. If an accused student, after receiving notification, does not appear for a hearing, the hearing will proceed without the student.
 - f. The support person shall limit his/her role in a hearing to that of a consultant to the accused, the complainant, or the victim.
 - g. The accused student and the complainant will each have an opportunity to provide a response.

- h. The Board may request certain witnesses to provide additional or clarifying information to the Board.
 - i. Any opportunity for additional, clarifying questions to be asked during the hearing is at the sole discretion of the Board.
 - j. All documentation to be used for consideration by the Board must be submitted according to the deadline established by the non-voting chairperson.
 - k. Information presented by a student during a hearing that indicates a potentially egregious violation of *The Student Code* may be adjudicated at a future time.
 - l. The Board shall determine whether the accused student has violated the *Academic Integrity in Undergraduate Education and Research Policy*. The Board's determination shall be made on the basis of whether it is more likely than not that the accused student violated the policy.
 - m. When an accused student has been found "Responsible" for any violation, the Board shall examine the student's academic transcript and student conduct history, accept impact statements by both the accused student and complainant, and then impose the appropriate sanction(s).
 - n. All procedural questions are subject to the final decision of the Board.
- 5. If the Board finds that the student is "not responsible" for the alleged misconduct, the Board shall not impose any sanctions and the instructor must reevaluate the student's course grade in light of the Board's finding.
 - 6. If the Board finds that the student is "responsible", the instructor's grading sanction shall be imposed. The Board does not have the authority to change or influence the grading sanction imposed by the instructor.
 - 7. Upon consideration of a student's record of misconduct and/or the nature of the offense, the Board may impose additional sanctions. The Board should apply these sanctions in proportion to the severity of the misconduct. These sanctions may include any sanction as described in *The Student Code*.
 - 8. All administrative hearings will be recorded and the University will maintain the audio recordings as required by Connecticut state law and are the property of the University. Participants are prohibited from making their own recording. Upon written request, an accused student or complainant may review the audio recording and make appropriate arrangements for it to be transcribed on University premises. Arrangements for a transcriber and all associated costs involved in the transcription will be the responsibility of the requesting individual.

D. Hearing Appeal

- 1. The decision of the Board may be appealed to the Provost or his/her designee. An appeal is not a new hearing. It is a review of the record of the hearing.
- 2. An appeal may be sought on three grounds:
 - a. On a claim of error in the hearing procedure that substantially affected the decision.
 - b. On a claim of new evidence or information material to the case that was not known at the time of the hearing.
 - c. To determine whether any additional sanction(s), not including academic consequences, imposed by the Board were appropriate for the violation based on the student's conduct history and/or significance of the violation.
- 3. Appeals on such grounds may be presented, specifically described, in writing within five business days of the announcement of the Board's decision.
- 4. The decision of the Provost or his/her designee is final. There will be no further right of appeal.
- 5. The Provost or his/her designee shall have the authority to dismiss an appeal not sought on proper grounds.
- 6. If an appeal is upheld, the Provost shall refer the case with procedural specifications back to the original Board who shall reconsider the case accordingly.

Appendix B Information Regarding Sexual Misconduct, Relationship Violence and Stalking Cases Reported to Community Standards

Introduction

Community Standards is responsible for the management of *Responsibilities of Community Life: The Student Code (The Student Code)* which can be viewed at http://www.community.uconn.edu/student_code.html. *The Student Code* describes the process for handling complaints of alleged student misconduct. This document provides supplemental information regarding the student conduct process for addressing issues regarding sexual misconduct. All members of the University community are encouraged to review the University of Connecticut's Policy Against Discrimination, Harassment, and Inappropriate Romantic Relationships which can be viewed at <http://www.sexualviolence.uconn.edu>.

As stated in *The Student Code's* Preamble, "Admission to the University of Connecticut means acceptance into a new and special kind of community - an academic community. With acceptance comes a responsibility to uphold and build upon the values and the traditions that have served to define and to strengthen this community over time." Any behavior, including sexual misconduct and harassment, that denigrates others is unacceptable and deplorable. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Complaints against students regarding such alleged behavior are governed by the provisions of *The Student Code*.

Consent

Consent is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past consent of sexual activity does not imply ongoing future consent.

If any of the following are present, consent cannot be given:

- **Incapacitation** is a state where someone cannot make rational, reasonable decisions because s/he lacks the capacity to give knowing consent (e.g. to understand the "who, what, when, where, why, or how" of their sexual interaction).
 - Sexual activity with someone who one should know to be, or based on circumstances should reasonably have known to be, mentally or physically incapacitated (by alcohol or drug use, unconsciousness or blackout), constitutes a violation of *The Student Code*.
 - A person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the consumption of rape drugs cannot give consent.
 - Alcohol related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. Evidence of incapacity may be detected from context clues, such as:
 - Slurred speech
 - Bloodshot eyes
 - The smell of alcohol on their breath
 - Shaky equilibrium
 - Vomiting
 - Unusual behavior
 - Unconsciousness
 - Context clues are important in helping to determine incapacitation. These signs alone do not necessarily indicate incapacitation.
- **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and/or coercion that overcome resistance.
- **Coercion** is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something they may not want to do such as being sexual or performing certain sexual acts. Being coerced into having sex or performing sexual acts is not consenting to having sex and is considered sexual misconduct.

Sexual Misconduct

Sexual misconduct includes, but is not limited to, the true threat of or actual sexual assault, unwelcome sexual contact, and/or sexual harassment. Sexual misconduct may vary in its severity and consist of a range of behaviors or attempted behaviors including, but not limited to the following examples:

- *Non-consensual Sexual Contact (or attempts to commit)* is any intentional sexual touching with any object(s) or body part that is without consent and/or by force.
- *Non-consensual Sexual Intercourse (or attempts to commit)* is penetration of a bodily orifice with any object(s) or body part that is without consent and/or by force.
- *Sexual Exploitation* occurs when a student takes advantage of another without that individual's consent for the initiator's own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.
 - Examples of sexual exploitation include, but are not limited to:
 - Sexual exhibitionism
 - Prostituting or soliciting another person
 - Non-consensual video, photographing, or audio-recording of a sexual nature and/or distribution of these materials via mediums such as the internet
 - Exceeding the boundaries of consent (e.g., allowing people to watch consensual sex without knowledge from the participants)
 - Peeping or other voyeurism
 - Knowingly transmitting a Sexually Transmitted Infection (STI) or HIV to another individual
 - Sexually-based stalking and/or bullying may also be forms of sexual exploitation
- *Sexual Harassment* is any unwelcome conduct of a sexual nature. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence. Sexual harassment also may include inappropriate touching, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any academic purpose. All forms of sexual and sex-based harassment and discrimination are considered serious offenses by the University. A violation of *The Student Code* will be found where: (a) submission to sexual harassment of any kind is made either explicitly or implicitly a term or condition of an individual's employment, performance appraisal, or evaluation of academic performance; or (b) these actions have the effect of creating an intimidating, hostile, or offensive learning or working environment. Sexual harassment creates a hostile environment when the harassment is sufficiently severe or pervasive to deny or limit a student's or employee's ability to participate in or benefit from the academic or work environment. State and federal law protect individuals from discrimination or discriminatory harassment in connection with employment and all academic, educational, extracurricular, athletic or other programs of a school. This protection extends to conduct that occurs both on and off University property.
 - Examples of sexual harassment include, but are not limited to:
 - Unwelcome sexual advances
 - Requests or attempts to extort sexual favors
 - Sexual violence
 - Inappropriate touching
 - Suggestive comments
 - Public display of pornographic or suggestive calendars, posters, or signs
 - Acts that do not necessarily involve conduct of a sexual nature but are based on sex or sex-stereotyping and which may include physical aggression, intimidation or hostility are considered gender-harassment and are similarly prohibited.

Intimate Partner Violence (domestic violence)

Intimate partner violence is a pattern of behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation.

A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional and/or physical. Examples of intimate partner violence include, but is not limited to:

- Slapping
- Pulling hair
- Punching
- Damaging one's property
- Driving recklessly to scare someone
- Name calling
- Humiliating one in public
- Harassment directed toward a current or former partner or spouse
- Threats of abuse such as threatening to hit, harm, or use a weapon on another (whether victim or acquaintance, friend, or family member of the victim), or other forms of verbal threats

Stalking

Stalking involves any behaviors or activities occurring on more than one occasion that collectively instill fear in the victim and/or threaten her/his safety, mental health, and/or physical health. Such behaviors or activities may include, but are not limited to:

- Non-consensual communications (face to face, telephone, e-mail)
- Threatening or obscene gestures
- Surveillance/following/pursuit
- Showing up outside the targeted individual's classroom or workplace
- Sending gifts (romantic, bizarre, sinister, or perverted)
- Making threats

Sexual Misconduct Reporting Options

All reports of sexual harassment and discrimination, including sexual assaults, made to any University employee **must** be reported to the University's Title IX Coordinator, Elizabeth Conklin, Office of Diversity and Equity (ODE), located in Wood Hall (241 Glenbrook Road, Unit 2175, Storrs, CT 06269-2175). In addition, any person who believes he or she has been subjected to sexual harassment or discrimination may contact the Title IX Coordinator directly. The telephone for ODE is 860-486-2943 and email is elizabeth.conklin@uconn.edu. The Title IX Coordinator will ensure complaints of this nature are addressed by the appropriate University entities (Community Standards if the complaint is against a student, ODE if the complaint is against an employee) and will assist complainants in receiving any medical, mental health, or other services that may be warranted. The Title IX Coordinator will also facilitate any interim measures that may be necessary to protect the complainant in the institutional setting.

Complaints against students are typically handled by Community Standards and are governed by *The Student Code*. Such complaints should be directed to Associate Director of Community Standards Kim Hill or Assistant Directors of Community Standards Cinnamon Adams. Community Standards is located in Wilbur Cross Building, room 301 (233 Glenbrook Road, Unit 4119, Storrs, CT 06269-4119) and can be reached by calling 860-486-8402 or via email at community@uconn.edu.

Third party or anonymous reports alleging student sexual misconduct will be accepted by Community Standards through the previous mentioned contact venues. The information provided to Community Standards anonymously will only be used in compliance of *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* for data collection. Anonymous reports will typically not be used to initiate the formal student conduct process; however, under federal law the University is required to investigate all incidents of sexual harassment and discrimination, including sexual assaults, about which the University knows or has reason to know to protect the health and safety of the University community. The University will undertake an investigation even in those cases in which the victim chooses not to cooperate.

Any person who believes s/he has been sexually harassed or discriminated against on the basis of his/her sex or sexual orientation is strongly encouraged to contact the University's Title IX Coordinator, Elizabeth Conklin, Office of Diversity and Equity (ODE), located in Wood Hall (241 Glenbrook Road, Unit 2175, Storrs, CT 06269-2175). The telephone for ODE is 860-486-2943 and email is elizabeth.conklin@uconn.edu. The Title IX Coordinator will ensure complaints of this nature are addressed by the appropriate University entities and will assist complainants in receiving any medical, mental health, or other services that may be warranted. The Title IX Coordinator will also facilitate any interim measures that may be necessary to protect the complainant in the institutional setting.

It is encouraged that incidents of sexual assault be reported to the University of Connecticut Police Department at 860-486-4800 or by dialing 911 in the event of an emergency. Off-campus incidents can be reported to the Connecticut State Police, Troop C, 860-896-3222.

Individuals may decide not to file a report with any of the above units. Individuals are highly encouraged to seek medical attention, including counseling. A listing of resources through can be found at www.sexualviolence.uconn.edu. Students who wish to file a report at a later date may contact any of the above mentioned units. Please note that a delay in reporting could weaken the information used to determine whether a student is responsible for sexual misconduct.

Student Conduct Process

The student conduct process for dealing with complaints is described in *The Student Code*. The information contained in this document provides additional information regarding sexual misconduct complaints. Individuals are strongly encouraged to read *The Student Code* to fully understand the process.

Upon receiving a report of sexual misconduct, Community Standards may initiate an interim administrative action(s) as allowed by *The Student Code*. Such action may be taken when, in the professional judgment of a University official, a threat of imminent harm to persons or property exists. Interim administrative action is not a sanction. It is taken in an effort to protect the safety and well-being of the accused student, of others, of the University, or of property. Interim administrative action is preliminary in nature; it is in effect only until a student conduct matter has been resolved. Actions may include, but are not limited to, no contact instructions, modification of residence hall status, limited access to campus, or interim suspension. The Title IX Coordinator may also impose interim measures or remedies that are not limited by *The Student Code*.

Community Standards will immediately begin an investigation after receiving a complaint and strive to reach a resolution within one month of notification; however, there are circumstances that may extend this resolution timeline (e.g., gathering witness information, scheduling). Incidents resulting in an administrative review are typically conducted within fifteen days of the accused student being formally notified of the actual alleged violations. Community Standards will provide regular updates as to the progress of the investigation to the complainant/victim and the accused student. Both the alleged victim and the accused student will be notified in writing of the outcome within 24 hours of the conclusion of the investigation or administrative review, whichever is later. Either party may request an appeal by submitting a request in writing within five business days of notification. Appeals are limited to a review of the process as outlined in *The Student Code*.

Community Standards will follow the process outlined in *The Student Code*. Both the complainant and accused student are afforded the same rights as outlined in *The Student Code*. This includes participating in the student conduct process, being accompanied by a support person, notification of the outcome, and the opportunity for appeal. The complete list is available in Part IV of *The Student Code*.

Determination of Facts Relative to an Alleged Violation

The standard used in determining whether or not the accused student violated University policy is a preponderance of evidence (whether it is more likely than not that a violation occurred).

Sanctions

If the accused student is found responsible for committing sexual misconduct and therefore, violating *The Student Code* appropriate sanctions will be imposed. Sanctions are determined by the seriousness of the violation, precedent for similar violations, and any existing aggravating and/or mitigating factors.

The University has four major sanctions: Warning, University Probation, University Suspension, or University Expulsion. When a student is found responsible for a violation(s), one of these is imposed. It is highly unlikely that a student found responsible for sexual misconduct would receive the sanction of a University Warning. The precedent regarding sexual misconduct is University Expulsion. A student may receive additional sanctions related to housing, student privileges, educational interventions, etc.

Privacy versus Confidentiality

To the extent possible, under federal law, if a student makes a formal report about an act of sexual misconduct to Community Standards, Community Standards has an obligation to investigate the complaint. Community Standards will protect the privacy of all parties to a complaint of sexual misconduct but Community Standards cannot promise confidentiality. By law, very few University employees are permitted to promise confidentiality and are primarily limited to those employed by the University's Counseling and Health Services and the University's Department of Health Services.

Retaliation

Retaliation against a person for filing a complaint, or against witnesses for providing a statement during an investigation, is also prohibited and is a violation of *The Student Code*.

Appendix C

Policy on Alcohol and Other Drugs

The harm caused by alcohol consumption among college students is severe, according to the National Institute of Alcohol Abuse and Alcoholism (2005). The NIAAA estimates that 1,700 college students (age 18-24) die in our nation each year from alcohol related incidents. Students afflicted with negative consequences due to alcohol consumption include: an estimated 500,000 who have driven while intoxicated, approximately 2.8 million college students; 600,000 were assaulted by another student who had been drinking; and 500,000 students were unintentionally injured.

In recognition of these statistics, the University has created and adopted this Alcohol and Other Drug Policy ("AOD Policy"), with an emphasis on individual and shared responsibility, healthy and informed decision-making, and maintaining a caring environment. The AOD Policy of the University of Connecticut has been established to support a safe and legal use of alcohol. The AOD Policy both (1) identifies actions the University does not support in an effort to prevent harmful situations resulting from the irresponsible and/or illegal use of alcohol and other drugs; and (2) provides guidelines to support safe and legal use of alcohol for all university constituents.

Jurisdiction

The AOD Policy for the University of Connecticut applies to all students as defined by *Responsibilities of Community Life: The Student Code (The Student Code)*. Each member of the University of Connecticut community shall be involved in the implementation of and compliance with this policy. Unless otherwise stated by law, each individual retains responsibility for his or her actions at all times regardless of his or her mental or physical state, even if altered by alcoholic beverages or other drugs. Campus organizations may develop and enforce additional group/individual standards which are more restrictive than those established in this policy.

Persons who violate the laws of this state may be subject to arrest or citation. Students of the University may also be referred to the appropriate University authority for disciplinary sanctions for policy violations. Visitors who violate the laws or policies of the University may be required to leave the campus. The AOD Policy will be interpreted and adjudicated through *The Student Code* (this AOD Policy applies to students of the University of Connecticut. Professionals, faculty and staff are subject to separate University policy regarding alcohol and other drugs, specifically the General Rules of Conduct)

Philosophy of the Alcohol and Other Drug Policy

Our community at the University of Connecticut is maintained by each individual and organization adhering to a code of conduct which emphasizes compassion, respect to self and others, honesty and integrity. The concern for these values and ethics are expressed in *The Student Code* and in other policies published throughout the University.

As an institution of higher education, the University of Connecticut strives to support the scholastic, physical, and mental development of our students. The University's principle role is to engage in education that leads to high standards, respectful conduct and a healthy, productive environment. When those are compromised, the University will take disciplinary action against organizations and individuals violating *The Student Code*. The University offers reasonable assistance for students who are substance-dependent.

Policy Statement

Alcohol

As members of the University community, students have an obligation to uphold *The Student Code* as well as obey all federal, state and local laws. The University of Connecticut has established the following policy requirements that define illegal alcohol use (including being under the influence), possession, sale or distribution of alcoholic beverages that violate university policy.

University standards regarding alcohol include but are not limited to the following:

1a. *Illegal consumption, possession, proximity.* Possession of alcohol on all of the University of Connecticut campuses is limited to persons 21 years of age or older. If an individual is under 21 years of age that person is not permitted to consume alcohol or carry alcohol on their person. Alcohol paraphernalia (which includes but is not limited to: empty beer cans or bottles, shot glasses, etc.) being owned displayed or in the possession of a person is considered a violation of this policy.

1b. *Strength of alcohol.* Any alcohol that is stronger than 80 proof is not permitted on campus except where approved for academic purposes of the University.

1c. *Serving, distributing or obtaining alcohol.* Serving, distributing to or obtaining alcohol for any individual who is under 21 years of age is prohibited. Allowing a person under the age of 21 to consume alcohol is prohibited. Providing alcohol to a person who is visibly intoxicated and or pressuring others to use alcohol is a violation of this policy.

1d. *Public Consumption.* Alcohol may not be consumed anywhere on campus except in designated locations such as a restaurant or bar where the permittee assumes all liability of properly monitored events. University officiated events require proper server training of all personnel providing alcohol. No alcohol is to be consumed in public areas and open containers of alcohol are not permitted in public areas on campus except as defined by above criteria. ("Public areas" are defined as any area that could be used for general use including but not limited to stairways, hallways, lounges, bathrooms, dining halls, arenas, library, academic and administration buildings, and outside buildings on University property.)

1e. *Location for Consumption.* Alcohol can only be consumed on campus where there is a liquor permit to serve alcohol. A consumer can only ingest alcohol at the event location.

1f. *Alcohol Procurement.* Alcohol may not be purchased with University funds, student organization fees or dues. The Department of Dining Services is the sole liquor permit holder on campus.

1g. *Tap Systems.* No tap systems to administer alcohol may be used on University property except by a licensed permittee.

1h. *Drinking games and paraphernalia.* Drinking games are prohibited. Paraphernalia used to administer drinking games or assist the user in ingesting alcohol at a fast rate are a violation of University policy. This includes, but is not limited to, funnels and beer pong. Such paraphernalia may not be maintained on University property and will be confiscated if discovered.

1i. *Common Source Containers.* Common source containers containing alcohol are prohibited. This includes but is not limited to, kegs, beer balls, and/or punch bowls being used to serve alcohol.

1j. *Off-campus Functions.*

There are different policies for groups holding events off campus at which there is alcohol. Please see below for links to the appropriate information and policies:

- Office of Fraternity and Sorority Life (Storrs Campus) Alcohol Event Notification Form www.greeklife.uconn.edu/docs/Alcohol_Event_Notification_Form.pdf
- Trustee Account Student Organizations may not use organization funds to purchase alcohol (1F).
- Law School student organizations must assure compliance with Law School Off-Campus Social Event Guidelines.
- All student organizations are encouraged to plan events using the Student Activities Risk management Guidelines. http://www.studentactivities.uconn.edu/risk_mgmt_home.html

1k. *Driving under the influence.* Driving under the influence of alcohol on campus or off-campus is prohibited.

Drugs

As members of the University community, students have an obligation to uphold *The Student Code* as well as obey all federal, state and local laws. The University of Connecticut has established the following policy requirements that define drug and medication use (including being under the influence), possession, sale, distribution or manufacturing of controlled substances and/or drugs, or drug paraphernalia, except as expressly permitted by law and University policy. University requirements regarding drug and medication use by students include but are not limited to the following (employees must abide by a separate policy regarding alcohol and other drugs identified in the General Rules of Conduct):

2a. *Illegal Drugs* - Illegal drugs are not permitted on University property.

2b. *Medications* - Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. Use of legal medication outside the parameters of the medical authorization is prohibited.

2c. *Contraband* - Substance use paraphernalia, use, possession, sale, distribution and manufacturing except as permitted by law and the University's AOD Policy is prohibited.

2d. *Driving under the influence* - Driving under the influence of drugs on campus or off-campus is prohibited (exception: the use of medication prescribed by a doctor for whom physician recommendations are followed).