Code of Student Conduct

The Office of Student Conduct is designated by the Dean of Students Office to be responsible for the administration of the Occidental College Code of Student Conduct (the “Code”). In the event a violation of the community’s standards occurs, the Office of Student Conduct engages with those involved. This includes all possible violations of College policies taking place on or off campus, involving individual students and/or student organizations.

Reflecting Occidental College's commitment to excellence, equity, community, and service, the Office of Student Conduct educates students to:

- respect themselves and others;
- resolve conflicts peacefully;
- repair harm caused by their actions;
- understand their responsibility to both the local and global community; and
- participate in a complex, pluralistic, and interdependent world.

The vision of the Office of Student Conduct is to create an environment in which students seek truth and justice, thoughtful decision-making is paramount, and all community members are grounded in the values of trust, honesty, and respect.

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1. Definitions

Students are responsible for knowing the following:

1. When used in the Code:

   a. The terms "institution" and "College" mean Occidental College and all of its departments and programs.
   b. The term "student" includes all persons taking courses at the College either full-time or part-time, pursuing undergraduate or graduate studies. Persons who withdraw or are not officially enrolled for a particular term, but who have a continuing relationship (e.g. students who are on a leave of absence, post-graduate research, etc.) with the College, are considered students.
   c. The term "faculty member" means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
   d. The term "College official" and "College administrator" includes any person employed by the College performing assigned administrative or professional responsibilities.
   e. The term "member of the College Community" includes any person who is a student, faculty member, College official or any other person employed by the College. A person's status in a particular situation shall be determined by the appropriate college administrator.
   f. The term "College premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the College (including adjacent streets and sidewalks).
   g. The term "organization" means a number of persons who have complied with College requirements for registration as managed by the Office of Student Life.
   h. The term "Conduct Council" means those persons authorized by the Office of Student Conduct to determine whether or not a student has violated the Code and to recommend sanctions that may be imposed when a violation of the Code has been committed.
   i. The term "Conduct Officer" means a College official authorized by the Office of Student Conduct to hear alleged violations of the Code and to potentially impose sanctions upon any student(s) found to have violated the Code. The Office of Student Conduct may authorize a Conduct Officer to serve simultaneously as a Conduct Officer or one of the members of a Conduct Council. The Office of Student Conduct may authorize the same Conduct Officer to impose sanctions in a case.
   j. The term "Honor Board" refers to the branch of the Associated Students of Occidental College that addresses student conduct. Honor Board members are elected by the student body.
   k. The term "policy" means the written regulations of the College as found in, but not limited to, the Student Handbook, the Catalog, and other published College policies.
   l. The term "disciplinary action" or "conduct action" refers to the process of investigation and determination of a sanction as the result of a violation of College policies.
   m. The term "College-sponsored activity" means any activity on- or off-College premises that is initiated, supervised, and/or sanctioned by the College.
   n. The terms "will" or "shall" are used in the imperative sense.
   o. The term "written notice" includes paper copy and electronic mail. In other words, official
notifications in this Code may be given exclusively by e-mail to the “oxy.edu” e-mail address assigned to a student. Students are therefore expected to check their “oxy.edu” e-mail address at least once a day and shall use e-mail as the primary form of communication with the Office of Student Conduct. Students who forget or otherwise fail to check or read their e-mail are not excused from their obligations and responsibilities imposed upon them by the Code.

p. The term "alleged" means that reports or accusations of violations of college policy presume that an individual is not responsible for the violation until investigation, statements, or other facts demonstrate that an actual violation occurred.

q. The term "complainant" means the College, a student, employee or third party who alleges misconduct by a student. The College may also serve as the complainant if an individual complainant is unwilling or unable to participate.

r. The term "respondent" means any student accused of violating this Code.

s. The term "reckless" means conduct that a person should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with normal College business or College sponsored activities.

t. The term "business day" means a Monday through Friday, except for College designated holidays.
2. Authority

Students are responsible for knowing the following:

2. The authority for student discipline is ultimately vested in the Vice President of Student Affairs/Dean of Students ("VPSA"), who delegates this authority to the Office of Student Conduct. In some instances, this authority may be delegated to College administrators, faculty members, students, committees, and/or organizations, according to this Code or in other policies or regulations as approved by the VPSA.

Separate disciplinary processes are established to adjudicate conduct falling under the Sexual Misconduct and Academic Misconduct policies. Refer to the appropriate policies in this Student Handbook for more information. If and when a student is charged with one or more violations in any conduct matter, the College reserves the right to hold one hearing to adjudicate all allegations or to conduct separate proceedings under one or more of the policies based on the College’s determination as to the best and most efficient way to handle the matter.
3. Interpretation

Students are responsible for knowing the following:

3. The College publishes this Code to provide students with general notice of prohibited conduct. Since this Code is not written with the specificity of a criminal statute, any question of interpretation or application of the Code shall be referred to the Office of Student Conduct for final determination.

4. Students are responsible for knowing and understanding the Code. Failure to abide by the Code regardless of whether the behavior was intentional or careless may result in disciplinary action.
4. Procedural Protections

Students are responsible for knowing the following:

5. Students and organizations alleged to have violated this Code can expect that all procedures outlined in the Code will be followed accordingly. Students and organizations are also entitled to the following procedural protections:

- To be informed of these rights prior to any Conference or hearing;
- To be informed of the specific charges against them and the identity of the complainant, except in instances in which identification might pose a risk of danger to the health or safety of the complainant. In such instances, the College will act as complainant. In such circumstances, where the College acts as complainant, the student must still be informed of the specific charges against them;
- To be informed of the applicable venues to resolve the case, including a Conduct Conference with a Conduct Officer or a Conduct Council hearing;
- To be allowed to request that a Conduct Officer conducting a conduct conference or serving as a Conduct Council member be disqualified on the grounds of personal bias;
- To have an advisor if the respondent chooses, as provided in Part 16 of this Code;
- To be allowed reasonable time to prepare a response based on the severity of the alleged violation(s) as outlined in the Code of Student Conduct (See Parts 13, 17, and 19);
- To be allowed to enter a plea of "responsible," "not responsible," or "no plea";
- To be considered "not responsible" for the violation or alleged charges until determined "responsible" by a preponderance of evidence standard;
- To hear and respond to all evidence upon which a charge is based;
- To present relevant witnesses;
- To appeal the decision reached by a Conduct Officer or Conduct Council under specified guidelines (See Part 21);
- To be assured that all records will be handled in accordance with the terms of the Family Educational Rights and Privacy Act.
5. Student Participation

Students are responsible for knowing the following:

6. Honor Board Members participate in Conduct Councils where they contribute their skills and insights into the resolution of disciplinary cases. However, the Office of Student Conduct is solely responsible for the outcome of any disciplinary conference, hearing, or Conduct Council conducted under this Code.

7. No student who is charged with a violation of this Code may serve as a Council member while the charges against them are pending. Honor Board members found responsible for a violation that results in probation, suspension or expulsion will be disqualified from further participation on the Council. The Office of Student Conduct may establish additional grounds and procedures for removal of student participants.
6. Inherent Authority

Students are responsible for knowing the following:

8. The Code shall apply to conduct that occurs on College premises; at College sponsored or sanctioned activities; and to off-campus conduct that adversely affects (a) the peace/comfort/safety/security of others or the College community and (b) the integrity of the educational or developmental process. Students are responsible for their individual conduct, even though conduct may occur before classes begin or after classes end, as well as during the academic year and between terms of actual enrollment. The Office of Student Conduct shall decide whether the Code will be applied to conduct occurring off-campus, on a case by case basis.
7. Convictions

Students are responsible for knowing the following:

9. Students who are convicted of felony criminal charges are required to inform the Dean of Students Office. The College may bring disciplinary action against the student for the same incident if the alleged conduct is prohibited by the institution and/or if it is judged to be adverse to the recognized mission of the institution. College conduct procedures are distinct and independent of any and all criminal procedures. When necessary, temporary action may be taken in the form of summarily suspending, summarily restricting, or officially requesting no contact between the victim and assailant, as well as possible relocation or removal from the residence halls. Any of these measures may result in a student's restricted participation in College events outside attendance of classes and appointments related to the resolution of disciplinary matters.
8. Violations of Law and College Policy

Students are responsible for knowing the following:

10. Students may be held accountable both to civil authorities and to the College for acts that constitute violations of law and of this Code. Disciplinary action by the College will normally be concurrent with civil or criminal proceedings despite the dismissal or reduction of the charges by civil authorities. The College may, at its discretion, postpone disciplinary proceedings pending the outcome of a civil or criminal action.

11. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the Code, the College may advise off-campus authorities of the existence of the Code and of how such matters are typically handled within the College community. The College will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in upholding the conditions imposed by criminal courts for the rehabilitation of student violators, provided that the conditions may be reasonably implemented and present no campus conflicts.
9. **Interim Suspension**

Students are responsible for knowing the following:

12. The VPSA or designee may suspend a student from the College for an interim period pending disciplinary or criminal proceedings or medical evaluation. An interim suspension shall become effective immediately and without prior notice, if there is information available that the student's continued presence on campus poses a substantial and immediate threat to self, others, and/or the performance of normal College functions.

13. During interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes, library, and dining facilities) and/or all other College activities or privileges for which the student might otherwise be eligible.

14. The interim suspension does not delay or void the regular disciplinary process, which shall proceed on a normal schedule, up to and through a Conduct Council hearing, if required.

15. A student on interim suspension shall be granted a Conduct Council hearing within ten (10) business days.
10. Standards of Classroom Behavior

Students are responsible for knowing the following:

16. Primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any inappropriate, prohibited or unlawful acts that result in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period, and may be referred to the Office of Student Conduct. Longer suspensions from a class or dismissal on disciplinary grounds must be preceded by a Conduct Conference or Conduct Council, as set forth in Parts 17 and 19 of this Code.
11. Conduct - Rules and Regulations

Students are responsible for knowing the following:

17. Occidental College expects that its students will strive for high standards of honor and good citizenship and that they will conduct themselves, both on- and off-campus, in a manner that reflects credit on themselves and the College. The College further expects that students will convey these expectations to their guests. The following, while not exhaustive, represents behavior subject to conduct action:

   a. Conduct which threatens or endangers the health or safety of any person including physical abuse, verbal abuse, threats, intimidation, harassment, and/or coercion.
   b. Possession of a weapon. A "weapon" includes explosives, metal knuckles, knives with blades more than three (3) inches long, firearms including guns, air/pellet guns, paint guns, gun replicas (including facsimile water pistols) or any other instrument used or designed to be used to intimidate, threaten, and/or injure any person.
   c. Reckless, disorderly, or lewd conduct.
   d. Recklessly interfering with normal College or College-sponsored activities, including but not limited to studying, teaching, research, administration, or emergency services, such as fire and police.
   e. Unauthorized entry or use of College facilities. This includes unauthorized possession, duplication, or use of keys or access cards to any College premises.
   f. Unauthorized use of an Oxy ID card. Students are unable to give permission to other persons to use the ID card on their behalf. The only person permitted to use the ID card is the individual to whom the card is issued.
   g. Unauthorized or inappropriate use of College computers, e-mail, or network; or other violations as specified by the most current Appropriate Use of Technology Policy published by Occidental Information Technology Services.
   h. Use of electronic or other devices to record any person while on College premises without his/her prior knowledge, or without his/her effective consent.
   i. Failure to comply with any sanction(s), administrative and/or educational, imposed in accordance with the Code.
   j. Furnishing false information to the College or a College Official or withholding information that may impede an investigation. This includes, but is not limited to any false report, warning or threat of fire, explosion or other emergency.
   k. Violation of the College Alcohol and Other Drugs Policy: Alcohol Policy.
   l. Violation of the College Alcohol and Other Drugs Policy: Drug Policy.
   m. Forgery, unauthorized alteration, or unauthorized use of any College document or instrument of identification.
   n. Substantially interfering with the freedom of expression of others.
   o. Attempted or actual theft of College property or the property of others.
   p. Damage to College property or the property of others, including littering. Departments may have additional regulations and/or requirements dealing with conduct and/or use of College
funds or property.
q. Failure to comply with the reasonable directions of College officials, including Campus Safety officers and residence hall staff, acting in performance of their duties. This also includes failure to identify oneself to these persons when requested.
r. Violations of other College regulations, rules, or policies.
s. Conduct that could result in the violation of any federal, state or local law.
t. Students are to maintain adequate oversight of their guests and to exercise good judgment when inviting guests into the community. Guests include individuals invited or signed in for by the student or the passive acceptance of an individual’s known presence. Guests also include individuals who are not personally invited, but who respond to a general invitation.
u. Hosting non-official events or other activities that create a nuisance or endanger the safety of the community.
v. Retaliation: Acts or attempts to retaliate or seek retribution against any complainant, respondent, or individual or group of individuals or group of individuals otherwise involved in the complaint, investigation and/or resolution of an allegation of a policy violation. Retaliation can be committed by any individual or group of individuals, not just a respondent or complainant. Retaliation can take many forms, including continued abuse, violence or other forms of harm to others.
12. Sanctions

Students are responsible for knowing the following:

18. Sanctions that may be imposed in accordance with this Code include:

   a. Warning: Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
   b. Censure: A written reprimand for violating the Code of Student Conduct or other College policy. This conduct status specifies a period of time during which the student's or organization's good standing with the College may be in jeopardy. The student is officially warned that continuation or repetition of prohibited conduct may be cause for additional conduct action including probation, suspension, or expulsion from the College.
   c. Disciplinary Probation: Exclusion from participation in privileged activities for a specified period of time. Privileged activities may include, but are not limited to, elected or appointed ASOC officers, student research, student preceptorship, some student employment, study abroad, and College athletics. Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation or any other College policy violations may result in further disciplinary action.
   d. Restitution: Repayment to the College or to an affected party for damages resulting from a violation of this Code. To enforce this sanction, the College reserves the right to withhold transcripts and degrees or to deny a student participation in graduation ceremonies and privileged events.
   e. Removal from Campus Housing: Students may be removed from College housing and/or barred from applying for campus housing due to disciplinary violations of this Code.
   f. Suspension: Exclusion from College premises, attending classes, and other privileges or activities for a specified period of time, as set forth in the suspension notice. Notice of this action will be recorded in the student's conduct file. Conditions for readmission may be specified in the suspension notice. The Refunds and Withdrawals policy applies to students on suspension.
   g. Expulsion: Permanent termination of student status and exclusion from College premises, privileges, and activities. This action will be permanently recorded on the student's academic transcript. The Refund and Withdrawals policy applies to students who are expelled.
   h. Revocation of Admission and/or Degree: Admission to or a degree awarded by the College may be revoked for fraud, misrepresentation in obtaining the degree or violation of College policies, the Code or for other serious violations committed by a student prior to enrollment or graduation.
   i. Withholding Degree: The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code, including the completion of all sanctions imposed, if any.
   j. Other educational sanctions may be imposed instead of or in addition to those specified in sections (a) through (i) of this section.
   k. More than one of the sanctions listed above may be imposed for any single violation.
I. Significant mitigating factors shall be considered when sanctions are imposed, including the present demeanor and past conduct record of the student as well as the nature of the offense and the severity of any damage, injury or harm resulting from it.

m. In determining appropriate sanctions, the Office of Student Conduct may consult with appropriate officials on-campus (e.g. Athletic Director, Department Chair, etc.).

n. At the discretion of the Office of Student Conduct, sanctions may be deferred to both encourage and provide an incentive for improved behavior by students who are found responsible for violating the Code. If a sanction is deferred, then it will only be imposed if the responsible student subsequently violates the Code during the period of deferral.

o. See Part 23 in this Code for more information about conduct files and records.
13. Procedural Standards

Students are responsible for knowing the following:

19. Students alleged to have violated this Code will be entitled to the option of (a) a hearing before the Conduct Council or (b) a Conference with a Conduct Officer appointed by the Office of Student Conduct.

20. The purpose of conduct proceedings is to provide an educational experience and fair evaluation of a student's alleged responsibility for violating College policies and/or this Code. Formal rules of evidence shall not apply and deviations from the prescribed procedures will not necessarily invalidate a decision, unless significant prejudice to a respondent may result.
14. Case Referrals

Students are responsible for knowing the following:

21. Any person may refer a student, group or organization suspected of violating this Code to the Office of Student Conduct. A charge shall be prepared in writing and directed to the Office of Student Conduct. Any charge should be submitted as soon as possible after the alleged violation occurs.

22. An individual who refers a case typically serves as the complainant and presents relevant information in a hearing or conference. The College itself, represented by a member of the administration or faculty, may also act as complainant, and may also gather relevant information to present during the hearing. The complainant may request the assistance of a member of the College community, as set forth in Parts 16 of this Code.
15. Case Review and Assignment of Venue

Students are responsible for knowing the following:

23. The Office of Student Conduct will conduct a preliminary review to determine whether a student's alleged misconduct might result in suspension or expulsion from the College. Students subject to suspension or expulsion may receive a hearing before the Conduct Council. Students alleged to have committed lesser violations of this Code will be provided the option of a hearing before the Conduct Council or a Conduct Conference with a Conduct Officer.

24. In its discretion, the Office of Student Conduct may defer proceedings for alleged violations of this Code for a period not to exceed ninety (90) days. Pending charges may be withdrawn thereafter, dependent on the good behavior of the respondent.
16. Advisors

Students are responsible for knowing the following:

25. A parent or guardian or any student, faculty member, administrator, or staff member at Occidental College may advise complainants and respondents. Advisors may not address hearing bodies, speak in disciplinary conferences, or question witnesses. No person acting as Counsel for either party may participate as an advisor.

26. The role of an advisor is limited to consultation. Advisors may not speak in conduct conferences or address Conduct Council members. Furthermore, advisors shall not question witnesses in any forum or at any time before, during or after conduct proceedings.

27. Students should select advisors whose schedules will allow their attendance at the date and time allotted for the hearing. An advisor's scheduling conflict will not delay the prompt resolution of conduct proceedings.
17. Conduct Council

Students are responsible for knowing the following:

28. The Conduct Council may hear cases referred under this Code. The Council shall be composed of one student affairs administrator, one faculty member or administrator outside of the Division of Student Affairs, and one student who is a member of the Honor Board. The Office of Student Conduct reserves the right to modify the Council composition on a case by case basis. The Office of Student Conduct shall provide training and administrative support to the Council.

29. The Office of Student Conduct will make every effort to arrange for Honor Board and faculty members to participate on a Council; however, the timely implementation of a hearing will not be delayed due to members' last minute scheduling conflicts or the inability of Honor Board or Faculty Council to identify Council members to serve. A Council quorum is met when a combination of eligible student, faculty, and/or administrative representatives are assembled and the complainant or respondent do not object to any member for potential bias.

30. Students who elect to participate in a conduct conference in lieu of a Conduct Council hearing will affirm in writing that their right to a hearing is waived and that the full range of sanctions may be imposed, including suspension or expulsion.
18. Conduct Council Procedures
Students are responsible for knowing the following:

31. The following procedural guidelines shall be applicable in hearings conducted by the Conduct Council:

   a. The conduct hearing process will be advised by a member of the Office of Student Conduct. In cases where the College is the complainant, the individual representing the College (as complainant) may not advise the hearing process.

   b. The Office of Student Conduct shall give respondents written notice of the hearing date and the specific charges brought against them at least five (5) business days in advance. Complainants will be copied on this letter when applicable.

   c. Respondents shall be afforded reasonable access to the case file, which will be retained by the Office of Student Conduct. Reasonable access to the case file typically includes review in the presence of a designee of the Office of Student Conduct prior to the Conduct Council. The case file consists of materials that would be considered "educational records," under the Family Educational Rights and Privacy Act of 1974 (and subsequent revisions) and may be redacted to protect personally identifiable information of other students.

   d. Affidavits shall only be admitted into evidence if signed by the affiant in the presence of a member of the Office of Student Conduct. Exceptions may be made on a case by case basis.

   e. The Office of Student Conduct will appoint a Conduct Officer to serve as the Chairperson of the Conduct Council hearing. The Conduct Chairperson shall exercise control over the proceedings to achieve orderly completion of the hearing.

   f. Any party may challenge a Council member or Conduct Officer on the grounds of personal bias in advance of the hearing. The party must submit an explanation to the Office of Student Conduct who will have the final say in excluding Council members.

   g. The Conduct Chairperson may exclude any person, including the respondent(s) or complainant, who disrupts a hearing.

   h. The Conduct Chairperson may permit witnesses to participate in the Council hearing, after consultation with the Office of Student Conduct.

   i. Witnesses shall be asked to affirm that their statements are truthful and may be subject to charges of violating this Code by providing false information to the College.

   j. Complainants and respondents shall be afforded an opportunity to ask relevant questions of those witnesses who testify at the hearing.

   k. Prospective witnesses, other than the complainant and the respondent, will be excluded from the hearing during the testimony of other witnesses.

   l. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Conduct Council at the discretion of the Conduct Council Chairperson.

   m. In Conduct Council hearings involving more than one respondent, the Office of Student Conduct representative, at their discretion, may conduct the Conduct Council hearing for each student either separately or jointly. Students may request to have a separate hearing by providing an explanation to the Office of Student Conduct for consideration. Students must
submit this request to the Office within two business days upon original receipt of the notification letter.

n. Respondents who fail to appear after proper notice will have their case reviewed and determined in their absence. In this instance, a recording of “no plea” will also be noted in the student’s record. The Council will make its decision based on the information in its possession.

o. Hearings will be closed to the public, except for the complainant's and respondent's advisors (see Part 16).

p. The Office of Student Conduct may accommodate concerns of the complainant or respondent for their personal safety and well-being during the hearing by providing separate meeting facilities and/or by permitting participation by written statement, telephone, videophone or other electronic means, where and as determined in the sole judgment of the Office of Student Conduct to be appropriate.

q. Hearings shall be recorded and may be transcribed. These recordings/transcripts are the property of the College and are maintained in confidential files for seven (7) years or indefinitely in the case of expulsion from the College.

s. After all pertinent information has been presented in the hearing, the Conduct Council shall move into a closed session to deliberate on the facts of the case. Council members shall weigh all facts of the case against what reasonable persons would consider to be typical conduct in their daily affairs. Unduly repetitious or irrelevant information may be excluded. The members shall determine by majority vote whether the respondent is responsible for violating each section of the Code that the student is charged with violating. The Conduct Council shall continue their deliberations on appropriate sanction(s). If applicable, the respondent's prior conduct record will be supplied to the Council members during this portion of the deliberation. The deliberations of the Conduct Council are not recorded or transcribed.

t. A determination of responsibility and recommendation of sanctions will be submitted to the Office of Student Conduct for approval. The Office will send the outcome letter to the respondent with the findings. This outcome letter will be placed in the respondent's conduct file and made available to the student respondent.

u. The outcome of the conduct hearing may be appealed under the criteria listed in Part 21 of this Code.
19. Conduct Conferences

Students are responsible for knowing the following:

32. Respondents alleged to have violated this Code in ways that may result in sanctions less than expulsion or suspension are subject to a conduct conference with a Conduct Officer. Conduct Conferences will abide by the following procedures:

a. Written notice of the specific charges at least two (2) business days prior to the scheduled conference, unless waived by the student.

b. Respondents shall be afforded reasonable access to the case file, which will be retained by the Office of Student Conduct. Reasonable access to the case file typically includes review in the presence of a designee of the Office of Student Conduct prior to the Conduct Conference. The case file consists of materials that would be considered "educational records," under the Family Educational Rights and Privacy Act of 1974 (and subsequent revisions) and may be redacted to protect personally identifiable information of other students.

c. Respondents who fail to appear for a conduct conference after proper notice will have the case reviewed and determined in their absence. In this instance, a recording of "no plea" will be noted in the student's record. The Conduct Officer will assign a sanction based on the information available in the case file.

d. A Conduct Officer's decision may be appealed under the criteria listed in Part 21 of this Code.
20. Student Groups and Organizations

Students are responsible for knowing the following:

33. Organizations must adhere to all College policies and the directives of administrators acting in their role as agents of the College. Groups that violate College policies may be referred for conduct action, which may result in loss of privileges. Organizations may face charges of violating this Code if their behavior meets criteria such as:

   a. One or more members of the organization engages in behavior that potentially violates the Code and the behavior appears to be supported by the organization, organization members, and/or its officers;
   b. One or more organization members' behavior violates the Code at an activity sponsored by the organization or on the property utilized by the organization; and/or
   c. A reasonable person would understand the behavior of one or members to fall within the scope of the organization's usual and customary activities.

34. An organization and its officers may be held collectively and individually responsible for violations of this Code when it has been determined that those associated with the organization have received the consent or encouragement of the organization or of the organization's leaders or officers.

35. Sanctions for organization misconduct may include revocation or denial of registration or recognition as well as other appropriate sanctions.

36. Student organizations and associations, including fraternities and sororities and student government, may appoint panels or boards to mediate disputes and enforce their bylaws. Decisions or recommendations by such panels or boards do not constitute official action by the College.
21. Appeals

Students are responsible for knowing the following:

37. All sanctions imposed by the Office of Student Conduct will be in effect during the appeal.

The outcome may be appealed by the respondent(s). Appeals must be received within five business days of the outcome by the Office of Student Conduct. All appeals will be considered based solely on the following grounds:

The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that could substantially impact the outcome of the conduct conference or Council hearing (e.g. substantiated bias, material deviation from established procedures, etc.). The respondent must identify the error and explain the potential impact in their appeal;

2. To consider new evidence that could not have been discovered at the time of the original conduct conference or Council hearing, that could substantially impact the outcome of the conduct conference or Council hearing. This new evidence, the reasons why it could not have been discovered by the time of the conduct meeting, and an explanation of its potential impact must be included.

In the appeal, the respondent must identify one or more of the grounds listed above along with an explanation as to why the Office of Student Conduct representative should consider this request. The Office of Student Conduct will not process appeals that do not follow these instructions. Once the Office receives the complete appeal statement, the Office will review this document to determine if it has standing. If the Office determines the appeal does not have standing, then the original decision is final.

If the Office of Student Conduct determines that new evidence should be considered, it will return the complaint to the original conduct council or conduct officer to reconsider in light of the new evidence, only. The reconsideration of the hearing body is not appealable.

If the appeals officer determines that a material procedural or substantive error occurred, it may return the complaint to the original hearing body or conduct officer with instructions to reconvene to cure the error. In rare cases, where the procedural or substantive error cannot be cured by the original conduct officers (as in cases of bias), the appeals officers may order a new hearing or conference on the complaint with a new body of hearing or conduct officers. The results of a reconvened hearing or conference cannot be appealed. The results of a new hearing or conference can be appealed, once, on the applicable grounds for appeals.

Appeals shall be evaluated based on information found in (a) the student's or organization's file, (b) the student's or organization's written comments, and (c) any additional documentation prepared by College officials relating to the case. All materials considered for the appeal shall be subject to
inspection, in accordance with the Family Educational Rights and Privacy Act and its subsequent amendments.

Sanctions can be increased, decreased, or remain the same based on the outcome of the appeals process.
22. Transcript Actions

Students are responsible for knowing the following:

38. The Dean of Students Office and/or the Conduct Officer may direct the Registrar to place a hold on a student’s College records while conduct proceedings are pending, as part of a sanction involving restitution for damages to a complainant or College property, or as part of an outstanding educational assignment.

39. Permanent notation will be made on the transcript if a student is expelled from the institution.
23. Conduct Files and Records

Students are responsible for knowing the following:

40. Other than expulsion, revocation, or withholding of a degree, sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's conduct record. The conduct files of students who are found responsible for violating the Code or college policies will not be destroyed until seven (7) years after graduation or departure from the college. The file of a student with sanctions of expulsion, revocation, or withholding of a degree shall be kept indefinitely.
24. Review and Revision

Students are responsible for knowing the following:

41. This Code and related procedures shall be reviewed every other year by a committee under the direction of the Office of Student Conduct.

Last updated August 3, 2015