STUDENT CODE OF CONDUCT

WCU
WEST CHESTER
UNIVERSITY

Office of Student Conduct
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Our Commitment to Civility

We, the members of the WCU University community…

…treasure what we believe to be the highest principles of American society; the worth and uniqueness of each individual, the belief that success is to be earned by individual effort put forth in an environment founded on quality of opportunity and the appreciation of the ideal of an inclusive society.

…believe that it is incumbent upon all members of our community – staff, students, faculty and administrators – to conduct themselves with civility toward one another at all times.

…further affirm the worth and dignity of each member and the shared responsibility to treat each other as individuals, with respect and courtesy.

(Taken from the West Chester University's Values Statement. If you believe that you have been the victim of student misconduct, please report it at www.wcupa.edu/conduct.)

Dear Student:

At West Chester University, our faculty and staff work diligently to maintain an academic community with high standards and expectations designed to foster and support your educational objectives. The University strives to maintain an intellectual atmosphere that provides for the protection of the health, safety, welfare, and property of all members of the University community. To uphold these community standards, the University relies on the enforcement of the West Chester University *Student Code of Conduct*.

As a member of the University community, you have the RIGHT:

- to participate in all activities of the University, free from unlawful harassment and discrimination;
- to personal privacy except where otherwise provided by the law; and
- to have all proceedings handled consistently and fairly.

Along with those rights, you have the RESPONSIBILITY:

- to respect the rights and property of others;
- to become fully acquainted and comply with University regulations; and
- to recognize that your actions reflect upon not only you, but on the University community.

Failure to maintain the standards of behavior translated in the *Student Code of Conduct* will result in disciplinary charges. When this occurs, it can adversely affect your status as a student. Should you be found to have violated the *Student Code of Conduct*, you will face disciplinary sanctions, which include disciplinary reprimand, probation, loss of housing, suspension, or expulsion from the University. In some cases, your parents will be notified of this misconduct as well. All members of the University community have the responsibility of maintaining high standards. I hope that you will work diligently to uphold our standards.

This booklet was developed to highlight procedures and practices of the University Student Conduct program. To be fully aware of individual rights and responsibilities, please review the policies in the *Ram's Eye View Student Handbook*, which can be found on the West Chester University website.

Sincerely,

Dr. Zebulun Davenport
Vice President for Student Affairs

Student Code of Conduct

As stated in the University Mission and Values Statements, West Chester University is committed to providing a sound educational environment for intellectual pursuits. In addition, the University is engaged in developing socially responsible citizens, ensuring the welfare and freedom of all members of the University community, and protecting individual rights. Thus, the University is concerned with the quality of student conduct and has adopted rules and behavioral standards for its students. Disciplinary action may be imposed when a student engages in behavior, on or off University property, that is not consistent with University community standards as defined by the West Chester University *Student Code of Conduct.* Students at West Chester University are expected to abide by the rules and regulations of the University, as well as local, state, federal, and international laws. Additionally, the rules and regulations of other institutions will also be applied when students are engaged in academic pursuits at those institutions. Disciplinary information may be shared with academic programs in order to facilitate their consideration of professional licensure, certification requirements, or obligations. The *Student Code of Conduct* identifies those acts which constitute unacceptable behavior for students and student groups of the University.

University action may be taken in addition to any action in civil or criminal courts. Students may be subject to University discipline in conjunction with citations or other charges of which the University becomes aware.

The *Student Code of Conduct* reflects the University community's concern that students maintain high standards. It guarantees due process and protects the individual freedom of the student as well as requiring accountability for their actions. This document shall be applicable to all students at West Chester University.

The Office of Student Conduct sends all official correspondence through email utilizing the student's West Chester University issued email address. This is our primary and official form of communication. Students are expected to check their University email daily. Any and all consequences that result when University email is not read or checked regularly are the responsibility of the individual.

University and residence hall guests are expected to follow all University policies. Student hosts are accountable for the conduct of their guests and may be subject to disciplinary action as the responsible party for violations of University policy incurred by their guests. This applies to individuals and student groups.

This *Student Code of Conduct* is intended to be consistent with other University policies that are referenced herein. Every effort will be made to construe the Code in a manner that is consistent with such policies. To the extent there is an irreconcilable difference between this Code and the University Policy, the policy with the most recent publishing date will control.

I. Definitions

Except as otherwise provided herein, the language contained in this document shall be construed according to ordinary common usage. Terms used include the following:

Acceptable Use: Demonstrated awareness and sensitivity towards the intent of the University in granting users' access, the coexisting privileges of other users, privacy interests and freedom from harassment or annoyance, the intellectual property rights of others, and the ownership and confidentiality of data.

Accused: is the individual or group who is alleged to have violated a University policy. In some contexts, this individual may also be referred to as the respondent.

Administrative Withdrawal: Under exceptional circumstances the University may administratively withdraw students from a semester. This is done when the student is unavailable to complete the term withdrawal process due to extenuating circumstances (for example, incarceration or hospitalization of the student). All courses will be given a grade of "W" for the indicated withdrawn term.

Advisor: A person of the accused student's or student group's choice who may consult and interact privately with the accused. The advisor cannot actively participate in the hearing unless asked a specific question by the board. A witness in a hearing cannot serve as an advisor.

Appeal: A review of the outcome determined by the University designee.

Appeals Board: A board comprised of up to three University community members who are trained and authorized to weigh an outcome determined by a University hearing officer/board.

Complaint: The request for an alleged incident to be resolved or investigated through either a formal or informal process.

Complainant: The individual who believes that they have been the subject of a violation of University policy.

Consent: A voluntary decision to engage in specific types of sexual activity communicated through clear actions and/or words.

Conduct Meeting: An initial meeting between the accused student or student group and the hearing officer to review the information, discuss the allegations, and ask the accused their position on the alleged violations. The accused will also have the ability to waive or request ("consideration for") a hearing or sanctioning hearing.

De Novo Hearing: A new hearing where all issues are reviewed as if for the first time.

Designee: A person who is authorized to make decisions in the place of the named administrative officer.

Hearing: A formal proceeding at which presentations are made by or on behalf of the complainant (charging party) and the accused student or group to the hearing officer or University Hearing Board. The hearing officer(s) will determine the accused student's responsibility for the violation. As further explained below, not all cases will warrant the convening of a University Hearing Board.

Hearing Facilitator: The Office of Student Conduct representative responsible for directing the formal hearing to ensure a fair process.

Hearing Officer: A University employee or graduate student who is trained and authorized to weigh the information presented in a conduct meeting or University hearing to determine an appropriate outcome.

Impact Statement: A written or oral statement made as part of the conduct process, which describes the harmful effects produced by the actions of another for consideration when deciding an appropriate outcome.

Incapacitation: Occurs when an individual is unable to give consent due to age, the use of drugs, alcohol, being asleep or unconscious, or due to an intellectual or other disability. Any of these actions or factors may prevent the individual from having the capacity to give consent.

Information Meeting: An initial meeting, prior to identifying violations, to gather additional details regarding an incident.

No-Contact Directive: An official written instruction issued by a University administrator restricting or limiting contact (in person, electronic, via social media or 3rd parties) between individuals.

Interim and Supportive Measures: Individualized services or actions offered to the complainant or respondent after the submission of a sexual misconduct incident report.

Outcome Letter: A letter which provides the official decision of responsibility for the alleged violations and, when the accused student has been found responsible for a violation, includes the disciplinary sanction and requirements.

Process and Policy Advisor: is an individual who may be present to provide support and guidance to a complainant or respondent throughout an investigation and/or conduct proceeding. The Process and Policy Advisor serves as a key resource in helping students understand their rights and responsibilities.

Preponderance of Evidence: The standard of proof used to determine whether violations of University policy have occurred and means "it is more likely than not" that a violation has occurred.

Quorum: Two hearing board members is the minimum number needed to decide an outcome.

Rebuttal Statement: A statement which refutes another's version of events or facts.

Incident Report: An official document which provides information about an alleged policy violation and may include the names of the complainant, respondent, witnesses, location, date, time and a summary of the incident. Incident reports may be submitted anonymously *except* by a University employee.

Reporter: Any person other than the complainant who submits an incident report alleging that a person violated a University policy.

Sanctioning Hearing: Occurs when a student or group accepts responsibility for the violations and seeks an alternative outcome. The sanctioning hearing officer or board will consider the full range of sanctions and conditions appropriate to the violation, including upholding, overturning, or increasing the originally proposed sanctions.

Sexual Harassment: Unwelcome, harassing conduct of a sexual nature or harassment based on a person's gender or gender stereotype. For the purposes of this definition, the harassment is evaluated to determine whether or not the conduct is sufficiently severe or pervasive as to deny or limit a person's ability to participate in or benefit from the University's resources and opportunities.

Stalking: Defined as engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person to – (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.

Student: The term "student" refers to any person (1) seeking admission to the University through the formal University application process, (2) a person who has been admitted to the University, (3) eligible to register or schedule for classes, or (4) a person who is living in the WCU or WCU-affiliated residence halls even though they are not enrolled at the University.

Student Group Any organized group of students that has complied with or is in the process of complying with the University's requirements for registration, recognition, or is formed through University academic, athletic, or auxiliary department, or is funded by Student Services Incorporated.

University Business Day: Any day during which West Chester University is otherwise open for business.

University Hearing Board: A board comprised of up to three University community members who are trained and authorized to weigh the information presented in a University hearing to determine an appropriate outcome. Atypical board will include an employee and students. A sexual misconduct board includes three University employees and/or graduate students.

University Property: University property includes all real estate owned or controlled by the University, starting from the curb-edge inward, as well as sidewalks and building entrances. Public streets are controlled by the respective municipalities through their ordinances. University Avenue from the intersection of Church Street traveling

west, North Campus Drive, South Campus Drive, East Campus Drive, Carey Drive, East Carey Drive, and the service road through the Gordon Environmental Center are not public streets and are considered University property.

University Case Presenter: The person responsible for bringing the University's case against the accused parties in a hearing. The University's case can include written, physical, and/or testimonial evidence.

Witness: A person who may have knowledge pertaining to an alleged violation.

A. APPLICABILITY:

a. Any student or student group committing an act in violation of the applicable portion of the *Student Code of Conduct* shall be subject to disciplinary action.

b. Any student or student group who aids, abets, encourages, requests, initiates, or assists any other student, non-student, or student group in acts which violate this document or participates in a violation of this document shall be subject to disciplinary action.

c. Any violation of the *Student Code of Conduct* by a student or members of a student group may result in both the group and the members involved in the misconduct being subject to disciplinary action. All statements made by a student or group relative to an incident may be used in any disciplinary proceeding. Students or groups may have allegations of violations of the *Student Code of Conduct* for incidents occurring off University property when such conduct interferes with the educational objectives of the University community.

d. Violations found under this document may be applied concurrently with any civil or criminal prosecution brought against a student or group.

1. Jurisdiction

a. Students and groups are expected to conduct themselves in accordance with international, federal, state, and local laws and ordinances. Violations of these laws and ordinances may be subject to University action.

b. When a student is charged with violating international, federal, state, or local laws or ordinances at a location off-campus, disciplinary action may be taken and sanctions imposed for misconduct.

c. University disciplinary proceedings may be instituted against a student or group charged with violating laws or ordinances, when such conduct also violates the *Student Code of Conduct* if both violations result from the same factual situation. The University will determine whether action under the *Student Code of Conduct* will be carried out before, simultaneously, or following civil or criminal proceedings.

d. When international, federal, state, or local authorities charge a student with violating laws or ordinances, the University will not request or agree to special consideration for that individual because of their status as a student.

The University may advise non university authorities of the existence of the *Student Code of Conduct* and how such matters will be handled internally within the University.

2. Room/Apartment Inspection and Right of Search in University Owned and/or Affiliated Student Housing

The language below reflects current University policy but may be subject to amendments during the academic year.

a. Right of Inspection by University Officials

i) Visual inspection of student rooms or apartments for cleanliness, health, safety, and compliance with all University owned and/or affiliated student housing regulations is permitted by members of the administration and residence life staff. Residents shall be present (when possible) and any information discovered by coincidental means may be used as evidence against residents in University disciplinary proceedings. Such inspections shall be announced and publicized 48 hours before the inspection except for routine inspections, which will be conducted at University breaks, at regular intervals during the academic year, and at the close of each term. These inspections may be conducted in the absence of the residents.

ii) University officials may also enter a student's room for visual inspections when adhering to emergency evacuation procedures (e.g., fire alarms); or when there is reasonable suspicion of a rule violation.

If, upon request, a resident refuses to grant entry or if there is no one present in the room, the master key may be used. If entry ocurs with no one present, the residents shall receive written notification of such entry within 24 hours.

b. Right of Search by Civil Authorities

Search and seizure for purposes related to suspected violations of civil or criminal law of the Commonwealth may be referred to civil authorities. Such authorities have the right to search the premises and possessions of any student by following the ordinary procedures and requirements for lawful search. Any information discovered through such a search may be used as evidence in any civil or criminal proceedings and by University authorities when violations of the *Student Code of Conduct* occur.

c. Wellness Checks

There are occasions when public safety receives a request for a well-being check. When exigent circumstances are present, public safety officers are authorized to enter a student's room to check on the student's status. In the course of that Wellness Check, should the officer(s) notice anything that is either unlawful or contrary to University policy, the officer may address the matter under the criminal law or the Student Code of Conduct as appropriate.

3. Medical Amnesty:

West Chester University's priority is for the safety and well-being of WCU students. The WCU Medical Amnesty policy has been instituted to encourage students to seek emergency medical assistance in situations that are possibly life-threatening due to alcohol or drug use, without fear of conduct violations for alcohol and drug use. In order for a student to receive medical amnesty, the student seeking assistance must:

a. Call 911, Public Safety, Police, Emergency Services, or otherwise contact an other Authorized University Representative based on a reasonable belief that someone, including themselves, is in need of immediate medical assistance;

b. Reasonably believe that they were the first person to make the 911 call or a call to Public Safety, Police, Emergency Services, or otherwise contact an other Authorized University Representative and reported that a person needed immediate medical assistance;

c. Provide their own name to the 911 operator, Public Safety, Police Emergency Officer, University Staff or other Authorized University Representative;

d. Remain with the person needing medical assistance until emergency health care providers have arrived and taken care of the person in need of medical assistance ; and

e. Comply with post event educational/counseling objectives issued by the Office of Wellness Promotion and/or the Office of Student Conduct.

Students should keep in mind that medical amnesty is not intended to shield or protect students from other violations of the *Student Code of Conduct* related to the incident, or protect students who repeatedly violate the *Student Code of Conduct.*

4. Principles of Group Responsibility

Student groups enrich the university and community by providing a source of intellectual, personal, and social development of students through their programs and activities. The University and off-campus partners fulfill an important educational mission by providing the policies and procedures with which to support and guide student groups.

Inherent in the University's recognition of student groups is the obligation of each group to conduct activities in accordance with University rules and policies. These rules and policies of the University are in addition to other rules and policies that may govern the group by their parent organization, or government laws. Further, any student group advisor, chapter advisor, affiliate advisor, coach or associate of a local, state, national, or international organization (collectively "parent organization") must provide notice of an alleged conduct violation and details to the Assistant Dean of Students within 24 hours of receiving notice of any violation of University policy, international, federal, state, local laws, or other reasonably publicized policy violations.

a. Organizational Responsibility for Policy Violations
   Student groups are required to comply with all University policies, including the *Student Code of Conduct* and all additional policies pertaining to the specific group. A group may be held responsible for the actions and behaviors of its members and guests. The decision to hold a group responsible as a whole is ultimately determined by examining all the circumstances of a situation and by taking into account factors including, but not limited to, whether the actions:
   - Were committed by one or more leaders or authorized representatives acting in the scope of their group capacities;
   - Were committed by a significant number of group members or alumni, or guests that reasonable people would associate with the group;
   - Were condoned by (actively or passively) a significant number of group members, alumni, or guests;
   - Occurred at, or in connection with, an activity or event funded, sponsored, publicized, or advertised, by the group or group members;
   - Occurred at a location over which the group or its members had control at the time of the action;
   - Occurred at, or in connection with, an activity or event that reasonable people would associate with the group;
   - Should have been foreseen by the group or its leaders, but reasonable precautions against such actions were not taken;
   - Were the result of a policy or practice of the group;

- Would be attributable to the group under the group's own policies (including local or national risk management guidelines); and,
- Were taken by individuals who, but for their affiliation with the group, would not have been involved in the incident.

In addition, a group maybe held responsible if:

- One or more leaders or members of a group fail to report knowledge or information about a violation to, or otherwise fail to cooperate with, appropriate University or emergency officials;
- The group, or any member acting on its behalf, fail to satisfactorily complete the terms of any disciplinary sanction or outcome.

Along with student groups, their members, leaders, and associated individuals , may also be held individually responsible for violations of the *Student Code of Conduct* or other University policies. It is the responsibility of the student group's president, leader, or designee to represent the group through the conduct process.

B. VIOLATIONS OF THE *STUDENT CODE OF CONDUCT*

The following forms of conduct are prohibited by any West Chester University student or group on or off University property and are subject to disciplinary action:

1. **Infliction of Harm** — Commission of any act which results in or which may result in the infliction of pain, injury, or damage to any person or property by willful and deliberate means or through gross negligence. This offense includes (a) assault, (b) attempted assault, or (c) reckless behavior, which may result in injuries to oneself, others, or property. In the absence of extraordinary or mitigating circumstances, a sanction of suspension or expulsion may be imposed on any student or student group found responsible for this violation**.**

2. **Threat of Harm** – This includes words or a course of conduct that is reasonably understood to create fear of the infliction of pain, injury, or damage, including conveyance of threats through electronic means, (a) to another person or property; (b) toward any party or witness, or their property, involved in a University conduct violation or law enforcement matter, which can be reasonably understood as attempting to influence outcomes or for retaliation; or (c) toward a University employee related to the performance of their job.

3. **Theft** – This includes (a) theft or attempted theft of the property or services of the University, any group, or any individual, by means of taking, deceiving, misappropriating, or misusing; and/or (b) possession of stolen property and/or receiving stolen property.

4. **Vandalism** – This includes the intentional and/or reckless, but not accidental destruction of property; damaging, destroying, defacing, or tampering with the property of any person or business; or the misuse, or abuse of University property, or the property of any person or business.

5. **Weapon** –Violations of the policy include either of the following:

   a. The use, possession, or transportation of (i) fireworks, (ii) a knife, (iii) a paintball or BB gun, (iv) explosive, (v) other weapon, except as described in 5b, below, or (vi) any item designed or used in such a way to inflict bodily harm or physical damage, except those items described in 5b, below.

   b. The unlawful use, possession, or transportation of (i) a firearm or (ii) firearm ammunition. A sanction of suspension or expulsion may be imposed on any student or student group found responsible for a weapons violation.

6. **Safety Violations**– Violation of safety regulations including, but not limited to, (a) setting unauthorized fires, (b) tampering with fire safety systems, firefighting equipment and/or defibrillators or rendering such equipment inoperable, (c) turning in false alarms by any means of communication, (d) tampering with or improper use of university emergency phones, (e) failure to evacuate facilities upon the sounding of an alarm/ drill, or (f) creating any hazardous condition that endangers the health and safety of others. A sanction of loss of housing, suspension or expulsion may be imposed on any student or student group found responsible for these violations.

7. **Alcohol and/or Alcohol Containers** — West Chester University is a dry campus. Any violation of the University's alcohol policy shall be construed as a violation of this section. Specific violations include the intent to exercise control, but are not limited to the following: (a)display of empty alcohol containers in any University facility, residence hall, or any affiliated University housing, (b) sale, exchange, use, possession, or consumption of alcoholic beverages on-campus over 21 years of age, (c) underage use, possession, or consumption of alcoholic beverages, (d) possession of open containers of alcoholic beverages, (e) public intoxication, (f) driving under the influence, and (g) selling and/ or furnishing alcohol to minors. Exceptions to the alcohol violation are noted in the Medical Amnesty Policy. In the absence of extraordinary or mitigating circumstances, a sanction of loss of housing, suspension, or expulsion may be imposed on any student or student group found responsible for (g) or multiple incidents of these violations.

8. **Drugs and/or Drug Paraphernalia** – Students who engage in drug use or abuse shall be considered in violation of this section. Specific violations include the intent to exercise control but are not limited to the following:(a) possession or use, (b) possession of drug paraphernalia, (c) possession of a significant quantity, distribution, or sale of drugs, and/or (d) driving under the influence. The misuse of legal, prescribed, or controlled substances will be considered reckless behavior as described in the violation of Infliction of Harm 1c: Reckless Behavior. Exceptions to the drug violation are noted in the Medical Amnesty Policy. A sanction of loss of housing, suspension or expulsion may be imposed on any student or student group found responsible for this violation.

9. **Noncommercial Literature Distribution, Non Sponsored Presentations or Demonstrations** — Any violation of the University's policy on Noncommercial Literature or Non Sponsored Presentations or Demonstrations on university property, set forth in the *Ram's Eye View Student Handbook*, shall be construed as a violation of this section.

10. **Hazing** — This includes (a) person or organization who intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating an individual into or with an organization, or for the purpose of continuing or enhancing an individual's membership or status in an organization, causes, coerces or forces an individual to do any of the following:

    - Consume any food, drink, liquid, alcoholic liquid, drug, or other substance which subjects the individual to a risk of emotional or physical harm.
    - Endure brutality of a physical nature, which may include but is not limited to whipping, beating, branding, paddling, kicking, striking, pushing, shoving, tackling, calisthenics, or exposure to the elements.
    - Endure brutality of a mental nature, which may include but is not limited to activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct which could result in extreme embarrassment or degradation.
    - Endure brutality of a sexual nature.
    - Endure any other activity that creates a reasonable likelihood of bodily injury to the student.
    - Violate federal, state, or local law or University policy or rule.

    (b) A person commits the violation of aggravated hazing if any of the above actions results in serious bodily injury or death to the individual, either from actions of reckless indifference to their health and safety, or by actions that cause, coerce, or force the consumption of an alcoholic liquid or drug.

    Note: Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events. A sanction of sus-

pension or expulsion may be imposed on any student or group found responsible for this violation. This language reflects current University policy but may be subject to amendments during the academic year.

11. **Information Technology Violation** — This includes (a) Failure to Protect Secured Data, including but not limited to obtaining passwords, circumventing account security, monitoring another user's data communications, or attempting to read, copy, change, delete or transmit another's user files or software, to gain unauthorized access to remote computers, or failure to protect data media by securing them immediately after use. Any person attaching a computer or network device to West Chester University's network is responsible for the security of the computer system and for any intentional or unintentional activities from or to those network connections. The use of any type of wireless network equipment including but not limited to wireless switches and wireless routers on the University network is strictly prohibited. Network services and wiring may not be modified or extended by users for any reason; (b) improper use or access to E-mail; (c) violation of Ownership and Use of Computing and Information Technology Facilities and Resources: may include computers, accounts, workstations, peripherals, networks, communication devices, switches, software programs, and systems, as well as related devices and hardware and telecommunications equipment; (d) privately owned devices improperly accessing University resources; (e) violation of applicable state, federal, and international laws, as well as University policies; (f) operating a network-intensive application or a defective computer, which causes network overload. Sanction considerations will include limiting or revoking electronic account privileges, suspension, or expulsion on any student or student group found responsible.

12. **Solicitation** — Any violation of the University Commercial Advertising and Sales Policy as set forth in the *Ram's Eye View Student Handbook* shall be construed as a violation of this section.

13. **Gambling** — Any form of gambling is prohibited unless a license has been secured and approval to solicit has been granted by the appropriate University office. Gambling consists of a consideration or fee for the chance to win a prize, the winner of which is determined by chance.

14. **Disruptive Conduct** — This includes (a) engaging in conduct that is disorderly, unnecessarily disturbs others, and/or is disruptive to the normal practices, processes, and functions of the University, institution, business, or local municipality; (b) engaging in conduct that is retaliatory; (c) engaging in conduct that constitutes unlawful discrimination based on another person's race, color, sex, sexual orientation, gender identity, religion, creed, age, national or ethnic origin, citizenship, veteran status,disability or any other legally protected class reason-

able belief that places a student in imminent harm; or (d) engaging in a course of conduct directed at a person that serves no legitimate purpose and seriously alarms, annoys, or intimidates that person.

15. **Academic Integrity** — Alleged violations of the Academic Integrity Policy shall be processed according to the Academic Integrity Policy as set forth in the West Chester University Catalog unless the incident also includes other alleged violations of the *Student Code of Conduct*. Academic Integrity and *Student Code of Conduct* violations will be processed by the procedures set forth in the *Student Code of Conduct*. The relevant academic representative assigned from the Provost's Office and Student Conduct staff will participate in the resolution. Violations of the academic integrity standards include (a) plagiarism, the inclusion of someone else's words, ideas, or data as one's own work; (b) fabrication, the use of invented information or the falsification of research, information, citations, or other findings; (c) cheating, an act or an attempted act of deception by which a student seeks to misrepresent his/her mastery of the information or skills being assessed; (d) academic misconduct, defined but not limited to other academically dishonest acts such as tampering with grades; or taking part in obtaining or distributing any part of a test that has not yet been administered; or disrupting or interfering with the ability of others to complete academic assignments; (f) facilitating academic dishonesty by helping or attempting to help another to commit an act of academic dishonesty; or (g) breach of standards of professional ethics in degree program(s). Sanctions may include dismissal from an academic program, suspension, and/or expulsion for any student or group found responsible.

16. **Fraud or Dishonesty** — This includes (a) wrongful deception intended to result in financial or personal gain; (b) making, using, or possessing any falsified document or record; (c) providing false information to University officials or on University documents; (d) altering or forging any University document or record, including identification, meal or access cards, and parking permits; (e)providing false statements during any police or University investigation or proceeding; or the misrepresentation of oneself or of a group as an agency of the University by any means identified above. Sanctions may include a dismissal from an academic program, suspension, and/or expulsion for any student or group found responsible.

17. **Trespassing** — Unauthorized entry, use, or occupancy of the property of others, which also includes electronic property.

18. **Violation of the Guide to Residential Living and/or Student Occupancy Agreement** — Students living in traditional housing and the University affiliated housing ("on campus students"), are required to comply with the Guide to

Residential Living and the applicable student occupancy agreements. Violations include, but are not limited to, the following: (a) non-adherence to the guest visitation policy, including but not limited to extended visits, lack of roommate consent, number of allowable guests, and responsibility for actions of guests (b) cooking; (c) use and/or possession of incendiary or combustible materials and devices (for example, including but not limited to candles, torches, vaping equipment, e-cigarettes); (d) removal or tampering with window screens; (e) non-adherence of the Courtesy/Quiet Hours Policy as defined by the Guide; (f) entry or exit of a residence hall through any door or opening other than those so designated at any time; (g) athletic activity that may result in harm or disruption to residents and/or building facilities/fire protection systems; or (h) other reasonably publicized housing-related policies. Repeated violations of this agreement may result in a loss of housing which is not subject to financial compensation.

19. **Community Responsibility** — Students who engage in behavior off-campus that is disruptive to the community, including: a) unreasonable noise as defined by the local noise ordinance; b) fire, health, zoning, building and safety codes, including occupancy limits as defined by the municipality; c) litter, trash and garbage violations (refer to the local regulations for trash disposal and be aware of your neighborhood's trash collection schedule); d) failure to take proactive steps to manage the conduct of guests, including measures that reduce the risk of harm; or, e) failure to engage in mediating and resolving problems or concerns with neighbors in a timely and civil manner.

20. **Failure to Comply** — This includes; (a) willful obstruction and/or failure to comply with the legitimate oral or written directives of properly authorized persons, including police and/or a duly-authorized University official acting in performance of their prescribed duty; (b) failure to provide a valid West Chester University student identification card or other valid identification upon the request of a duly-authorized University official; (c) failure of the accused to appear when given advance written notice by a University official, hearing officer, University Hearing Board, Sanctioning Hearing, or University Appeals Board concerning a violation of the *Student Code of Conduct*; or (d) failure to comply with all regulations regarding conduct on or off campus not cited in the *Student Code of Conduct* when such regulations have been reasonably publicized. Responsibility for this violation may result in a $50 fine in addition to the assigned sanction conditions.

21. **Sanction Violation** — Violation of a University sanction, including (a) violation of the terms of a sanction, which includes failure to complete any specified condition or assignment of a sanction, or (b) violating the *Student Code of Conduct* while on disciplinary or residential probation, interim suspension, final probation, or suspension.

22. **Guest Policy** — Students may be held responsible when the actions of their guests violate the *Student Code of Conduct*. Guests are expected to abide by University policies and local, state, federal, or international laws while visiting the campus.

23. **Sexual Misconduct** — The Sexual Misconduct Policy at West Chester University covers a variety of acts that are perpetrated against another without consent or when an individual is unable to give consent. Please refer to the Sexual Misconduct Policy for additional definitional requirements and examples. A sanction of loss of housing, suspension, or expulsion may be imposed on any student or student group found responsible for this violation. Violations of the policy include;

    (a) Sexual Harassment — defined as unwelcome sexual advances, requests for sexual favors and other harassing conduct of a sexual nature. For the purposes of this definition, the harassment is evaluated to determine whether or not the conduct is sufficiently severe or pervasive as to deny or limit a person's ability to participate in or benefit from the University's resources and opportunities.

    (b) Non-Consensual Sexual Contact — the touching, however slight, of any clothing or body parts for the purpose of sexual gratification without consent.

    (c) Sexual Assault — the penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without consent.

    (d) Sexual Exploitation — the act or acts committed through non- consensual use of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose.

    (e) Stalking — engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property, (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant, (iii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(f) Dating Violence — includes, but is not limited to, sexual or physical abuse or the threat of such abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(g) Domestic Violence — is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(h) Other Relationship Abuse — includes a course of conduct involving controlling behavior or psychological abuse, which does not fall within the forgoing categories, between or among persons engaged in a social relationship of a romantic or intimate nature. Controlling behavior is the exercise of influence and authority over another person's behavior including but not limited to psychological manipulation in the form of promises and threats, or the use of other techniques or methods to instill fear. Controlling behavior may also include use of drugs, hypnosis, isolation, and interrogation.

24. Criminal/Civil Statutes — Any student who has been cited, arrested, or found guilty by international, federal, state, or local law enforcement officials will violate this offense. This offense includes the alleged commission of any act that may be adjudicated as a violation of such other criminal and/or civil statutes, regulations, or ordinances that are now in effect or may hereafter be in effect in any applicable locality, the Commonwealth of Pennsylvania, or the United States of America. If adjudication by a court substantiates that a violation of law has occurred, it will be deemed as evidence of a violation of this section. However, the standards and procedures (including, but not limited to, determination of guilt beyond a reasonable doubt) of the courts or other agencies are not adopted, and violations will be determined in accordance with the University's rules and standards. A criminal or civil decision is not a necessary prerequisite for a disciplinary decision nor is it necessary that criminal or civil charges be determined before or after

a University decision. Any criminal or civil act that would also be a violation of the other *Student Code of Conduct* items can be addressed based on the available evidence regardless of court outcome as the University is not necessarily bound by court decisions that apply to criminal or civil law. Therefore, action taken in a civil or criminal court does not free the student of responsibility for the same conduct in a University proceeding. A student participating in the Accelerated Rehabilitative Disposition (ARD) program or any similar alternative diversionary program applied by the courts is still considered to be in violation of this standard and accountable for a conduct violation. Court issued sanctions do not satisfy University sanctions. The University may suspend a student charged with committing an offense on an interim basis while violations are pending. If a student is found guilty of committing a crime, the University may impose a sanction up to and including suspension or expulsion based on the nature and seriousness of the criminal offense.

25. **Aiding a Violation or Failure to Report** –This includes (a) actively assisting in the commission of a violation, or (b) failing to report firsthand knowledge of a violation of the *Student Code of Conduct* which poses a risk of harm to others' health and safety or to University property. This includes witnessing such violations and knowingly failing to report them.

26. **Retaliation:** any action taken in response to a report of misconduct that restrains, interferes with, coerces, or punishes the person making the report or submitting a complaint. Under this policy, no faculty member, administrator, staff, student, applicant for employment, or member of the public may be subject to restraint, interference, coercion, or reprisal for action taken in good faith to seek advice regarding a misconduct matter, filing a complaint, or serving as a witness in the investigation of a misconduct complaint. Retaliation is a separate violation and may be cause for discipline apart from the outcome of the initial misconduct complaint. That is, retaliation may be found to have occurred even if there is no finding of a policy violation under the initial misconduct complaint. A sanction of loss of housing, suspension, or expulsion may be imposed on any student or student group found responsible for this violation.

II. Initiation of Alleged Violations

Any person or entity (including University departments, officials, community members, and/or students) may submit information regarding an alleged violation of the *Student Code of Conduct* to be reviewed by the Office of Student Conduct. Any alleged policy violation should be submitted as soon

as possible after the event takes place. Incident reports may be submitted anonymously and those reports will be investigated based on the extent of the information provided. Anonymous incident reports may alert an administrator to an existing problem, but these reports may not provide sufficient information to allow the university to initiate disciplinary action. The Office of Student Conduct reviews all information and manages the process of alleged violations under the Code of Conduct.

A. FILING A REPORT

Reporting may be accomplished in the following ways:

1. Filing a police report with the Office of Public Safety or requesting a report from another law enforcement agency be sent to the Office of Public Safety.

2. Complete a University incident report form at www.wcupa.edu/conduct. Various report types are included from general conduct reports, student group misconduct, and sexual misconduct. The sexual misconduct form can be used to file a complaint against a student or student group for violations of the Sexual Misconduct Policy. The University designee will determine whether further fact finding is needed and whether there is enough information to file conduct violations and what type of hearing process will be appropriate for the allegations. In the event a group member becomes aware of an incident, the student group member(s) should inform the on campus university advisor/coach immediately, with the following points in mind:
    - An advisor/coach who is employed by the University is required to submit an incident report for any information that is shared with them.
    - An advisor/coach not employed by the University is not required to report information to the University; however, the student member(s) should also report the incident to a University official.

    If the group is affiliated with a national organization, University officials will notify the national organization at the beginning of an investigation and communicate throughout the process when notification will not impede the investigation. If during the investigation the group is deemed to have responsibility in the incident, the national organization will be informed when notification will not impede the investigation.

3. In the event an incident report indicates a potential violation of sexual misconduct, the Title IX Coordinator/Director of Equity and Compliance will lead the appropriate case process including responding to any

necessary parities, consideration of interim measures, and necessary fact finding. They will then forward the case to the Office of Student Conduct. The Assistant Dean will also have the discretion to request additional fact-finding or close the case without conducting a hearing due to insubstantial information.

4. Complaints can also be filed with the U.S. Department of Education, Office of Civil Rights at http://www2.ed.gov/about/offices/list/ocr/complaintintro.html or by phone at 215-656-8541.

Student Code of Conduct violations are entirely separate from a criminal investigation by the police, and any complainant may file a criminal complaint with the police in addition to a *Student Code of Conduct* violation. The intentional filing of a false report will not be tolerated. It is a violation of the *Student Code of Conduct* to make an intentionally false report of any policy violation, and it may also violate international, federal, or state criminal laws and civil defamation laws. The University reserves the right to initiate an incident report, to serve as the complainant, and to initiate Student Conduct proceedings without a formal incident report by the complainant of misconduct.

B. RETALIATION

West Chester University prohibits retaliation against any person for using reporting procedure, or for filing, testifying, assisting or participating in any investigation or proceeding involving allegations of university misconduct. Any retaliatory behavior should be reported immediately to the Office of Student Conduct or the Title IX Coordinator/Director of Equity and Compliance. Any person, including third parties, who violates this retaliation policy, will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student.

C. INTERIM MEASURES

Interim measures can be provided to students by contacting the Title IX Coordinator/Director of Equity and Compliance who will work with University partners to implement.

Students may request the following:

- housing reassignment to ensure that the students are not in close proximity;
- limitations on contact between parties (referred to as a "No Contact Directive");
- an escort to ensure student safety;

- reassignment of classes to ensure that the students are not attending the same classes;
- counseling services;
- medical services;
- academic support such as tutoring;
- to withdraw from a class without penalty;
- adjustments to university transportation, parking, or work.

In the event that the nature and circumstances of the complaint require immediate action other measures not listed can be considered to ensure the safety of all involved parties in the case and the university community. These decisions are made by the Title IX Coordinator/Director of Equity and Compliance in conjunction with the Assistant Dean of Students.

D. INVESTIGATION REFERRALS

Depending on the type of incident, the Office of Student Conduct or designee will first review the case to determine if the allegations have merit and determine if further investigation needs to be conducted. Depending on the nature and information contained in an incident report, the University may elect to conduct an investigation.

1. Once an incident is reported, the police and/or professionally trained staff will proceed with the steps necessary to support the individuals involved. Trained professionals will be assigned if an investigation is necessary. Any student-initiated investigations are strictly prohibited and will likely delay personal and group support and impact the outcome. In sexual misconduct cases, the Title IX Coordinator/Director of Equity and Compliance will confer with the complainant to determine next steps.

2. During the investigation, students have the right to be assisted by any advisor they may choose, at their own expense. The advisor may be an attorney, but cannot be a potential witness or party in the matter or a related matter. Attorneys acting as advisors must follow the same rules as non-attorney advisors. An advisor may attend all meetings but does not have the right to speak or participate directly in any aspect of the conduct process. The involved students must speak on their own behalf and communicate directly with the fact finder or adjudicator(s). An advisor's failure to comply with these participation limitations may cause the advisor to be removed from the meeting or proceeding. In cases involving alleged violations of sexual misconduct (Violation #23), the complainant and accused also have the right to have a support person accompany them. A support person does not participate in the hearing nor provide advice on hearing points, but is

present to provide support. A support person could be a family member, friend, counselor, etc. A witness cannot serve as a support person, however in some cases, it maybe appropriate for a witness to have a support person.

3. The fact-finding investigation may necessitate interviews with all involved parties and designated witnesses. Members of the University community are strongly encouraged to participate in the investigative process as witnesses if they have knowledge or information regarding the alleged violation(s) in question and if they have been requested to participate. Individuals who are not members of the University community will generally be permitted to participate as a witness if they have direct knowledge or information regarding the incident or alleged violation in question. At the conclusion of the investigation, the fact finders prepare a report detailing the incident and their findings. Upon receipt of the investigation report, Student Conduct will review the report and determine, (a) whether additional information is necessary, and if so, to seek that additional information, and (b) whether or not to assign alleged violations of the *Student Code of Conduct* to a student, students, or a group.

4. Information and materials that the University obtains during the investigative process may be disclosed to law enforcement in response to a health or safety threat or a valid subpoena.

E. STUDENT GROUP INVESTIGATIONS

1. Preliminary Inquiry

   Reported incidents of group misconduct often result in a preliminary inquiry conducted by fact-finding investigators. Interviews may be set up with the individual complainants, reporters, witnesses, and accused student(s). If it is determined that there is reason to continue the fact- finding information, the case may move to a formal investigation and the group leadership (advisor, coach, president or captain) will be notified.

2. Formal Investigations

   a. The fact-finder will determine the best method of information gathering. This may include a mandated group meeting or a series of individual meetings.

   b. Students will be asked to sign an investigation participation form affirming the truthfulness of statements provided, their right to be silent, acknowledging they have the option to file a report with law enforcement, understanding that information provided may be made available to other individuals if they are alleged to have violated the

Student Code of Conduct, and that any attempt to disrupt or obstruct the investigation may result in violations of dishonesty or failure to comply violations of the *Student Code of Conduct.*

c. In the interest of full disclosure and to reduce the incidence of retaliatory behavior, the investigators will make every attempt to keep student testimony for group misconduct confidential.

d. Cell phones and any other technology may be collected during any meeting to avoid collusion and conspiracy but are not subject to search without student permission or warrant.

e. The fact-finder(s) may recommend interim action to the Assistant Dean at any point in the investigation.

f. Although participation in the investigation is optional, future membership in the group may be assessed on the student member's cooperation.

3. For group related allegations, while under investigation, students in groups will:

   a. Refrain from communication or behavior that could be considered retaliatory in nature, which is a violation of the Student Code of Conduct. Examples include, but are not limited to, sending intimidating or harassing texts, calls or emails; sending messages through other people; and making intimidating or harassing comments on social media. Retaliation against anyone involved in the case should be brought to the immediate attention of the Office of Student Conduct and/or Public Safety.

   b. Keep all information related to the incident as private as possible. In order to protect the privacy of all parties, only speak with University officials who are facilitating the investigation. Any member or guest who are known to have facts of the incident (what took place before, during, and after the alleged misconduct) will be contacted for an interview.

4. If the investigation determines that a group's culture or actions contributed to the incident, the group will be issued a list of initial Student Code of Conduct alleged violations and may include an Interim Suspension Notice, which will remain in place until the conclusion of the resolution process. While there is a general time frame for the investigation, there are exceptions that are allowed for extenuating circumstances. For example, a delay in investigation may occur if local law enforcement and legal representatives are not supportive of key individuals (the complainant and/ or and accused) participating in university interviews that could affect a criminal proceeding.

5. If it is determined that a group created a "hostile environment," defined as "Conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the educational program" (WCU Sexual Misconduct Policy), they may be found responsible. There does not need to be a repetitive pattern for a hostile environment to exist; even one incident could be reflective of a group's culture.

III. Procedures for Resolution

A. WRITTEN LETTER OF NOTICE

If the initial incident report or investigation report determines there is sufficient information establishing that a *Student Code of Conduct* violation may have occurred, the Office of Student Conduct will issue charges of alleged violations. Students will receive, via their University email, a written notice containing a description of the alleged misconduct, the rules of conduct allegedly violated, and the approximate date, time and place of occurrence. This notice will include a reasonably sufficient interval to allow the student to prepare a response to the allegation(s), typically three to five days. Offenses occurring at the end of any semester will be adjudicated within a time frame deemed appropriate and reasonable by the Office of Student Conduct. If group conduct is under review, the leader and advisor(s) of the student group shall be notified in writing of the specific violations. All allegations of violations of the *Student Code of Conduct* shall be heard by a University hearing officer or board under the supervision of the Assistant Dean. The scheduling of conduct meetings and hearings by a hearing officer or board is at the discretion of the Office of Student Conduct. Students will be given the opportunity to (1) waive their right to a hearing, accept responsibility for the violations, and accept outcomes from the hearing officer; (2) to accept responsibility for the violations and seek review of sanctions offered by presenting their situation in a sanctioning hearing; or (3) request a formal hearing to challenge the information presented in the initial incident reports. Formal hearings will be granted for cases where a loss of housing, suspension, or expulsion are a potential outcome. Students who face other outcomes may also request a formal hearing; however, consideration will be given to the reason for the request, the facts in disagreement, and/or the ability to include additional information unavailable to the original hearing officer. Any student or student group representative who fails to appear at an initial conduct meeting will be automatically scheduled for a second conduct meeting. Any student or student group representative who fails to appear at the second scheduled conduct meeting, a sanctioning hearing, or a formal hearing, consents to the resolution of said case in their absence. Should the student or student group be suspended

or expelled as a result, they may request a de novo hearing during the time of the appeal period as noted in the outcome letter.

B. CONDUCT MEETING

During the informal conduct meeting, the accused student or group meets with a hearing officer to review reported details, address questions about process, and discuss their personal level of responsibility. In addition, the accused student is expected to state whether they are or are not responsible for the alleged violation(s). Students will be apprised of the expected range of sanctions possible for the listed violations. If the student accepts responsibility and the sanctions for the *Student Code of Conduct* violation(s), no formal hearing will occur. If the student accepts responsibility for the agreed upon violations but not the sanctions, the student can request a sanctioning hearing. If the student does not accept responsibility for the violations, this conduct meeting will then serve as a pre-hearing conference to support the student in explaining the hearing process and to complete the formal hearing request.

C. SANCTIONING HEARING

Students may request a sanctioning hearing when students accept responsibility for the violations at the conduct meeting but disagree with the proposed sanctions. The Office of Student Conduct will assign this to a new Administrative Hearing Officer or a Board. At the sanctioning hearing, the responsibility for the violations will be accepted as agreed upon during the informal conduct meeting and the sanction recommendations will be shared. This process provides the student with an opportunity to present their case for an alternate sanction outcome. The Hearing Officer or Board has the authority to remove, add, or amend the originally proposed sanction(s) or accept the recommended sanctions and conditions proposed at the original conduct meeting.

D. GROUP CONDUCT MEETING

The informal meeting provides the student group leadership the opportunity to meet with a hearing officer to review reported details, ask questions about process, and discuss the group's level of responsibility. In addition, the group leadership is expected to state whether they are or are not responsible for the alleged violation(s). Following the completion of verbal discussion and resolution of the points of conflict, all involved parties may accept all agreed-upon responsibility and proposed sanctions. If the points of conflict regarding sanctions cannot be resolved in the meeting, the group's case will then move to a sanctioning hearing where the group will have an opportunity to present suggested sanctions. If disagreement exists in the responsibility and the resolution of responsibility cannot be made, the case can be filed for a Formal Hearing before the University Hearing Board.

E. FORMAL HEARINGS

1. The purpose of a hearing is to review the facts and circumstances of the alleged incident and to accept all evidence and statements offered during the hearing in order to determine the student's or student group's level of responsibility. In determining whether a violation has occurred, the "preponderance of the evidence" standard is applied. There are two types of formal hearings – an administrative hearing, conducted by one University employee, and a University Board Hearing. A University Board Hearing is conducted by three University community members. University board members each have an equal vote in the outcome of the proceeding. Each member is trained in advance and pre-screened on a case by case basis to eliminate familiarity with the involved parties.

2. Witnesses: Involved students may want to include witnesses on their behalf. The University Case Presenter and the accused shall have the right to present witnesses. Accused students and complainants in sexual misconduct hearings may submit questions to the chair for responses by the opposing party. All parties must provide a list of potential witnesses to the Office of Student Conduct prior to the hearing as they are subject to cross examination. The office will provide the witness list(s) to all relevant parties with the exception of group misconduct cases*. If a formal investigation was conducted, any witness present must have been identified and accessible during the investigation process. If a witness is not provided during the investigation process, then the student's presentment of that witness during the hearing is at the discretion of the hearing facilitator and should only be allowed based on new information not known during the investigation process. Character witnesses and statements will not be allowed. **In cases involving allegations of policy violations by student groups, evidence of misconduct may be presented by the investigator rather than through each individual witness.*

3. All materials to be presented at the hearing must be submitted to the Office of Student Conduct prior to the hearing. The hearing facilitator will make copies of submitted materials available for inspection (not for duplication) to all relevant student parties prior to the hearing.

4. Any materials submitted less than four calendar days before the hearing may only be considered at the discretion of the hearing facilitator. Further, the hearing facilitator holds ultimate discretion over what records, exhibits, and written statements may be accepted as information for consideration by the hearing officer or University Hearing Board.

5. All procedural questions, including those regarding materials and testimony that will be presented during the hearing, are subject to the final decision of the hearing facilitator.

6. The hearing facilitator has the responsibility for maintaining order and decorum. They have the right to impose rules that are reasonable and necessary for an orderly and efficient hearing to take place. Any person who commits an action that interrupts the proceedings or refuses to comply with rules regarding behavior will be removed from the hearing. The hearing facilitator has the authority to direct the time of entrance and exit of all parties participating in the hearing. All hearings are closed proceedings. A student group may file an advance request to allow additional student group leaders to attend the hearing as non-participants, however, they may not be accused students nor witnesses in the case.

F. PROCEDURES

Please note, in cases involving infliction or threat of violence, or a sexual misconduct allegation, either party may request in advance a screen to separate the complainant and the accused.

At a formal hearing that is initially scheduled or requested by a student or student group, the following procedure will be followed to the extent possible:

1. The hearing officer/board shall open the proceedings by reading the statement of alleged violations.

2. Before presenting any testimony, each person must submit to an oath where they swear and affirm the truth of statements to be made.

3. The University Case Presenter shall then present its case against the accused party. This shall be done by the submission of written, physical, and/or testimonial evidence.

4. In sexual misconduct cases, questions between the complainant and the accused will be submitted to the hearing facilitator. The hearing facilitator will review and, if necessary, will appropriately revise for repetitiveness, relevance, and essential rephrasing. The chairperson will then direct the questions to the appropriate party.

5. At the conclusion of the University Case Presenter's presentation, the accused party shall present a response to the allegations. This shall be done by the submission of written, physical, and/or testimonial evidence.

6. At the close of the hearing, the hearing facilitator will allow closing statements by the parties, which may include rebuttal comments.

    a. Any person who commits an action that interrupts the proceedings or refuses to comply with a reasonable order of the hearing officer/board shall be subject to removal from the hearing.

    b. All matters upon which the decision will be based must be introduced into evidence at the hearing.

    c. All formal hearings will be recorded and subject to the Disciplinary Records and Retention policy (Section VI). Maintenance of a written or audiotape record of the hearing will be done at the University's expense, but students may be required to pay the cost of copies of requested records. If such records contain sensitive or confidential information, a request for a copy will be denied. Personal recording of the hearing is prohibited and subject to criminal prosecution.

    d. Case resolution will be based upon evidence sufficient to make a reasonable person believe that the facts sought to be proven are more likely true than not, otherwise known as preponderance of the evidence.

    e. Once responsibility is determined, in addition to testimony and evidence presented at a conduct meeting or hearing, a hearing officer/board may consider the following elements before rendering a sanction:

        i) Academic records and class year;

        ii) The nature and severity of previous discipline records including that which is public record;

        iii) Attitude of the accused during the conference and/or hearing;

        iv) Whether the sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation on the complainant and the University community.

The University retains the right to continue a hearing whenever necessary and appropriate. Any students or student group who fail to appear at a scheduled hearing consent to the conducting of said hearing in their absence. Should the student be suspended or expelled as a result, they may request a de novo hearing during the time of the appeal period as noted in the outcome letter.

If during or after the conduct process it is determined that individuals intentionally misrepresented the facts of the case in their testimony, they may be referred to the office of Student Conduct or appropriate University office. If this misrepresentation is discovered after a hearing, the Office of Student Conduct, in consultation with the hearing officer/board, will review the evidence to determine whether the case should be reopened and/or a new hearing scheduled.

The Office of Student Conduct will issue a written statement of the findings of fact and reasons for the decision (referred to as an "Outcome Letter") to the accused within 30 business days after the close of the hearing.

Pending action on the allegations, the student's status shall not be altered nor shall the student's right to be present on university property or to attend classes be suspended, except for reasons relating to their physical or emotional safety and well-being or for reasons relating to the safety of students, employees, personnel, or University property (See Sanction Interim Disciplinary Suspension). In cases of sexual misconduct, the Office of Student Conduct will also send the Outcome Letter to the complainant and the Title IX Coordinator/Director of Equity and Compliance. Both parties have the right to appeal, as noted in Section V. Appeals.

IV. Sanctions

Sanctions include status changes and task conditions.

A. INDIVIDUAL STUDENTS

Individual students held responsible for violating the *Student Code of Conduct* will be subject to one or more of the following sanctions. For students under 21, parents may be notified in writing about drug and alcohol violations unless the student shows proof of their independent status. The student will have five University business days from the date of the sanction outcome letter to show such evidence using the Proof of Independent Status Form. If at any time during their probationary period the student violates University regulations, they may be subject to additional sanctions to include suspension from the University.

Failure to complete the sanctions in the time indicated may result in an academic hold placed on their records which will prevent them from registering and/or amending their class schedule.

1. **Residential Warning:** In instances of less serious deviations from the Office of Residence Life's Residential Policies, the student(s) may be provided a verbal or written warning of the possible consequences of continuing such behavior.

2. **Residential Reprimand:** This action is a formal admonition on behalf of the Office of Residence Life and is intended to clearly document that the behavior has been deemed inappropriate.

3. **Residential Probation:** This action signifies that a student is no longer in good standing with the University's residential living program. The student is also advised that any subsequent violation of the *Student Code of Conduct* may result in the student's involuntary relocation or removal from University owned or affiliated student housing for a designated period of time. A student will remain on Residential Probation, at least, through the date indicated or until the date all assigned sanctions have been completed, whichever occurs later.

4. **Interim Residential Suspension**: The Assistant Dean or designee may impose an interim loss of housing wherein the student whose presence in residence constitutes a threat to the health, safety, and welfare of the student or others, or the welfare of the University, its property, or personnel. The student is involuntarily removed from University owned or affiliated student housing for a designated period of time. During this time, the student is banned from all University owned or affiliated student housing. In such cases, an administrative hearing will be convened within 10 University days, unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. There will be no refunding of housing fees in accordance with University policy.

5. **Residential Suspension:** The action indicates that the student has been temporarily removed from University housing for a specified period of time or until the completion of specific conditions. A residential suspension involves the student's removal from housing altogether; however, a student may reapply for housing at a later date. Access to all University owned or affiliated student housing is prohibited during the residential suspension. There will be no refunding of housing fees in accordance with University policy. The hearing officer may establish requirements that must be fulfilled to their satisfaction prior to reinstatement in University owned or affiliated student housing. A student may not return to university owned or affiliated residential housing with incomplete sanction conditions. Students eligible to return to University owned or affiliated student housing must apply for consideration to the Dean of Students.

No housing or room selection priority will be afforded to the student when returning to University owned or affiliated student housing.

6. **Residential Loss of Housing:** The student is informed in writing that, as a result of the sanction imposed, they are involuntarily and permanently removed from University owned or affiliated student housing. Access to University owned or affiliated student housing including visitation is prohibited. Removal from University owned or affiliated student housing means that the student must properly check out of their room or apartment in accordance with existing University procedures within the time constraints established by the hearing officer. There will be no refunding of housing fees in accordance with University policy. Arrangements for continuation of the meal plan must be made with the Associate Director of Housing and Dining Administration.

7. **Disciplinary Reprimand:** The student is informed in writing that their behavior has been in violation of University regulations. It is intended to communicate most strongly both the disapproval of the behavior, and to remind the student of their responsibility to the University community. It is an assumption that repetition of the behavior is not likely. However, it is to be understood that further misconduct may result in additional disciplinary action.

8. **Disciplinary Probation:** The student is informed in writing that they are being placed on disciplinary probation for a specific period of time. Probation is a period of review and observation during which the student must demonstrate the ability to comply with University rules, regulations, and other requirements as stipulated by the sanction. Any subsequent violation of University regulations during the probationary period will be evaluated within the context of the student's probationary status. This sanction may specify any conditions with which the individual must comply, any privileges that may be withheld, and/or the loss of privilege to represent the University in an official capacity (e.g., varsity and non-varsity intercollegiate events, plays, holding office, or participation in university government or related groups). Probation may also include a written agreement between the student and the University, which is in effect for a specific period of time. Students found responsible for any further violation of the *Student Code of Conduct* while on probation may be suspended from the University.

9. **Final Disciplinary Probation:** Final probation is imposed only in very serious cases stipulating that a student, in lieu of active University suspension, is being allowed to remain at the University provided that the student adheres to certain conditions, as set by the board or administrator. Final probation may include removal from all University housing and loss of

visitation privileges to buildings or areas of university and is imposed for a specified period of time. A student will remain on Final Probation, at least, through the date indicated or until the date all assigned sanctions have been completed, whichever occurs later. Students found responsible for any further violation of the *Student Code of Conduct* while on final probation may be suspended from the University.

10. **Interim University Restriction:** The student is immediately BANNED from all or some of the university facilities as noted in the letter. A university BAN includes but is not limited to Lawrence Hall, the Recreation Center, university athletic spaces, fields, parking lots and all University owned and University affiliated student housing. If the student resides on-campus, they will need to vacate their residence until this matter is resolved. Failure to vacate and return the key by the due date, or abide by University policies will result in an immediate period of disciplinary suspension until the violations of the *Student Code of Conduct* can be addressed.

11. **Interim Disciplinary Suspension:** The Assistant Dean or designee may impose an interim suspension including removal from University owned or affiliated student housing upon any student whose presence on-campus constitutes a threat to the health, safety, and welfare of the student or others, or the welfare of the University, its property, or personnel. During an Interim Suspension, a student may not attend classes or participate in online or distance education courses, participate in University activities, and/or be on University property. The Interim Suspension shall remain in effect until such time it has been modified by the Assistant Dean. In such cases involving currently enrolled students, an administrative hearing will be convened within ten University days, unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date. For student who are not currently enrolled, their hearings may take up to 60 University days for scheduling.

12. **Disciplinary Suspension:** The student is informed in writing that they are being involuntarily separated from the University for a designated period of time. A student may not attend classes or be enrolled in online or distance education, take exams, receive grades, or be on authorized University property except for authorized University business during the suspension period. Authorized University business must be approved in advance by the Assistant Dean, or designee. After this period of suspension, the student must seek written approval from the Assistant Dean to return to the University as a student or visitor. Students suspended for two or more consecutive semesters must also reapply through the Office of Admissions. The hearing officer may establish additional requirements that must be fulfilled to the Assistant Dean's satisfaction prior to rein-

statement. There will be no refunding of tuition or fees. The assignment of grades will be in accordance with the policy established for suspensions/expulsions. The student's parents, guardians, or sponsors may be notified in writing in accordance with the policy previously cited.

13. **Disciplinary Expulsion:** The student is informed in writing that they are being expelled from the University. This action is one of involuntary separation from the University. The relationship between the student and this University is permanently terminated. A student is not permitted on University property. There will be no refunding of tuition or fees. The assignment of grades will be in accordance with the policy established for suspensions/expulsions. The student's parents, guardians, or sponsors may be notified in writing in accordance with the policy previously cited.

B. SANCTION CONDITIONS

The student may be assigned an educational task(s) that benefits the individual, university, or community. This task(s) is assigned as a condition of another sanction such as disciplinary reprimand, probation, or suspension. Tasks must be reviewed and accepted by the Office of Student Conduct. In case outcomes which include university service or access restrictions, the fees for restricted services will not be refunded. Conditions are case-specific and may include, but are not limited to:

1. **Alcohol Education:** Group workshops for first-year students designed to provide information on the effects of alcohol/drugs, self-evaluations for alcohol/drug use, and development of a plan to reduce risks associated with the use of alcohol. Students sanctioned to the Alcohol Education Workshop will be assessed a Health Center visit fee.

2. **BASICS** (Balancing Alcohol and Substances to Improve College Success): Individualized sessions to address alcohol consumption and its adverse consequences, promote healthy choices, and develop coping skills for risk reduction. Students sanctioned to BASICS will be assessed a Health Center visit fee.

3. **RAM Support Group:** Referral to the support group provides a forum in which to explore the role substance use plays in the student's life, and to afford an opportunity to examine personal issues that appear to be negatively impacting decision-making. When appropriate, additional treatment (e.g., individual or group counseling) may be recommended to provide increased awareness, additional strategies, resources, and appropriate referrals to ensure student success. Therefore, additional counseling, beyond the group session may be expected to complete this sanction.

4. **Counseling:** The student is informed in writing that as a result of the sanction imposed, they are required to engage professional services to; enhance how their behavior and attitude impact choices; enhance their interpersonal skills; and/or learn ways to reduce stressors that may affect the student's ability to be successful. The student assumes the financial responsibility of fees associated with the counseling arrangements. Students who have incomplete requirements may not return to university owned or affiliated residential housing.

5. **On- or Off-Campus Alcohol/Drug Assessment:** The student is informed in writing that as a result of the sanction imposed, they must obtain an assessment from a licensed provider to address the use of substances, both legal and illegal, and to examine personal issues that may be impacting decision-making. The student assumes financial responsibility of any fees associated with the assessment. A student may not return to university owned or affiliated residential housing with incomplete sanction conditions.

6. **Residential Reassignment:** The student is informed in writing that as a result of the sanction imposed, they are being involuntarily reassigned to a new housing assignment on-campus. If the new housing assignment has a higher rate, the student is responsible for the additional charge. If the new housing assignment has a lower rate, the student will receive a pro-rated adjustment. This action may include restriction from entering specific University owned or affiliated student housing buildings for a designated period of time, which may be permanent.

7. **Residential Nonrenewal:** The student is informed in writing that as a result of the sanction imposed, they will not be permitted to renew their lease for the next or future term in University owned or affiliated student housing. Students found responsible for any further violation of the *Student Code of Conduct* while on nonrenewal status may be immediately removed from University housing.

8. **Loss of University Dining Facility(s) Privileges:** The student is informed in writing that they are being involuntarily removed from the dining hall for a designated period, which may be permanent. Removal from the dining hall means that a student may not purchase or use a meal card in university dining facilities.

9. **Failing Grade:** In cases involving violations of the Academic Integrity Policy, a failing grade, or a grade of zero for either an assignment and/or a course may be administered.

10. **Hold on Records:** The University may withhold transcripts, diplomas, class registration privileges, or other official records pending the disposition of cases and completion of sanctions if such action is reasonably necessary to preserve the University's ability to enforce its disciplinary rules.

11. **Financial Restitution:** Financial restitution may be imposed on students whose violation of these standards has involved monetary loss or damage. Restitution as imposed by the hearing officer becomes a financial obligation to the University. Either full payment or an agreement for partial payment according to a schedule agreed to by the Office of Student Conduct is required before the student may register for classes again, or in the case of seniors, before the student may graduate.

12. **Fines:** The implementation of these fines for alcohol and/or drug violations may be in addition to sanction conditions including, but not limited to, Alcohol/ Drug Education Workshops, BASICS, referrals for substance abuse treatment, community service, and/or other sanctions. Students found in violation of this policy may be subject to the following fines:

    a. **Alcohol and/or Alcohol Containers Violation (#7)**
        - First offense – $100
        - Second offense – $200
        - Third offense – $300

    b. **Drugs and/or Drug Paraphernalia (#8)**
        - First offense – $100
        - Second offense – $200
        - Third offense – $300

13. **Failure to Comply and Sanction Violations:** These sanctions may carry with them a $50 noncompliance fine and/or a hold placed upon a student's University record. The student must make this payment directly to the Bursar's Office within 30 days from notification thereof. Failure to make the payment may result in additional University action.

C. STUDENT GROUP SANCTIONS

Student groups held responsible for violating the *Student Code of Conduct* will be subject to one or more of the following penalties and the full range of sanctions conditions:

1. **Disciplinary Group Reprimand:** The group is informed in writing that the group has been found responsible of a violation of University regulations. It is intended to communicate most strongly both the disapproval of the behavior and to remind the group of its responsibility to the University

community. Student groups are thus expected to reflect upon their decisions and to be mindful of how their future choices and actions may impact themselves, others, and the University community. It is an assumption that repetition of the behavior is not likely. However, it is to be understood that further misconduct may result in additional disciplinary action.

2. **Disciplinary Group Probation:** The group is informed in writing that it is on probation for a specified period of time. Probation is a period of review and observation during which the group must demonstrate the ability to comply with University rules, regulations, and other requirements as stipulated by the sanction. During this time, the group may be required to complete an educational task or service project. A student group will remain on Probation, at least, through the date indicated or until the date all assigned sanctions have been completed, whichever occurs later. Conditions that restrict privileges may also be imposed. If, during this time, the group becomes involved in additional violations of University regulations, further disciplinary action will be taken.

3. **Interim Disciplinary Group Suspension:** The Assistant Dean or designee may impose an interim suspension upon any student group whose presence constitutes a threat to the health, safety, and welfare of its members or others, or the welfare of the University, its property, or personnel. In such cases an administrative hearing will be scheduled within fifteen (15) University days unless extenuating circumstances warrant an extension, in which case a hearing will be provided at the earliest possible date.

4. **Interim Group Action:** The Assistant Dean or designee may impose a loss of privileges upon any student group.

5. **FINAL Disciplinary Group Probation:** The group has a pending disciplinary suspension based on any additional violations of the WCU *Student Code of Conduct*. A final probation status means that ANY violation of the West Chester University *Student Code of Conduct* by the group, during this time, will result in the group's immediate suspension from West Chester University. A student group will remain on Final Probation, at least, through the date indicated or until the date all assigned sanctions have been completed, whichever occurs later.

6. **Disciplinary Group Suspension:** The group is prohibited from conducting any and all group activity on- or off-campus. All events should be canceled immediately and not resume until the stated date. This includes, but is not limited to, meetings, recruitment, fundraising, educational programs,and socials. During the period of suspension, if the group is found operating without permission from the Office of Student Conduct, they would be

subject to additional violations of the *Student Code of Conduct*. For reinstatement to occur, within 30 days of the conclusion of the suspension period, a designated group leader will need to make an appointment with the Office of Student Conduct to arrange for the removal of the university ban and hold on the group's status. A student group who fails to or submit sanction conditions as directed during this period will be subject to a separate charge for failure to comply and a new sanction that may include Group Disestablishment.

7. **Disciplinary Group Disestablishment:** The group loses formal university recognition and is prohibited from conducting any and all group activity on- or off-campus for a specified period of time. All events must be canceled immediately. Should the group wish to return to campus after the sanctioned date, they must meet all current group establishment procedures published by the appropriate university office upon application for reestablishment.

D. STUDENT GROUP SANCTION CONDITIONS

1. **Activity:** The required participation by the organization in specified group activity, service projects, educational programs, or other assignments.

2. **Social Limitation or Suspension**: An organization may be denied formal or informal sponsorship of or participation in one or more of the following for a specified period of time: inter- or intra-organizational social activities, formals, all-Greek or all-University events or activities, or any other event of a social nature.

3. **Intramural Suspension**: A specific length of time in which the group may not participate in individual or team sports or the intramural league, earn intramural points, or receive any championship titles.

4. **Loss or Restriction of Privileges or Activities**: The withdrawal of the use of services or privileges as a student group or the loss of the privilege to participate in an activity or event. This sanction is generally for a specified period of time. Examples of privileges that can be lost include, but are not limited to, recruitment freeze, suspension of the student group's funds, suspension of access to the group's web space, suspension of the ability to reserve university facilities, suspension of the ability to apply for Student Activity Fee funding, suspension of fund-raising activities, suspension of access to office space, and others.

5. **Membership Review**: The group is required to review and affirm each person's commitment to the expectations of group membership. This requires a process of one-on-one interviews with each member and a

member of the national or international staff, and may also, on occasion, include a University advisor or administrator. All members should welcome this process as an opportunity to excel an discuss any potential deficiencies in group operations.

6. **Member Intake and Recruitment Review:** Groups are required to submit a plan on how they will emphasize group values during the intake process. The plan must include the expected date, time, location, and detailed activities, goals, participant learning outcomes, and the event assessments.

7. **New Member Process Board Election:** After receiving permission from the Office of Student Conduct, the group is to hold an election to identify new leadership to manage the directives in the outcome letter. This election must meet the following criteria:
    - The election process will be facilitated by a non-accused upper class student in the presence of the University advisor.
    - The sole purpose of this meeting is to elect leaders for the group.
    - Minutes from the meeting, including the outcome of the election, must be emailed to the *Office of Student Conduct*, and your faculty advisor within 24 hours of the election and include the outcome.

8. **Educational Workshops:** Educational workshops can be assigned for groups that violate policies related to University protocols. Examples include, but are not limited to, workshops regarding the process to reserve University space, budget procedures, the appropriate use of Student Activity funds, and others. Educational workshops may be assigned in conjunction with or in lieu of another sanction.

9. **Document/Policy Development:** The creation of a new internal process or amendment to a group's bylaws may be assigned to address the absence of a policy and/or continued issues a student group may be facing on a regular basis.

10. **Sanctioned Service:** Service projects or service hours may be assigned to a student group if it is deemed that such an assignment would have the most impact on the group. The service will be related to the kind of violation that occurred. Sanctioned service may be assigned in conjunction with or in lieu of another sanction.

11. **Mandatory Restitution:** Financial restitution could be sanctioned for monetary loss or damage.

12. **Other Sanctions:** The University reserves the right to impose other sanctions in addition to those listed above in response to specific circumstances of a case.

V. Appeals

A. Upon receiving a sanction from the hearing officer/board, a student or group may appeal for the following reasons:

- Violations of procedures which would have substantially impacted the outcome of the hearing;
- Severity of the sanction is grossly disproportionate to the violation(s);
- Lack of substantial evidence upon which a determination of responsibility can be based; or
- New evidence that was not previously available, and that might substantially change the outcome of the hearing.

B. All appeals must be made in writing by the published appeal date noted on the outcome letter and submitted via the *Office of Student Conduct Outcome Appeal*. The appeal should explain in detail the basis of the request, including any supporting documentation. With the exception of interim measures, upon receipt of the written appeal, the Office of Student Conduct will defer the imposition of the sanction(s) pending the outcome of the appeal process.

C. In cases of alleged sexual misconduct with a complainant, upon receipt of an appeal by either party, the Office of Student Conduct will forward a copy of the appeal to the opposing party and allow five (5) University business days for a response. The *Response to Appeal Form* will be shared with the appropriate parties concerned with the appeal.

D. Appeals will be forwarded to a University Appeals Board for review in a timely manner. Appeal Boards are comprised of one professional staff member, one faculty member, and one student chosen from active members of the University Hearing Board. When necessary, a University Hearing Board may be convened by a quorum. A quorum in this case would be a combination of at least two of the previously mentioned individuals.

a. The Appeals Board will review the written appeal and all documentation contained within the student's or group's disciplinary file.

b. The Board is not obligated to reconvene a hearing if a violation of procedure is found. However, if a new hearing is granted, the same procedures used for the original hearing will be followed. All meetings and hearings of the appeal process are closed proceedings.

c. The Appeals Board by a simple majority vote will uphold the sanction, modify the sanction, or order a new hearing.

E. A second level appeal may be made to the Vice President for Student Affairs to review the appeal decision. An appeal to the Vice President for Student Affairs must be presented within five (5) University business days of formal notification of the appeal decision. This must be submitted in writing via the *Office of Student Conduct Outcome Appeal* Form found in the outcome letter and online.

- An appeal to the Vice President for Student Affairs must include clear and convincing reasons to overrule the decision of the first appeal. An appeal to the Vice President for Student Affairs should include information to support the following reasons for the appeal:
- Violations of procedures which would have substantially impacted the outcome;
- Severity of the sanction is grossly disproportionate to the violation(s);
- Lack of substantial evidence upon which a determination of responsibility can be based; and/or
- New evidence that was not previously available, and that might substantially change the nature of the case.

The Vice President for Student Affairs or designee may or may not elect to review a decision. The student petitioning for the appeal will be notified of the decision of the Vice President for Student Affairs, or designee, within a reasonable period of time. The second level appeal is the final step in the West Chester University process.

VI. Disciplinary Records and Retention

A. All students' disciplinary records are kept in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 (the "Buckley Amendment"), 20 U.S.C. 1232g. In accordance with these provisions, all disciplinary files are confidential and may only be accessed by the student, parents of dependent students (as defined by the Internal Revenue Service), or by a person or agency possessing a waiver signed by the student waiving his/ her right to this protection and meeting the requirements for valid waivers under the "Buckley Amendment." West Chester University will disclose disciplinary cases of students who have been found in violation of University policies and regulations in which the minimum outcome resulted in a period of probation.

B. West Chester University will also allow access to a disciplinary record in order to comply with a subpoena or court order served upon it. When served with a subpoena or court order, the University will notify the student in writing that it is complying with the court order. The University will disclose

the outcome of a disciplinary proceeding alleging sexual misconduct to both the complainant and the accused individuals. The University may disclose the results of a disciplinary proceeding brought against the alleged perpetrator to the alleged complainant of any crime of violence, as that term is defined in 18 U.S.C. 16.

C. The release of records relating to the Student Group Discipline Process will be managed by the Assistant Dean in consultation with appropriate staff within Student Affairs and the University. There may be times when it is appropriate or necessary to release the interim status or outcome of a particular conduct meeting/ hearing to those both within and outside of the University. Those types of decisions will be made on a case-by-case basis. FERPA requires the confidentiality of individual student records.

D. West Chester University maintains disciplinary records of students. These records are maintained separately from the student's official academic records. The University shall retain academic integrity violations for five years after incident and all other discipline records for seven years after incident providing they were in good standing with the University. Records involving expulsions are kept indefinitely. The University reserves the right to keep any records for a longer period of time. All records related to student group conduct will be kept in the student group's official file indefinitely and the group outcomes may be shared or published at the University's discretion.

VII. Revisions to the *Student Code of Conduct*

All necessary and appropriate revisions to the *Student Code of Conduct* will be recommended to the Assistant Dean for final review and approval, and implementation. Academic Integrity Policy revisions will be forwarded for inclusion in the *Student Code of Conduct* by the Office of the Provost without need for approval. All approved revisions to the *Student Code of Conduct* will be advertised for one week in the University newspaper, *The Quad*, if they are not in the current year's *Ram's Eye View Handbook.*

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