

# 2020-2021 Community Standards Dickinson College

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# **Community Standards and Student Conduct 2020-2021**

## **INTRODUCTION**

As Dickinsonians, students have the opportunity to benefit from a rich and stimulating learning experience. By accepting membership in our community, students also accept a critical role in contributing to an intellectual and social environment characterized by civility, understanding, accountability, and respect. Being a member of the Dickinson College community is a privilege that carries with it the responsibility for the well-being of all other members and aspects of the community.

This document provides information to help students understand the conduct that is expected of all Dickinsonians. It also outlines how the College will move to educate when behaviors occur that are inconsistent with the standards outlined in this document. All students are expected to know and uphold the Community Standards.

The Vice President and Dean of Student Life's Office coordinates the administration of the student conduct process at Dickinson College, including social and academic misconduct. The Vice President and Dean of Student Life also has oversight responsibility for incidents involving social misconduct. The Provost and Dean of the College oversee situations that involve academic misconduct. These responsibilities have been delegated by the President and faculty [Charter and Bylaws of Dickinson College, Chapter IV, Section 2(a)].

## **MISSION AND PHILOSOPHY**

Dickinson's mission is inspired by our founder Dr. Benjamin Rush and his vision to educate citizens to meet the societal and economic demands of an emerging democracy. Our residential environment provides a chance to develop these leadership and citizenship skills as students learn to assume responsibility for self and for the welfare of their community.

In this environment, students may occasionally exercise poor judgment or conduct themselves in a manner that disrupts the community. For this reason, the College maintains Community Standards that set forth expectations for behavior, as well as outline educational procedures regarding student conduct. The goals and objectives of the College's Community Standards differ from those of the civil and criminal justice systems. Ours is a process with education and accountability to community as its top priorities. We do not adhere to "courtroom" principles but rather to educational objectives that seek to balance individual learning and community welfare.

The College affirms a student's right to be treated fairly, which includes receiving appropriate notice of concerns about specific behaviors and the opportunity to respond

to those concerns. In formal resolution proceedings, this also includes the right to be assisted by an advisor and to appeal the initial hearing outcome.

## **COMMUNITY STANDARDS AND EXPECTATIONS FOR CONDUCT**

The expectations articulated in the Community Standards are designed to create an environment that supports a vigorous academic life and respectful community. Dickinson expects that its students will demonstrate standards of behavior that demonstrate:

- Respect for Ideas
- Respect for Self
- Respect for Others
- Respect for Community
- Respect for Property

These standards apply to on-campus behavior, to behavior while studying as an active student away from the Carlisle campus, and to off-campus behavior that does or has the potential to adversely affect any member of the Dickinson College community or Dickinson College. While it is impossible to enumerate every possible violation of the five standards identified above, the sections following provide students more specific guidance about conduct that clearly violates our expectations.

The College has determined that certain violations are of such a serious nature that they will likely result in a student's or organization's *interim separation*, *suspension* or *expulsion* from Dickinson College (these terms are described in the **Outcomes** section of this document). Violations fall within this category when they cause, or have the potential to cause, significant adverse consequences for the safety, health and/or well-being of the student, others, or the community at large. These violations are noted with an asterisk (\*) below.

### **Academic Misconduct**

Students are expected to do their own work on quizzes, papers, examinations, class assignments, etc. Normally, a paper may be submitted in fulfillment of an assignment in only one course. Exceptions require permission from the instructors. Collaboration must be noted in writing and requires the consent of all instructors. Any of the following are considered academic misconduct (this list is illustrative and not intended to be exhaustive).

*Respect for ideas*—our own and others'—is a hallmark of academic integrity. We show respect for ideas by acknowledging when we have used another's words or ideas in our work. We expect others to acknowledge when they use our ideas or words in their work.

## **CHEATING**

Cheating involves deception or the provision or receipt of unauthorized assistance. Students are expected neither to receive nor to provide unauthorized assistance with academic work. **Cheating may take many forms including plagiarism.** The examples below are illustrative but not exhaustive:

- Copying from another person's work or answers.
- Referring to and using prohibited materials in the preparation for assignments or the taking of examinations or quizzes.
- Obtaining and using a copy of the examination or answers to an examination without the knowledge of the instructor.
- Collaborating on assignments or examinations unless such collaboration has been permitted.
- Submitting the same paper or assignment in two courses without permission of both professors. Using substantive sections of an assignment or paper completed for another course also requires permission of both instructors.
- Assisting another to do any of the above or to cheat in a similar manner.
- Using online translators to complete assignments, quizzes or examinations in a language course.

## **PLAGIARISM**

Plagiarism may take a number of forms but to plagiarize is to use without proper citation or acknowledgment the words, ideas, or work of another.

The most serious degree of plagiarism involves the wholesale and deceptive borrowing of written material from sources such as published authors, websites, other students, or paper-for-hire services. Students who submit papers or significant sections of papers that they did not write themselves are committing this type of violation.

Another serious degree of plagiarism involves less wholesale but still repeated and inappropriate borrowing from outside sources. In some of these situations, students borrow several phrases or sentences from others, and do so without both quotation marks and proper attributions. In other situations, students secretly collaborate on assignments in defiance of specific prohibitions outlined by their instructor.

Finally, there is a degree of plagiarism that involves the borrowing of specific words or phrases without quotation marks. In such situations, citations may be present, but they are inadequate. This problem most commonly occurs when students paraphrase sources by attempting to change a few words in a sentence or brief series of sentences. It can also occur when students rely too heavily on parents or friends for ideas or phrases which they mistakenly claim as their own.

Students can avoid plagiarism by following some very simple advice:

- Always provide clear and accurate citations for the sources that inform your work. This is an admonition that goes to the heart of your academic responsibility.

- Remember that almost all quotations and statistics require citations. Specific facts and ideas borrowed from others, even if expressed in your own words, also require citations.
- Summaries of an author's argument require citations. It is true that matters of general knowledge do not usually require citations, but when in doubt, students should provide citations for them.
- Students who rely on parents, friends or others for specific contributions to their work should acknowledge this indebtedness in a citation.
- Understand that paraphrasing means to summarize in your own words. The surest way to avoid plagiarism when summarizing is to write with sources and notes closed. If you cannot explain what an author argued from memory, then you probably do not understand it well enough to paraphrase.

### **FALSIFYING/FORGING ACADEMIC DOCUMENTS**

Falsifying or forging documents involves the unauthorized alteration of information provided by the College on records or documents. Falsifying/Forging Academic Documents includes, but is not limited to, the following conduct:

- Altering information on a transcript.
- Changing a grade or the comments/markings on a paper, assignment or lab report.

### **Social Misconduct**

Maintaining a civil, safe and respectful environment in which learning can best occur is the responsibility of all members of our community.

### ***Alcohol and Drug Amnesty***

While the College expects all students to adhere to its Community Standards, there are times when health and safety issues take precedence over conduct standards and students are encouraged to put their health and safety or the health and safety of others above all other concerns. The College encourages reporting of health and safety emergencies and seeks to remove any barriers to reporting by providing limited amnesty for individuals who report such emergencies. Consequently, when a student in need of immediate medical assistance to prevent their own death or serious injury or that of another person contacts DPS, calls 911 or contacts Residence Life & Housing, neither the reporting student nor the student at risk will be held responsible for their own consumption or possession of alcoholic beverages or drugs provided:

- The reporting student reasonably believed they were the first person to make a call to DPS, 911 or Residence Life & Housing;
- The reporting student provides their own name when making the report, and
- The reporting student remains with the person needing medical assistance until help arrives.

This offer of amnesty refers to isolated incidents only and does not excuse or protect those who flagrantly and/or repeatedly violate the College's drug and alcohol standards and expectations. It applies only to cases of suspected extreme intoxication or other life-

threatening circumstances due to alcohol or drug use and does not extend to related infractions such as assault or property damage. Although student or student organizations covered under this policy will not be subject to the conduct process, individuals involved will be required to meet with an administrator to discuss the incident and may be required to complete educational sessions and/or a substance use assessment. The incident may also result in notification of parent(s) or guardian(s). This policy only covers how the College will respond to students who could be involved in our student conduct process and does not cover criminal charges that could result from law enforcement based on the incident.

### ***Standards of Social Conduct***

Below you will find descriptions of specific departures of the community standards that will be addressed through our student conduct system.

Students should also understand that, in addition to the sanctions that may be imposed for violations of the Community Standards, there may be other consequences that arise from their behavior including, but not limited to adverse effects to student's immigration status, impact on financial aid, or effect eligibility for other campus opportunities, including but not limited to membership or participation in certain organizations, certain honors, awards and scholarships, leadership positions, club sports or varsity athletics.

*Respect for Self* - Knowing and respecting your worth, helps to teach others how to treat you. We show respect for ourselves when we respect our boundaries and values.

### **ALCOHOL**

The possession, use, sale, provision and/or distribution of alcohol, except as permitted by law, is a violation of the Dickinson College Community Standards as well as a possible violation of local, state and/or federal laws. Students are expected to comply with the Drug & Alcohol policy as outlined in the [campus-wide policies](#) page [found here](#).

#### *Possible Sanctions for Violating the Alcohol Provision for Possession and Use*

While the College aims to handle situations on a case by case basis in regard to alcohol. The College also aims to respond consistently to students and to be transparent with outcomes. The following are recommended sanctions for violations of the alcohol policy. Depending on the severity of the incident and impact on community in an incident, the College can alter sanctions to more appropriately address safety and security concerns.

Range of sanctions: Warning (minimum) to Suspension (maximum)

Recommended for First Violation of the Alcohol Policy

- Warning or Probation
- Parental Notification

#### Recommended for Second Violation of the Alcohol Policy

- Probation - Stayed Suspension for one semester
- Parental Notification
- Mentor Meetings with faculty or staff member
- Ethical Decision-Making Workshop

#### Recommended for Third Violation of the Alcohol Policy

- Stayed Suspension for one semester - Suspension for one semester
- Substance Use Assessment (BASICS course, for which there is a \$75.00 fee), Extended Substance Use Assessment (for which there is a \$75.00 fee), or Substance Use Assessment/Treatment while Suspended (you are responsible for all costs)
- Parental Notification

#### Recommended for Fourth Violation of the Alcohol Policy

- Suspension for one semester - Suspension for one year
- Substance Use Assessment/Treatment While Suspended (you are responsible for all costs)
- Parental Notification

### **DRUGS**

The possession, use, distribution(\*), manufacture(\*), cultivation(\*), sale(\*), transfer(\*), or the attempt or conspiracy to possess, use, distribute, manufacture, cultivate, sell or transfer any substance the possession of which is prohibited by federal, state or local drug laws (*NOTE*: The intention to distribute, sell or transfer drugs may be inferred from the quantity and/or types of drugs involved).

Effective August 2011, Pennsylvania added certain **synthetic substances** to the list of drugs and substances it is illegal to possess, use or sale. These include chemical substances contained in bath salts, synthetic marijuana, or other synthetic drugs including, but not limited to, salvia and 2C-E.

Students are expected to comply with the Drug & Alcohol policy as outlined in the [campus-wide policies](#) page [found here](#).

#### *Medical marijuana*

The possession and use of marijuana remain illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana (even for medical purposes) continues to be prohibited while a student is on college owned or college- controlled

property, and/or at any function hosted, authorized or supervised by the college regardless of where held. All products containing THC are prohibited.

### *Possible Sanctions for Violating the Drug Provision for Possession and Use*

While the College aims to handle situations on a case by case basis in regard to drugs. The College also aims to respond consistently to students and to be transparent with outcomes. The following are recommended sanctions for violations of the drugs policy. Depending on the severity of the incident and impact on community in an incident, the College can alter sanctions to more appropriately address safety and security concerns.

#### **MARIJUANA**

Range of sanctions: Probation (minimum) to Suspension (maximum)

##### Recommended for First Marijuana Violation

- Warning - Probation for One Semester
- Parental Notification
- Warning Regarding Illegal Nature of Drugs

##### Recommendation for Second Marijuana Violation

- Probation for one semester - Stayed Suspension for one semester
- Parental Notification
- Ethical Decision-Making Workshop or Mentor Meetings

##### Recommendation for Third Marijuana Violation

- Stayed Suspension for one year - Suspension for one semester
- Substance Use Assessment (BASICS course, for which there is a \$75.00 fee), Extended Substance Use Assessment (for which there is a \$75.00 fee) or Substance Use Assessment and Treatment While Suspended (you are responsible for all costs)
- Parental Notification

##### Recommendation for Fourth Marijuana Violation

- Suspension for one semester – Suspension for one year
- Substance Use Assessment/Treatment While Suspended (you are responsible for all costs)
- Parental Notification

#### **OTHER DRUGS (\*)**

Range of sanctions: Suspension (minimum) to Expulsion (maximum)

##### Recommended for First Violation for Other Drugs

- Suspension for one year

- Substance Use Assessment and Treatment While Suspended
- Parental Notification

Recommendation for Second Violation for Other Drugs

- Expulsion
- Parental Notification

**DRUG PARAPHERNALIA**

The possession and/or use of any paraphernalia which is prohibited by federal, state or local drug laws is a violation of the Dickinson College Community Standards.

**FALSE IDENTIFICATION**

Creating (\*), distributing (\*), or possessing an identification card that falsely identifies or that is intended to falsely identify the bearer by name, age, date of birth, photograph, or other personally identifiable criteria or possessing or using the identification card of another or by possessing or using an identification card that has not been issued to or in the name of that person who possesses the card.

**HARM TO SELF**

Engaging in activities or behaviors that intentionally or unintentionally jeopardize one's safety or well-being or which disrupt the community or any member of the community.

**VIOLATIONS OF LAW**

Students and organizations are expected to obey federal, state, and local laws. Any violation of such laws on Dickinson's campus or which affects Dickinson College or members of its community is also a violation of the Community Standards.

Respect for Others – Dickinson is a diverse community, appreciating, listening to, and affirming others makes us more inclusive. Respect for Others is demonstrated by giving value to other's beliefs, ideals and understanding that everyone, regardless of any differences you have with them, deserves to be respected.

**ADULTERATION OF FOOD AND/OR BEVERAGE (\*)**

The intentional placement of drugs or other illicit substances into the food or beverage to be consumed by others, and without their knowledge and consent.

**DISCRIMINATORY CONDUCT (\*)**

Engaging in conduct that has the purpose or effect of creating a hostile environment or which deprives another person of the ability to fully participate in the programs or opportunities of the college based on that person's race, color, religion, ethnicity, national

origin, disability or other characteristic protected by law (other than sex discrimination) or College policy is a violation of the Community Standards. Discriminatory Conduct may occur in a single egregious instance or may be the cumulative result of a series of incidents and may include, but is not limited to, acts of verbal, nonverbal or physical aggression, intimidation, or hostility, including such conduct that occurs electronically or via social media. Conduct that is alleged to be based on discrimination based on sex, including sex, sexual orientation, gender identity, or gender expression is addressed according to the processes set forth in the Sexual Harassment and Misconduct Policy (current policy can be found on the following page: <https://www.dickinson.edu/titleix> or on the [campus-wide policies](#) page [found here](#)).

When there are allegations of discriminatory conduct based on sex, as well as the characteristics set forth in these Community Standards, the College will coordinate the investigation and resolution efforts to address Harassing Conduct related to the targeted individual's sex, sexual orientation, gender identity or gender expression together with the conduct related to the targeted individual's race, color, ethnicity, national origin, religion, age, or disability. Coordination of the investigation will not delay the prompt and equitable resolution of a report under this policy.

#### *Possible Sanctions for Violating the Discriminatory Conduct Policy*

Range of sanctions: Warning (minimum) to Expulsion (maximum)

#### Recommended for First Violation

- Warning - Suspension for One Semester
- Educational Programs or Meetings Attendance and Participation

#### Recommendation for Second Violation

- Probation for one semester – Expulsion
- Educational Program or Meeting Attendance and Participation

### **DISHONESTY**

Students and organizations are expected to be honest and truthful in all interactions with members of the Dickinson College community, including the College itself, its faculty and employees, alumni and fellow students, as well as with local, state and federal officials. This includes, but is not limited to falsifying, forging, altering or misusing any document or record.

### **ELECTRONIC CONDUCT**

College-provided computers electronic devices and Internet access are available on campus. Students also use their own electronic equipment on campus as well. In all cases, policies governing the use of the College's electronic equipment, Internet access, network and computer system apply. The policies are on the [Campus Policies Manual](#)

page under [Library and Information Services](#). Using any computer or other electronic device, and/or the college's network or Internet access in violation of these policies is prohibited.

### **FAILURE TO COMPLY**

Students and organizations are expected to comply with directions of College officials and follow all College policies. Specific expectations include:

- following the directions of College officials and not hindering any College employee (including student employees) in the performance of their duties or interfering with the operations of the College.
- complying with College policies and regulations, including but not limited to those found in the Student Handbook.
- complying with the results of hearings and procedures in which they participate.
- Student organizations are also expected to comply with the policies and regulations that govern their organization, including but not limited to risk management policies and regulations for behavior.

### **HARM TO OTHER (\*)**

Physical, verbal or psychological abuse, harassment, intimidation or other harmful conduct, including those made electronically or via social media, that threatens, endangers, or has the potential to endanger the health, well-being or safety of another individual. It can include but is not limited to threats, intimidation, assaulting another person, and/or purposefully injuring another individual.

### **HAZING (\*)**

Any act that, as an explicit or implied condition for initiation to, admission into, affiliation with, acceptance in, or continued membership in a group or organization, could be seen by a reasonable person as endangering the physical well-being of an individual, as causing mental distress to an individual, or as being disruptive to the campus community, regardless of the individual's willingness to participate. The complete Hazing policy can be found on the [Campus Policies Manual](#) page under [Student Resources and Services \(found here\)](#).

### **SEXUAL HARASSMENT AND MISCONDUCT (\*)**

The College's policy and procedures for resolution of sexual harassment and misconduct can be found in the Sexual Harassment and Misconduct Policy (current policy can be found on the following pages <https://www.dickinson.edu/titleix> or on the [campus-wide policies](#) page [found here](#)). While the Title IX Coordinator must dismiss allegations that do not meet the jurisdiction of the College as defined by Title IX regulations, or where the misconduct allegations do not meet the definitions within the Sexual Harassment and Misconduct Policy, the Title IX Coordinator may refer concerns or reports of prohibited misconduct to the Student Conduct office for review and possible resolution under this policy. Note that the Student Conduct office will utilize the definitions articulated in the

Sexual Harassment and Misconduct Policy in its adjudication of cases referred to it by the Title IX Coordinator.

**COMPLICITY**

Assisting or facilitating the commission of a violation of the Community Standards.

**DISRUPTIVE CONDUCT**

Conduct that is disorderly, annoying, disruptive, lewd, overly aggressive, obscene or which causes alarm.

**FIREARMS, WEAPONS AND EXPLOSIVES (\*)**

All members of the College community, including faculty, staff, and students, as well as visitors to Dickinson College, are prohibited from possessing firearms, explosives or weapons (hereafter collectively referred to as “weapons”) on the premises of the College or in any building under College control or at any College–sponsored event without the explicit authorization of Dickinson College, whether or not a federal or state license to possess the same has been issued to the possessor. The complete Firearms and Weapons policy can be found on the [campus-wide policies](#) page [found here](#).

**INTERFERENCE WITH COLLEGE ACTIVITIES**

The obstruction or disruption of teaching, research, administrative duties, conduct proceedings or other college activities.

**RESIDENTIAL LIVING GUIDELINES & POLICIES**

Students living on campus are expected to participate actively in their communities as well as fulfilling the obligations of a respectful and responsible citizen in the community. Residential policies and guidelines are designed to foster safe, productive, and respectful environments that allow students maximal opportunities for growth and development. While living in college-sponsored facilities, you are expected to follow these guidelines and policies and any other guidelines established by an individual community. The complete list of Residential Guidelines & Policies can be found on the [Campus Policies Manual](#) page under [Student Resources and Services](#) ([found here](#)).

**RETALIATION**

Seeking retribution or revenge or attempting to seek retribution or revenge against anyone involved in the bringing, defense or resolution of allegations of any violation of the

Respect for Property is essential when interacting with others’ belongings. We show our respect for property by not stealing, destroying or accessing property without permission.

Community Standards, including the complainant, the respondent, anyone acting on behalf of either party, or anyone participating in the investigation, hearing and/or appeal.

### **UNAUTHORIZED ACCESS**

Unauthorized access to or use of College buildings, facilities or other properties. This includes but is not limited to gaining access to a room, location, or building without authorization, unauthorized use of a college vehicle, and/or improper possession or duplication of a key or key card.

### **FIRE SAFETY EQUIPMENT (\*)**

Tampering with fire safety equipment and/or the intentional or reckless starting of a fire.

### **DAMAGE TO PROPERTY**

Damage to college property or the property of others, as well as any attempt to damage such property.

### **SAFETY AND SECURITY EQUIPMENT**

Tampering and/or the misuse of safety and security equipment.

### **THEFT/POSSESSION OF STOLEN PROPERTY**

Taking, attempting to take, and/or being in possession of the property of another without permission.

## **Procedures for Resolving Misconduct**

When the actions of a student(s) or organization violate the Dickinson College Community Standards, a process of review and resolution is implemented. This section describes the various procedures employed for the resolution of concerns about behavior and conduct that is inconsistent with our values and standards as an academic community. Generally, reports of violations of standards are submitted to the Vice President and Dean of Student Life Office at which point they are resolved formally or informally. All academic misconduct situations must be reviewed by a panel as part of the formal resolution process.

### **Informal Resolution**

The College aims to respond to student misconduct in an educational and restorative manner whenever appropriate. Informal resolution seeks to resolve conflict, restore an individual or group's relationship with the community and to promote and maintain community trust and civility. This is achieved through outcomes mutually agreed to by the college and the student. Outcomes of informal resolutions do not appear on a student or organization's conduct record; however, these outcomes can be taken into consideration if additional violations occur.

Informal resolution is reserved for allegations of social misconduct in which:

- the facts of the incident are not in dispute,
- the student(s) or organization(s) involved has accepted responsibility for their/its actions and agrees to amicable and respectful discussion throughout the process,
- and when, based upon the behavior at issue, the likely outcome does not alter a student or organization's relationship or status with the College.

Violations likely to alter a student's status at the college (asterisked in the Community Standards section of this document) are not eligible for review under informal resolution.

As part of the informal resolution process students may participate in one or more of these options: student (peer) panel meetings, restorative conferences with a College community member or conflict mediation. The resolution achieved in each situation will be based upon the specific incident under consideration.

Regardless of which process is used, the success of informal resolution requires that the meeting(s) include honest and candid dialogue, input from the parties involved, an acknowledgement and understanding of responsibility by the parties involved, and a resolution that is agreed upon by all participants.

Because the outcomes of informal resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. If the parties are unable to agree on the outcomes of the informal resolution proceeding, any party may request that the matter be resolved through formal resolution proceedings.

#### Formal Resolution

Generally, there are two means of formal resolution: administrative hearings and hearing panels. Violations that do not meet the criteria for informal resolution and that are not likely to alter a student's or organization's status at the institution may be heard by a single administrative hearing officer. The administrative hearing officer is appointed by the Vice President and Dean of Student Life office. All other violations that will be resolved by formal resolution will be reviewed by a hearing panel.

Students' rights concerning conduct resolved through Formal Resolution are:

- The right to appropriate notice of concerns about specific behavior (this information is in the notice letter that the student receives).
- The opportunity to be assisted by an advisor
- The opportunity to respond to the concern (your opportunity is to provide a written statement or your account of what occurred during the hearing).
- The opportunity to appeal the initial hearing outcome if grounds for appeal are met.

Formal resolutions are reserved for allegations of social misconduct in which:

- a student(s) or organization has requested a formal resolution process

- the alleged violation(s) of the Community Standards likely to alter a student's status at the college
- the facts of the underlying incident are in dispute
- the student(s) or organization(s) involved have challenged or have failed to acknowledge responsibility for their/its actions or where the outcome of a hearing may alter a student or organization's relationship
- all academic misconduct situations must be heard through the formal resolution process

Violations which involve sexual offenses or sexual harassment are typically not addressed under the Community Standards, and must be resolved under the processes set forth in the Sexual Harassment and Misconduct Policy (current policy can be found on the following pages <https://www.dickinson.edu/titleix> or on the [campus-wide policies](#) page [found here](#)). Information regarding the resolution of sexual harassment and misconduct claims may be obtained from the Title IX Coordinator.

### **ADMINISTRATIVE HEARING**

In situations where informal resolution is not available or the parties have requested, an administrative hearing. Typically, these are for violations of a more serious nature or where there is a conduct history. Students cannot be separated from the college through suspension or expulsion in an administrative hearing. A hearing officer reads through a script and asks the student whether they believe they are responsible or not responsible for the possible violations of the standards. The hearing officer then listens to the student's account of what occurred and asks clarifying questions before deciding responsibility.

### **HEARING PANEL**

For social (non-academic) conduct violations, the hearing panel consists of three voting members: a student, a faculty member and an administrator or staff member, with the exception of any hearings to resolve the Sexual Harassment or Misconduct provision. For any violations related to Sexual Harassment or Misconduct, the panel will consist of a faculty member and two administrator or staff members. The Associate Dean for Residence Life & Housing and Student Conduct, or designee, will serve as the chairperson (non-voting) facilitating the hearing process and assuring the process is followed appropriately. For academic conduct violations, the hearing panel consists of three voting members: a student, a faculty member and an Associate Provost who serves as chairperson (voting member). The individuals who serve as hearing officers or on hearing panels are chosen from a pool of eligible panel members.

The various members of the pool are chosen as follows:

- **Students** who are members of the hearing panel pool are nominated by members of the College community, interviewed by the Vice President and Dean of Student Life Office and then confirmed by Student Senate. The students are trained by the Vice President and Dean of Student Life Office and Academic Affairs to hear

incidents involving academic and non-academic violations of the College policy. Students will not serve on hearing panels for the violation of Sexual Harassment or Misconduct.

- **Faculty** who are members of the hearing panel pool are elected by the faculty. The faculty members are trained by the Vice President and Dean of Student Life Office and Academic Affairs to hear incidents involving academic and non-academic violations of the College policy. The faculty are trained by the Vice President and Dean of Student Life Office and Academic Affairs to hear incidents involving academic and social conduct violations of the College policy.
- **Administrators and staff** who are members of the pool from which hearing panel members are selected and appointed by the Vice President and Dean of Student Life Office or the Provost's Office. The staff members are trained by the Vice President and Dean of Student Life Office to hear incidents involving non-academic violations of the College policy.

The individuals from our community who may appear before a hearing panel are the *complaining party*, the *responding party*, any individuals who are *advisors*\* and any individuals who appear as *witnesses*\*\*.

The **complaining party** may be any member of the College community, including students, faculty, other employees or the College itself who believe that a student or student organization has violated the Community Standards. In some instances, the complaining party may be a community member.

The **responding party** is any student, group of students, or organization accused of a violation of the Community Standards.

As used in this policy, "**parties**" refers collectively to the complaining party and the responding party.

\*The complaining party and the responding party may each be assisted by an **advisor**. This person may help prepare the party for the hearing and may accompany the party that he or she is assisting to the hearing. An advisor must be a current student, full-time faculty member or full-time staff member of Dickinson College. This person must not have a law degree and cannot speak on behalf of the responding party or complaining party during the hearing. However, parties can have any advisor of choice in cases referred by the Title IX office for handling – with the advisor speaking restriction remaining intact.

\*\* The complaining party and the responding party may each have **witnesses** who have relevant information pertaining to the incident appear during the hearing or, in lieu of appearing, submit statements from witnesses in writing in advance of the hearing

according to the schedule described in this policy.<sup>1</sup> Witness information must be submitted in advance and witnesses must be approved by the Vice President and Dean of Student Life Office before information will be shared with the hearing administrator or hearing panel. Similarly, any written statements must be submitted in advance.

### *Notice of Hearing*

The Associate Dean for Residence Life & Student Conduct or their designee, makes an initial determination of whether a student and/or organization may have violated the Community Standards and/or College policy. Throughout this document, Associate Dean for Residence Life & Student Conduct refers to the Associate Dean with oversight of the conduct process. A **notice letter** provides a student or organization with information about the policy or policies violation(s) that are alleged to have taken place. Notice of informal resolution or administrative hearing will be provided no less than two (2) business days in advance of the resolution proceeding. In general, notice of a hearing before a hearing panel will be given approximately five (5) business days before the scheduled date of the hearing. Under extenuating circumstances, the timeframes set forth in this section may be extended by the Vice President and Dean of Student Life. The time frames set forth in this policy are meant to provide guidance and the College may alter or set new time frames as appropriate. In addition, the notice letter also provides a student or organization with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case. If the student or organization wishes to contest their hearing officer or panel member(s) based upon a perceived conflict of interest they should contact the Associate Dean for Residence Life & Student Conduct as soon as possible, but within 24 hours after receiving notice of an informal resolution or administrative hearing and within three (3) business days before the date of a hearing before a hearing panel. A conflict of interest exists where, based upon facts and circumstances, the hearing officer or panel member cannot listen without bias or render a fair and impartial decision. Any documents a student receives related to a hearing are confidential and must not be shared other than with an advisor, who is also expected to maintain confidentiality.

### *Accommodations*

If a student requires accommodations for a disability during the hearing process, they must inform the Associate Dean for Residence Life & Student Conduct no later than 24 hours prior to the scheduled informal resolution, administrative hearing or hearing panel. The Assistant Dean will work with Disability Services and the student to determine if an accommodation is appropriate and the nature of the accommodation.

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<sup>1</sup> While the Vice President and Dean of Student Life office will make reasonable efforts to accommodate the schedules of the parties and their witnesses, accommodating everyone's schedules is not always possible and may unreasonably delay the timely disposition of the violations. When this point is reached, and the Vice President and Dean of Student Life office determines that the hearing will go forward on a certain date, there will be no further efforts to accommodate schedules of witnesses and statements in lieu of appearing will be the offering party's only option.

## The Hearing Process

The panel or administrative hearing officer will listen to and consider all relevant information presented at the hearing. Information supporting the violation(s) alleged may be offered in the form of documents and/or oral information from the complaining party and other individuals. The responding party shall be provided with an opportunity and is encouraged to respond to the allegations and present any information available to support their position regarding the alleged violation(s) by offering documents and/or oral information. Individuals that either party intends to call as witnesses either in person or by written statement must be identified within 24 hours in advance of an administrative hearing and within three business days before the date of a hearing panel. Likewise, any documents that either party intends to use in conduct proceedings, including statements of witnesses, must be submitted 24 hours in advance of an informal resolution or administrative hearing and within three business days before the date of a hearing panel. The parties will be notified of the approval of documents and witnesses at least two business days before the resolution proceeding. The Vice President and Dean of Student Life Office will share the identity of witnesses and any documents, including witness statements, to be offered with the other party at least two business days before the proceeding.

Parties and other individuals who offer information at a hearing are expected to respond to questions presented via the hearing panel chair and/or by the panel members themselves. Once all the information has been presented, everyone will be dismissed from the hearing room so that the panel or administrative hearing officer may deliberate in private.

Administrative and panel hearings are audio-recorded. The audio recording is created for two limited purposes only: for reference by the hearing board or officer during deliberations and for review by the appellate officers during an appeal. No other recordings of conduct proceedings are allowed and no other access to the recordings is permitted.

The hearing panel or hearing officer will determine whether it is more likely than not, based upon the available information, that the responding party is responsible for the violation alleged. If it is determined that a violation of the Community Standards has occurred for which the responding party is responsible, the panel or hearing officer will determine sanctions, taking into account any previous disciplinary action for which the responding party has been responsible.

The result of the hearing and any sanction imposed are communicated to the responding party. Generally, this will occur within five (5) business days from the date of the hearing. There are some violations, as determined by law, for which a victim or victims will be notified about the outcome of a hearing.

Students and/or organizations are expected to attend scheduled hearings. If a student or organization fails to attend a hearing for any reason other than an emergency, the hearing

may be held in the absence of the student or organization. Students and/or organizations can request to have a hearing rescheduled. Requests to reschedule must be submitted to the Associate Dean for Residence Life & Student Conduct within 24 hours after receiving a notice of an administrative hearing or hearing panel. Requests must come directly from the student receiving a notice letter.

If a hearing must be held at or after the end of the semester and/or a hearing panel cannot reasonably be convened, those matters will proceed either with a modified panel or to an administrative hearing. When proceeding as an administrative hearing, hearings for academic misconduct violations will be heard by two Associate Provosts, or designees of the Provost, and hearings for social violations will be heard by the Associate Dean for Residence Life & Student Conduct, or their designee.

Because the goals and objectives of the College's Community Standards and policies differ from those of the civil and criminal justice systems, in situations which give rise to both violations of the Community Standards as well as violations of any local, state or federal law, student conduct proceedings may move forward without regard to pending civil litigation, criminal arrest, and/or prosecution. Proceedings under the College's Community Standards may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. On-campus adjudication does not preclude or limit a student's access to the state and federal justice systems.

#### *Interim Separation*

The Vice President and Dean of Student Life, or their designee, may place a student or organization on interim separation for any behavior that, in their judgment, poses an ongoing risk of harm to the safety or well-being of an individual or other members of the campus community. Pending formal resolution of the situation as provided by the Community Standards, the student or organization will be denied access to the entire campus. During interim separation, a student may continue their coursework. When Interim Separation is imposed, the College will make reasonable efforts to complete the hearing within two weeks of the interim separation beginning.

#### *Interim Measures*

The Vice President and Dean of Student Life, or their designee, may impose conditions on any student or organization associated with a hearing process which, in the Dean's judgment, are necessary to maintain order, preserve the integrity of the hearing process and provide for the safety and well-being of individuals and organizations associated with the hearing process.

#### **Outcomes**

Hearing panels or administrative hearing officers who find a student or organization responsible for a violation of the Community Standards or College policy, will issue sanctions, including but not limited to, those outlined below. Sanctions may be issued individually, or a combination of sanctions may be imposed. The determination of

sanctions is based upon several factors, including: the interest of the College community; the impact of the violation on the community, its members or its property; any previous conduct violations; and any mitigating or aggravating circumstances.

### *Academic Misconduct Outcomes*

Academic honesty and integrity are a necessary foundation for scholarly work. Cheating in any form, including plagiarism, is unacceptable. Students found responsible for violations of the Academic Standards will receive sanctions as appropriate. In addition to the sanctions described in the Community Standards for social violations (such as warning, stayed suspension, suspension, expulsion, revocation and/or withholding of diploma), which are also applicable to academic violations, students found responsible for academic misconduct may also receive:

#### **A ZERO ON THE ASSIGNMENT IN QUESTION**

The lowest score that can be earned for the assignment in question will be given and the student's final grade calculated based on the grading information stated in the course syllabus.

#### **REQUIRED WITHDRAWAL FROM THE COURSE WITH A PENALTY GRADE OF "F"**

Students immediately lose the privilege of attending the class. A letter grade of "F" will be recorded on the student's academic record and calculated into the semester and cumulative GPA as 0.00. A failed course may be retaken for credit. Both the original grade and the new grade are calculated in the cumulative grade point average. All "F" grades continue to appear on the student's academic record regardless of course repetition.

#### **The typical sanction for academic misconduct is an "F" in the course and stayed suspension.**

In most situations, conduct files of students who have been found responsible for academic misconduct but have not been suspended or expelled are destroyed seven (7) years after graduation or permanent separation from the college. The conduct files of students who withdrew with pending disciplinary action or have been suspended or expelled from the College are maintained in the Vice President and Dean of Student Life Office indefinitely. In incidents where a student is found responsible for an academic violation, the student's academic advisor and class dean will be notified of that outcome.

### *Social Misconduct Outcomes*

The outcomes which may be imposed individually or in combination on a student or organization found to have violated the Community Standards include, but are not limited to, the following:

#### **WARNING**

Notice to a student or organization that continuation or repetition of conduct found to be in violation of the Community Standards or policies may result in further disciplinary action.

### **RESTITUTION/RESTORATION**

Restitution includes the reimbursement for damages to or the misappropriation of property. Restoration includes the performance of appropriate services to repair or otherwise compensate for damages. Restitution and restoration may also include personal apologies, or other direct efforts to compensate for or address an issue.

### **HOUSING RESTRICTION(S)**

Housing restrictions include, but are not limited to, restricted access to any or all parts of residence halls, the loss of room selection/lottery privileges, the loss of ability to engage in social or residential off-campus non-commercial spaces, requirement to move on-campus at your own expense, removal of guest privileges, and/or restriction from autonomous housing options.

### **HOUSING RELOCATION**

Housing relocation includes the involuntary relocation of a student from one residence hall to another residence hall on campus. If a student is relocated, they may be restricted from the prior residence.

### **OFF CAMPUS NUISANCE HOUSE**

Any off-campus residence currently occupied by Dickinson College students where one or more residents or participants in social activities at the residential space has been placed on probation may be designated by the College as a nuisance house. During the period of designation, exemplary community behavior is expected. Carlisle Police will also be notified of the designation. Additional violations of the Community Standards during this designation period may result in citations from the Carlisle Police.

### **ASSESSMENT AND/OR TREATMENT**

Referral to the Wellness Center or approved off-campus agencies for various assessments, evaluations and/or treatment. This includes but is not limited to substance abuse assessment and/or treatment, anger management evaluation and/or treatment, and conflict mediation.

### **RESTRICTIONS ON PARTICIPATION OR USE**

Restrictions on participation include the revocation, or the loss for a stated period of time or under a stated set of conditions, of a student's ability to participate in certain College approved activities, including but not limited to varsity sports, clubs, organizations (including but not limited to Greek organizations) or leadership positions with such sports, clubs and organizations. Restrictions on use include the denial of access to, or use of, certain College facilities, programs or equipment for a stated period of time or under a stated set of conditions.

### **PARENTAL NOTIFICATION**

Disclosure to a parent that the student has been found responsible for a violation of the alcohol and/or drug provisions of the Community Standards. **This is a typical sanction for an alcohol and/or drug violation.**

### **PROBATION**

A specified period of time requiring maintenance of exemplary conduct. Further violations during this time may result in more serious sanctions. This may also include all residents of a house, apartment, or suite on or off-campus.

### **STAYED SUSPENSION**

A student or organization on stayed suspension has been found responsible for conduct that warrants suspension from the College. In the exercise of its discretion, Dickinson College has determined to withhold immediate imposition of suspension and to allow the individual or organization to remain on campus, usually with additional terms of compliance. If a student or organization is found in violation of any aspect of the Community's Standards or of terms of compliance during the period of the stay, the stay on this suspension may be lifted and the suspension will become effective immediately, resulting in separation from the College for the remainder of the suspension period. In addition, any other sanctions for the new violation(s) will be imposed. During a period of stayed suspension, the terms imposed on an organization will also be binding on the members of the organization.

### **SUSPENSION FROM THE COLLEGE**

A student suspended from the College may not participate in classes or other College activities and may not be on College property (except by appointment, arranged in advance with the Provost and Dean of the College or the Vice President and Dean of Student Life or one of their designees) for the period of time specified in the notice of suspension. Suspension extending beyond the semester in which action is taken shall consist of units of full semesters, and/or summer sessions. In no case shall the suspension terminate prior to the end of a semester. Courses taken at another institution during this period of suspension will not be accepted for transfer at Dickinson. Conditions for resuming active status on campus following suspension may be imposed by the College. An organization that is suspended shall be required to forfeit its ability to conduct group-sponsored activities, to participate in College-sponsored activities and any College support for the organization will be withdrawn during the period of suspension.

An organization that is suspended shall be required to forfeit its ability to conduct group-sponsored activities, to participate in College-sponsored activities, and any College support for the organization will be withdrawn, during the period of suspension.

### **REVOCATION OR WITHHOLDING OF DIPLOMA AND DEGREE**

If a student has graduated, or otherwise satisfied the requirements for earning a degree, from Dickinson College before violations of the Community Standards are discovered or before a determination of violations is complete, the College reserves the right to revoke

the diploma and/or degree conferred, or to withhold the conferring of a degree or diploma otherwise earned for a specified period of time or indefinitely.

### **EXPULSION**

For an individual, expulsion is permanent termination of student status, which includes exclusion from any Dickinson College property, College sponsored or College affiliated events. A person expelled from the College is denied the rights and privileges of inclusion in the Dickinson College community both as a student and as an alumnus. For an organization, expulsion is permanent termination of the organization's relationship and status with the College, which includes termination of access to facilities, funding, and/or right to assemble as an organization on College property, and College sponsored or affiliated events. An organization expelled from the College is denied the rights and privileges of inclusion in the Dickinson College community as an organization.

### **OTHER**

Such other sanctions as may be appropriate in the judgment of the College.

### **Appeals Process**

Decisions made by a hearing panel or hearing officer following a formal resolution can be appealed by either party within five (5) business days of the date of notification of the decision by the Vice President and Dean of Student Life office.

The appeal may be based only on one or more of the following grounds:

- A deviation from College policy or procedures that materially affected the outcome;
- The sanctions imposed were too harsh or too lenient; or,
- New information that could affect the finding and that was not reasonably available through the exercise of due diligence at the time of the investigation.

All appeals must be in writing and submitted to the Associate Dean for Residence Life & Student Conduct. The appeal shall consist of a plain, concise and complete written statement expounding on the grounds for the appeal. The Associate Dean for Residence Life & Student Conduct shall determine whether one or more bases for the statement of appeal have been met. If they have, the appeal will be reviewed by an appellate officer or panel. Situations which were resolved through an administrative hearing will be reviewed by an appellate officer and situations which were resolved through a panel hearing will be reviewed by an appeal panel.

The appeals panel shall consider the merits of an appeal only based on the information provided in the written request for appeal, and the record of the original hearing. The appellate officer or the panel may request to meet with the hearing officers, responding party and/or the complaining party to seek clarification of the hearing record only. Any decision of the appeals panel shall be made by majority vote. The appeals panel must be persuaded to act by clear and convincing reasons. All appeal panel decisions are final, except for cases of expulsion\*. The complaining party and the responding party will be

notified of the appeal panel's decision by letter within five (5) business days, or as soon as reasonably possible after the decision is rendered.

In situations involving social misconduct (non-academic) violations, the appeals panel is comprised of the Vice President and Dean of Student Life, or their designee, most commonly the Associate Vice President for Student Life, one student and one faculty member none of whom were involved in the original hearing. In situations which involve academic conduct violations, the appeals panel is comprised of an Associate Provost, one student and one faculty member none of whom were involved in the original hearing. The appeals panel must be persuaded by clear and convincing evidence that is presented in writing in the appeal letter. The individual appealing will be notified of the appeal panel's decision by letter within five (5) business days, or as soon as reasonably possible after the decision is rendered.

If an appeal needs to be held at or after the end of the semester and/or an appeal panel cannot reasonably be convened, regardless of whether the hearing took place while classes were in session or not, the appeal shall be reviewed by the Provost/Dean of the College, or their designee, in matters of academic violations or to the Vice President and Dean of Student Life, or their designee, most commonly the Associate Vice President for Student Life in matters of social violations.

\*In matters where expulsion is the sanction recommended by either the hearing panel or the appeal panel, the responding party may appeal the decision of the appeal panel to the President. The President, or their designee(s), shall conduct the final appeal. The appeal must be in writing, addressed to the President of the College and be delivered to the Vice President Dean of Student Life Office within five (5) business days of the date of notification of the decision by the appeals panel. The appeal may be based only on the grounds that procedures set forth in the Community Standards were not followed by the appeals board, the sanctions imposed by the appeals board were excessive for the violation, and/or new or relevant information, not available at the time of the hearing, has arisen. The appeal is a review of the written request for appeal, review of the recording and all documents from the original hearing. Appeals are non-oral and the President will normally make a decision within 10 business days or as soon as practicable.

### **Student Records and Confidentiality**

All resolution proceedings, whether informal or formal, are conducted in compliance with the requirements of FERPA and College policy. No information shall be released from such proceedings except as required or permitted by law and College policy.

It is generally the policy of Dickinson College to obtain consent from a student before releasing information from a student's education record, including the disciplinary proceedings of the College, to parents. However, where in the judgment of the College the release of such information to parents is appropriate and is not otherwise prohibited by FERPA or other applicable laws, the College reserves the right to release information

without student consent. The College's complete FERPA policy may be found in the Student Handbook.

Informal resolution is an administrative proceeding, and matters resolved through informal resolution processes are not part of a student's conduct files, subject to the exception noted in the previous description of the Informal Resolution section.

Affirmative findings of responsibility in matters resolved by formal resolution proceedings are part of a student's conduct record. Once a student has been found responsible for violating the Community Standards by formal resolution proceedings, all records of matters addressed by informal resolution shall be transferred to and become a part of a student's conduct record. Such records shall be used in reviewing any further conduct, developing sanctions, and shall remain a part of a student's conduct record for all purposes.

Generally disciplinary sanctions are not noted on a student's transcript. The conduct files of students who withdrew with pending disciplinary action or have been suspended or expelled from the College are maintained in the Vice President and Dean of Student Life Office indefinitely. In most matters, conduct files of students who have not been suspended or expelled are destroyed seven years following their graduation. Students who withdraw prior to graduation and who have not been suspended or expelled are destroyed seven years following their departure. Further questions should be directed to the Associate Dean for Residence Life & Student Conduct.

Records of disciplinary action involving organizations (other than stayed suspension, suspension or expulsion) are maintained in the Vice President and Dean of Student Life Office indefinitely.

Students who declare an interest in studying abroad through the Center for Global Study and Engagement (CGSE) are subject to a conduct record check. Information that will be shared with the CGSE includes but is not limited to; violations that resulted in the suspension of the student, violations that resulted in a student being placed on stayed suspension or conduct probation, violations involving illicit drugs or drug paraphernalia, sexual harassment, sexual offenses, other acts of violence, and major damage to property. It is within the sole discretion of the College, through the CGSE and the CGSE Conduct Committee, to determine whether a student who has violated College policy and/or the Community Standards is eligible to study abroad. Consideration and qualification for study off-campus are not disciplinary determinations but may be affected by a student's disciplinary record.