

Student Conduct Proceedings

July 2014 through June 2015

Introduction

Violations of the Standards of Student Conduct are handled through the Student Conduct Procedures and the guidelines governing the Academic Code, which are designed to address behaviors that impede the educational activity of the University or that infringe upon the rights of others. Most charges against students stem from Department of Public Safety reports or Campus Incident Complaint Forms regarding on-campus incidents. Sometimes, however, the Office of Student Life adjudicates cases that arise from off-campus incidents, especially in cases where there has been harm to individuals or the community. The Student Conduct Procedures often involve a hearing at one of five levels, depending on the severity of the charges and a student's individual student conduct history, before a matter is resolved. Individuals involved in determining a student's responsibility are drawn from the student body (undergraduate, graduate, medical school), deans and administrators of the University, and faculty members.

In addition to providing information about the offenses that make up the Standards of Student Conduct and the sanctions that are available to be assigned, this report will outline the types of cases that were resolved through the Student Conduct Procedures over the 2014-2015 academic year. As students are guaranteed confidential proceedings, only basic details about cases will be provided here. Information will be provided regarding each type of hearing, including who the hearing officers are, typical offenses that are adjudicated at that level, the sanctions available at that level, and basic statistics about the resolution of all cases heard at that level during the academic year.

Disciplinary Dispositions	Fall 2014	Spring 2015	Total
Peer Community Standards Board	19	12	31
Dean's Hearings	76	173	249
Student Organization Hearings	5	8	13
Administrative Hearings	1	1	2
Student Conduct Board (SCB) Hearings	4	4	8
Investigations (Ongoing)	2	7	9
Investigations (No Action Taken)	7*	9	16
Totals	113	214	327

Offenses (2014-2015)

- I. Behavior that disrupts or materially interferes with the basic rights of others and the educational functions of the University.
- II. Actions that:
 - a. result in or can be reasonably expected to result in physical harm to a person or persons.
 - b. are unreasonably disruptive of the University community and/or its neighborhoods.
 - c. result in or can be reasonably expected to result in damage to property.
- III. Sexual Misconduct
 - a. Sexual Misconduct that involves non-consensual physical contact of a sexual nature.
 - b. Sexual Misconduct that includes one or more of the following: penetration, violent physical force, or injury.
- IV. Subjecting another person or group to abusive, threatening, intimidating, or harassing actions, including, but not limited to, those based on race, religion, sex/gender, disability, age, economic status, ethnicity, national origin, sexual orientation, gender identity, or gender expression. (See "Civil Rights & Non-Discrimination")
- V. Drugs and/or Alcohol:
 - a. Illegal possession or use of drugs and/or alcohol and/or drug paraphernalia.
 - b. The illegal provision, sale, or possession with intent to sell/provide drugs and/or alcohol and/or drug paraphernalia.
- VI. Theft or attempted theft of property and/or possession of stolen property.
- VII. Failing to comply with the proper directive(s) of a University official, including refusing to identify oneself or refusing to present University identification to a University staff member, including members of the Department of Public Safety.
- VIII. Possession, use, or distribution of firearms, ammunition, explosives, or other weapons.
- IX. Violation of operational rules governing various offices, departments and facilities of the University (e.g., Residential Life, Student Activities Office, Dining Services, Computing and Information Services, the Libraries, etc.).
- X. Misrepresentation:
 - a. Lying or materially misrepresenting information to an official University body or officer, including a member of the Department of Public Safety.
 - b. Lying in the course of a student conduct hearing constitutes an offense that is immediately actionable.
- XI. Violation of the terms of any student conduct hearing sanction.
- XII. Failing to appear as a witness during a student conduct hearing.

Sanctions and Accompanying Terms

Violations of the Student Conduct Code may result in the following sanctions, in order of increasing severity. When determining an appropriate sanction, hearing officers, members of the Peer Community Standards Board, and members of the Student Conduct Board will consider the nature of the incident and its context as well as any prior disciplinary findings. Because a student's prior record is considered in determining an appropriate sanction, similar violations may result in different outcomes. All sanctions may include accompanying terms as appropriate. Violation of any sanction will warrant a review by the Dean of Students and may result in forwarding the matter to the Student Conduct Board or an Administrative Hearing.

Sanctions

1. Reprimand: A reprimand is a written notice that a student has violated the Code of Student Conduct and that another violation will likely result in a more severe sanction.
2. Probation: Probation is a designated period of time during which the student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Code of Student Conduct.
3. Deferred Suspension: Deferred suspension is used for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Deferred suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Code of Student Conduct. A deferred suspension may be accompanied by a transcript remark (See "Accompanying Terms for Sanctions"). *Note: As of Fall 2015, Deferred Suspension includes restrictions on a student's ability to represent the University in any official capacity.*
4. Suspension: Suspension is separation from University for a designated period of time after which the suspended student may petition the Dean of Students for readmission to the University. The petition must demonstrate that the student has satisfied any accompanying terms of the suspension. A student who has been suspended may not be on University property without the prior approval of the Dean of Students. A suspended student is prohibited from participating in any University activity or program. A suspension may be accompanied by a transcript remark (See "Accompanying Terms for Sanctions").
5. Expulsion: Expulsion is permanent separation from the University. A student who has been expelled is prohibited from entering any University premises and participating in any University activity or program without explicit permission. An expulsion may be accompanied by a transcript remark (See "Accompanying Terms for Sanctions").

Accompanying Terms for Sanctions

A hearing officer or body may impose accompanying terms to any sanction designed to insure responsible behavior and the well-being of the University community, help the responsible student learn from the experience, and ameliorate the effects of the conduct on the aggrieved student. The following terms may accompany any of the sanctions described above, except when noted.

1. Parent/guardian notification: Parents/guardians may be notified, in accordance with applicable regulations, of the outcome of any student conduct hearing.
2. University file entry: A University file entry is a non-permanent entry into a student's official University file. A copy of the written notification to the student of the outcome of the hearing is placed in the student's official University file. A University file entry will be removed not later than at the student's graduation from the University.
3. Restitution: Restitution is the repayment to the University or to an affected party for damages to property resulting from a violation of the Code of Student Conduct.
4. Removal from University housing: Separation of a student from University-owned housing (residence halls and rental properties) may accompany the sanction of any student conduct hearing. The separation from University housing must be for a designated period of time. Conditions for readmission to University housing may be specified.
5. Transcript remark: A transcript remark is a notation on a student's official University transcript. A transcript remark may accompany a deferred suspension, suspension or expulsion. Following a deferred suspension, a student may petition to have a transcript remark removed after one full semester. Undergraduate students must petition the Dean of Students; graduate students must petition the Dean of the Graduate School; medical students must petition the Dean of Medicine and Biological Sciences. For suspensions and expulsions a permanent entry will appear on a student's transcript.
6. Fines: When appropriate, a fine may accompany the sanction of any student conduct hearing. In general, fines may range from \$25 (e.g., damage or theft to University property, failure to evacuate when a fire alarm sounds) to \$1000 (e.g., pulling a false alarm).
7. Other accompanying terms: Other terms designed to ensure responsible behavior may accompany the sanction of any student conduct hearing. These terms may include, but are not limited to, educational projects, meetings with educators/counselors, community restitution, housing relocation, and other assignments as warranted.

Procedures

The Student Conduct Procedures often involve a hearing at one of five levels, depending on the severity of the charges and a student's individual student conduct history, before a matter is resolved.

Information will be provided in this section regarding each type of hearing, including who the hearing officers are, typical offenses that are adjudicated at that level, the sanctions available at that level, and basic statistics about the resolution of all cases heard at that level during the year.

Peer Community Standards Board

Alleged minor and first offense violations of University policies are often resolved through Peer Community Standards Board hearings. The hearing officers for these panels are undergraduate students who have been selected by the undergraduate student government and who have participated in extensive training about reviewing evidence, hearing testimony, determining responsibility for violations, and, if necessary, assigning sanctions and accompanying terms. Typical offenses that are heard at this level include, but are not limited to, noise violations, fire safety violations, copyright violations (repeat violations), and first-offense violations of the alcohol policy. The sanctions available at this level include a reprimand and probation, and often an educational accompanying term is assigned.

Note: As of the Fall 2015 semester, the Peer Community Standards Board no longer exists. Cases that would have gone to PCSB will now be adjudicated via a Letter in Lieu of Hearing, in which students can choose to either accept responsibility for the alleged violations and the proposed sanction and accompanying terms OR proceed to a Dean's Hearing. In addition, the Office of Student Life will create a peer education group that will involve students in educating the campus about community standards.

Peer Community Standards Board Hearings	Fall 2014	Spring 2015	Total
No Finding of a Violation	1	1	2
Reprimand	17	11	28
Probation	0	0	0
Deferred Suspension	0	0	0
No Action Taken	1	0	1
Charges Withdrawn	0	0	0
Open Cases	0	0	0
Totals	19	12	31

Dean's Hearings

Matters that are more serious but that do not warrant separation from the University and/or a permanent record notation are resolved through Dean's Hearings. The hearing officers for these hearings are University staff members, including deans, administrators, and community directors. Typical offenses that are heard at this level include, but are not limited to, underage possession or consumption of alcohol, provision/sale of alcohol to minors, possession or use of marijuana or other drugs, property damage or theft, disruptive behavior, and second-offense minor violations. If a hearing officer determines that a student is responsible for violating the Code of Student Conduct, the sanctions available at this level include a reprimand, probation, and deferred suspension, and often one or more accompanying terms are assigned.

Dean's Hearings	Fall 2014	Spring 2015	Total
No Finding of a Violation	16	21	37
Reprimand	43	91	134
Probation	15	54	69
Deferred Suspension	1	1	2
No Action Taken	1	1	2
Charges Withdrawn	0	2	2
Open Cases	0	3	3
Totals	76	173	249

Student Organization Hearings

Alleged violations of University policies by student organizations are resolved through Student Organization Hearings. The hearing officers for these hearings are University deans and administrators. If a student organization is found responsible, the dean/administrator will impose a sanction up to probation for three semesters. In addition to the types of sanctions listed above for Dean's Hearings, Student Organization Hearings often result in suspension of privileges, fines, restitution, alcohol and other education/counseling, community restitution, and/or party management training.

Note: As of Fall 2015, the sanctions available at Student Organization Hearings include Deferred Suspension, Suspension, and Expulsion.

Student Organization Hearings	Fall 2014	Spring 2015	Total
No Finding of a Violation	0	3	3
Reprimand	1	1	2
Probation and/or Suspension of Privileges	4	3	7
Deferred Suspension	0	0	0
No Action Taken	0	1	1
Charges Withdrawn	0	0	0
Open Cases	0	0	0
Totals	5	8	13

Administrative Hearings

Matters that may warrant separation from the University and/or a permanent record notation are resolved through Administrative Hearings and Student Conduct Board (SCB) Hearings. In some cases, a charged student may choose an Administrative Hearing in lieu of a SCB Hearing (note: this option is not available for students charged with bias-related harassment). All Administrative Hearings are conducted by a dean or administrative officer of the University. All sanctions, including expulsion, are available at this level and may be recommended by the hearing officer to the Dean of Students.

Administrative Hearings	Fall 2014		Spring 2015		Total
Violation	# of Cases	Sanction	# of Cases	Sanction	
Theft	1	Deferred Suspension			1
Alcohol, Property Destruction			1	Deferred Suspension	1
Totals	1		1		2

Student Conduct Board Hearings

Student Conduct Board panels consist of a member of the faculty, a dean, and a student, generally corresponding to the charged student's University status (undergraduate, graduate, and medical). The Student Conduct Board reviews evidence and hears testimony before determining whether a respondent is responsible for violating the Code of Student Conduct and, as appropriate, recommending a sanction and accompanying terms to the Dean of Students. All sanctions and accompanying terms, including expulsion from the University, are available at this level.

Note: As of Fall 2015, the makeup of a Student Conduct Board panel may include two deans or two faculty members in addition to a student.

Student Conduct Board Hearings	Fall 2014		Spring 2015		Total
Violation	# of Cases	Sanction	# of Cases	Sanction	
Physical Assault	0	N/A	1	Deferred Suspension	1
Harassment	1	Suspension	0	N/A	1
Sexual Misconduct	3	(1)Suspension (1)Deferred Suspension (1)Not Responsible	3	(2)Suspension (1)Not Responsible	6
Totals	4		4		8

Membership and Acknowledgments

The work represented in these hearings is both time-consuming and complex. Much appreciation is extended to all members of the Brown community who invest their time, energy, and thoughtfulness to this process, including the students who served on the Peer Community Standards and the Student Conduct Board and the faculty and staff members who serve as advisors, hearing officers, and Student Conduct Board members for the various types of hearings.

The Office of Student Life and members of the campus community participated in a review of the Code of Student Conduct during the 2014-2015 academic year. Several changes were made to the Code as a result of this committee's efforts. For the most up-to-date information on the Code of Student Conduct, including a current list of offenses, please consult the following website:

<http://www.brown.edu/about/administration/student-life/student-conduct>.