
*THE UNIVERSITY OF CHICAGO
DIVISION OF THE SOCIAL SCIENCES DISCIPLINARY SYSTEM*

PREAMBLE

The University of Chicago is a community of scholars dedicated to research, academic excellence, the pursuit and cultivation of learning, and the robust intellectual exchange among faculty and students. Every member of the university—student, faculty, and staff—makes a commitment to strive for personal and academic integrity; to treat others with dignity and respect; to honor the rights and property of others; to take responsibility for individual and group behavior; and to act as a responsible citizen in a free academic community and in the larger society. Any student conduct, on or off campus, of individuals or groups, which threatens or violates this commitment, may become a matter for action within the university’s system of student discipline

The university believes that students must take responsibility for their own conduct. Under some circumstances, students also must take responsibility for the conduct of a group, or individual members of the group of which they are part. The group may be informal, such as a study group, or formal, such as a student organization.

Groups are often bound by shared interests, values, and a mutual trust. Trust is also a critical underpinning of our community—trust between and among peers as well as trust between and among individuals of different rank or status.

Every student bears responsibility for his or her misconduct, regardless of whether the misconduct takes place in a group setting or as a member or a group. However, individual misconduct may also be, at least in part, the responsibility of other members of the group and the group leadership. Misconduct by individual members of a group thus may become a matter for disciplinary action against the individual, the group, and the group leadership.

The intent of the student disciplinary systems is to ensure a fair and orderly proceeding on questions of possible student misconduct. A disciplinary proceeding enjoys neither the advantages nor the limitations inherent in an adversarial proceeding of a court of law.

The university's disciplinary systems and the legal-judicial structures of the general society differ and are distinct in principle. Students who are subject to or involved in university discipline do not automatically abdicate any of the rights that are guaranteed to them by the civil society and, indeed, they remain at all times free to claim and assert those rights through the institutions, presumably judicial, of that society. At the same time, however, students must recognize that the university is a private enclave, dedicated to a purpose that imposes additional and special obligations while, at the same time, granting privileges to its members.

Student misconduct may be simultaneously subject to external legal or administrative proceedings and the University’s disciplinary system. Under those circumstances, the university’s disciplinary system normally will proceed independently and notwithstanding the pendency of external processes. Furthermore, university disciplinary committees are not bound by external findings, adjudications or processes, and thus they make independent judgments about the extent to which (if at all) to consider such matters.

The university’s disciplinary procedures therefore should not be confused with the processes of law: the university’s regulations are applied to incidents that are not “cases,” the bodies that hear and dispose of incidents are not “courts,” individuals who may accompany a student in the course of a disciplinary proceeding are not “counsel” advocating on behalf of the student and scrutinizing procedures for compliance with “rules of evidence,” and requests for review of disciplinary decisions are not “appeals.”

Disciplinary committees make no assumptions or presumptions (including about the credibility or culpability of the parties to the proceeding or witnesses), and reach decisions as to whether the respondent has violated University policy solely on the basis of the evidence and testimony presented to them. In incidents where the University is the

complainant, the respondent will be presumed innocent until the appropriate disciplinary authority, using the preponderance of evidence standard, determines that a policy violation has occurred. Neither the respondent nor the complainant bears the responsibility to prove or disprove allegations. It is the University's role to gather information and apply an unbiased and transparent process so that disciplinary committees or the appropriate University official can determine whether a policy violation has occurred.

It should be understood that the relation of collegiality and trust that binds all members of the university community entails an obligation of truthfulness and candor on the part of everyone who participates in a disciplinary proceeding. A respondent, the complainant, and others are expected to appear before a disciplinary committee if summoned, and participate in a manner that helps the committee reach a complete and fair understanding of the facts of the incident at issue. Refusal to participate denies committee members from learning important information that could influence the outcome of the proceedings, and compels the committee to continue with the proceeding and reach a decision based on the information before it.

THE DIVISION OF THE SOCIAL SCIENCES DISCIPLINARY SYSTEM

In all instances, conduct involving possible violation of university policies and regulations and other breaches of standards of behavior expected of a student in the Division of the Social Sciences should be brought promptly to the attention of the Dean of Students in the Social Sciences.

Reports from university police about student misconduct will routinely be brought to the Dean of Students in the Social Sciences for possible disciplinary action. Furthermore, the dean of students may investigate and recommend disciplinary action based on reports from third parties of arrests, citations, or other conduct from external parties that come to the attention of the Dean of Students in the Social Sciences.

Such violation and breaches of standards include but are not limited to: plagiarism, cheating on examinations, falsifications of documents or records, theft, vandalism, violation of computing policies, violation of the alcohol and other drug policy, physical or verbal abuse which threatens or endangers the health or safety of others, violation of an administrative department's regulations, failure to comply with directives of university officials including the university police, and violation of the terms of imposed disciplinary sanctions.

Generally, the person bringing the allegation of misconduct by a student in the division first will discuss the allegation with the Dean of Students in the Social Sciences (or his/her designee¹). The complainant must maintain strict confidentiality of the allegation of misconduct. The dean of students will conduct an inquiry into the facts, which may include interviews with pertinent other people. If the circumstances warrant it, the dean of students will notify the accused student of the complaint via e-mail and, to the extent possible (based on available facts), provide the student with a brief description of the reported behavior, the related policy and the name of the complainant. From the date of the e-mail, the respondent will generally have up to 5 business days to schedule a meeting with the dean of students (or designee) to discuss the reported behavior and the options for resolution.

Based on the inquiry, the Dean of Students in the Social Sciences has the discretion and authority to dismiss the complaint, or to resolve the complaint informally with the parties, or to resolve the complaint administratively (without a hearing), or to refer the complaint to the Academic Dean of the Division of the Social Sciences with a recommendation to convene a disciplinary committee. Mediation and/or informal resolution are not appropriate, even on a voluntary basis, in matters involving allegations of sexual assault.

If the Dean of Students in the Social Sciences resolves an allegation of misconduct informally, the dean of students may give the accused student an official warning and suspend specific student rights and privileges for a designated period of time. A copy of the written notice warning the accused student that he or she is violating or has violated university policies or regulations will be placed in the student's education record. If the dean of students later finds that the student has engaged in additional misconduct, he or she may inform the Division of the Social Sciences Disciplinary Committee of the earlier warning. The committee must then consider it in determining further sanctions.

¹ On occasion it may be necessary for another administrator to fulfill the responsibilities for the Dean of Students in the disciplinary process.

In situations where an individual student has acknowledged responsibility for misconduct and the most likely outcome for that misconduct would be a sanction of warning or disciplinary probation if a disciplinary committee were to be convened, the dean of students (or designee) may offer to resolve the allegation of misconduct administratively without referral to a disciplinary committee. In such matters, the dean of students can propose the sanction of an official warning or place the student on disciplinary probation for a specified period of time (e.g., a quarter, a year, for the duration of the student's enrollment, etc.). The student will be given the option to accept or reject this offer for resolution in writing. If the student rejects the offer, then the dean of students may refer the complaint to the Academic Dean of the Social Sciences with a recommendation to convene a disciplinary committee. If the student accepts the dean of student's offer, the decision becomes final and unreviewable, with one exception: if the dean of students later receives new information that materially changes the evaluation of the misconduct, then the dean of students may withdraw the administrative resolution and refer the complaint to the academic dean with a recommendation to convene a disciplinary committee.

If the Academic Dean decides that a Social Sciences Disciplinary Committee is to be convened, the dean of students will ask the complainant to submit in writing the allegation as well as any available documentation supporting the allegation. The dean of students will inform the respondent of the allegation, give the respondent a copy of the Division of the Social Sciences disciplinary procedures and ask the respondent to prepare a written response to the accusation and provide any relevant exonerating materials. The respondent is expected to provide a written response within 5 business days. If there were witnesses to the alleged misconduct, the dean of students may ask pertinent witnesses to come before the disciplinary committee to answer questions and/or may ask witnesses to submit a written statement. Witnesses asked to submit a written statement will also be asked to sign a release to share their witness statement with the accused student. A complainant should make every effort to include in the complaint all germane facts known at that time and provide all available supporting materials. Normally, once a Division of the Social Sciences Disciplinary Committee is convened, the complaint will not be revised to include new or different allegations or supporting materials.

However, once a disciplinary committee is convened, the dean of students, in consultation with the Office of Campus Life and Student Services, may decline to investigate, or recommend that the disciplinary committee or another Division of the Social Sciences Disciplinary Committee should decide, new or different allegations based on facts that were known or should have been known to the complainant at the time of the initial complaint.

On the rare occasion that the respondent makes a complaint against the complainant, the Dean of Students in the Social Sciences may investigate the respondent's complaint at or about the same time he or she investigates the complainant's complaint. The dean of students may decline to recommend that a Division of the Social Sciences Disciplinary Committee hear either complaint or one of the complaints. The dean of students may also recommend that both complaints be simultaneously heard by a single Division of the Social Sciences Disciplinary Committee or heard separately by the same or different disciplinary committees.

Allegation of Misconduct by an Individual (Not Unlawful Discrimination or Sexual Misconduct)

The Academic Dean of the Division of the Social Sciences (or his/her designee) will appoint the members of the Division of the Social Sciences Disciplinary Committee. All members are expected to maintain independent judgment and open-mindedness about the alleged misconduct. The dean of students will notify the respondent of the members of the committee as soon as practicable before the hearing. The respondent may request a substitution if the participation of any individual on the committee poses a conflict of interest. Such requests must be made to the dean of students within 2 business days of receiving notice of the members of the committee. Requests must identify with specificity the alleged nature of the conflict of interest. Using reasoned judgment, the chair of the disciplinary committee will decide whether the alleged conflict is genuine and material and, if so, whether it compels the committee member's replacement.

The disciplinary committee consists minimally of three faculty members, one student, the Dean of Students in the Social Sciences (or his/her designee), and a representative of Campus Life and Student Services. At the discretion of the Academic Dean of the Social Sciences, up to two of the faculty appointees may be senior lecturers or other equivalent academic appointees. One faculty appointee must be from the departmental unit of the degree program in which the accused student is enrolled, and two must be from a different departmental unit. The three faculty appointees, the Dean of Students in the Social Sciences (or designee) and the Campus and Student Life representative constitute a quorum. Both the dean of students (or designee) and the Campus and Student Life representative attend the disciplinary committee meeting in a non-voting, advisory capacity. The disciplinary committee may ask or summon the complainant or others to appear before the committee to answer questions. The disciplinary committee will meet as soon as practicable.

When a Division of the Social Sciences Disciplinary Committee is convened, the respondent will be informed in writing of the date, time, and place of the committee proceedings no later than 7 business days prior to the hearing. The disciplinary committee may convene prior to meeting with the accused student to discuss procedural matters. If the respondent has been accused of misconduct before, the Dean of Students in the Social Sciences may inform the committee of the previous accusation, other pertinent information related to the previous accusation, and of any disciplinary action. In advance of the meeting, the dean of students will provide the respondent with a copy of all the written material furnished to the disciplinary committee no later than 5 days prior to the hearing. The respondent has 5 business days to submit an optional response statement (including any additional exonerating material beyond that already provided to the disciplinary committee. The support person may not speak for the respondent during the proceedings and is not allowed to direct questions to the complainant, witnesses or committee members. The accused student should inform the dean of students at least four business days before the disciplinary committee is to meet if a support person will be attending the proceedings. If the person providing support is a lawyer, a representative of the university's Office of Legal Counsel also will attend the proceedings.

The disciplinary committee will seek to reach a complete and fair understanding of the facts of the incident at issue. The disciplinary committee proceedings generally follow this outline: The Dean of Students in the Social Sciences reminds all present that disciplinary proceedings are distinctly different from the legal-judicial processes of the general society; that the relation of collegiality and trust that binds all members of the university community entails an obligation of candor on the part of anyone involved in a disciplinary proceeding; that disciplinary proceedings and their outcome are to remain confidential. The chair of the disciplinary committee then states the allegation into which the committee is inquiring to determine what may have happened and whether or not sanctions are to be imposed. The respondent may be asked to provide opening and closing statements in response to the allegation, and provide answers to the committee members' questions. If the proceedings involve multiple students accused of participation in the same misconduct, the respondents will each be heard separately and not in the presence of the other respondents. The disciplinary committee may also ask or summon the complainant and others to appear at the hearing. During the proceedings, if the disciplinary committee hears other individuals, the respondent may choose to be present when those individuals are heard. Only the disciplinary committee may ask questions of the respondent and others who appear before the committee. If the respondent refuses to appear before the disciplinary committee, it shall proceed without the respondent.

At the completion of the inquiry, all present who are not members of the disciplinary committee will be required to leave while the committee members deliberate on the allegation and inquiry, possible sanctions and implications of those sanctions, and come to a decision. The committee decides, by majority vote and in consideration of all of the information before it, whether or not it is more likely than not that the respondent's conduct violated university policies and regulations or breached standards of behavior expected of university students. Sanctions available to the disciplinary committee are set forth in the following section, Sanctions for Misconduct.

When the disciplinary committee reaches its decision, the Dean of Students in the Social Sciences will inform the respondent as soon as practicable and will subsequently send a formal hearing outcome letter in which both the decision and the review process are delineated. The action of the disciplinary committee is reported to the Office of Campus and Student Life. Decisions of disciplinary suspension or expulsion will be recorded on the student's transcript and usually will read "Not permitted to register from [Date] to [Date]. [Name and Title of the Dean of Students in the University], [Date]." In cases of expulsion the notation includes a statement "Must Reapply." Other offices (e.g., Housing, University Registrar) are to be notified only if the action taken by the disciplinary committee affects those offices. Where appropriate, and as permitted by law, the Dean of Students in the Social Sciences may disclose allegations of misconduct and the outcomes of disciplinary proceedings to third-parties, including to external organizations.

A written record will be kept by the Office of the Dean of Students in the Social Sciences as part of the student's education record with a copy furnished to the Office of Campus and Student Life. This record should include all materials furnished to the disciplinary committee, a copy of the confirmation letter sent to the accused student, a statement of the main findings that were relevant to the final outcome of the disciplinary proceedings and to the sanctions imposed, as well as the considerations of the possible implications of the sanctions.

If the disciplinary committee imposes a sanction, the accused student may have the committee's decision reviewed. Review procedures are set forth in the following section, Review Process.

Allegation of Misconduct by a Group (Not Unlawful Discrimination or Sexual Misconduct)

If the Dean of Students in the Social Sciences receives a complaint alleging misconduct of a student group, the Division of the Social Sciences Disciplinary procedures will be invoked with the following clarifications and modifications. Misconduct of a student as a member of a group may have consequences for the individual student, for the group, as well as for the group leadership. Any member or members of a group and/or group leadership may also be held accountable for the misconduct if they were involved in the misconduct. Group members and/or leadership may also be held accountable if they:

- knew about the intended misconduct and failed to take appropriate steps to prevent it;
- should have anticipated the misconduct and taken appropriate steps to prevent it; or
- failed to disclose all information relevant to an investigation of misconduct of a group member or guest.

If the dean of students is informed of misconduct of a group and believes that the circumstances warrant it, he or she will arrange for a meeting with the group, group's leadership, or individual members as soon as practicable. In the meeting, the dean of students will inform the student(s) of the alleged misconduct and will discuss the allegation. When a group member or leader has knowledge that the misconduct is attributable to a specific member, members, guest, or guests of the group, he or she is expected to promptly identify the group member(s) or guest(s) to the dean of students.

The Dean of Students in the Social Sciences will conduct an inquiry into the facts. The inquiry may include interviews with cognizant other people or obtaining written statements. Based on the inquiry the dean of students has the discretion and authority to dismiss the complaint, resolve the complaint informally with the parties, or refer the complaint to the Academic Dean of the Division of the Social Sciences with a recommendation to convene a Division of the Social Sciences Disciplinary Committee for the individual group member, more than one group member (including the leaders), and/or for the whole group.

A disciplinary committee convened to examine allegation(s) of misconduct involving multiple students should follow, as much as reasonably possible, the procedures outlined for a hearing when an individual student is brought forward. Confidentiality of the individuals (including keeping them from knowing that others also are accused of misconduct and prohibiting them from colluding in responding to the allegations) should be given high priority.

If in the disciplinary process it becomes clear that hearing the students together would help to reach a complete and fair understanding of the facts, the respondents may be informed that other students are involved in the same alleged misconduct. The Dean of Students in the Social Sciences will ask each student if he or she will agree to appear before the committee in the presence of the other student(s). If all of the accused students agree, they will be informed of the identity of the other students and asked to appear before the disciplinary committee each to speak in the presence of the other accused students.

If a respondent declines the opportunity to appear before the Division of the Social Sciences Disciplinary Committee in the presence of other accused students, the committee will hear such a student separately. The committee will meet as a group with those students who have agreed to be heard in the presence of the other students.

When students are heard in the presence of each other, they are obligated to maintain confidentiality of the proceeding and must not communicate about the proceeding with others or each other outside of the committee hearing.

SANCTIONS FOR MISCONDUCT OF AN INDIVIDUAL STUDENT

Sanctions delineated here are imposed on individual students for misconduct whether the misconduct involved only the student or the student as part of a group. A Division of the Social Sciences Disciplinary Committee may combine different sanctions in a given decision. A review board may make use of all the alternative forms of sanctions.

Warning

The Dean of Students in the Social Sciences, in resolving an incident administratively, or a Division of the Social Sciences Disciplinary Committee, may give the accused student an official warning. A copy of the written notice warning the respondent that he or she is violating or has violated university policies or regulations will be placed in the student's educational record. If a disciplinary committee later finds that the student has engaged in additional misconduct, the committee may be informed of the earlier warning and the circumstances related to the warning. The committee must then consider the earlier warning in determining further sanctions.

Disciplinary Probation

The Dean of Students in the Social Sciences in resolving an incident administratively, or a Division of the Social Sciences Disciplinary Committee, may place the accused student on disciplinary probation for a specified period of time (e.g., a quarter, a year, for the duration of the student's enrollment, etc.). The dean of students or the disciplinary committee may stipulate whether the disciplinary probation status will be noted on the official transcript and for how long. A student on disciplinary probation is not considered to be a student in good disciplinary standing at the University for the period of the disciplinary probation status. The dean of students who resolves the case formally, or the disciplinary committee, may specifically stipulate which, if any, of the normal rights and privileges enjoyed by students will be withheld during the period of disciplinary probation. If, during the period of disciplinary probation, a Division of the Social Sciences Disciplinary Committee finds that the student has engaged in additional misconduct, the committee will be informed of the student's probationary status and the related circumstances. The committee must consider the probation in determining further sanctions, if any.

Loss of Privileges

The Dean of Students in the Social Sciences, in resolving an incident administratively, or a Division of the Social Sciences Disciplinary Committee, may suspend specific student rights and privileges for a designated period of time.

Discretionary Sanctions

The Dean of Students in the Social Sciences, in resolving an incident administratively, or a Division of the Social Sciences Disciplinary Committee, may assign the student specific academic work, community service for a specific number of hours, or other appropriate discretionary assignments to be completed by a specific date, or impose restitution or fines.

Disciplinary Suspension

The Division of the Social Sciences Disciplinary Committee may impose a disciplinary suspension, never exceeding nine quarters, during which period the student is prohibited from exercising any rights and privileges of a student in the University. Unless the committee specifically states otherwise in its decision, at the expiration of the period of suspension, the student may resume active status as a student without any action on his or her part other than what would be required of any student who has, for a comparable period, interrupted his or her residence in the university for any other reason. However, a student under suspension who has been charged with another offense may not resume active status as a student until a Division of the Social Sciences Disciplinary Committee takes final action on such charge.

Disciplinary Expulsion

Only a Division of the Social Sciences Disciplinary Committee may expel a student. A student who has been expelled automatically forfeits all rights and privileges as a student in the University. Ordinarily, the University will not consider a re-application for eleven quarters following the date of expulsion.

Revocation of the Degree

The Division of the Social Sciences Disciplinary Committee may recommend revocation of the degree for misconduct that occurred before the degree was awarded.

SANCTIONS FOR MISCONDUCT OF A STUDENT GROUP

Sanctions delineated here are imposed on a student group. The Dean of Students in the Social Sciences in resolving a complaint administratively, or a Division of the Social Sciences Disciplinary Committee, may combine different sanctions in a given decision. A review board may make use of all the alternative forms of sanction.

As previously noted, every student bears responsibility for his or her misconduct, regardless of whether the misconduct occurred in a group setting or as a member of a group. Misconduct by individual members of a group thus may also become a matter for disciplinary action and sanctions against the individuals.

Warning

The Dean of Students in the Social Sciences in resolving a complaint administratively, or a Division of the Social Sciences Disciplinary Committee, may give the group an official warning. A copy of the written notice warning the group that it is violating or has violated university policies or regulations will be forwarded to Campus and Student Life and to the Center for Leadership and Involvement. If the Dean of Students in the Social Sciences later finds that the group has engaged in additional misconduct, the disciplinary committee may be informed of the earlier warning and the circumstances related to the warning. If the Division of the Social Sciences Disciplinary Committee is informed of the earlier warning, the committee must consider it in determining further sanctions.

Disciplinary Probation

The Dean of Students in the Social Sciences in resolving a complaint administratively, or a Division of the Social Sciences Disciplinary Committee, may place the group on disciplinary probation, during which period the group continues to enjoy all the rights and privileges of a group except as the dean of students or the disciplinary committee may specifically stipulate. If, during the period of disciplinary probation, the dean of students finds that the group has engaged in additional misconduct, the disciplinary committee will be informed of the group's probationary status and the circumstances related to the group's probationary status. The committee must consider the probation in determining further sanctions.

Loss of Privileges

The Dean of Students in the Social Sciences in resolving a complaint administratively, or a Division of the Social Sciences Disciplinary Committee, may suspend specific group rights and privileges for a designated period of time. Such loss of privileges may include but is not limited to loss of university funding, suspension or revocation of the privilege to apply for university funding, suspension or revocation of the privilege to use university space or facilities, suspension or revocation of the privilege to sponsor, co-sponsor and/or participate in any social event or other activity, and the suspension or revocation of the privilege to raise funds for the group.

Discretionary Sanctions

The Dean of Students in the Social Sciences in resolving a complaint administratively, or a Division of the Social Sciences Disciplinary Committee, may assign the group specific academic work, community service for a specific number of hours, or other appropriate discretionary assignments to be completed by a specific date, reporting to local and national organizations of the misconduct, or impose restitution or fines.

Disciplinary Suspension

Only a Division of the Social Sciences Disciplinary Committee may impose a disciplinary suspension of Recognized Student Organization status, not exceeding nine quarters, during which period the group is prohibited from exercising any rights and privileges of a Recognized Student Organization in the university. Unless the disciplinary committee specifically states otherwise in its decision, at the expiration of the period of suspension, the group may resume active status as a Recognized Student Organization without any action on the part of the group. However, a group under suspension who has been charged with another misconduct violation may not resume active status as a Recognized

Student Organization until final action has been taken on such allegation by a Division of the Social Sciences Disciplinary Committee.

Disciplinary Withdrawal

Only a Division of the Social Sciences Disciplinary Committee may withdraw Recognized Student Organization status. A group whose Recognized Student Organization status has been withdrawn automatically forfeits all rights and privileges as a Recognized Student Organization in the university. Ordinarily, the university will not consider a re-application of Recognized Student Organization status for eleven quarters following the date of withdrawal.

FURTHER DISCIPLINARY POLICY INFORMATION

Disciplinary processes will proceed for anyone who has matriculated at the university whether or not he or she is in residence² and for anyone after graduation but only if the misconduct occurred before the degree was awarded. If a complaint against a student in the Division of the Social Sciences who has applied for graduation has been brought to the attention of the Dean of Students in the Social Sciences but a Division of the Social Sciences Disciplinary Committee has not yet been convened by graduation time, the dean of students has the discretion and authority to decide whether the accused student may receive the degree and/or participate in convocation. When a Division of the Social Sciences Disciplinary Committee has been convened by the graduation date but the proceedings have not concluded, the accused student's graduation shall be postponed until the conclusion of the disciplinary proceedings including the completion of all sanctions.

The university respects the privacy of student education records and the laws protecting that privacy. The university also recognizes that participants in the area student disciplinary systems, namely complainant, respondent(s), and members of the Division of the Social Sciences Discipline Committee, may benefit from broader access to information before, during, and after a hearing. Such broader access often streamlines the disciplinary process, fosters a more complete and fair understanding of the facts, and leads to more satisfying outcomes. To achieve a better process and outcome the Dean of Students in the Social Sciences may ask respondent(s) to authorize the release of their statement and, in some instances, the disciplinary outcome, to the complainant. The dean of student may also, following consultation with Campus and Student Life, request that respondents authorize release of additional documents, such as witness statements; it may, in such instances, be necessary for the dean of students to redact certain information. The dean of student may also ask the complainant to sign a non-disclosure statement, requiring the complainant not to share the respondent's statement, additional documents, and/or the outcome of the disciplinary hearing with others.

If a student in the Division of the Social Sciences is accused of academic fraud and the regulations of external sponsors are involved as determined by the Office of the Provost, the allegations are subject to the university's policy on academic fraud. The inquiry will be conducted, in accordance with the external sponsor's regulations governing scientific misconduct, by the departmental chair or Academic Dean of the Division of the Social Sciences in collaboration with the Dean of Students in the Social Sciences. During this fact-finding phase, the respondent generally will continue to be registered as a student and enjoy all privileges pertaining to his or her status as a student. If the inquiry determines that there is sufficient basis to continue the investigation, the university's Standing Committee on Academic Fraud will be informed and the academic fraud investigation procedures will be initiated. Allegations of academic fraud that involve dissertations of students who have received their degrees, or work published or submitted for publications also are subject to the university's academic fraud procedures. If the academic fraud inquiry concludes in the dismissal of the allegation, the Academic Dean of the Division of the Social Sciences may decide that this alleged student misconduct should be heard by a disciplinary committee. All other allegations of academic fraud by a student will be subject to the Division of the Social Sciences disciplinary system.

A student who has been suspended or expelled is also barred from all university property for the period of the suspension or expulsion, absent written permission from the Dean of Students in the Social Sciences or the Associate Dean of Students in the University for Disciplinary Affairs. While employment by the university is not an exclusive right or privilege of students, in cases in which employment is reserved for students or students are given preference in employment, the fact of suspension or expulsion may adversely affect status as an employee. Further, the university is entitled to take into account the grounds on which sanctions have been imposed, as these may bear on qualifications for employment.

The outcome of disciplinary proceedings for an allegation of a crime of violence or a non-forcible sex offense will be disclosed to the alleged victim upon a written request from the victim or the next of kin if the alleged victim is deceased as a result of the crime or offense.

Under federal law, crimes of violence include arson; assault offenses (aggravated assault, simple assault, intimidation); burglary; non-criminal homicide (manslaughter by negligence); criminal homicide (murder and non-negligent manslaughter); destruction, damage or vandalism of property; kidnapping/abduction; robbery; and forcible sex offenses.

² A student is considered not to be in residence when, for example, he or she is studying abroad or on a leave of absence.

Forcible sex offenses are defined as any sexual act directed against another person forcibly or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. Forcible sex offenses include rape, sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses are incest and statutory rape.

Maintaining the confidentiality of the disciplinary proceedings and their outcomes is the responsibility of the accused student, complainant and all others participating in or privy to those proceedings. Unless disclosure is authorized by law, failure to respect the confidentiality of the proceedings and their outcomes may result in disciplinary action. However, consistent with federal law, the university does not require alleged victims of sex offenses (forcible or non-forcible) to maintain the confidentiality of the outcome of the disciplinary proceeding regarding those alleged offenses.

The disciplinary procedures do not preclude the application of other policies such as Restriction of Registration.

REVIEW PROCESS

ALLEGATION OF MISCONDUCT BY AN INDIVIDUAL OR GROUP (NOT UNLAWFUL HARASSMENT, OR SEXUAL MISCONDUCT)

If a disciplined student wishes to request a review of the decision, the student must make that request in writing to the Dean of Students in the University (or designee) not more than fifteen days following the date on which the Division of the Social Sciences Disciplinary Committee issues written notification of its decision to the student. The student must submit the request for review and supporting material in writing; the Review Board will consider only a request for review and/or supporting materials prepared and/or submitted by the disciplined student him/herself, i.e., the Review Board will not consider materials prepared or arguments advanced by other parties (e.g., an attorney). At the written request of the disciplined student, the student may be granted an additional fifteen days to submit those materials. Extension requests must be submitted to the Dean of Students in the University (or designee) not more than fifteen days following the date on which the Division of the Social Sciences Disciplinary Committee issues written notification of its decision to the student. Further extensions of time will not be considered (nor will “supplemental” submissions of supporting materials). The only legitimate grounds for review are: (1) that prescribed procedures were not followed, and (2) that new and material information unavailable to the Division of the Social Sciences Disciplinary Committee bears significantly in the student’s favor.

Requests for review should clearly state the basis for the request (i.e., that prescribed procedures were not followed and/or that new and material information is newly available) and include in the submission materials that directly support the student’s claim(s). Character references should not be submitted and will not be considered by a Review Board.

REVIEW BOARD

If a request for review meets one or more of the permitted grounds for review (i.e., prescribed procedures were not followed, and/or new and material information is submitted that was unavailable to the Division of the Social Sciences Disciplinary Committee and bears significantly in the student’s favor), a review board will be promptly constituted by the Dean of Students in the University (or designee). The three-person review board ordinarily consists of the Dean of Students in the University (or designee), one member of the faculty of the student's academic area and who serves as chair, and one student member of the student's academic area. The faculty and student members are both appointed by the Dean of Students in the University (or designee) and neither shall be a member of the Division of the Social Sciences Disciplinary Committee that rendered the decision under review. All members of the review board must maintain independent judgment and discharge their obligations in a fair-minded fashion, free from material bias and conflicts of interest, or they should recuse themselves. As soon as practicable before the hearing, the Dean of Students in the University (or designee) will notify the respondent of names and academic affiliation of review board members. The respondent may request a replacement for any member of the review board on the grounds that such member has a genuine and material conflict of interest. Such requests must be made to the Dean of Students in the University (or designee) within 2 business days of receiving notice of the identities of the review board members. Requests must identify with specificity the alleged nature of the conflict of interest. Using reasoned judgment, the Dean of Students in the University (or designee) will decide whether the alleged conflict is genuine and material and, if so, whether it compels the review board member’s replacement.

In making a decision, the review board does not conduct a new disciplinary proceeding and normally does not interview witnesses or seek additional information from the student seeking review or witnesses, although the review board has the authority to do so and may seek additional information regarding the proceeding from Campus and Student Life or the Dean of Students in the Social Sciences. The review board, acting on the basis of the entire record, may sustain, reduce, modify, strike or otherwise modify the sanctions imposed if it determines that prescribed procedures were not followed, or, if it is satisfied in its reasoned judgment that the new and material information not available to the Division of the Social Sciences Disciplinary Committee more likely than not would have resulted in a different decision, it may require the disciplinary committee to reconvene and consider the new information in the proceedings. The review board’s decision is final and non-reviewable.

The Dean of Students in the University (or designee) will promptly communicate the review board’s decision to the requesting student.

DIVISION OF THE SOCIAL SCIENCES ADMISSION REVIEW SYSTEM

Each academic unit—the College, graduate divisions, professional schools, and the Graham School of General Studies—has written procedures for addressing misconduct involving a student who has accepted admission but who has not yet assumed the role of a student at the university. Those procedures may be obtained from the Division of the Social Sciences or from Campus and Student Life. The unit-specific procedures follow the outline of the procedures described below, with variations that reflect the values and educational goals of the Division of the Social Sciences.

Authority to defer or revoke admission before matriculation rests with the Division of the Social Sciences Admission Review Committee, composed of the Dean of Students in the Social Sciences, the Division of the Social Sciences Academic Dean (or designee), and a representative from Campus and Student Life. Admission may be deferred or revoked for fraud, misrepresentation, material omission of fact, dishonesty, violation of university standards in the application for admission, violation of university academic standards, or any other pre-matriculation misconduct.

Generally, the person bringing the allegation of misconduct first will discuss the allegation with the Dean of Students in the Social Sciences (or designee). The complainant must maintain strict confidentiality of the allegation of misconduct. The dean of students will notify the admitted student of the alleged infraction and request a prompt written response to the allegation, and otherwise gather and review germane information. Based on the inquiry Dean of Students in the Social Sciences (or designee) has the discretion and authority to dismiss the complaint, resolve the complaint administratively, or refer the complaint to the Division of the Social Sciences Admission Review Committee.

If convened, the Division of the Social Sciences Admission Review Committee will examine expeditiously the facts related to the allegation and the response. In its discretion, the admission review committee may seek additional information from others with knowledge about the alleged misconduct and may ask the admitted student and/or others to answer specific questions or meet with the committee. The admission review committee will determine the appropriate institutional action and/or discipline, including but not limited to withdrawal of admission, deferral of matriculation, education or training program, etc. Matriculation may be delayed so that the Division of the Social Sciences Admission Review Committee may complete its investigation and make a decision.

The decision of the Division of the Social Sciences Admission Review Committee is final and unreviewable within the university.