

*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.” As a leading illustration of the sense of this statement, 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. An accused student, the accuser, and others must appear before a disciplinary committee and participate in a manner that helps the committee reach a complete and fair understanding of the facts of the incident at issue.

**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, sexual harassment, sexual assault or sexual abuse, 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 designee<sup>1</sup>). 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 arrange for a meeting with the accused student as soon as practicable. In the meeting, the dean of students will inform the accused student of the alleged misconduct and will discuss the allegation.

Based on the inquiry and in consultation with the Vice President for Campus Life and Student Services (or his/her designee), the Dean of Students in the Social Sciences has the discretion and authority to dismiss the complaint, to resolve the complaint informally with the parties, 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.

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 accused student of the allegation, give the accused student a copy of the Division of the Social Sciences disciplinary procedures and ask the accused student to prepare a written response to the accusation. 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

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

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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 accused student makes a complaint against the complainant, the Dean of Students in the Social Sciences may investigate the accused student'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 Sexual Harassment, Sexual Assault or a Sex Offense)*

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 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. The latter two attend the disciplinary committee meeting in a non-voting, advisory capacity. One faculty member 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 disciplinary committee also may have as many as two student members of the Division of the Social Sciences. Three faculty members, the dean of students (or his/her designee), and a representative of Campus Life and Student Services constitute a quorum. The disciplinary committee will meet as soon as practicable.

When a Division of the Social Sciences Disciplinary Committee is convened, the accused student will be informed in writing of the alleged misconduct and the date, time, and place of the committee proceedings. The disciplinary committee may convene prior to meeting with the accused student to discuss procedural matters. If the accused student 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 accused student with a copy of all the written material furnished to the disciplinary committee. The accused student may bring a person to the proceedings whose role is limited to providing support to the accused student—not to serve as an active advocate or participant in the proceedings. 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 may ask or summon the complainant or others to appear before the committee to answer questions.

The disciplinary committee will seek to reach a complete and fair understanding of the facts of the incident at issue. The accused student will be asked to speak for himself or herself before the committee. If the proceedings involve multiple students accused of participation in the same misconduct, each accused student will be heard separately and not in the presence of the other accused students. During the proceedings, if the disciplinary committee hears other individuals, the accused student may choose to be present when those individuals are heard. Only the disciplinary committee may ask questions of the accused student and others who appear before the committee. If the accused student refuses to appear before the disciplinary committee, it shall proceed without the accused student.

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 accused student may be asked to make a statement in response to the allegation. Subsequently, committee members ask questions of the accused and others coming before the disciplinary committee and may conduct further inquiry. During the proceedings, if the disciplinary committee hears other individuals, the accused student may be present. 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

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information before it, whether or not it is more likely than not that the accused student'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 accused student as soon as practicable and will send a confirmation 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, and then only the action itself is transmitted. 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 Sexual Harassment, Sexual Assault or a Sex Offense*

Instances of sexual harassment, sexual assault and sex offenses fundamentally violate the university's principles of community and the shared values and trust that bind its members. For purposes of the university's disciplinary systems, sexual harassment is that conduct prohibited by the university's Policy on Unlawful Discrimination and Harassment; sexual assault is that conduct prohibited by the university's Sexual Assault Policy; and a sex offense includes rape, sodomy, sexual assault with an object, forcible fondling, incest and statutory rape (as defined by applicable federal law). This applies to incidents involving accused individuals as well as accused groups.

The University of Chicago is committed to providing a prompt and thorough investigation of all complaints of sexual harassment, sexual assault, or a sex offense notwithstanding any external investigative and legal processes. The university's investigation thus may occur alongside, rather than in lieu of, an independent law enforcement investigation or civil action

If a Division of the Social Sciences Disciplinary Committee is convened for an allegation of sexual harassment, sexual assault, or a sex offense (whether made against an individual student or group), the Division of the Social Sciences Disciplinary Committee procedures will be invoked with the following modifications and clarifications. The Dean of Students in the Social Sciences and the disciplinary committee endeavor in all cases to initiate, proceed, and complete an investigation as promptly and judiciously as feasible. The dean of students will explain the disciplinary procedures to the accused student and a representative from Campus Life and Student Life will explain these procedures to the complainant. These two administrators respectively will provide the accused student and the complainant with periodic and timely updates.

As expeditiously as feasible, the Division of the Social Sciences Disciplinary Committee will convene before the hearing to discuss procedural matters and to receive educational content on conducting a disciplinary proceeding for an allegation of sexual harassment, sexual assault or a sex offense. The committee will be augmented by the faculty chair of the College Disciplinary Committee, or his/her designee, who is outside the division or school of the complainant and the accused. The student member of the Division of the Social Sciences Disciplinary Committee must be a graduate or professional school student who is from a different division or school than the complainant and the accused. Two faculty members from the division or school of the accused, the chair of the College Disciplinary Committee (or his/her designee), and the Dean of Students in the Social Sciences constitute a quorum.

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To accommodate concerns for the well-being of the complainant and /or the accused student, the Dean of Students in the Social Sciences may make appropriate arrangements enabling participation of the complainant without a face-to-face interaction with the accused student. If the person providing support for the accused and/or the complainant is a lawyer, a representative of the university's Office of Legal Counsel also will attend the proceedings. During the hearing, if the Division of the Social Sciences Disciplinary Committee hears other individuals, both the accused student and the complainant may be present. The disciplinary committee will apply a preponderance of evidence standard in deciding sexual harassment, sexual assault, and sex offense cases. Namely, the disciplinary committee will decide whether, in consideration of all of the information before it, it is more likely than not that the alleged sexual harassment, sexual assault or sex offense occurred, or that the accused student breached standards of behavior expected of University students.

In connection with the hearing, the complainant and the accused student will receive the same materials, subject to compliance with FERPA, which may require redaction of certain identifying information. The complainant will have the same opportunity as the accused student to bring a person to the disciplinary hearing whose role is limited to providing support-not to function as an active participant in the hearing. If the person providing support is a lawyer, a representative of the university's Office of Legal Counsel also will attend the hearing. During the hearing, the Division of the Social Sciences Disciplinary Committee will allow the complainant to be present when the accused student is heard. If an order of protection or other injunction has been issued by a court, is in effect at the time of the hearing, and directs one or both of the parties to have no contact with the other party, the complainant or the accused may be present in an accepted virtual means, i.e., telephone, video conferencing, etc.

If the accused student has been accused of misconduct before, the dean of students may inform the Division of the Social Sciences Disciplinary Committee of the previous accusation, other pertinent information related to the previous allegation, and of any disciplinary action.

The complainant will be informed of the outcome of the proceedings concurrently with the accused.

"Outcome" means whether the alleged conduct was found to have occurred but does not include information about disciplinary sanctions. Both complainant and accused will be informed that the proceedings and the outcome must remain confidential and cannot be disclosed by anyone unless disclosure is authorized by law. However, the university may disclose information about the sanction when it directly relates to the alleged victim, e.g., a no-contact directive is put in place, the duration of a suspension, etc.

The complainant and the accused both may request a review of the outcome within 15 days of being informed, in writing, of the decision. As with all requests for review, the only recognized grounds for review are: (a) the prescribed procedures were not followed; (b) new and material information unavailable to the Division of the Social Sciences Disciplinary Committee bears significantly in the student's favor.

#### *ALLEGATION OF MISCONDUCT BY A GROUP (NOT SEXUAL HARASSMENT, SEXUAL ASSAULT OR A SEX OFFENSE)*

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.

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The Dean of Students in the Social Sciences will conduct an inquiry into the facts. The inquiry may include interviews with cognizant other people. Based on the inquiry and in consultation with Campus Life and Student Life, 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 accused students 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 for himself or herself in the presence of the other accused students.

If an accused student 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. They are arranged in increasing order of severity. 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 Division of the Social Sciences Disciplinary Committee may give the accused student an official warning. 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 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 Division of the Social Sciences Disciplinary Committee may place the accused student on disciplinary probation during which period the student continues to enjoy all the rights and privileges of a student except as the committee may specifically stipulate. 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 circumstances related to the probationary status. The committee must consider the probation in determining further sanction.

**Loss of Privileges**

The Division of the Social Sciences Disciplinary Committee may suspend specific student rights and privileges for a designated period of time.

**Discretionary Sanctions**

The 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**

The 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 and are arranged in increasing order of severity. 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 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 placed in the group's file. 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 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 disciplinary committee may specifically stipulate. If, during the period of disciplinary probation, a Division of the Social Sciences Disciplinary Committee finds that the group has engaged in additional misconduct, the 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 sanction.

**Loss of Privileges**

The 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 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**

The 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**

The 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 residence<sup>2</sup> and for anyone after graduation but only if the misconduct occurred before the degree was awarded. A sanction given to a student not currently in residence takes the form of a condition imposed upon resumption of active status as a student. 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, accused(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 normally will ask accused students 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 accused students 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 will also ask the complainant to sign a non-disclosure statement, requiring the complainant not to share the accused'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 accused student 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. 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

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

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non-negligent manslaughter); destruction, damage or vandalism of property; kidnapping/abduction; robbery; and forcible sex offenses. 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 SEXUAL HARASSMENT, SEXUAL ASSAULT OR A SEX OFFENSE)*

If a disciplined student wishes to request a review of the decision, the student must make that request in writing to the Vice President for Campus Life and Student Services (or his/her 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. The disciplined 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 the student's support person (e.g., his/her attorney). At the written request of the disciplined student, the student may be granted an additional fifteen days to submit those materials; 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.

*ALLEGATION OF SEXUAL HARASSMENT, SEXUAL ASSAULT OR SEX OFFENSE BY AN INDIVIDUAL OR GROUP*

When a Division of the Social Sciences Disciplinary Committee has made a determination regarding allegations of sexual harassment, sexual assault, or a sexual offense, the accused student and the complainant each may request a review of the decision regarding those allegations. 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 accused student's or complainant's favor.

*REVIEW BOARD*

A review board will be promptly constituted once a request for review is received by Campus and Student Life. The review board consists of the Vice President for Campus Life and Student Services (or his/her 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 Vice President for Campus Life and Student Services (or his/her 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 an open mind about the decision under review. The review board's decision is final and non-reviewable. 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 or strike 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. Where allegations of sexual assault or sexual harassment have been investigated, either party may request a review of the decision regarding those allegations.

The Vice President for Campus Life and Student Services (or his/her designee) will promptly communicate the review board's decision to the requesting student. Where allegations for sexual assault or sexual harassment have been reviewed, the university may disclose information about the outcome to both the accused student and the accuser to the extent that the information directly relates to that student, e.g., a no-contact directive remains in place, the duration of a suspension, etc. In those instances, the outcome will not include information about disciplinary sanctions.

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**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 Division of the Social Sciences senior admissions officer, the Division of the Social Sciences Academic Dean (or his/her designee), and a representative from Campus Life and Student Services. 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 senior admissions officer of the Division of the Social Sciences (or his/her designee [\*]). The complainant must maintain strict confidentiality of the allegation of misconduct. The Division of the Social Sciences senior admissions officer will notify the admitted student of the alleged infraction and request a prompt written response to the allegation. Based on the inquiry and in consultation with the Vice President for Campus Life and Student Services (or his/her designee), the senior admissions officer has the discretion and authority to dismiss the complaint, resolve the complaint informally with the parties, 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, public service, 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.