



GEORGETOWN UNIVERSITY

CODE OF STUDENT CONDUCT
2009-2010 Academic Year

Office of Student Conduct
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CODE OF STUDENT CONDUCT

PREAMBLE

As a Catholic and Jesuit University, Georgetown stands for the human dignity and worth of every person. We believe, therefore, in values that foster the human respect needed for people to live, work, study and recreate together as a community. Living these values requires each of us to make an effort towards building a campus community that will be known for love of truth, active care and concern for the common good and selfless sacrifice towards others.

Good order is a sign that a community is working to achieve the goals it has set for itself. When order is absent or disrupted, not only are individuals harmed, but the community suffers too. To acquire these goals, Georgetown has a discipline system, which promotes the well being of individuals and groups who make up the campus community. This discipline system is concerned with fostering community in two ways. First, it encourages a sense of the common good among members of the campus community by setting standards of behavior that appropriately reflect the character and purpose of Georgetown University. Second, it establishes a system to be used when someone compromises those standards in any way that undermines the common good. In both of these purposes, the discipline system participates in the educational mission of Georgetown University, helping students grow into more responsible persons.

Rules and regulations provide the basis for a reasonably ordered campus life. The mere observance of rules, however, without the cooperation and personal appropriation of the values they protect, falls short of what Georgetown hopes for everyone who is part of the campus community. Honesty, integrity, responsibility, and respect for persons and property, especially property belonging to the community, identify members of the Georgetown community. Acting against these values diminishes the understanding of community. Such action, because of the injury it does to the community, is taken seriously here at Georgetown, and is handled fairly yet firmly.

Responsibility for the Common Good

A Catholic University is a community of learning characterized by mutual responsibility and the active concern of each for the good of all, in a common pursuit of wisdom. This mutual responsibility includes regard for the safety, security and health of others. It also includes respect and care for what we share in common and hold in trust for the educational mission of this University: tangible goods like the physical facilities of the University; intangible goods like traditions of mutual respect and civil behavior. Finally, it includes fostering an atmosphere in which learning may occur: an atmosphere of openness, freedom and creativity, but also an atmosphere characterized by the order, peace, and tranquility necessary for study and reflection. The following regulations and prohibitions are necessary to protect the common good. Their violation will result in disciplinary action.

Respect for the Dignity of the Person

Respect and reverence for every person is at the core of Georgetown's Catholic, Jesuit identity. In a University, it is particularly necessary that this respect encompass diversity and differences of opinion. The God-given dignity of the individual may not be violated in any way, and the University community views with the utmost seriousness offenses against the person. Individuals deserve to be free from the threat or actuality of physical violence or verbal abuse. Especially intolerable in view of the University's commitment to respect for the person are offenses against persons because of their race, religion, ethnicity, gender or sexual orientation. The dignity of persons includes the secure possession of property and unimpeded access to facilities appropriate for their use. The following regulations and prohibitions protect the dignity of the person. Their violation will result in disciplinary action.

Personal Integrity

The education offered by Georgetown University is an education in values. Especially appropriate in a university community are virtues of truthfulness, honesty and personal honor. Misrepresentation of any kind, whether inside or outside the classroom, is a violation of truth. As a Catholic, Jesuit University, Georgetown expects students to realize values of mutual care and responsibility in their personal relationships. In their sexual behavior, students are expected to exercise responsibility and to show appropriate regard for the Catholic character of the University. For the sake of their own self-respect and well being, it is incumbent on all students to exercise temperance in the consumption of alcohol. Students will not be excused from responsibility for actions committed under the influence of drugs or alcohol. The following regulations and prohibitions ensure the personal integrity expected of every Georgetown student. There violations will result in disciplinary actions.

STUDENT DISCIPLINE SYSTEM

The student discipline system exists to handle infractions against University rules and regulations. This system is based on a philosophy of fairness for all parties affected by any situation involving a student's non-compliance with a University policy or regulation.

The student discipline system is designed to be an educational system and does not function as a court of law. Therefore, procedural issues, including the introduction and consideration of evidence, are handled in a manner consistent with that educational focus. Where the allegations are more serious, and therefore the consequences more serious, the rules of procedure are structured appropriately. The student discipline system is not a substitute for the criminal and civil courts but, an additional option for Complainants when the alleged violator is an enrolled Georgetown University student.

This system provides an alleged violator the opportunity to respond to complaints brought against him or her and to offer a defense. When it is deemed appropriate for a case to be forwarded to a Judicial Hearing Board, the Respondent will be provided an opportunity to confront the Complainant, to respond to the testimony of the witnesses and for a hearing board

composed of students, faculty, and/or administrators to determine whether the student is responsible or not. In cases involving only Category A violations, cases which arise during the summer session, or cases in which a student has admitted responsibility for any violation, the **Code** provides that the matter may be resolved through Administrative Action.

The following regulations and prohibitions ensure the personal integrity expected of every Georgetown student. Their violation will result in disciplinary action.

JURISDICTION

1. Students

This Code of Student Conduct and the accompanying discipline system covers all Georgetown University undergraduate students (whether residing on or off campus or studying abroad), graduate students, and all students enrolled in the School of Continuing Studies. The Law Center and School of Medicine have separate procedures for addressing behavioral issues for students enrolled in those schools. This Code of Student Conduct and the accompanying discipline system will not apply to law and medical students.

2. Off Campus Conduct

When alleged violations of University regulations or local laws take place off campus and come to the University's attention, the University reserves the right to take appropriate action when, in the judgment of University officials, the alleged conduct has a negative impact on the University community or the pursuit of its mission or the broader community in which we live.

3. Local Laws and Statutes

The University and the members of its community are also subject to all District of Columbia and federal laws. Alleged violations of local laws and statutes that occur on or off campus are also considered violations of the Code of Conduct and may be subject to internal University investigation, review and action in addition to any action by the proper civil authorities. Each member of the community is individually responsible for being informed of the law. Ignorance of federal or District of Columbia law will not be accepted as an excuse for prohibited conduct. Note that any behavior that may be defined as a felony under the D.C. Criminal Code may be addressed by the University as a Category C violation.

4. Study Abroad

Georgetown's Code of Student Conduct and the procedures through which it is implemented will apply to students studying abroad.

5. Summer

Any alleged violation which takes place on or after the first day following the last day of spring semester classes or before the first day of fall semester classes will be handled in accordance with the procedures set out below. The Office of Student Conduct reserves the right to determine the most appropriate manner in which to handle each individual complaint.

During summer sessions at the University, discipline will be handled as set out below.

- All infractions will typically be handled through Administrative Action by the Director of Student Conduct or his/her designee.
- If a summer system decision is appealed:
 - Administrative actions which impose sanctions other than barring from campus, active suspension or dismissal from University-owned housing or the University are held in abeyance, and the case will be scheduled for appeal as early as possible in the fall semester.
 - Administrative actions which include the sanctions of barring from campus, active suspension or dismissal from University-owned housing or the University shall go into effect as of the date of the Notice of Administrative Action., and the appeal shall be scheduled for review by the Appeals Committee as soon as reasonably possible. Cases can only be appealed once.

6. Student Organizations

Student Organizations are subject to special rules. Those rules are outlined in *Student Organization Standards*, paper copies of which are available from the Center for Student Programs (CSP) or online at http://csp.georgetown.edu/studentorgguide_standards.html. The Center for Student Programs has responsibility for the oversight of these standards. Alleged violations of *Student Organization Standards* policy will be forwarded to the Center for Student Programs and action taken in accordance with its guidelines.

Notwithstanding any actions that may be taken by CSP regarding organizational conduct, individual members of the group are subject to the Code of Student Conduct.

7. Academic Integrity

While students are expected to conduct themselves both inside and outside the classroom in a manner consistent with the Code of Student Conduct, instances of academic dishonesty or inadequate academic performance are not subject to review under the Code, nor are they subject to the jurisdiction of the Office of Student Conduct. Matters involving issues of academic integrity arising in the undergraduate schools and the School of Continuing Studies are under the jurisdiction of the University's Honor Council. Please refer to http://www11.georgetown.edu/programs/gervase/hc/honor_system.html for more information on the Georgetown University honor system. In the case of graduate students, allegations of academic dishonesty are referred to the Dean of the Graduate School, and handled in a manner consistent with the Graduate School's Academic Integrity process. Accordingly, neither the rights of students nor the responsibilities of the University staff as outlined under the Code of Student Conduct and disciplinary procedures are applicable to cases of academic integrity or inadequate academic performance, even if the potential exists for academic suspension or dismissal.

8. Discrimination

Allegations of discrimination (i.e., resulting in some form of denial or access to benefits) should be directed to the Office of Institutional Diversity, Equity & Affirmative Action (IDEAA), located in room M-36 Darnall Hall (202-687-4798).

STRUCTURE OF THE DISCIPLINE SYSTEM

The discipline system relies on the following personnel and committees:

1. The Office of Student Conduct

The administrative office of the discipline system is located on the fifth floor of the Leavey Center. The telephone number is 202-687-4553. The discipline system is administered by the Director of Student Conduct along with such other staff as are deemed necessary to fulfill the responsibilities of the office. Formal charges and complaints as well as any inquiries concerning the discipline system should be directed to this office.

2. The Director of Student Conduct

The Director is responsible for properly implementing fair judicial procedures and overseeing the administration of the system. This includes the identification of potential violations of the Code of Conduct, the investigation and presentation of the cases on behalf of the University to Hearing Boards, and the investigation and resolution of cases through Administrative Action. The Director may designate any other appropriate administrator to perform these duties.

3. The Student Affairs Disciplinary Review Committee

This committee regularly reviews the discipline and conduct system and modifies it when necessary. A standing committee of the Office of the Vice President for Student Affairs, the Disciplinary Review Committee (DRC) consists of:

- Associate Vice President for Student Affairs, Co-Chair
- Director of Student Conduct, Co-Chair
- Director of Residence Life
- Associate Director of Student Conduct
- Three faculty/staff members (two appointments by the Faculty Senate and one by the Vice President for Student Affairs)
- Four student members (two appointments by the Student Association and two by the Vice President for Student Affairs, one of whom must be a graduate student)

It is the responsibility of Associate Vice President for Student Affairs, as the Co-Chair, of the DRC to approve the student and faculty/staff representatives to the Category C Review Committee (see below).

4. Category C Review Committee

If a student does not accept responsibility for engaging in behaviors or actions that potentially constitute a Category C violation before a case is forwarded to a Hearing Board, the Category C charges against the student(s) are referred to the Category C Review Committee. The committee will review available evidence to determine whether sufficient evidence exists to allow the Category C charge(s) to be included among the charges forwarded to a Hearing Board. The Category C Review Committee's determination to forward Category C charge(s) to a Hearing Board should not be construed as an assumption of the respondent's culpability.

The Category C Review Committee is comprised of four members:

- Associate Vice President for Student Affairs or Associate Dean of Students, who serves as the chairperson,
- One faculty/staff member from the Disciplinary Review Committee
- One student member from the Disciplinary Review Committee
- University Counsel or designee

5. Administrative Action

Administrative Action is the resolution of a case by an authorized administrator or the Residential Judicial Council (RJC).

6. Hearing Boards

Original Hearing Boards: Composed of 3 student and 2 faculty/administrator voting members drawn from the Hearing Board pool.

Faculty/Staff members: Faculty/staff Hearing Board positions are advertised within departments and all faculty/staff members are eligible to apply for membership in the Hearing Board pool. In addition, the Office of Student Conduct solicits from the Faculty Senate five faculty appointments to serve a two year term.

Undergraduate and Graduate Student members: Student Board positions are advertised throughout campus. Eligible students may apply for membership through written application and formal individual interview.

- ***Graduate Students:*** When it is alleged that a graduate student has violated a University regulation, at least one graduate student will be assigned to the hearing board. If graduate students are unavailable within a four week period, undergraduate students will be assigned.

7. Advisors

Each Complainant and Respondent has the right to be accompanied by an Advisor of his/her choosing during all aspects of their case preparation up to and including the hearing proceedings. The Advisor is not an advocate, but rather a source of personal and moral support

to the student. During the hearing, the Advisor may not be a witness, speak, or otherwise participate on behalf of the student. Communication between a student and his/her Advisor during the active session of the hearing is strictly forbidden. All information concerning all aspects of the case will be communicated by the Office of Student Conduct directly to the student.

Typically, Advisors are members of the University community, but members of the staff of the Office of Student Conduct, the Student Affairs Disciplinary Review Committee, the current Hearing Board pool, and the Appeals Committee may not serve as Advisors.

8. Appeals Committee

The Appeals Committee is responsible for reviewing all appeals.

The Appeals Committee is a *standing* committee of the Office of the Vice President for Student Affairs. In cases involving sanctions less than active suspension or dismissal, the Appeals Committee will consist of:

- Associate Director for Residence Life
- Faculty/staff representative
- Student representative
- Associate Director for Student Conduct (Chair and non-voting)

In cases that have resulted in active suspension or dismissal the Appeals Committee will also include:

- A representative from an academic dean's office, Associate Dean of Students, or Associate Vice President of Student Affairs.
- An additional student member

HOW TO FILE A COMPLAINT WITHIN THE UNIVERSITY

The Office of Student Conduct reserves the right to determine the most appropriate manner in which to handle each individual complaint. There is no time limit imposed as to when a formal complaint of misconduct may be initiated against any student currently registered at Georgetown University. Anyone wishing to initiate a formal complaint against a Georgetown student may contact the Office of Student Conduct. Typically, Category A level violations are handled by the staffs of Residence Life Staff or Off Campus Student Life. For Category B and C level violations, under normal circumstances, and when the Office of Student Conduct does not serve as the official Complainant, the following guidelines generally apply:

- A Complainant meets with the Department of Public Safety (DPS) to provide a statement and a list of potential witnesses.
- DPS forwards the Complainant's statement to the Office of Student Conduct.

- The Complainant meets with the Office of Student Conduct.
- DPS continues to conduct the investigation and forwards the investigation results to the Office of Student Conduct on an ongoing basis.
- Office of Student Conduct proceeds with its evaluation of the case as investigation results are presented. The Office of Student Conduct's evaluation may involve interviews with involved parties and the collection and review of relevant information, as the Office of Student Conduct deems necessary.

When the Director of Student Conduct or his/her designee has determined that a violation of the Code may have occurred, he/she holds separate meetings with the Complainant(s) and Respondent(s).

- The Complainant/Victim has the option of submitting a written statement to the Office of Student Conduct describing the impact of the alleged violation (an "impact statement"). This impact statement must be submitted to the Office of Student Conduct within seven (7) calendar days of the date of this meeting with the Director of Student Conduct. If the decision of the Administrative Action or Hearing Board is appealed, this statement will be made available to the Appeals Committee so that the original complainant(s) concerns are heard and weighed appropriately in the appeals process.

If the Respondent admits responsibility for engaging in the alleged behaviors or actions:

- The Respondent(s) is/are typically adjudicated through Administrative Action.

If the Respondent denies responsibility for engaging in the alleged behaviors or actions:

- The Complainant meets with the Director of Student Conduct and is provided an opportunity to sign an Initiation of Judicial Proceedings Form.
- The Complainant has 30 calendar days from the above meeting date to complete and return the Initiation of Judicial Proceedings Form to the Office of Student Conduct.
- Once the Initiation of Judicial Proceedings Form is signed by the Complainant and returned to the Office of Student Conduct, the case moves forward.
- If the Complainant does not complete and return the Initiation of Judicial Proceedings Form within 30 days, then the Office of Student Conduct may choose to close the case and not pursue a resolution through the Conduct system.*

Withdrawal of Initiation of Judicial Proceedings Form after it is submitted to the Office of Student Conduct:

- In the event that the Complainant declares an intent to withdraw the Complaint after he/she has submitted the Initiation of Judicial Proceedings Form, he/she is expected to meet with the Director of Student Conduct to discuss the decision.
- A Declaration of Withdrawal must be put in writing.

- By withdrawing the Initiation of Judicial Proceedings Form, the Complainant waives his/her option to pursue resolution of this complaint through the Office of Student Conduct. *

***Note:** The Office of Student Conduct reserves the right to pursue disciplinary action on behalf of the University and serve as the Complainant in the event that a Complainant chooses not to initiate or pursue an action.

CODE OF STUDENT CONDUCT REGULATIONS

Statement of Purpose:

The student disciplinary system is designed to fit within the University's larger education system and does not function as a court of law. It is founded on the principles of fostering community, upholding the common good, and respecting the individual. When a student disregards these principles, he/she is held accountable and sanctions are imposed.

Georgetown's adjudication process, including the policies on disclosure and confidentiality, is consistent with its Catholic and Jesuit educational mission. The adjudication process is designed to educate the individual while taking into consideration the needs of the greater community.

BURDEN OF PROOF

I. ORIGINAL HEARINGS AND ADMINISTRATIVE ACTIONS – “MORE LIKELY THAN NOT”

In the University's student judicial process, at the original hearing, the burden of proof rests on the Complainant. The Complainant must present persuasive evidence that establishes that the Respondent “more likely than not” violated the Code of Student Conduct.

Under this standard, if the Administrator or Hearing Board believes the Respondent's and Complainant's cases are equally likely or believable, they must find in favor of the Respondent. This standard requires much less certainty than, the “beyond a reasonable doubt” standard used in criminal trials.

II. APPEALS – “CLEAR AND CONVINCING”

In the University's student judicial appeal process, the burden of proof rests on the appellant, who must establish by “clear and convincing” evidence that the original judicial process or decision was substantially flawed.

Clear and convincing evidence will be shown where the truth of the facts asserted is highly probable. The “clear and convincing” standard requires more proof than the standard of “more likely than not” but less than the criminal standard of “beyond a reasonable doubt.”

MULTIPLE STUDENTS INVOLVED IN THE SAME OR RELATED INCIDENTS

When more than one student is involved in an incident or series of immediately related incidents, the matter will be handled as a single case. In the event that the case involves Category “B” or “C” level violations and the case is forwarded to a Judicial Hearing Board, a consolidated hearing will be held, with the consent of the students involved. The consent for a consolidated hearing must be in writing, dated, and signed by each student.

CLASSIFICATION AND DEFINITION OF VIOLATIONS

Behaviors identified as prohibited under the Code of Student Conduct are classified into three categories of violations: “A,” “B,” and “C”. Violations are divided into these three categories based on the nature and severity of the behavior and the sanction which typically may be imposed for a first time violation of a single regulation.

Category A is viewed as the least serious, and typically carries relatively minor sanctions, ranging from a fine and/or work sanction up to and including probation. Category B reflects a more serious violation for which a student typically may receive a sanction ranging from probation to suspension. Category C is the most serious level of infraction. If found responsible, a student could face dismissal from the University.

University officials may be notified of conduct violations. Such officials include, but are not limited to, coaches, deans, advisors of co-curricular activities.

Consistent with community standards, the following behaviors are considered violations of the Code:

CATEGORY A

As noted above, Category A is viewed as the least serious category of violation, and typically carries relatively minor sanctions, ranging from a fine and/or work sanction up to and including probation. Category A violations are typically handled by the staffs of Off Campus Student Life and Residence Life. They do not typically lead to severe sanctions (such as disciplinary probation, suspension, or dismissal) unless the behavior is repeated or more severe sanctions are otherwise warranted by the circumstances or facts of the case

1. Alcohol Policy (See also Alcohol Policy – Category B and Parameters for the Nature of Violation Section. NOTE: Out of concern for a student’s health, safety and welfare, and continued participation in the University community, a student’s parent(s)/guardian(s) will be notified upon the occurrence of a second, separate, alcohol policy violation if the student is a dependent. A third, separate, alcohol policy violation may result in suspension from the University.

Students are expected to comply with all state, local and federal laws regarding alcohol. Additionally, students will be held accountable for failure to adhere to all provisions regarding alcohol and alcoholic containers as set out in the University's Alcohol and Drug Policy which can be found at <http://studentaffairs.georgetown.edu/policies.html>.

Category A violations of the Alcohol Policy are categorized as follows:

- a. **Possession or consumption of alcohol:** No person who is under the legal drinking age shall possess or drink any alcoholic beverage. The legal drinking age in the District of Columbia is 21 years of age.
- b. **Possession or consumption of alcohol in an alcohol-free location:** Possession or consumption of alcohol is prohibited by any person in alcohol-free residential housing or in residential space whose assigned occupants are under the legal drinking age.
- c. **Possession, or consumption of contents, of an open alcohol container in a public area:** Possession or consumption of an open container of any alcoholic beverage in any indoor and/or outdoor community areas of the residence halls and apartment complexes, and in other public areas of the campus, is prohibited unless an event where alcohol is being served is officially approved by the University for that location. Possession or consumption of an open container of any alcoholic beverage is prohibited in any street, alley, park, parking lot, or in any vehicle in or upon any of those areas.
- d. **Possession of an unauthorized keg:** Kegs are permitted only in university-owned townhouses and apartments (Alumni Square, Henle Village, Nevils, and Village A) where at least one resident is of legal drinking age. Kegs are prohibited in all other University-owned housing. No more than one keg is permitted in any University-owned apartment or townhouse per day and/or event. Kegs may not be stored in publicly visible exterior apartment or townhouse spaces (i.e. porches, yards, stoops). Possession of any keg in violation of these regulations is unauthorized and prohibited. Unauthorized kegs will be confiscated by the Department of Public Safety and will not be returned regardless of the student's age.
- e. **Possession or use of alcohol related paraphernalia:** Possession or use of alcohol-related paraphernalia is prohibited in University-owned residential housing. Examples of such items include, but are not limited to:
 - Beer funnels
 - Board games specifically designated for alcohol consumption such as: “Drinko”, “Keel Over” and “Shots & Ladders”
 - Alcohol ice luge sculptures/molds.Use/possession of a beer pong table in University-owned housing is a violation of the Code only under the following circumstances:
 - if the use/possession is by a student under the age of 21
 - if the beer pong table is located in any designated alcohol-free location of University-owned residential housing.

2. Defacement (See also Damage/Destruction –Category B)

Actions or attempted actions by any individual or group of individuals that result in the marring of the appearance of another's property or University property. Intent will be considered in the application of sanctions.

3. Disorderly Conduct - Category A (See also Disorder Conduct – Category B)

Actions or attempted actions that annoy or disturb others. Intent is not an element of this violation, but will be considered in the application of sanctions.

4. Drug Policy – Category A (See also Drug Policy Category B and Category C)

University policy strictly forbids the possession, use, transfer and/or sale of illegal drugs. Students are expected to comply with all provisions regarding drugs as set out in the University Alcohol and Drug Policy section. Category A violations of the Drug Policy are categorized as follows:

- a. Possession of drug paraphernalia.
- b. Being in the presence of the use of a counterfeit or controlled substance.

The University Alcohol and Other Drugs Policy is located at
<http://studentaffairs.georgetown.edu/policies.html#AlcoholandOtherDrugsPolicy>

5. Failure to Comply - Category A (See also Failure to Comply – Category B)

All students are expected to comply with the directions of any law enforcement officer(s) or other University personnel, including, but not limited to, campus police officers, residence hall staff, Yates management, etc., who are performing their official duties.

6. Failure to meet deadlines of any disciplinary sanction

Under typical circumstances, arrangements for completing work sanction hours and fines must be made within fourteen (14) calendar days of the case's final resolution.

7. Guest Policy

The student host is responsible for the behaviors of any individuals he/she allows access to his/her assigned space regardless of whether the "guest" is a fellow Georgetown student. Additionally, the student host is responsible for the behaviors of any non-Georgetown student he/she allows access to campus. In either instance, the student is subject to disciplinary action if the guest violates University regulations.

The University reserves the right to remove from campus a guest who has violated University regulations. "Removal" is defined as complete separation from University grounds, facilities and services. Violators of a "removal" order are viewed as trespassers and are subject to arrest. (See: Policies and Procedures).

8. Hall Sports

Hallways and common areas within University-owned housing may not be used for sports activities. Objects will be confiscated.

9. ID Cards - Category A

- a. When requested by a University official, individuals are required to produce their official University ID Card.
- b. ID cards (including a meal card) are not transferable. Use of ID cards by anyone other than the person to whom it is issued is strictly prohibited.
- c. Unauthorized alteration of an identification card for any purpose is prohibited.
- d. Possession of a fake driver's license or any other falsified form of identification is prohibited.

10. Incivility with University Official-Category A (See also Incivility with a University Official Category B)

Disrespect of a University Official through language or actions.

11. Noise

Noise or sound which infringes upon the rights of others to reasonable peace and quiet.

Excessive noise whether occurring on campus or off campus will be considered a violation.

12. Party Hosting

Students who plan to host a gathering of 12 or more guests in a University owned apartment/townhouse (Alumni Square, Henle, Nevils, Village A, Village A rooftops, and townhouses) at which alcohol is present must submit a party registration request through the University's party registration website no later than 10:00 A.M. on the Thursday before the event. (Students will be notified by 5:00 P.M. on Thursday whether or not their party has been approved.) The registration must identify two hosts, (one of whom must be of legal drinking age) and both must be residents of the apartment/townhouse. Violations of the Party Hosting policy include, but are not limited to:

- a. Failure to submit a timely, completed Party Registration Form
- b. Failure to comply with party size limits (attendees include hosts, residents, and guests) as follows:
 - **25 Maximum Attendees:** Alumni Square and Henle
 - **35 Maximum Attendees:** Nevils, Townhouses*, and Village A**
 - * Townhouses are allowed an additional 50 attendees within the backyard
 - ** Village A rooftop apartments that share a rooftop pad are allowed an additional 50 attendees, total, between both apartments on the rooftop pad
- c. Failure to have both hosts present at the party for its duration
- d. Failure to comply with party hosting guidelines (e.g. no glass beer bottles, party end times, trash cleanup, etc.)

13. Personal Responsibility

Students are expected to be honest in all their dealings at the University and to abide by agreements they make with members of the University community. This system will not, however, be utilized to settle lease agreement disputes between landlords and student tenants.

14. Pets

No pets are permitted in University-owned student residences (including apartments), buildings, classrooms or eating areas; nor are pets permitted to roam about campus unleashed.

15. Prohibited Items

Possession of items identified as prohibited in University owned housing as set forth in the **Code**, the Housing Occupancy Agreement and/or all other applicable University Policies will be considered a violation of the **Code**. Prohibited items include, but are not limited to:

- a. Candles, incense, burning scented oils, kerosene/gasoline, kerosene lamps;
- b. Halogen lamps
- c. Mercury Thermometers
- d. Motorized vehicles, gasoline-powered bikes (mopeds, motorcycles);
- e. Grills/hibachis
- f. Computer extension devices, including but not limited to: computer servers, wireless access points, switches, routers, hubs, Ethernet splitters, any layer 2 device that allows more than one Ethernet device to use any given port at the same time;
- g. Lofts;
- h. Hot tubs, spas, waterbeds, water chairs;
- i. Aquariums

In addition to the above listed items, the following items are specifically prohibited in residence hall rooms:

- j. Open element/electrical cooking appliances: Items designed for cooking food including, but are not limited to hot plates, toaster ovens, toasters, coffee pot/makers.

In dry residence halls and dry residence hall floors, the following applies:

- k. It is a violation of the Code to have more than two (2) empty alcohol containers (e.g. cans, bottles) in alcohol free residence halls.

16. Quiet Hours

Twenty-four hours a day reasonable quiet must prevail in University owned-housing. Between the hours of 9:00 p.m. and 9:00 a.m. on nights proceeding undergraduate class days, and between the hours of 12:00 a.m. and 9:00 a.m. on Friday and Saturday, University owned-housing is to be especially quiet.

17. Restricted Areas

Students are not permitted in any area that has specifically been designated off-limits by the University or an authorized University official; or any place on campus where it could be reasonably inferred that access is prohibited or restricted. Examples include, but are not limited to: roofs of any University building (with the exception of the patios on Saint Mary's and LXR and Village A catwalks); electrical or mechanical rooms; any restricted playing field or locker rooms; or construction sites.

18. Smoking Policy

University-owned residences have been officially designated as non-smoking. Smoking is prohibited in all residence halls, apartments, and townhouses, including common areas and private residential spaces. Members of the community who choose to smoke on campus must do so in University-designated areas outdoors.

See also the University's Smoking Policy at <http://studentaffairs.georgetown.edu/policies.html>

19. Trash Disposal

Students are responsible for the proper disposal and containment of trash in and around their residence. Off campus residents must comply with local trash ordinances. Failure to comply with posted instructions on trash policies, both on and off campus, will be considered a violation of the Code. These violations include, but are not limited to:

- a. failure to place trash in appropriate trash receptacle(s);
- b. leaving trash receptacle(s) on public display outside of apartment, townhouse, room, etc. in excess of the posted allotted time frame;
- c. accumulation of trash in rooms, apartment, front and/or backyard that could pose a health risk.

*Note: *Particular attention should be paid to regulations during move-in and move-out periods, when additional dumpsters will made available.

20. Visitation

A resident's privilege to have a guest in the room may not interfere with a roommate's right to privacy, sleep and quiet study space. Overnight visits should only occur on a limited and infrequent basis not to exceed three (3) consecutive nights and only with the consent of the others sharing the room/apartment. Cohabitation, which is defined as overnight visits with a sexual partner, is incompatible both with the Catholic character of the University and with the rights of the roommates.

21. Violations of University Regulations – Category A (See also Violations of University Regulations – Category B)

Failure to comply with University regulations as set forth in the Code of Student Conduct and all other applicable University Policies, including, but not limited to, the Computer Systems Acceptable Use Policy and the Housing Occupancy Agreement will be considered a violation.

See also <http://www.georgetown.edu/student-affairs/policies.html> for additional information.

22. Knowingly allowing a guest to commit a Category A violation

CATEGORY B

Category B represents moderate to serious level violations. Sanctions imposed for first time single Category B violations typically range from housing probation or housing suspension to disciplinary probation or disciplinary suspension (up to 2 years). They may also be accompanied by those sanctions typically given for Category A violations. A Category B violation may result in more severe sanctions when warranted by the circumstances or facts of the case.

1. Alcohol - Category B (See also Alcohol Policy Category A and Parameters for the Nature of Violation Section)

Students are expected to comply with all state, local and federal laws regarding alcohol. Additionally, students will be held accountable for failure to adhere to all provisions regarding alcohol and alcoholic containers as set out in the University's Alcohol and Drug Policy.

Category B violations of the Alcohol Policy are categorized as follows:

- a. **Misrepresentation of Age:** Misrepresentation or attempt at misrepresentation of age in order to obtain alcohol.
- b. **Provision of Alcohol:** Sale, attempted sale, distribution or provision of alcoholic beverages to and/or by anyone under the legal drinking age. The legal drinking age in the District of Columbia is 21 years of age.
- c. **Provision of Alcohol to Intoxicated Person:** Providing or attempting to provide alcoholic beverages to any person who is intoxicated or appears to be intoxicated.

The University Alcohol and Other Drugs Policy is located at <http://studentaffairs.georgetown.edu/policies.html>

2. Damage or Destruction (See also Defacement – Category A)

Actions or attempted actions by any individual or group of individuals that result in harm to, or ruin of, another's property or University property. Intent is not an element of the violation, but will be considered in the application of sanctions.

3. Dangerous Objects (possession) - Category B (See also Dangerous Object Category C)

The possession of any potentially dangerous object or weapon, including but not limited to: firearms, ammunition, fireworks or other explosives, hunting knives, swords or sabers.

4. Disorderly Conduct - Category B (See also Disorderly Conduct Category A)

Actions or attempted actions that obstruct, interfere, or could result in harm to others and/or the university community regardless of intent.

5. Disruption

Any action which disrupts or obstructs or attempts to disrupt or obstruct the following official functions of the University: teaching, research, administration or any other activity or proceeding on campus that is generally accepted as a legitimate University function. (For further information, refer to the University Speech and Expression Policy and is located at <http://studentaffairs.georgetown.edu/policies.html>.)

6. Drugs Policy - Category B (See also Drug Policy - Category A and Category C)

University policy strictly forbids the possession, use, transfer and/or sale of illegal drugs. Students are expected to comply with all provisions regarding drugs as set out in the University Alcohol and Drug Policy section. Category B violations of the Drug Policy are categorized as follows:

- a. Use of drug paraphernalia
- b. Use or possession of a counterfeit or controlled substance

The University Alcohol and Other Drugs Policy is located at <http://studentaffairs.georgetown.edu/policies.html#AlcoholandOtherDrugsPolicy>

7. Failure to Comply - Category B (See also Failure to Comply - Category A)

Behavior that interferes with or obstructs a University Official or law enforcement officer in the performance of his or her official duties.

8. False Testimony

Lying, misrepresentation of facts or giving false testimony to any University official during an investigation of an alleged violation of a University regulation.

9. Falsification of University Records

Any unauthorized alteration or forgery or attempted alteration or forgery of any University document or documents submitted to the University for official purposes.

10. Fire Safety

The following actions or attempted actions are violations of the Code:

- a. Intentional or reckless misuse of fire safety equipment (such as fire extinguishers, fire alarms, exit signs, etc.)

- b. Unnecessary activation of fire alarms
- c. Failure to leave a building during a fire alarm or drill
- d. Setting fires - this includes, but is not limited to, the lighting of candles and/or incense
- e. Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency on University premises or at University sponsored events

11. Harassment

Any intentional or persistent act(s) deemed intimidating, hostile, coercive, or offensive.

12. Incivility with University Official- Category B (See also Incivility with University Official – Category A)

Disrespect of a University Official using especially egregious and/or antagonistic language or behavior.

13. Local Laws and Statutes

Alleged violations of local laws and statutes which occur on or off campus are also violations of the Code and subject to internal University investigation, review and action in addition to any action by the proper civil authorities.

14. Objects from Building

Throwing and/or intentionally causing to fall from a window, rooftop or balcony, or any attempt at such actions, any object that could cause physical harm or damage to property.

15. Physical Assault - Category B (See also Physical assault - Category C)

Any intentional touching, or attempt or threat of such touching, by a student that places any person in fear of imminent bodily harm or could have resulted in physical injury.

16. Security

- a. Propping exterior doors.
- b. Disengaging locking devices.
- c. Allowing persons without Georgetown identification access to residence halls without serving as that person's host.

17. Sexual Misconduct – Category B

Engaging in, or attempting to engage in, any one or more of the following sexual or offensive acts with or directed at another person without obtaining his or her *consent*:

- a. Intentionally indecent and/or offensive actions that are of a sexual nature including, but not limited to voyeurism, exposure, sexually explicit communication (i.e., electronic and voice messages, photos, pictures, graphics, etc.)
- b. *Sexually explicit touching*, or attempt of such touching

For the purposes of the Sexual Misconduct and Sexual Assault violations, the following definitions shall apply:

Consent is an understandable exchange of affirmative words or actions that indicate a willingness to participate in mutually agreed upon sexually explicit touching or sexual penetration. Consent must be informed, and freely and actively given. It is incumbent upon each individual involved in the activity to either obtain or give consent prior to any sexual activity, *and again*, prior to sexual penetration. If at anytime during the sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other's willingness to continue.

- A verbal "no," even if it may sound indecisive or insincere, constitutes lack of consent.
- When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent.
- It is expected that, after consent has been established, a person who changes his/her mind during the sexual activity will communicate through words or actions, his/her decision to no longer proceed.
- Past consent to sexual activity does not imply future ongoing consent, and the fact that two persons are in an on-going relationship shall not preclude the possibility that sexual misconduct or sexual assault might occur within that relationship.
- A student's use of alcohol and/or other drugs shall not diminish a student's responsibility to obtain consent.

Sexually explicit touching is the unwanted touching of another person in a sexual manner. Examples of sexually explicit touching include, but are not limited to, the touching, either directly or through clothing, of another person's genitalia, breasts, inner thigh, or buttocks of any person with a clothed or unclothed body part or object.

See also Sexual Assault – Category C, the University Main Campus Sexual Assault and Sexual Misconduct Policy at <http://www.georgetown.edu/student-affairs/policies.html#SexualMisconductandSexualAssault>, and the University's Policy Statement on Sexual Harassment at <http://www.georgetown.edu/student-affairs/policies.html#SexualHarassment>.

18. Stalking - Category B (See also Stalking – Category C)

Any behaviors or activities occurring on more than one occasion that place another person in reasonable fear or threaten his or her mental health and/or are intended to cause emotional distress.

Such behaviors or activities may include, but are not limited to, the following:

- unwelcome communication of any type, including face-to-face, telephone calls, voice messages, electronic mail, written letters or notes, unwanted gifts, etc.
- pursuing or following

- observing or surveillance

19. Theft - Category B (See also Theft – Category C)

To wrongfully obtain or attempt to wrongfully obtain, whether through a single act or multiple occurrences of theft, the property or services of another (including the University) with the intent to deprive the other of a right to the property or a benefit of the property or services where the aggregate value of said property or services is less than \$500.

20. Violation of the terms and/or conditions of any disciplinary sanction

21. Violations of University Regulations – Category B (See also Violations of University Regulations – Category A)

Failure to comply with University regulations as set forth in the Code of Student Conduct and all other applicable University Policies which could result in harm to others and/or the university community will be considered a violation, regardless of intent. Applicable policies include, but are not limited to, the Computer Systems Acceptable Use Policy, the Speech and Expression Policy, Sexual Harassment Policy, and the Housing Occupancy Agreement.

See also <http://studentaffairs.georgetown.edu/policies.html>

22. Knowingly allowing a guest to commit a Category B violation

CATEGORY C

Category C is the most serious level of violation. If found responsible for any of the below listed violations, a student could be suspended or dismissed from the University.

1. Arson

To maliciously burn, or attempt to burn, any public or private property, whether real or personal, not his/her own. Arson involves conduct endangering human life and offending security of habitation or occupancy.

2. Dangerous Objects (Use) - Category C (See also Dangerous Objects Category B)

Use or attempt to use dangerous objects (See examples in Category B)

3. Drugs Policy - Category C (See also Drug Policy Category A and Category B)

University policy strictly forbids the possession, use, transfer and/or sale of illegal drugs. Students are expected to comply with all provisions regarding drugs as set out in the University Alcohol and Drug Policy section. Category C Violations of the Drug Policy are categorized as follows:

- a. Intentionally manufacture counterfeit or controlled substance.
- b. To manufacture or possess a counterfeit or controlled substance with intent to distribute.
- c. To transfer, distribute and/or sell a counterfeit or controlled substance.

The University Alcohol and Other Drugs Policy is located at <http://studentaffairs.georgetown.edu/policies.html>

4. ID Cards (Manufacture) - Category C (See also ID Cards Category A)

- a. Manufacture, distribute or attempt to manufacture or distribute false Driver's License or Georgetown ID.

5. Physical Assault - Category C (See also Physical Assault Category B)

Physical assault with bodily injury.

6. Sexual Assault - Category C

Engaging, or attempting to engage in, any one or more of the following sexual acts with or directed against another person:

- a. *sexual penetration*: without the *consent* of the other person;
- b. *sexually explicit touching* through the use of *coercion* or where the person is *incapable* of giving consent because of her/his temporary or permanent mental or physical incapacity;
- c. *sexual penetration* through the use of *coercion* or where the person is *incapable* of giving consent because of her/his temporary or permanent mental or physical incapacity;

For the purposes of the Sexual Misconduct and Sexual Assault violations, the following definitions shall apply:

Consent is an understandable exchange of affirmative words or actions that indicate a willingness to participate in mutually agreed upon sexually explicit touching or sexual penetration. Consent must be informed, and freely and actively given. It is incumbent upon each individual involved in the activity to either obtain or give consent prior to any sexual activity, *and again*, prior to sexual penetration. If at anytime during the sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other's willingness to continue.

- A verbal "no," even if it may sound indecisive or insincere, constitutes lack of consent.
- When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent.
- It is expected that, after consent has been established, a person who changes his/her mind during the sexual activity will communicate through words or actions, his/her decision to no longer proceed.
- Past consent to sexual activity does not imply future ongoing consent, and the fact that two persons are in an on-going relationship shall not preclude the possibility that sexual misconduct or sexual assault might occur within that relationship.

- A student's use of alcohol and/or other drugs shall not diminish a student's responsibility to obtain consent.

Coercion is the use of force, or the threat of force, the use of a threat of immediate or future harm, or the use of physical or severe and/or pervasive emotional intimidation to cause or attempt to cause another person to engage in or submit to certain activities. Coercion also includes the administration of a drug, intoxicant or similar substance that impairs the faculties of a person.

Incapacity -- a person is considered incapable of giving consent if he/she is asleep, unconscious and/or losing and regaining consciousness, or clearly mentally or physically incapacitated, for example, by alcohol and/or other drugs (signs of being incapacitated include, but are not limited to, difficulty walking, inability to speak in a coherent manner, vomiting or the presence of vomit, etc.).

Sexually explicit touching is the unwanted touching of another person in a sexual manner. Examples of sexually explicit touching include, but are not limited to, the touching, either directly or through clothing, of another person's genitalia, breasts, inner thigh, or buttocks of any person with a clothed or unclothed body part or object.

Sexual penetration is defined as any degree of insertion of a penis, hand, finger, tongue, or any object into a person's anus or vulva, or any degree of insertion of genitalia into the mouth.

See also Sexual Misconduct – Category B, the University Main Campus Sexual Assault and Sexual Misconduct Policy at <http://studentaffairs.georgetown.edu/policies.html>, and the University's Policy Statement on Sexual Harassment at <http://studentaffairs.georgetown.edu/policies.html>

7. Stalking - Category C (See also Stalking – Category B)

Any behaviors or activities that place another person in reasonable fear of bodily harm or threaten his/her safety (1) occurring on more than one occasion; or (2) occurring on one occasion and preceded by behaviors or activities that would constitute a violation of Stalking (Category B).

Such behaviors or activities may include, but are not limited to the following:

- unwelcome communication of any type, including face-to-face, telephone calls, voice messages, electronic mail, written letters or notes, unwanted gifts, etc.
- use of threatening words or conduct, or both
- pursuing or following
- observing or surveillance

8. Theft - Category C (See also Theft – Category B)

To wrongfully obtain or attempt to wrongfully obtain, whether through a single act or multiple occurrences of theft, the property or services of another (including the University) with the intent to deprive the other of a right to the property or a benefit of the property or services where the aggregate value of said property or services is greater than \$500.

9. Knowingly allowing a guest to commit a Category C violation

DISCIPLINARY SANCTIONS

The fundamental principle guiding the imposition of sanctions in the student discipline system is founded on the University's effort to balance upholding community standards with the educational development of its students in addressing individual behavior.

The sanctioning component of the University's discipline system is designed to achieve the following goals:

Goals of Sanctions:

- Reestablishment of order while considering the common good, which sometimes necessitates the temporary or permanent removal of the offender.
- Mechanism within which offenders can reflect upon their actions and their impact on both themselves and others
- Restoration of the offender to good standing within the community provided the safety of the community is not jeopardized by the individuals' presence or return.
- Restitution to those harmed by the offender's actions to the degree possible.

Sanctioning Considerations:

In achieving the goals of sanctions, the following set of parameters is considered in each case, which are designed to guide the range and variation in the imposition of sanctions:

I. Parameters for the Level of Violation

For the following categories of violations, the following range of sanctions shall apply generally:

Category A: Category A is viewed as the least serious category of violations. Single Category A violations or cases in which sanctions are being imposed for the first time shall typically result in less severe sanctions than cases in which there are multiple Category A violations, sanctions have been previously imposed, or in which there are single Category B or C level violations. Category A violations typically include a combination of sanctions ranging from a fine and/or work sanction hours coupled with educational classes/projects, referral to appropriate community resource, and/or party restriction up to and including housing relocation or housing probation. *Under normal circumstances*, Category A violations do not lead to severe

sanctions (such as disciplinary probation, disciplinary suspension, or dismissal) unless otherwise warranted by the nature of the violation or the student's prior record.

Category B: Category B represents moderate to serious level violations. Sanctions imposed for first time, single Category B violations typically include a combination of sanctions ranging from housing relocation, housing probation, apartment living suspension or housing suspension up to and including disciplinary probation or disciplinary suspension (up to 2 years). Additionally, they may be accompanied by those sanctions typically given for Category A violations when the circumstances or facts in the case suggest their appropriateness. Category B violations may result in the most severe sanctions when warranted by the nature of the violation or the student's prior record.

Category C: Category C is the most serious level of violation. If found responsible, a student would *likely receive, minimally, disciplinary suspension or could* be dismissed from the University.

II. Parameters for the Nature of Violation

- *A single incident with multiple violations will result in more severe sanctions.*
- **Aggravating Factors:** Aggravating factors considered in sanctioning include, but are not limited to:
 - *Injury and Damage:* In each incident the severity of damage, injury or harm resulting from the violation shall be considered in totality when determining the level and scope of the sanction.
 - *Alcohol:*
 - Behaving under the influence of alcohol will be considered an aggravating circumstance when violations of the Code occur, and sanctions will reflect the role of alcohol in the violation.
 - Of particular concern are alcohol-related drinking games. Because they are designed to encourage the excessive consumption of alcohol, they run contrary to and undermine the University's promotion of the responsible use of alcohol. Alcohol-related drinking games shall be deemed an aggravating factor. As such, violations that occur in conjunction with, or because of, alcohol-related drinking games will receive more severe sanctions.
 - *Bias-related:* By its very nature, bias will be deemed an aggravating circumstance to any violation of the Code, regardless of its category. Consequently, bias-related violations will result in a more serious sanction up to, and including, permanent separation from the University.

- The term “bias-related” refers to Code violations that include language and/or behaviors which demonstrate bias against persons because of, but not limited to, others’ actual or perceived: color, disability, ethnicity, gender, national origin, race, religion, and/or sexual orientation. Bias-related Code violations are especially intolerable in view of the University’s commitment to respect for all members of the community.

- **Mitigating Factors**

- Mitigating factors refer only to some element of the student’s actions or behavior during the incident, which is not exculpatory, but is deemed by the adjudicator to merit some consideration of a lesser sanction. Examples of a mitigating factor might include elements of self-defense or defense of others.

III. Student’s Conduct History and Prior Record

A student’s conduct history and prior record will be considered with regard to the sanctions to be imposed. Generally, a student’s past misconduct *may* be grounds for a more severe sanction. Elements of a student’s conduct history and prior record to consider are:

- Prior or repeated violations and proximity of time of violation
 - Repeated incidences of alcohol violations *will* result in more severe sanctions, including and up to disciplinary suspension and disciplinary dismissal.
 - Repeated incidences of violations committed over a relatively short period of time *will* result in more severe sanctions
 - Repeated violations throughout the student’s tenure at the University *may* result in more severe sanctions
- Violations committed while on an active sanction.

Sanction related-issues:

Alcohol Policy Violations

Listed below are the typical sanction(s) for Category “A” level alcohol policy violations of the **Code of Student Conduct (Code)**. The sanctions listed may be applied alone, or in combination with additional sanctions outlined in the **Code** as deemed appropriate to the incident. In keeping with the educational focus of the University’s student adjudication process, each alcohol-related incident will be adjudicated on a case-by-case basis. Issues such as:

accompanying violations, time frame between violations, and/or student's disciplinary history, etc. will be taken into account in the application of the sanction(s).

- **First Violation:** The first alcohol policy violation would typically result in a requirement to complete the disciplinary version of Alcohol.Edu. The student will be charged a \$35.00 fee to cover the cost of the program, 5-10 Work Sanction Hours, \$25.00 Fine.
- **Second Violation:** The second alcohol policy violation would typically result in Apartment Living Suspension, Disciplinary Probation, Referral for an alcohol use/abuse assessment (and mandatory compliance with recommended follow-up), 15-25 Work Sanction Hours, a \$50 Fine, and an Essay constructing a plan on how the student plans to spend their time during their potential Disciplinary Suspension. Before submitting this essay to the Office of Student Conduct for approval the student's parent/guardian and Academic Dean will need to sign off on the essay. The student's parent(s) will typically be notified. Notice will be sent to the student's academic dean and co-curricular advisor.
- **Third Violation:** Due to the serious implications of a third alcohol violation, Active Disciplinary Suspension will be the first sanction considered. Suspension will not, however, be imposed automatically. Each student's case will be considered individually, with attention being given to mitigating and aggravating factors including, but not limited to: prior and repeated violations, proximity of time between violation(s), violations while on active sanction. Should an Active University Suspension is imposed, the duration of the suspension would depend on the student's educational and disciplinary record. Conditions for re-admission will be imposed consistent with the student's disciplinary history. A typical condition will include, but is not limited to, a follow-up reflection essay. The student's parent(s)/guardian will be notified if the student is a dependant. Notice will be sent to the student's academic dean and co-curricular advisor.

Study Abroad

Please note that the privilege of studying abroad may be withheld or revoked based on one's disciplinary record. Such decisions will be made by the Office of International Programs.

Sanctions Specific to Seniors

- Failure to complete any disciplinary sanction before Commencement exercise will result in the Academic Dean withholding a diploma. The student will receive the diploma when the Office of Student Conduct certifies that the sanction is complete.
- A student may not graduate with an unresolved disciplinary matter that could reasonably result in suspension or dismissal from the University. Certification for the student's degree will be withheld pending a final resolution of the disciplinary matter; this determination will be made in conjunction with the Academic Dean.

List of Disciplinary Sanctions for Violations:

The following sanctions, or any combination thereof, may be applied by the Residential Judicial Council (RJC), Hearing Board and/or any of the authorized University administrators.

Examples of sanctions include, but are not limited to:

- 1. Written Reprimand:** an official letter of censure.
- 2. Fines:** In all cases of fines, payment must be made in the form of U.S. dollar bills, personal check or money order. Coins totaling more than \$1.00 will not be accepted.
- 3. Work Sanction:** supervised work in University programs, offices, buildings, residence halls, or off campus programs. All work sanction location must be identified by the Office of Student Conduct.
- 4. Restitution:** Repayment to the University or to any affected party for damages and/or injury.
- 5. Educational Classes/Projects:** such as AlcoholEdu, Substance Education Class, or Research/Reflection Paper.
- 6. Referral:** To appropriate community resource such as individual alcohol/substance assessment and/or consultation.
- 7. Other Sanctions:** as appropriate to the circumstances of a given case.
- 8. Party Restriction:** loss of the privilege for any parties to be hosted in a student's residence.
- 9. Housing Relocation:** loss of the privilege of remaining in current housing and required to relocate to other housing on campus. This may include requiring a student to move from off campus housing to residential housing on campus. The student's parent(s) /guardian will be notified if he/she is a dependent.
- 10. Apartment Living Suspension:** loss of the privilege of registering in the next apartment selection process and barred from residing in a University apartment or townhouse for a specified period of time. The student's parent(s)/guardian will be notified if he/she is a dependent.
- 11. Housing Probation:** an official warning that further violations would constitute grounds for loss of the privilege of living in that particular residence hall, apartment complex and/or in any University housing for a specified period of time or until a specific condition or conditions are met. A notification of the possibility of a change in housing will be sent to a student's parent(s) /guardian if he/she is a dependent.

- 12. Housing Suspension:** Loss of the privilege of living in any University housing for a specified period of time or until a specific condition or set of conditions are met. The student's parent(s) /guardian will be notified if he/she is a dependent.
- 13. Housing Expulsion:** loss of the privilege of living in any University housing at any time. The student's parent(s) /guardian will be notified if he/she is a dependent.
- 14. Disciplinary Probation I:** an official disciplinary warning status enacted for a specified duration admonishing a student that any further misconduct during this time period may result in suspension. A copy of the notice is sent to the student's Academic Dean; and to the student's parent(s)/guardian if he/she is a dependent.
- 15. Disciplinary Probation II:** an official disciplinary status enacted for a specified duration stipulating that a student, in lieu of active university suspension, is being allowed to remain at the University provided that the student adheres to certain conditions, as set by the Board or Administrator. Failure to meet these conditions will result in automatic active suspension from the University. The Office of Student Conduct shall determine whether the conditions have been satisfied or violated. The student's Academic Dean will be notified that the student is on Disciplinary Probation II, as will the student's parent(s) /guardian if he/she is a dependent.
- 16. Active University Suspension:** complete separation from all University activities, services, facilities and grounds. Active suspension may be term or conditional. Upon return to the University, the student will be placed, automatically, on Disciplinary Probation for a minimum of one year. An active suspension shall be noted as "disciplinary suspension" on the academic transcript. A copy of the notice is sent to the student's Academic Dean; and to the student's parent(s)/guardian if he/she is a dependent.
- Term suspension shall be for a stipulated period of time, not to exceed two years, after which the suspended student may return to the University.
 - Conditional suspension shall qualify re-entry to the University community pending the fulfillment of certain conditions by the student that are reasonably necessary to his continued academic success and peaceful conduct in the community. Subject to fulfillment of the stipulated conditions, the suspension shall be indefinite. The Office of Student Conduct shall determine whether the conditions have been satisfied.
- 17. Disciplinary Dismissal:** permanent termination of the individual's relationship with the University. This includes all activities, services, facilities, and grounds, undergraduate, graduate and professional schools. A dismissal shall be noted as "Disciplinary Dismissal" on the academic transcript. A copy of the notice is sent to the student's Academic Dean; and to the student's parent(s)/guardian if he/she is a dependent.

RESOLUTION OF COMPLAINTS

The following is an overview of the processing of alleged code violations. Cases involving multiple violations will be adjudicated consistent with the procedures described for the highest level of alleged violation. Any variation to the application of these procedures will be made at the sole discretion of the Director of Student Conduct.

ADMINISTRATIVE ACTION

1. Emergency Administrative Action

If an individual appears to pose a risk of danger or disruption to the community or any individual, emergency administrative action may be taken, including removal of the individual from the University community. This action does not require an admission of responsibility on the part of the accused student. The decision whether or not to take Emergency Administrative Action is vested solely within the non-reviewable discretion of the Vice President for Student Affairs, the Associate Vice President for Student Affairs, the Director of Student Conduct, or his/her designee. Within three working days of the emergency Administrative Action, a Notice of Code of Conduct Charges will be provided to the Respondent. The Office of Student Conduct will schedule a hearing as soon as reasonably possible after the Notice of Code Charges is presented to the Respondent. Pending the hearing, an authorized administrator can modify the conditions of the emergency administrative action.

2. Administrative Action

Administrative Action is the resolution of a case by an authorized administrator. The adjudicating administrator has the authority to find a student responsible for violations of the Code of Student Conduct and assign the appropriate sanction(s).

- Cases involving only Category A violations will be resolved by Administrative Action.
- Cases involving Category B and Category C violations may be resolved by Administrative Action when a student admits responsibility for engaging in behaviors or actions that constitute those violations of the Code of Student Conduct.

The following authorized administrators may take Administrative Action for all categories of violations:

- Vice President for Student Affairs
- Associate Vice President for Student Affairs
- Director of Student Conduct

For Category A and B violations, the following administrators are also authorized to take Administrative Action:

- Associate Dean of Students
- Assistant Vice President for Student Health
- Director of Off Campus Student Life
- Director of Residence Life
- Associate Director of Residence Life
- Assistant Director of Residence Life
- Assistant Director of Off Campus Student Life
- Area Coordinators
- Hall Directors
- Residential Judicial Council

Note: The Residential Judicial Council (RJC) operates under the direction of the Office of Residence Life and takes administrative action against students who reside within University owned housing. The RJC handles Category A violations, and most Category B violations when a student admits responsibility for engaging in behaviors or actions that may constitute a Category B violation. However, the following Category B violations will be resolved through the Office of Student Conduct: Falsification of University Records, Harassment, Physical Assault, Sexual Misconduct, and Stalking. Any variation to the application of this policy will be made at the sole discretion of Residence Life Senior Staff. *Please contact the Office of Residence Life for detailed policies and procedures governing the RJC.*

The power of the authorized administrators includes but need not be limited to the following sanctions or combinations thereof:

1. The Vice President for Student Affairs, the Associate Vice President for Student Affairs, and the Director of Student Conduct are authorized to impose 1-17 of the above sanctions.
2. The Associate Dean of Students, Assistant VP for Student Health, Director of Off Campus Student Life, the Director of Residence Life, Associate Director of Residence Life and the Assistant Director of Residence Life are authorized to impose 1-15; 16 and 17 in consultation with the Vice President for Student Affairs, the Associate Vice President for Student Affairs or the Director of Student Conduct.
3. Area Coordinators, Hall Directors, the Residential Judicial Council, and the Assistant Director of Off Campus Student Life are authorized to impose 1-11 of the above sanctions and 14 in consultation with those administrators listed in 1 and 2.

HEARING BOARDS

Referral to Hearing Board

Cases involving Category B and/or Category C violations that are not resolved by Administrative Action may be referred to a Hearing Board under the following circumstances:

When the student 1) denies engaging in behaviors or actions that constitute a Category B or Category C violations, 2) fails to respond to the complaint, or 3) at the discretion of the Director of Student Conduct, when the Director determines that the facts are best determined by a Hearing Board.

Under any of the circumstance above, Category B charges will be referred directly to a Hearing Board. Category C charges will be referred to the Category C Review Committee.

Category C Review Committee: The committee will review available evidence to determine whether sufficient evidence exists to allow the Category C charges to be forwarded to a Hearing Board.

PROCEDURAL GUIDELINES FOR HEARINGS

A. Preliminary Procedures

1. Procedural Questions

Procedural questions that arise prior to the hearing must be addressed by the Office of Student Conduct.

2. Notice of the Hearing Date and Charges

Notice is usually given at least seven (7) calendar days in advance (including weekends).

3. Access to the Case File

The case file will include official documents prepared in connection with the processing of the complaint. The Respondent and Complainant will have reasonable access to the case file documents during specified office hours. Both parties will receive copies of the case file with the Official Notification of the hearing. The case file shall include copies of the Initiation of Judicial Proceeding form and all notices issued to the Complainant and Respondent by the Office of Student Conduct in the case. Work product of University representatives (including memoranda and notes that they might generate) and correspondence between University representatives and University attorneys shall not be considered part of the case file. The case file remains the sole property of the Office of Student Conduct.

4. Witnesses

A. Notice of Appearance for Witnesses: It is the responsibility of each party to assure his/her witnesses' presence at the hearing. However, when deemed necessary by the Office of Student Conduct, a notice of appearance will be issued.

B. Witness Lists, Summaries, and Statements: Each party's factual witness(es) must be named on his/her witness list. Each factual witness named must have an accompanying written summary or written statement (as outlined in C below). This list of witnesses and

accompanying written summaries or statements must be submitted to the Office of Student Conduct by no later than noon 2 business days prior to the hearing. Complete copies of the list and accompanying summaries or statements will be provided to the parties after both parties' documents have been received or the submission deadline has passed.

- C. Every factual witness who will present live testimony at the hearing must provide a signed, written summary outlining his/her testimony. This summary must be submitted to the Office of Student Conduct by no later than noon, two business days prior to the hearing. If the factual witness has already provided an official statement to DPS, a separate written summary describing the same information is not necessary.
1. In instances where a factual witness cannot appear at the hearing, a written statement can be submitted in one of the following manners:
 - i. The witness provides an official statement to the Department of Public Safety through a formal witness interview; or
 - ii. The witness submits a prepared written statement in person to the Office of Student Conduct. At the time the statement is submitted, the witness must sign it in the presence of a member of the Office of Student Conduct and furnish official proof of identity; or
 2. In the event a witness cannot go to the Department of Public Safety or the Office of Student Conduct, the witness may forward a prepared written statement directly to the Office of Student Conduct through one of the following manners:
 - i. If the witness is directly affiliated with the University (student, faculty, staff, etc.), he/she may submit his/her written statement via the University's official electronic mail system using the witness's assigned user ID name.
 - ii. If the witness is not directly affiliated with the University, he/she may submit a signed, original, and notarized written statement.
- D. Parties are generally forbidden to contact another party's witnesses. All arrangements for contacting another party's witnesses must be made through the Office of Student Conduct. Please note: Witnesses are not required to meet with the other party.
- E. The Office of Student Conduct's adjudication process is designed to be impartial and serve both the Complainant and the Respondent. Student Affairs staff members with no first-hand knowledge of the facts who testify against one student on behalf of another student risk jeopardizing the system's fairness, integrity and impartiality. Consequently, a Student Affairs staff member may be called as a witness in judicial proceedings only when he/she serves as a Factual Witness who 1) was present at the time of the alleged incident; 2) was officially engaged in the investigation of the alleged incident; and/or 3) is/was providing medical care as a result of the alleged incident and testifies with the consent of the patient. This is not intended to interfere with or compromise doctor/patient confidentiality.

- F. Failure to submit witness lists, statements or summaries in accordance with the above listed regulations may jeopardize the admissibility of a witness' testimony into the hearing process. Additional witnesses may be called only with the consent of the Board. The Board may elect not to hear witnesses whose only purpose is to offer redundant or insubstantial statements. This decision will be made by the Board, in consultation with the Judicial Coordinator.
- G. During the hearing, witnesses must remain in the immediate vicinity of the Hearing Room. Upon completion of their statements, the Board may either release the witness, or the Board may request that the witness remain nearby for possible further statements. Once the proceeding has begun, all participants (excluding members of the Board) are strictly prohibited from sharing the contents of their testimony with any other participant.

5. Postponement

A party may request a postponement. The Office of Student Conduct may grant a postponement for what it determines, in its discretion, to be compelling reasons. A conflict in a student's or an Advisor's schedule will not necessarily constitute grounds for postponement. If granted, a postponement, in most instances, will be for one week. More than one postponement generally will not be granted to a party.

6. Personal Bias

Any party may challenge a Board member at the start of the hearing on the grounds of personal bias. Board members are also expected to excuse themselves from hearing a case, if personal bias would prevent them from rendering an objective decision. The Judicial Coordinator makes the final decision on disqualification.

7. Advisor Presence

Complainants and Respondents are permitted to have one Advisor accompany him/her in a hearing. Please see page 7 for guidelines for Advisors. The University reserves the right to have an attorney in attendance at hearings.

B. Procedures for Hearings

1. Composition of the Standard Hearing Board

The standard hearing board is composed of five (5) voting members. Two (2) of the members are faculty/administrators and three (3) are students. The Judicial Coordinator is charged with the responsibility of selecting a chairperson for the hearing from among the five (5) appointed Board Members. A faculty/staff administrator member serves as chairperson for Sexual Misconduct and/or Sexual Assault cases. The chairperson is charged with responsibility, in conjunction with the Judicial Coordinator or his/her designate, for ensuring the orderly administration and completion of the hearing.

2. Open Hearings

Disciplinary hearings are normally closed to the public. In cases involving charges of sexual assault or sexual misconduct, both the Complainant or if the alleged victim is not the Complainant, the Witness who was the alleged victim, and the Respondent are entitled to the same opportunities to have others present during a hearing. If all parties are in agreement, the Board may petition the Director of Student Conduct for an open hearing. The decision to open the hearing is within the sole discretion of the Director.

3. Taping the Hearings

A record will be made of each proceeding solely for the Board's use during deliberations and for possible appeal. The proceedings shall be recorded by audio tape, video tape, or certified reporter as determined by the Director of Student Conduct. No other recordings of the Hearing are permitted.

4. The Hearing

An opening statement by the Judicial Coordinator, or his/her designee, introduces the Board and indicates the rules of procedure which govern the hearing. Witnesses are present when the statement is read but leave the hearing until their testimonies are needed. The chairperson then reads the alleged violations. The Respondent is then required to admit responsibility, deny it, or admit it with an explanation.

- a. Each party, Complainant and Respondent, is permitted to make an opening statement limited to five minutes.
- b. Each party is permitted to present evidence.
- c. Parties may question all witnesses who testify at the hearing.
- d. Parties may make timely objections.
- e. Parties may make closing arguments limited to 10 minutes.

5. Rules of Evidence

Formal rules of evidence shall not apply in hearings. The chairperson of the Board and Judicial Coordinator can admit as evidence whatever reasonable persons would accept as having some relevance to the case.

6. Burden of Proof

The burden of proof rests on the Complainant. The Complainant must present persuasive evidence that establishes that the Respondent “more likely than not” violated the Code of Student Conduct.

7. Conduct during the Hearing

Anyone in attendance at a disciplinary proceeding must:

- a. Refrain from conduct disruptive to the hearing.

- b. Obey any order or instruction from the Judicial Coordinator or the chairperson of the Hearing Board.
- c. Follow any and all obligations under applicable standards of professional responsibility.

8. Collection of Case Files

The Case File contains confidential material and is provided to a student in preparation for his/her judicial hearing. This material cannot be shared or copied without the express permission of the Office of Student Conduct. *All copies of the case file and its contents must be returned to the Judicial Coordinator at the conclusion of the hearing.*

9. Hearing Confidentiality

The testimony and deliberations presented during the Hearing are of a confidential nature. The content of the proceedings may not be shared with any other person(s).

For detailed information regarding procedures please request a copy of the by-laws from the Office of Student Conduct. Please note: Hearing Procedures specific to the resolution of charges of Sexual Misconduct and/or Sexual Assault are described below.

C. Procedures for Deliberations

1. Deliberations are held in private with the Board members, the Judicial Coordinator and, as determined necessary by the Judicial Coordinator, a legal adviser to the board. The legal advisor will be available to advise the Board on all matters relating to the performance of their duties.
2. A determination of responsibility is to be made before any prior disciplinary record of the Respondent is supplied to the Board, unless this record is necessary to establish the facts.
3. Final decisions concerning both the finding of responsibility and the determination of a sanction shall be by majority vote of the Board.

D. Administrative Follow-up after the Hearing

1. Every reasonable effort will be made for the Hearing Board to reach its decision within 24 hours. After reaching its decision, the Chair will present the Judicial Coordinator with a document signed by all board members listing its findings and sanctions.
2. On the business day following the Judicial Coordinator's receipt of the Hearing Board's decision, the Respondent(s) will be informed of the decision in a mandatory personal conference held with the Judicial Coordinator. A written Notice of Decision Form is provided to the Respondent(s) at that time.
3. The Judicial Coordinator will use reasonable efforts to provide the Respondent(s) with a detailed written account of the Board's decision and rationale within ten (10) business days of the Hearing Board's decision.
4. Pursuant to the Disclosure of Adjudication Outcomes Policy (see p. 43), the Complainant will, in certain circumstances, be informed of the Board's decision. Such notification will occur after the Respondent(s) is/are and within two (2) business days of the Hearing Board's decision.

PROCEDURAL GUIDELINES FOR SEXUAL MISCONDUCT (CATEGORY B) AND/OR SEXUAL ASSAULT (CATEGORY C) HEARINGS

These types of cases are typically handled by Judicial Hearing Boards. The hearings for both of these violations follow the procedural guidelines for Hearings with the following three exceptions:

- The chair of the Hearing is always one of the faculty/administrator representatives of the Hearing Board.
- Upon request by the Complainant, in cases in which the Complainant is not the alleged victim, the Witness who is the alleged victim, or the Respondent, or when deemed appropriate by the Board, a partition shall be placed between the parties during the Hearing Board proceedings.
- The Recommended Guidelines Form shall be used in Hearing Board sanctioning deliberations. This form may be found in the Judicial Hearing Board By-Laws.

APPEALS OF DISCIPLINARY DECISIONS

A decision reached by a Hearing Board or through Administrative Action may be appealed by the Respondent to the Appeals Committee. A Respondent who requests an appeal is called the “appellant”. An appeal consists of a review of the written record and supporting documents based only on the grounds set forth below. The decision of the Hearing Board or authorized Administrator may be appealed to the Appeals Committee only once and the decision of the Appeals Committee is final.

A. Sanctions Held in Abeyance

Any sanctions imposed by the Hearing Board or through Administrative Action are held in abeyance until the deadline for submission of a Statement of Appeal has passed. Once a student has submitted a Statement of Appeal, his/her sanction(s) will continue to be held in abeyance pending final appeal decision outcome. **Note:** Sanctions are not held in abeyance in instances of Emergency Administrative Actions. Likewise, certain sanctions imposed under the summer system (see p. 5) will not be held in abeyance.

B. Grounds for Appeal

An appeal may seek review only on one or more of the following grounds:

- **Substantial Procedural Error:** The specified procedural error or error in interpretation of University regulations may have substantially affected the hearing such that the Respondent was denied a fair hearing; or the error prevented the person taking Administrative Action from making a fair decision.
- **New Evidence of a Substantive Nature:** New, significant or relevant evidence becomes available that could not have been discovered by a properly diligent Respondent at the time of the original decision and that may have substantially affected the hearing or

changed the outcome of the hearing.

- **Substantial Disproportionate Sanction:** The sanction appears to be disproportionate to the level or nature of the offense or the student's prior record.

C. Statement of Appeal

1. **Deadline for Submission of Appeal:** If a student wishes to appeal a Hearing Board decision or Administrative Action decision, he/she must submit a **Statement of Appeal** within seven (7) calendar days from the date on the Hearing Board Decision Letter or Administrative Action Letter.

- a. **Special Deadlines for Students Requesting Transcripts:** If a student plans to appeal a Hearing Board decision and he/she desires a transcript of the Hearing, he/she must submit a written **Statement of Appeal Cover Form** *and* a request for a copy of the Transcript within *two (2) calendar days* from the date on the Hearing Board Decision Letter. In such circumstances, the student's **Statement of Appeal** must be submitted within *seven (7) calendar days* from the student's receipt of notice from the Office of Student Conduct that the transcript of the Hearing is available for pick up.
- b. **Transcript Requests:** Only transcripts of the entire hearing will be produced. The Office of Student Conduct will select the transcription service. The cost of the transcript is the responsibility of the appellant. The transcript and all copies of the transcript must be returned to the Office of Student Conduct at the conclusion of the appeal process.

2. **Contents of Statement of Appeal:** The Statement of Appeal must cite the specific ground(s) for appeal that the appellant would like the appellate body to consider and provide an explanation of why, based on these grounds, the results of disciplinary process should be changed. Any supporting evidence or documentation that is not contained in the original case materials must be attached to the Statement of Appeal. Statements of Appeal must be typed and double spaced. Appellants must also print and sign their names to the Statement of Appeal.

- a. **New Evidence:** If the appellant seeks an appeal based on the grounds of new evidence, any such evidence must be submitted with the Statement of Appeal. For example, if the appellant seeks to submit new witness testimony, it must be submitted in the form of a written Witness Statement and must accompany the Statement of Appeal. For guidelines on Witness Statements, please see "Witnesses" section on page 33.
- b. **Witnesses:** All witness testimony must be submitted in the form of a written Witness Statement and must be submitted by the Statement of Appeal deadline. All witnesses must be identified as either factual or character witnesses (such designation must be marked at the top of the front page of their written Witness

Statement). For guidelines on written Witness Statements, please see the “Witnesses” section of the Code of Student Conduct.

3. **Submission:** Statements of Appeal and the Notice of Intent to Appeal form should be submitted to the Office of Student Conduct on 5th Floor of the Leavey Center. If an appellant’s deadline falls during a time in which students are away from the University and/or the OSC/University is closed, appellants may submit Statements of Appeal via e-mail or via fax. E-mails to Erik Hunter, Associate Director of Student Conduct at eh245@georgetown.edu and Faxes to 202-687-6255.

D. Other materials submitted to Appeal Committee

1. **Copy of Original Case File:** The case file will include official documents prepared in connection with the processing of the original complaint, including a copy of the original Hearing Board’s or Administrator’s Letter of Decision, the audio tapes of the original hearing (if any), and the transcript of the original hearing (if any). Work product of University representatives (including memoranda and notes that they might generate) and correspondence between University representatives and University attorneys shall not be considered part of the case file. The complete case file will be provided to the Appeals Committee.
2. **Statement from Appellee:** The Director of Student Conduct or his/her designee will serve as the “appellee” and be given the opportunity to respond in writing to the arguments presented in the Statement of Appeal. The appellee’s statement must respond to the specific ground(s) for appeal raised in the appellant’s Statement of Appeal. Any supporting evidence or documentation that is not contained in the original case materials must be attached to the appellee’s statement. The appellee’s statement must be typed and double spaced. The appellee must also print and sign his or her name to the appellee’s statement and submit it to the Office of Student Conduct on 5th Floor Leavey. If the appellee is away from the University and/or the OSC/University is closed, the appellee may submit his or her statement via e-mail or via fax. E-mails to Erik Hunter, Associate Director of Student Conduct at eh245@georgetown.edu and Faxes to 202-687-6255.
3. **Statement from Complainant/Victim:**
 - If the Complainant/Victim submitted an impact statement to the Office of Student Conduct at the time the complaint was initiated, the impact statement will be provided to the Appeals Committee.
 - Pursuant to the Disclosure of Adjudication Outcomes Policy (see p. 43), those original Complainants and/or Victims informed of an Administrator’s or Board’s decision will have an additional opportunity to:
 1. Supplement an impact statement previously submitted.

2. Submit an impact statement if they have not previously done so

This statement must be submitted within seven (7) calendar days after the Complainant and/or Victim receives notice from the Office of Student Conduct of the opportunity to submit a statement. Any supporting evidence or documentation that is not contained in the original case materials must be attached to the impact statement of the Complainant/Victim. The Complainant/Victim statement must be typed and double spaced. Students must also print and sign their names to the statement and submit it to the Office of Student Conduct on 5th Floor Leavey. If the student's deadline falls during a time in which students are away from the University and/or the OSC/University is closed, he/she may submit his or her statement via e-mail or via fax. E-mails to Erik Hunter, Associate Director of Student Conduct at eh245@georgetown.edu and Faxes to 202-687-6255.

4. Appellant's prior Georgetown University disciplinary file (if applicable). If the student has a disciplinary file with the Office of Student Conduct reflecting prior disciplinary action at Georgetown University, this file will be provided to the Appeals Committee.
5. Additional Information. The Appeals Committee shall have the discretion to accept and/or request additional information it deems relevant to the appeal.

E. Determination/Action by Appeals Committee

The Appeals Committee will review and consider all materials submitted to it as soon as reasonably possible and make its determination by majority vote.

1. **Burden:** The burden of proof rests on the appellant who must establish by presenting clear and convincing evidence that the original process or decision was substantially flawed.
2. **Action:** The following actions may be taken by the Appeals Committee:
 - a) affirm the finding of responsibility and the sanction imposed by the original board or administrator; or
 - b) affirm the finding of responsibility and reduce the sanction; or
 - c) overturn the finding of the Hearing Board or administrator and return the matter to the Office of Student Conduct for action consistent with the Appeals Committee's determination.
3. The Appeals Committee will provide a written explanation of its determination to the appellant with a copy to the appellee. This determination is final and binding on all parties.

POLICY ON DISCIPLINARY RECORDS

The Family Education Rights and Privacy Act of 1974 is a federal law which states that a written institutional policy with respect to student records must be established and that a statement of adopted policy procedures covering the privacy rights of students be made available annually. The law provides that the institution will maintain confidentiality of student records. The general requirements of this law with respect to student discipline records are covered in the information that follows. For a complete statement on the University's policy towards student records, please see the Georgetown University Bulletin-Undergraduate Schools.

ACCESS

Any student has the right to inspect his/her own disciplinary file. The information contained therein will be made available to the student by the Director of Student Conduct upon written request. No one outside the institution shall have access to the student's records nor will Georgetown University disclose any information from these records without the written consent of the student except in those cases permitted by the Family Educational Rights and Privacy Act of 1974 and enumerated in the Georgetown University Bulletin.

Students are advised that employers or graduate schools may request information on disciplinary status. It is the student's right to deny access. Only when a signed permission form is presented to the Office of Student Conduct will any information be made available. Within the University community, only those members individually or collectively, acting in the student's educational interest are allowed access to the records. It shall be the responsibility of the Director of Student Conduct to provide an explanation, in writing if necessary, as to the nature and severity of any violation in which the student in question has been sanctioned when an authorized inquiry to inspect the records of any student is made.

MAINTENANCE OF RECORDS

When a student is found responsible for violating a University regulation, either by a hearing board or administrative action, a disciplinary file is created. This file contains all the information pertinent to the disciplinary proceedings in which a student has been involved.

Each subsequent time a student is found responsible for violating a regulation, his/her record is used by an Administrator or Hearing Board in determining sanctions. The records of any student contained in the disciplinary file shall be maintained by the Office of Student Conduct until the graduation of the student from the University, at which time it will be destroyed. An exception will be made to this policy, however, in the following circumstances:

- In the case where a student has been actively suspended, but returns to the University and completes his/her degree, the disciplinary file will be maintained for only 2 years after he/she graduates.
- In the case where the student either withdraws or is dismissed, the student's file will be maintained permanently. A notation will become a part of the student's academic record: "Withdrawn" for withdrawn students; "Disciplinary Suspension" for suspended students; or "Disciplinary Dismissal" for dismissed students.

WITHDRAWAL PRIOR TO RESOLUTION OF AN ALLEGATION OF A VIOLATION

Under normal circumstances, a student is not allowed to withdraw with disciplinary action currently pending. Where for a good cause, a student is allowed to withdraw, the University may maintain a continuing interest in a final resolution and the matter is not automatically rendered moot.

CHALLENGES TO RECORDS

Any student may contest the content of his/her disciplinary records. Students who believe that their records contain information that is inaccurate or misleading or is otherwise in violation of their privacy or other rights, should discuss those concerns with the Director of Student Conduct. If this discussion does not lead to a resolution of the student's concerns, the student has a right to an informal hearing, and if necessary, a formal hearing before a special committee appointed by the Vice President for Student Affairs.

DISCLOSURE OF ADJUDICATION OUTCOME POLICY

The University will disclose the final results of a disciplinary hearing (the name of the student, the violation committed, and any sanction imposed by the University against the student) only to the Respondent and, subject to the conditions discussed below, to a Complainant or other individual who is the Victim of the alleged violation in cases where the facts alleged constitute a crime of violence or non-forcible sex offense as those terms are defined under the Family Educational Rights and Privacy Act (FERPA). If the alleged victim of such a crime or offense, as defined above, is deceased as a result of the alleged violation, disclosure of the final results will be made to the victim's next of kin.

Except in cases of alleged sex offenses, such disclosure to a Complainant or alleged Victim will be made only on the condition that he or she agrees to and signs the confidentiality agreement set forth in the *Disclosure of Adjudication Outcome Form* prior to the release of the information. The Complainant or Victim will not be prohibited from sharing the final results with his or her parents/guardians and the individual who served as his or her Advisor during the disciplinary process, as long as those individuals are advised of and abide by the same confidentiality obligations. If a student fails to maintain the confidentiality of the information,

he or she may be held accountable under the **Code** for violation of confidentiality and may be subject to appropriate disciplinary action.

Such disclosure will be made to a Complainant or alleged Victim irrespective of a finding of responsibility. The disclosure will be made after the appropriate administrator or hearing board decides whether a violation of the **Code** has occurred, regardless of whether an appeal is taken.

In addition, statistics reflecting the number of cases handled by the student disciplinary system and the sanctions imposed will be periodically published.

***These Policies are subject to change. Please check the web for the most current information:
<http://studentconduct.georgetown.edu>.***

MISSION STATEMENT FOR THE OFFICE OF STUDENT CONDUCT

The Office of Student Conduct supports Georgetown University's Catholic and Jesuit educational mission by enforcing regulations designed to promote an environment in which students can develop intellectually, morally, spiritually, and socially while exercising a balance of partnership and autonomy within the campus community. The mission of the Office of Student Conduct is to promote concepts of fairness and due process in judicial settings while striking a balance between community standards and individual behavior through the educational development of its students.

Ideally, as a result of a focus on education of the whole person, students will come to view their campus with a sense of community and will actively contribute to the development of that community. Such a setting reinforces an individual's innate value as a human being, while generating his/her recognition of the same value in others. It is this basic tenet upon which Georgetown University's adjudication process is founded.

College campuses function as a microcosm of society; and, as in society, members of the campus community possess certain rights and responsibilities. The University's *Ethos Statement* was written to outline the values that stand as the foundation upon which the **Code of Student Conduct (Code)** is supported. These documents are used to assist students in their understanding of expectations for members of the campus community.

Inherent in the University's adjudication process is the commitment to serve, equally, all involved parties in an unbiased and fair manner. When a student has his/her rights violated and/or fails to meet prescribed responsibilities, as in society at large, consequences will follow. The Office of Student Conduct is commissioned with the task of detailing the rights and responsibilities of students, adjudicating disciplinary matters and, when necessary, imposing sanctions for violations in accordance with the Code.

The Office of Student Conduct serves as a resource to the entire University community through its efforts to meet the educational and developmental needs of students related to community standards, conflict management and resolution, civility, respect for self and others, and the love of truth.

ETHOS STATEMENT

Choosing to come to Georgetown University means joining a distinctive community. As a Catholic and Jesuit University, Georgetown places special emphasis on the dignity and worth of every person and the love of truth. Membership in this community carries with it high expectations regarding the ways in which each person will act both within and beyond Healy Gates. In particular, students are expected to honor the following commitments in all their actions:

- A commitment to the highest standards of honesty and personal integrity both inside and outside the classroom.
- A commitment to treat others in a respectful manner, regardless of differences such as race, religion, nationality, ethnicity, gender, or sexual orientation.
- A commitment to open discourse and the free exchange of ideas.
- A commitment to exercise mutual care and responsibility in all relationships.
- A commitment to an active concern for the safety, security, and well-being of each individual and a respect for individual, communal and university property.

For more information on the Office of Student Conduct and other University related policies, please visit:

<http://studentconduct.georgetown.edu/>