

## 2020-21 Kenyon College Student Handbook

Kenyon College requires students' behavior on and off campus, in academic, residential, co-curricular and off-campus settings to be consistent with the principles and rules of behavior outlined in the Kenyon Student Handbook. Whenever the College becomes aware of violations of its rules and regulations, regardless of where such conduct allegedly occurs, the behavior will be addressed by the appropriate administrative authorities. If the behavior poses a disturbance, is threatening to the safety and security of individuals or property, or is required to be reported by law, law enforcement may be contacted and a report filed.

Additionally, in response to any behavior that poses a disturbance, is threatening to the safety and security of individuals and/or property, or is required to be reported by law, College officials may contact law enforcement and/or file reports as warranted.

### Notice Regarding Amendments to the Student Handbook

Kenyon College resolves to provide students with the most up-to-date information that governs student life. The College reserves the right to make changes to the Student Handbook, including the Code of Conduct, at any time. The Student Handbook will be reviewed annually and may be revised, typically during the summer. The Vice President for Student Affairs or designee will strive to discuss major policy changes with Student Council prior to implementation. If these policies are changed during the academic year, the Vice President for Student Affairs or designee will bring the changes to the attention of Student Council before posting them to the College website and notifying students via email.

### Notice of Nondiscrimination

Kenyon College does not discriminate in its educational programs and activities on the basis of age, race, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, disability, religion, medical condition, genetic information, veteran status, marital status, or any other characteristic protected by institutional policy or state, local, or federal law. The requirement of non-discrimination in educational programs and activities extends to employment and admission.

Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Prohibited Conduct under this policy is also prohibited under the Clery Act as amended by VAWA, Title VII of the Civil Rights Act of 1964, Ohio Revised Code Chapter 4112, and other applicable statutes, regulations and administrative code provisions.

Inquiries or complaints concerning the application of Title IX may be referred to the College's Title IX Coordinator and/or the United States Department of Education:

Interim Title IX Coordinator  
Kevin Peterson  
Kenyon College

Eaton North 258  
Gambier, Ohio 43022  
740-427-5245 | [peter2@kenyon.edu](mailto:peter2@kenyon.edu)

Office for Civil Rights, Cleveland Office  
U.S. Department of Education  
1350 Euclid Avenue, Suite 325  
Cleveland, OH 44115  
216-522-4970; 216-522-2573 (fax) | [OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)

## Statement of Student Rights and Responsibilities

*Passed by Campus Senate on April 12, 2018*

Kenyon College is committed to personal and intellectual development. As members of the College community, students are expected to act in a manner consonant with an effective learning environment where all members can develop to their full potential. As is the case with staff and faculty, students enjoy certain rights. Students are also expected to abide by College policies and regulations, which have been implemented to facilitate a productive learning environment.

Kenyon seeks to develop its students into graduates who model positive social behavior and are effective citizens. The College further strives to cultivate intellectual excellence, based on the principles of factual discussion, careful analysis, and reasonable debate. Kenyon's dual goals of personal and intellectual development are inherently intertwined, with each affecting the other and influencing the character of the environment in which members of the Kenyon community live, work, and learn.

The environment of a small liberal arts college is especially immersive and personal, allowing students to benefit from a close relationship with the faculty and engagement with the community. For such a community to be successful, it must be accepting of all people, encourage diversity, and recognize the responsibility we all have in supporting one another's safety and well-being. Kenyon therefore operates best when relationships are founded upon a basis of mutual respect, both academically and socially. It is for this reason that behaving responsibly and striving to understand each other are underlying tenets of the College.

We also recognize the importance of individual determination and expression. Thus, even as a private institution, Kenyon aims to support individual rights, similar to those in public life. The College also recognizes that the best way to foster the relation of personal freedom within the context of an institution is not through imposed conformity. In this spirit, College policies and regulations have been designed to encourage individuality while setting forth community expectations.

In order to support an environment where individuality, critical thinking, and mutual support can flourish, Kenyon affirms basic standards of respectful behavior. The following Student Handbook sets forth those specific expectations for members of the student body, reflecting the values of this Statement of Rights and Responsibilities.

## Scope of the Code of Conduct

The Student Handbook applies to all students, including all persons enrolled in and/or auditing classes at Kenyon. Persons who are not presently enrolled but who have a continuing relationship with the College, as well as students who have been notified of their acceptance for admission, are considered students for the purposes of this Handbook.

Students are expected to abide by College policies and local, state and federal law. In addition to the policies described in this document, students are also expected to adhere to the policies outlined by the following:

- [Academic Policies and Procedures](#)
- [Bicycle Registration and Regulations](#)
- [Brown Family Environmental Center Policies](#)
- [College Issued Identification Cards](#)
- [Housing and Meal Plan Terms and Conditions](#)
- [Housing and Residential Life Policy \(see Appendix D\)](#)
- [Library and Technology Policies](#)
- [Motor Vehicles/Parking](#)
- [Protest and Demonstration Policy](#)
- [Student Organization Handbook](#)

### Administered by the Office for Civil Rights/Title IX

- [Civil Rights Policy](#)

## Prohibited and Restricted Conduct

The behaviors identified below have the potential to disrupt the living and learning environment that Kenyon College aspires to foster. The College values the need for a college experience that engenders personal, academic and social growth. Members of the Kenyon Community are expected to model mutual respect, personal responsibility and empathy. The behaviors listed below constitute actions that are prohibited and or restricted (“Prohibited Conduct”). The Prohibited Conduct listed may be more expansive than local, state, or federal law. Students who have been found to have committed or have attempted to commit Prohibited Conduct will be subject to disciplinary action.

### 1. Dishonesty

- a. Presenting, using and/or possessing a falsified ID, or another’s College issued ID as one’s own.
- b. Misrepresentation; furnishing false information; and falsification or forgery of documents.

### 2. Misuse of Alcohol and Illegal Drugs

#### a. Alcohol

- i. Use, possession, manufacture, distribution or purchase of alcoholic beverages while under the legal drinking age of twenty-one (21).
- ii. Providing alcoholic beverages to anyone under the legal drinking age of twenty-one (21).

iii. Causing anyone to ingest alcoholic beverages against their will and/or without their knowledge (regardless of age).

iv. Being severely intoxicated (regardless of age).

v. Operating a motor vehicle while under the influence of alcohol or other drugs.

vi. Use or possession of beer funnels/beer bongs and any other apparatus that promotes high-risk drinking.

vii. Use or possession of alcohol or alcohol containers (whether empty, opened, or unopened) in the following locations and/or at the following events:

1. Any public campus areas (except at registered social events).

2. Any public areas in the Village of Gambier.

3. Any athletic venue or at any intercollegiate, club or intramural athletic event.

4. Any residence hall hallways, restrooms, or beyond the immediate vicinity of a campus apartment area (see Housing and Residential Life Policy for more information). Alcohol is prohibited in lounges except during approved, registered events.

5. Residential spaces where all assigned residents are under the age of twenty-one (21).

#### b. Illegal Drugs

i. Use or possession of any illegal drug, drug paraphernalia or synthetic substances that are analogous to controlled substances.

ii. Distribution, sale, transfer, manufacture or attempt to manufacture, or traffic of any drug, drug paraphernalia or synthetic substances

iii. Causing anyone to ingest any drug or synthetic substance against their will and/or without their knowledge (regardless of age).

iv. The misuse or sale of legal substances such as prescription drugs or over the counter drugs.

v. Use of mailing services to purchase, pass, obtain, and/or distribute illegal drugs.

### 3. Violent, Endangering, and Discriminatory Behavior

a. Conduct that recklessly or intentionally threatens or endangers the physical health, mental health or safety of any person, including but not limited to:

#### i. Hazing

1. Any action or situation, regardless of intention, that results in or had the potential of resulting in physical, mental or emotional harm; discomfort; embarrassment; harassment; or distress to a group's members or prospective members regardless of the willingness to participate by the victim.

2. Apathy or acquiescence in the presence of hazing is not a neutral act, and will be considered a violation of policy.

3. Participation in the planning of hazing events,

4. Knowledge of a hazing occurrence and failing to report it.

ii. Physical abuse, verbal abuse, threats, intimidation, physical and/or verbal harassment, and/or coercion.

#### 4. Misuse of Property

##### a. Computers, Email and Social Media

i. Unauthorized entry/transfer into a file, for any purpose.

ii. Use of another's identification, account or password.

iii. Providing access, passwords, account information to another individual.

iv. Use of computing facilities, campus network, or other resources to interfere with the work of another individual.

v. Use of computing facilities and resources in violation of copyright laws.

vi. Use of College-provided computing resources or facilities for business or profit-making purposes.

vii. Use of College-provided computing resources to invade or alter private records, data or communication belonging to individuals, to the College or to others.

viii. Use of computing resources, either tangible such as printer paper, or soft resources such as Internet bandwidth or access to computers in excess.

##### b. Unauthorized Access

i. Unauthorized entry into College buildings or areas, including but not limited to offices, athletic facilities, or construction sites, even when unlocked.

ii. Entering into College residences other than one's assigned building or private residential space without being granted access by a resident of said space.

iii. Tampering with locks to College buildings, unauthorized possession or use of College keys or K-cards,, and alteration or duplication of College keys or other access devices.

iv. Entering, placing items on top or inside of, or going onto: the roofs of College buildings, ceilings, vents, trash chutes, fire escape ladders, etc.

##### c. Student Enterprises

i. Students may not utilize College resources for the purpose of conducting a for-profit business on campus.

ii. Students may not utilize the College's branding, name, or likeness without its express permission.

##### d. Off-Campus Housing

i. Kenyon students are required to reside in campus housing. Utilization of living spaces that are not owned or controlled by Kenyon is prohibited. Students seeking an exception from the residential requirement must receive prior permission from the Office of Residential Life.

## 5. Improper Fire Safety

a. Any open flame, burning candle, incense or other incendiary device in any College residential space. Note: Candles (regardless of the condition of the wick) are not permitted, including those intended for religious purposes or observances.

b. Failure to evacuate a building during a fire alarm.

c. Tampering with wiring, including heating, electrical or cable television wiring.

d. Possessing or discharging fireworks.

e. Causing or contributing to a fire-safety hazard. This includes, but is not limited to, obstructing exits, stairwells, and hallways.

f. Using live trees or other greenery as holiday decorations in student rooms, suites, apartments or living areas. All decorations must be fireproof. Decorative holiday lights must be of “mini-light” specifications. Decorations or lights may not be placed on the exterior of buildings or windows, and they may not block entrances, exits, hallways, room doors, stairwells or hallways.

g. Religious and other exemptions regarding use of candles, incense, or fireworks may be granted by the Office of Residential Life (for residential spaces) or the proper administrative office that has oversight of a particular non-residential space.

## 6. Conduct Unbecoming

a. Any behavior based on a reasonable person’s standard that affects another student’s ability to fully participate in the benefits of the College (see the [Statement of Student Rights and Responsibilities](#)) or which negatively impacts the College community, including, but not limited to:

i. Failure to show due respect and courtesy to others

ii. Excessive noise

iii. Obscene behavior, language, or gestures

iv. Disorderly conduct

v. Public indecency

## 7. Failure to Comply

a. Failure to comply with directions of, or interference with, any College official, campus safety officer, professional or student staff, or individuals working in conjunction with the College who are acting in the performance of their duties.

## 8. Improper Hosting of Guests and Visitors

a. Student hosts are responsible for the actions of their guests and visitors, and are subject to disciplinary action if their guests or visitors violate Kenyon policies and/or procedures.

b. All overnight guest and visitor stays are contingent on the approval of all residents assigned to the living space. Each overnight guest or visitor may not stay for more than three (3) nights per month.

### 9. Non-Permissible Smoking

a. Use of any lighted or electronic cigarette, cigar, pipe, or hookah-smoked products is not permitted in any College building, including all residence halls, apartments, houses, and academic and administrative buildings.

b. Use of such products is not permitted within 15 feet of any residence hall, public building space, or ingress or egress to such spaces.

### 10. Theft

a. Possessing property without permission from the owner.

b. Failing to return the property of another individual, College entity, or College vendor including, but not limited to, the College's food service.

### 11. Possession of Weapons, Explosives, or Dangerous Items

a. Possession or use of guns, BB guns, air rifles, ammunition, knives, swords, axes, martial arts equipment, paint guns, and other dangerous instruments.

b. Pursuant to Ohio Senate Bill 199, members of the community who are licensed to carry a concealed firearm may keep a handgun in a locked compartment in a privately owned motor vehicle as outlined in the College's [Weapons/Firearms Policy](#).

c. Items that have other purposes (e.g. baseball bats) used in a dangerous manner will be treated as weapons.

d. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on College premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

### 12. Gambling

a. Wagering of money, items of value, or services on an event or game of chance with the intent of gaining money, items of value, or services in return while on College-controlled property.

### 13. Violation of the Student Conduct Process

a. Intentional falsification, distortion, misrepresentation of information, or intentional evasiveness related to a student discipline matter.

b. Disruption or interference with the orderly progress of the student conduct process.

c. Initiation of a student conduct process in bad faith.

d. Attempting to discourage another from participating in the student conduct process or reporting incidents that may involve prohibited conduct.

e. Attempting to influence the impartiality of any participant in a student conduct process.

f. Verbal or physical harassment or intimidation of any participant in a student conduct process.

g. Failure to comply with sanctions imposed through a student conduct process.

14. Encouraging, permitting, or assisting another's participation in acts that violate the policies set forth in the Kenyon College Student Handbook.

15. Violation of any published College policies,\* rules and regulations, including, but not limited to:

- a. [Bicycle Registration and Regulations](#)
- b. [Housing and Meal Plan Terms and Conditions](#) (Housing Contract)
- c. [Housing and Residence Life Policies \(see Appendix D\)](#)
- d. [College Issued Identification Cards](#)
- e. [Library and Technology Policies](#)
- f. [Motor Vehicles/Parking](#)
- g. [Student Organization Handbook](#)

\*Violation of Academic Policies/Procedures (See [Course Catalog](#)) are investigated and adjudicated by the Academic Infractions Board. Violations of the Title IX/Intimate Partner Violence Policy and the Discriminatory Harassment Policy are investigated through the process as stipulated in those policies.

16. Committing any act that is prohibited by local, state, or federal law

## The Student Conduct Process

The purpose of the Kenyon College student conduct process is to review alleged violations of Kenyon policies, procedures and regulations by individual students, groups of students or student organizations. The various components of the College conduct system are designed to respond to such violations, to determine the facts based on a standard of the preponderance of the evidence, to ascertain responsibility or non-responsibility regarding the alleged charges, and to determine appropriate sanctions.

The Vice President for Student Affairs or designee has the authority and responsibility for the administration of the Kenyon conduct process. The members of the Division of Student Affairs and the Student Conduct Review Board seek to provide a conduct process and disciplinary function that educates students about their rights, responsibilities and accountability as members of the Kenyon community. The College's conduct process encourages students and/or the groups to which they belong to recognize their obligations to themselves, to their peers, to Kenyon and to society as a whole. Therefore, a goal of the conduct process is to build an understanding on the part of the students of the positive and negative outcomes of one's behavior and the manner in which that behavior can, and often does affect others. Through established procedures, the College conduct process seeks to ensure the protection of student rights in questions of alleged violations of Kenyon policies, procedures and regulations. Similarly, a student may be held accountable to the standards



of other organizations to which they are bound (student athlete code of conduct, student organization standards, etc.).

The College may place students on Interim Suspension prior to the consideration of alleged violation of policies whenever their activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College. An individual or group may be required to curtail or modify behavior and/or activities prior to the formal consideration of alleged violation of policies whenever these behaviors and/or activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College. An individual who chooses to voluntarily withdraw may still be subject to the conduct process. The College may delay granting a diploma otherwise earned until the completion of the student conduct process, including completion of any sanctions imposed.

College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Handbook (that is, if both possible violations result from the same factual situation) without regard to pending civil or criminal litigation in court, or criminal arrest and prosecution. Proceedings under this process may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Vice President for Student Affairs or designee. Decisions made or sanctions imposed under the College's Student Code of Conduct will not be subject to change as a result of pending or resolved civil or criminal charges arising out of the same facts.

## Student Conduct Review Process

### Investigation Process

Upon receiving information regarding activities that possibly violate the Kenyon College Student Handbook, the Office of Student Rights and Responsibilities and the Office of Campus Safety may open an investigation into the reported activities. The investigation may include interviewing students and collecting information related to the alleged activities. The manner in which the investigation is conducted will vary depending on the nature of the initial report.

Students must attend investigation interviews when requested. Failure to attend the requested interview with a College-appointed investigator may be a violation of the Failure to Comply provision of the Student Handbook. In the case of a scheduling conflict, the student must notify the Office of Student Rights and Responsibilities of such conflict by email prior to the scheduled interview time. Any information provided must not be intentionally misleading or information that the person knows to be false. During the interview, students are not required to answer questions. A student's decision to not answer questions will not lead to an adverse inference of the student's responsibility for the alleged activities.

Student Rights within the Student Conduct Process will be afforded to students who are formally alleged to have violated Kenyon College's Prohibited and Restricted Conduct.

### Statement of Student Rights within the Student Conduct Process

Students engaged in the Conduct Process maintain the following rights:

- The right to an unbiased hearing and one based on evidence presented at the hearing.

- The right to remain silent; silence is not construed as culpability.
- The right to receive written notification of the complaint(s) brought against them at least one business day prior to a conduct review meeting and seven business days prior to a hearing.
- The right to review all relevant documents prior to the hearing.
- The right to a hearing conducted without unreasonable delay following the notification of complaint(s), not to exceed 30 business days while the College is in session.
- The right to present evidence and witnesses. Witnesses must testify to factual evidence only and may not be called to testify to the character of an involved party.
- The right to question all evidence and information, as well as witnesses and the complainant.
- The right to have an advisor, who is a member of the administration, faculty or student body who is not a party or witness to the case to assist in the preparation of the case and be present at the hearing. The role of the advisor is to ask clarifying questions and to advise the student, not to present the case. Respondents are obligated to present their own information throughout the process.
- The right to a presumption of not responsible. The burden of proof rests with the College, such that the College must prove that the student is responsible by a preponderance of the evidence.
- The right to written notification of a decision in a case in a timely manner, typically within five business days following a hearing.
- The right to appeal the decision of an administrative hearing officer or Student Conduct Review Board.

### Conduct Review Meeting

Upon receipt of information regarding misconduct, the Office of Student Rights & Responsibilities (or designee) and/or Campus Safety will review, investigate, and evaluate whether there is sufficient information to formally allege a violation of the code of conduct occurred. If there is insufficient information, the incident will be closed and no further action will be taken.

Students involved in incidents that have sufficient information to support formal allegations will receive an email sent to their College email account from the Office of Student Rights & Responsibilities outlining the date and location of the incident as well as the alleged code of conduct violation(s). The email sent from the Office of Student Rights & Responsibilities will include the date, time, and location of the conduct review meeting.

The conduct review meeting will provide the accused student an opportunity to view the incident report and learn about the student conduct process. Additionally, the student will have an opportunity to provide information about the incident and provide names of witnesses that may be able to provide more information.

## Administrative Hearing

Following the conduct review meeting and any additional investigation, the Office of Student Rights & Responsibilities will inform the student of the finding and likely sanction if found responsible. If the Office of Student Rights & Responsibilities determines that there is sufficient information to support a finding of responsibility by a preponderance of evidence, the student has the option of being issued a finding and sanction through an Administrative Hearing or a Student Conduct Review Board hearing. Unless the student requests a full Student Conduct Review Board hearing, administrative hearings for violations that could result in recommended sanctions of probation, deferred suspension, suspension or dismissal will normally be conducted jointly by the Office of Student Rights & Responsibilities and a student member of the Student Conduct Review Board. The option to include a member of the Student Conduct Review Board may be limited if the hearing must be held at a time when the Student Conduct Review Board members are not available (e.g. during breaks) and cannot be convened, in which case the right to an appeal may be exercised.

## Student Conduct Review Board

If, after the conduct review meeting and any additional investigation, the Office of Student Rights & Responsibilities determines that there is sufficient information to support a finding of responsibility by a preponderance of evidence, and the recommended sanction is suspension or dismissal, the student has the option of requesting a hearing before a Student Conduct Review Board, which would then issue a finding and sanction.

The choice for a student may be limited to an Administrative Hearing if the hearing would be held at a time when the Student Conduct Review Board cannot be convened (e.g. during breaks), in which case the right to an appeal may be exercised. A full explanation of the Student Conduct Review Board membership and procedures is outlined in Appendix E.

## Student Sanctions

The sanctions listed below are actions that may be taken, individually or in combination, by the designee(s) of the Vice President for Student Affairs.

- **Statement of Concern.** May be issued to students who are found in the presence of a policy violation, but who are not held formally accountable for that violation.
- **Warning.** A warning is notification that a student has committed certain violations and that continuance of such conduct will result in more severe disciplinary action.
- **Educational Sanctions.** These include but are not limited to alcohol education, mandatory counseling assessment and adherence to professional counseling recommendations, research paper or project, coordinating a hall or building program with a residential life staff member, group education program, etc.
- **Behavioral Contract.** The purpose of such a contract is to allow a student to successfully manage their behavior while remaining an active member of the Kenyon community. Failure to complete the agreed-upon provisions of the contract will result in suspension from the College, unless the student voluntarily withdraws. If suspended or withdrawn, the student must follow the [readmission process](#) outlined in the Kenyon College Catalog before they may resume their studies at Kenyon.

- **Administrative Hold on Student Accounts.** Enforced most often when students have failed to comply with assigned tasks from a conduct hearing. This action precludes students from registering for classes and obtaining such documents as transcripts and diplomas. Once the outstanding sanction has been satisfactorily completed, the hold will be lifted.
- **Disciplinary Service.** Service hours expected to be completed in a given area as a way to give back to the campus or local community.
- **Fine/Restitution.** A fine or restitution is a monetary penalty for violations such as vandalism or damage to College property or the property of others. All fines must be paid by personal or cashier's check; they will not be applied to a student's account.
- **College Restriction.** Restriction from certain buildings, events, activities, etc.
- **College Housing Restriction.** Residence reassignment, removal from College housing or restrictions on where a student may live.
- **Disciplinary Probation.** This sanction means that for a specified period of time (ordinarily no less than the equivalent of one semester) a student is not in good disciplinary standing with the College.
- **Deferred Suspension.** This involves students who have been held responsible for behavior that warrants suspension but where mitigating circumstances and additional sanctions may allow a student to remain in the community while these sanctions are being completed. Failure to complete any of the additional expectations by the stated deadlines will lead to the immediate implementation of suspension without further hearing. In addition, if a student is found responsible for any further College policy violations, at a minimum, the student will automatically be recommended for suspension for at least one full semester.
- **Suspension.** The denial of the opportunity to continue in the College for a specified period of time (ordinarily no less than one semester), or indefinitely until the student's intervening record can support an application for readmission. While suspended, a student is not allowed to be on campus or to attend any official College event. In the event that additional sanctions are imposed in conjunction with the suspension, these sanctions will most likely be expected to be completed prior to an application for readmission to be considered. Upon return from suspension, the student will be placed on probationary status for one calendar year following completion of suspension.
- **Dismissal.** The denial of the opportunity to continue as a student at the College. A student who has been dismissed is not eligible to apply for readmission. A student who is dismissed is not allowed to be on campus or at any official College event at any time.

The sanction or sanctions determined at the time of a hearing (administrative or Student Conduct Review Board) are effective immediately following the appeal period unless indicated otherwise by the Vice President for Student Affairs or their designee.

### Student Organizations and the Conduct Process

Unless otherwise stated, wherever this Code refers to "student" the same also applies to student organizations. "Student organization" means any group or organization of students of Kenyon College that has obtained official recognition as a student organization. Communications with

student organizations regarding conduct matters may be directed to the President, advisor, and Student Organization email account. The College reserves the right to notify inter/national organization representatives of such matters at any time.

It is the goal of the College to support a campus culture where alcohol is responsibly used and that students are mindful of potential safety risks. For the purpose of this policy, social events with alcohol are defined as events sponsored by student organizations that are registered with the Office of Student Engagement and will take place in designated, reservable spaces on campus. It is expected that those who agree to host social events also agree to ensure the safety of those in attendance. Specific expectations for student organizations hosting social events with alcohol may be found in the [Student Organization Handbook](#).

If members of a student organization or students representing the group violate the code of conduct, disciplinary action may be taken against the group as a whole, its officers or individual members.

The process for resolving alleged violations of Student Organization Conduct is the same as the process for an individual student, and is outlined in the Student Conduct Process section of the Student Handbook.

For organizations and groups that are found responsible for violation of the code of conduct, sanctions may include, but are not limited to the following:

- **Organizational Notification.** Written or verbal notification to inter/national organization representatives, officers or advisers.
- **Loss of Privileges.** Denial of privileges such as removal of services and access to facilities, restriction of use of campus financial account and/or student activity fee funding, attendance or participation in activities/programs, loss of theme or division housing privileges.
- **Social Probation.** Probationary status during which time the organization is restricted from participating in social events, including hosting as an organization.
- **Probation of Student Organization.** Probationary status for a specified period, typically not less than one semester, during which time the organization will be required to fulfill specific conditions before reinstatement to good standing.
- **Suspension of Student Organization.** Separation from the College for a specified period, typically not less than one semester. Involves loss of all rights and privileges of student organizations, including the use of College facilities, and probationary status for one year following completion of suspension.
- **Termination of Student Organization.** Termination is the most serious of College disciplinary actions for a student organization. It involves permanent separation of a student organization from the College and removal of recognition of the organization.

If a sanction is violated, the individual and/or group may be subject to further disciplinary actions.

An individual student, who is part of a student organization, may be sanctioned under the code of conduct separate from any sanctioning received by their organization.

## Appeals

Respondent(s) have the right to appeal the outcome of an Administrative Hearing or Student Conduct Review Board hearing to the Appeals Board. The Appeals Board consists of three members: the Vice President for Student Affairs or their designee, and two members of the Student Conduct Review Board who did not serve in the original hearing. Of the two Student Conduct Review Board Members serving on the Appeals Board, at least one must be a student.

The appeal must be based on one or more of the following criteria:

- procedural error(s) that materially affected the outcome;
- new information unavailable at the original proceeding, which will be set forth in the appeal; or
- the decision of the investigators and/or adjudicator was clearly erroneous based on the evidential record.

In an appeal, the preponderance of evidence shifts to the appellant, and the appeal is heard “on the record,” i.e., on the basis of written information only. An appeal is not a rehearing of the case. Dissatisfaction with the outcome of the investigation is not grounds for appeal.

The letter of appeal must be filed with the Vice President for Student Affairs or their designee within five business days of written notification to the respondent of the outcome of the Student Conduct Review Board or administrative hearing. Once a letter of appeal is filed the referring administrator will have three business days to file a written response with the Vice President for Student Affairs or their designee.

The Appeals Board will typically make a decision regarding the written appeal within ten business days of receipt of the written response from the referring administrator. In considering an appeal, the Appeals Board has the following options:

- Deny the appeal and maintain the decision of the Student Conduct Review Board or administrative hearing officer;
- Grant the appeal and impose an independent judgement of the case.

A majority vote of members of the Appeals Board is required for all decisions. The decision of the Appeals Board regarding the case will be final and not subject to further appeal.

## Confidentiality and Handling of Student Conduct Records

In accordance with the [Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#), a student’s disciplinary history is part of the student’s educational records. Students may access their educational records under FERPA. College officials may also access a student’s educational records if they have legitimate educational interests in their contents. Students may authorize the release of their educational records to other parties. If a student grants access to their disciplinary history to other parties, the entire disciplinary history may be provided.

## Record-Keeping and Reporting of Student Disciplinary History

Student disciplinary histories are recorded and reported as follows:



- Sanctions less severe than disciplinary probation are maintained in the student's disciplinary history until graduation or one year after a student withdraws from the College. These records are not noted on the student's transcript. These sanctions will not be reported to parties outside the College unless, in subsequent incidents, the student is sanctioned to probation, deferred suspension, suspension or dismissal.
- Sanctions of disciplinary probation and/or deferred suspension are maintained in the student's disciplinary history until one year following graduation or 5 years after a student withdraws from the College. These records are not noted on the student's transcript but may be reported to parties outside the College, per FERPA guidelines.
- Sanctions of disciplinary suspension and/or dismissal are permanently maintained on the student's transcript and in the student's disciplinary history. These records may be reported to parties outside the College, per FERPA guidelines.
- Students who withdraw from the College while the adjudication of an incident is pending will have a "case pending" notation on their transcript and all disciplinary records will be retained for eight years from the time of their withdrawal.

## Appendix A: Definitions of Terms Used in the Student Handbook

1. **Administration:** non-faculty members of the Kenyon community who serve in exempt (salaried) staff roles.
2. **Administrative hearing officer:** a person authorized by the Vice President for Student Affairs or their designee to determine whether a student or group has violated the student code of conduct and to impose sanctions when a violation has occurred.
3. **Administrative Liaison:** the Student Affairs professional who manages the integrity and fairness of the student conduct process before and during a Student Conduct Review Board hearing.
4. **Advisor:** a member of the administration, faculty or student body, who is not party to the case, to assist in the preparation of the case and be present at the hearing. The role of the advisor is to ask clarifying questions and to advise the student, not to present the case. Students are obligated to present their own cases.
5. **Allegation:** a claimed or suspected infraction or violation of the code of conduct.
6. **Appeal:** the process by which a party exercises their right to question the outcome of the Student Conduct Review Board or administrative hearing to the Vice President for Student Affairs or their designee.
7. **Business day:** a weekday when the College is open and conducting regular business (the College calendar should be consulted regarding College closure days).
8. **College community member:** a current Kenyon faculty member, administrator, staff member or student.
9. **College:** Kenyon College.

10. **Complainant:** a person who submits a complaint alleging that a student violated the student code of conduct. A Complainant may be present during a Student Conduct Review Board hearing and may participate as a witness.
11. **Complaint:** a written statement alleging that a student or organization has violated the student code of conduct.
12. **Faculty:** any person currently employed by Kenyon to conduct classroom or teaching activities or who is otherwise considered by Kenyon to be a member of its faculty.
13. **Good Disciplinary Standing:** any student not on disciplinary probation, deferred suspension, suspension, or dismissal.
14. **Guest:** any student present in a residential space other than the one to which they are assigned.
15. **Interim suspension:** a temporary suspension, pending the outcome of a hearing, implemented by the Vice President for Student Affairs or their designee when they deem an individual to be threatening or injurious to the well-being or property of members of the College community, or to its operation.
16. **Investigation:** the process during which information related to a reported incident is gathered.
17. **Not responsible:** an outcome of a Student Conduct Review Board or administrative hearing in which no violation of the student code of conduct is found to have occurred.
18. **Office of Student Rights and Responsibilities:** the office designated by the Vice President for Student Affairs to facilitate the administration of the student conduct process.
19. **Overnight Guest/Visitor:** anyone staying in a room overnight (regardless of student status) who is not assigned to that residential living space.
20. **Preponderance of evidence:** during the hearing, “preponderance of the evidence” is the threshold whereby all the information is determined by the board members to support, more likely than not, the allegations. This preponderance is based on the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence. Thus, one clearly knowledgeable witness may provide a preponderance of evidence over a dozen witnesses with hazy testimony.
21. **Referring administrator:** the Student Affairs staff member assigned to represent the College in the Student Conduct Review Board hearing and present the complaint made against the respondent.
22. **Regulations:** rules authorized by Kenyon College to set community standards for student conduct.
23. **Respondent:** any student or student organization against whom a complaint regarding violating the code of conduct has been lodged.
24. **Responsible:** an outcome of a Student Conduct Review Board or administrative hearing in which a violation of the student code of conduct is found to have occurred.
25. **Retaliation:** any act of retribution or intimidation directed towards any person or group involved in the investigation or resolution of a student conduct issue.



26. **Sanction:** the official College response to violations of the student code of conduct. Although sanctions may be of a punitive nature, they are intended to be for the purpose of educating respondents about accountability and upholding community standards of behavior.
27. **Self-incrimination:** the act of disclosing information that could result in new allegations of code of conduct violations.
28. **Social Events with Alcohol:** events sponsored by student organizations that are registered with the Office of Student Engagement and will take place in designated, reservable spaces on campus
29. **Student:** A person enrolled in and/or auditing classes at Kenyon. (Persons who are not presently enrolled but who have a continuing relationship with the College are considered students for the purposes of this Handbook).
30. **Student Conduct Process:** the process Kenyon uses to address alleged infractions of the student code of conduct.
31. **Student Conduct Review Board:** persons authorized by the Vice President for Student Affairs or their designee, Student Council, the President of the College and the Chair of the Faculty to determine whether a student or group has violated the code of conduct.
32. **Student organization:** any group or organization of Kenyon College students that has obtained official College recognition.
33. **Violation:** behavior contrary to the standards outlined in the code of conduct.
34. **Visitor:** a person who is not currently enrolled as a Kenyon student.
35. **Witness:** a person who provides information on behalf of the College, the complainant or respondent in an administrative or Student Conduct Review Board hearing.

## Appendix B: Select College Policies

### Good Samaritan Policy

In order to ensure that students receive prompt and appropriate attention for alcohol intoxication or drug impairment and to minimize barriers to seeking such assistance, the College has a Good Samaritan policy.

In those instances in which a student calls the Office of Campus Safety or another College office for assistance with an intoxicated or impaired student, neither the individual calling nor the student in need of assistance will be charged with violations of the College's code of conduct policies on alcohol and other illegal drugs. The Good Samaritan Policy does not preclude disciplinary action regarding other student code of conduct violations, such as failure to comply, causing or threatening physical harm, damage to property, harassment, or hazing, nor can the College ensure that local law enforcement will not issue citations if summoned to campus by emergency medical personnel.

Due to concerns about the health and safety of students who utilize the Good Samaritan Policy, students who were significantly intoxicated or impaired will be required to meet with a licensed substance abuse counselor to discuss their actions, reflect on the ways that their actions impacted the Kenyon Community, and develop strategies to avoid similar incidents in the future.

This policy is designed to save lives. The spirit of the Good Samaritan is that we all have an ethical responsibility to help people in need. There is an expectation that students will take active steps to protect the safety and well-being of our community.

### Alcohol

Kenyon College's alcohol policy reflects its intention to adhere to state and local laws governing the use, distribution and consumption of alcoholic beverages. Kenyon is subject to these laws and administers all policies in accordance with their current interpretation. Thus, Kenyon's specific alcoholic beverage regulations are designed to encourage responsible drinking and behavior by clearly stating what is expected of those who choose to consume or serve alcohol.

If alcohol is found in a shared living space where all residents are under the legal drinking age of twenty-one (21), all residents may be held accountable for this policy violation.

Violations of these regulations will result in disciplinary action.

### Drugs

When illegal drugs or drug paraphernalia are found, Campus Safety will be notified and the Knox County Sheriff's Office may be contacted.

If drugs or drug paraphernalia are found in a shared living space, or if drugs are being distributed from said living space, all residents may be held accountable.

Students found responsible for manufacture and/or distribution of drugs may be dismissed and/or referred to appropriate legal authorities.

### Hazing

The College prohibits hazing on the part of any individual, organization, group or team. Hazing, for purposes of College policy, is defined as any action or situation, regardless of intention, whether on or off Kenyon premises, that results in or has the potential of resulting in physical, mental or emotional harm; discomfort; embarrassment; harassment; or distress to a group's members or prospective members.

Furthermore, being a member or prospective member of any student organization, group, sports team or activity does not excuse hazing in any form. It is not a defense to a hazing charge that the person against whom the hazing was directed consented to or acquiesced in the hazing activity. Forms of hazing include, but are not limited to: personal servitude; tests of physical endurance; kidnapping, transporting or stranding anyone; private or public skits; loss of personal dignity or self-worth; activities or attitudes that breach reasonable standards of mutual respect; lowering of one's personal standards; exposure to the elements without appropriate protection; sleep deprivation and creation of excessive fatigue; consumption of a food, liquid, alcohol, drug or other substance; social isolation; expecting certain items to always be in one's possession; restrictions on personal hygiene; calisthenics; academic dishonesty; threats or implied threats; destroying or removing public or private property; behaviors which emphasize a power imbalance; wearing of any public apparel which is conspicuous and not normally in good taste; activities which are not consistent with personal growth and academic achievement; and violations of federal, state or local laws. The College will treat the hazing action of even one member of a group as constituting hazing by the group.

Individuals or groups believed to be in violation of this policy will be subject to Kenyon disciplinary action. An individual commits an offense if the person: engages in hazing; solicits, encourages, directs, aids or attempts to aid another in engaging in hazing; recklessly permits hazing to occur; or has firsthand knowledge of the planning of a specific hazing incident or has firsthand knowledge that a specific hazing incident has occurred and knowingly fails to report that knowledge through the [Report of Concern](#) (found on the Office of Student Engagement website) or an appropriate official of the institution. Individuals who are found to be responsible for hazing face sanctions up to and including suspension or dismissal from the College. An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni(ae) of the organization commits or assists in the commission of hazing. Groups or organizations found to be responsible for violations of this policy face sanctions up to and including suspension, dismissal or removal of their recognition by Kenyon. Individual members of a group are subject to sanctions up to and including suspension or dismissal from the College for allowing such violations to occur.

## Appendix C: Disclosure of Student Records

Aside from disclosure to the student and disclosures to College officials, typically student consent is required to disclose educational records. However, the College may disclose such records without consent of the student as follows:

- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer;
- To comply with a judicial order or lawfully issued subpoena; and
- To parents/guardians of tax-dependent students when certain criteria are met.
  - In situations concerning a student's official status at the College, e.g.:
    - When a student withdraws from the College for any reason;
    - When a student has been advised or required to withdraw, or when the student's academic standing is at serious issue; and
    - When a student has been placed either on disciplinary probation or found responsible for multiple offenses of the student code of conduct.
  - In situations where, for health or safety reasons or in extraordinary circumstances, the College believes that notification is appropriate. Note that the College does not typically disclose information to parents/guardians when a student has made a report regarding potentially discriminatory or harassing behavior under the College's Title IX or Discriminatory Harassment policies.
  - If students are under the age of twenty-one (21),
    - To notify a student's parent or legal guardian of a violation of federal, state or local law, or any rule or policy of the College governing the use or possession of alcohol or controlled substances.

- Following an incident requiring medical intervention, or hospital admission as a result of consumption of alcohol or use of drugs (even if the incident falls under the Good Samaritan Policy) or the incident resulted in the student becoming physically ill, was life threatening to the student, or threatening to the community.
- Any alleged incident involving the distribution, sale, transfer, manufacture or attempt to manufacture, or traffic any drug.

## Appendix D: Housing and Residential Life

### Approved Electrical Devices/Appliances

All electrical devices/appliances must be UL-approved. Students may keep the following appliances in their rooms: microwave ovens of 900 watts or less; refrigerators not larger than 4.9 cubic feet in size; stereo equipment, computer equipment, coffee makers; curling irons; hair dryers; fans; surge protectors; and non-halogen lamps/lights. Items that may create a fire or shock hazard are prohibited.

### Cooking/Community Cooking Facilities

In some residence halls, the College provides designated community cooking facilities for student use. Students are allowed to use microwave ovens and coffee makers in their rooms, but all other cooking must be done in designated community cooking facilities. Appliances with open coils (including, but not limited to, hot plates, toasters and toaster ovens) are not permitted in College living units, except apartments, houses, and designated community kitchen spaces. Food and trash resulting from cooking must be immediately disposed of and/or properly stored and all dishes and surfaces must be cleaned. Common area refrigerators will be cleaned out on a regular basis; assigned kitchen lockers will be cleaned out when residents vacate an assigned residential space.

### Lounges, Hallways, and Other Community Spaces

Lounges, hallways and other community spaces (i.e. multi-person restrooms, kitchens, etc.) in residential spaces are designated as common-use spaces. As such, they are open to all students assigned to that residential space/area. Any person or group wishing to hold a meeting or gathering in a reservable lounge or community space must submit a room reservation request through EMS. Lounges and other community spaces are not to be used for sleepovers or other longer-term closed gatherings without the permission of the Office of Residential Life. Any damages in a lounge, hallway, or other community space will result in charges allocated to the individual(s) responsible. If the individual(s) responsible for the damage cannot be identified, charges will be divided amongst the entire room, group, or building of students responsible for that space.

### Noise

Quiet hours for all residential spaces are: Sunday-Thursday, midnight-8 a.m. and Saturday-Sunday, 2-8 a.m. During final-exam periods, quiet hours are 24 hours a day. All other times are considered courtesy hours, when students are asked to cooperate with requests from other community members when noise is disruptive.

## Pets

Pets are prohibited in all College residences, with the sole exception of fish in bowls or in tanks that do not exceed 10 gallons. Any student or living unit found with a pet will be charged a cleaning fee for all affected living spaces, as well as for any damage caused by the pet. See [Kenyon's Emotional Support Animal \(ESA\) Policy](#) for additional information regarding emotional support animals. Service animals and ESAs are not considered pets.

## Prohibited Items in College Residential Spaces and Outdoor Community Spaces

- Flammable liquids (e.g. bottles of propane gas, gas for grills, lighter fluid, dangerous chemicals, etc.) are prohibited.
- Propane grills are not permitted.
- Candles, incense, scented wax burners, or any other open-flame/heating devices, regardless of wick or condition of wick and purpose, are prohibited.
- Draperies or tapestries are not allowed on ceilings, covering any lights, or on more than approximately 50 percent of walls in any room.
- Tents, tarps, and canopies are prohibited without prior approval.
- Hoverboards are prohibited.
- Cleaning game or fish is prohibited.
- Unsanitary conditions and/or excessive garbage are prohibited.
- Any items (e.g. shoes, sports equipment, skateboards, etc.) in hallways, or points of ingress or egress, are prohibited.

## Residential Requirement

All students enrolled at Kenyon are required to live in College housing and enroll in the College dining plan. Kenyon students are prohibited from utilizing non-Kenyon facilities or living spaces to supplement their College housing. Students seeking an exception from the residential requirement must receive prior written permission from the Office of Residential Life. Students found in violation of this requirement will be subject to disciplinary action.

## Room Entry, Search, and Seizure

Kenyon College believes that each student has the right to privacy within their room; however, if the need for access arises, College officials will provide adequate notice, and students are expected to be responsive to and cooperative with College officials. College officials will normally not enter a private space without prior notice, except in the following circumstances:

- To address emergency situations when imminent danger to life, safety, health, or property is suspected.
- There is reasonable suspicion that state, federal, or local laws are being violated.
- There is reasonable suspicion that the Student Code of Conduct is being violated (hazing, etc.).

- To eliminate disruptive noise (e.g. alarm clocks) if the resident(s) of a space are not addressing the issue.
- To assess, clean, and show spaces in partially filled residential spaces.
- To complete break closings and monthly health and safety inspections, which are conducted by Residential Life staff members.
- To fulfill maintenance requests, to address maintenance concerns and/or provide room improvement. Staff members and maintenance contractors will not disturb the personal belongings of assigned residents without those residents' consent, except to address maintenance or safety conditions that require immediate attention.

### Procedures for Authorized Room Entry

College officials should normally observe the following procedures whenever it is necessary to enter an assigned residential space without the permission of the resident.

1. Receive permission from the Vice President for Student Affairs or their designee.
2. Two staff members will normally be present when entering assigned residential spaces.
3. Searches will not be conducted in personal closed storage areas (e.g. desk or dresser drawers and room closets) without the prior permission of assigned residents or without the expressed written permission of the Vice President for Student Affairs or designee, whose documentation will indicate why a search is being conducted and what items are specifically being sought. Any items obtained under conditions that violate these procedures will be inadmissible in student conduct hearings. An exception can be made in the case of a violation of health and safety standards or extreme emergency situations.
4. Items left out in plain view that appear to establish a criminal act and/or a violation of College policy will be confiscated and documented. A referral will be made to the appropriate College officials, or an appropriate law-enforcement agency.
5. When staff members have removed items from an assigned residential space in the absence of its residents, they will document the items that were removed and will leave instructions for the residents to contact Campus Safety or another appropriate student affairs staff member(s) for additional information regarding these items upon their return.
6. College staff members will not admit third parties, other than authorized contractors, into a student room without a resident's permission.
7. The College will cooperate with law-enforcement officials who, having obtained legally-issued warrants, seek entry to residents' assigned residential spaces for the purpose of executing such warrants.

### Room Capacity

Students must not exceed any room's capacity. The maximum number of people that can function safely and comfortably in a room is determined by dividing the square footage of the room by 20 (rounding down).

## Appendix E: Student Conduct Review Board

### Student Conduct Review Board Membership

The Student Conduct Review Board (SCRB) comprises students, staff and faculty members. One of the faculty members serves as chair. Members are identified each spring.

#### Student Membership

- Each spring, Student Council, in conjunction with the Office of Student Rights & Responsibilities, will invite applications for the Student Conduct Review Board and hold interviews. The interviewing committee will include representation from Student Council, existing student members of the Student Conduct Review Board, and a designee of the Office of Student Rights & Responsibilities. The interviewing committee will nominate qualified students to the Executive Board of Student Council for confirmation. The Executive Board of Student Council will annually confirm no fewer than four students to serve on the Student Conduct Review Board.
- Student members of the Student Conduct Review Board must have attained at least sophomore standing. Students must be in good academic and disciplinary standing. Members may be removed by the Office of Student Rights & Responsibilities for failure to remain in good academic and/or disciplinary standing.
- The Student Conduct Review Board will, at the beginning of each academic year, participate in a mandatory training, coordinated by the Director of the Office of Student Rights & Responsibilities and the SCRB Chair, to review information about the purposes and charges of the board as defined by the Student Handbook.

#### Staff Membership

- Each spring the Director of Student Rights and Responsibilities will invite applications for the Student Conduct Review Board and select up to five staff members to each serve a two-year term.
- Staff members of the Student Conduct Review Board must be full time exempt employees.

#### Faculty Membership

- Each spring the Chair of the Faculty will coordinate the election of up to five faculty members to each serve a two-year term.
- Every second spring, the President of the College will designate one member of the faculty (ideally a tenured professor who has served at least one year as a voting member on the Student Conduct Review Board) to serve one two-year term as the chair of the Student Conduct Review Board. Faculty members who have served previously on the Student Conduct Review Board or current or past members of the College's Academic Infractions Board may be called to serve when a sufficient number of voting faculty members are not available to meet the qualification of quorum.
- A quorum will consist of four voting members: two students and two faculty members.

#### Administrative Liaison

- The Director of the Office of Student Rights & Responsibilities or designee will serve as the Administrative Liaison to the Student Conduct Review Board. The Administrative Liaison



will attend all hearings and will advise the Board with respect to procedures and precedent. If the Director of the Office of Student Rights & Responsibilities is unable to serve as the Administrative Liaison, they will designate a colleague from within the Division of Student Affairs who is familiar with the conduct process to serve in this capacity.

- The Administrative Liaison will assist the chair, if appropriate, in preparing cases for the board.
- The Administrative Liaison will serve as a resource for the respondent, complainant, referring administrator and Student Conduct Review Board regarding matters of procedure throughout the process.

## Student Conduct Review Board Responsibilities and Procedures

Responsibilities and Limitations of the Student Conduct Review Board:

- The Student Conduct Review Board will make the determination of non-responsibility or responsibility, and if appropriate, a sanction, and it will forward a letter outlining its findings to the student(s) or group of students with a copy to the referring administrator and to the Administrative Liaison.
- SCRB members with any potential conflict of interest in a case must make that conflict known to the Administrative Liaison. The respondent and/or complainant may also request that the Administrative Liaison disqualify a board member from a hearing. This request must come within two business days of notification of the Student Conduct Review Board members. Examples for requesting the disqualification include, but are not limited to: current or former attendance in a board member's class; current or former roommate/teammate, etc. The final decision for disqualification rests with the Administrative Liaison.
- All hearings will be closed to the public. Those attending hearings will be limited to: Student Conduct Review Board members, complainant(s), respondent(s) and any advisor they elect to bring, the Administrative Liaison, and witness(es) for the case. Any persons with an interest in the case but not participating in the hearing may not be in the immediate vicinity of the hearing, as determined by the Administrative Liaison. The witnesses will be present during the beginning of the hearing for introductions and then they will remain in a separate room until they are each called in one at a time to participate in the hearing.

## Student Conduct Review Board Procedures

**Prior to hearing:**

1. The Administrative Liaison provides the complaint(s) in writing to the Chair of the Student Conduct Review Board, which includes the policies allegedly violated by the respondent(s). The Administrative Liaison contacts Board members to determine their availability to serve. Once a quorum of board members has been identified, the Administrative Liaison coordinates with all participants in the Student Conduct Review Board process to schedule a date and time for the hearing. If at all possible, the hearing should be held within 15 business days of the date the complaint (s) is referred from the student affairs staff member to the SCRB Chair.



2. The Administrative Liaison will reach out to the respondent to offer an opportunity to meet and discuss the hearing process, their rights in the process, and answer any questions they may have. The Administrative Liaison will serve as a resource for the respondent throughout the process.
3. Once a hearing date is established, the Administrative Liaison will send a hearing letter to the respondent(s), with a copy to the referring administrator and the Chair of the Student Conduct Review Board. This letter will be sent at least five business days prior to the hearing via email to the respondent (s) official College email and will include the following
  - a. A statement of the final complaint(s)
  - b. The date, time, and place of the hearing.
  - c. The names of the Student Conduct Review Board Members.
  - d. A statement directing the respondent(s) to the "Rights of the Respondent(s)," notifying the respondent(s) of their right to submit evidence and documentation, witnesses, and have an advisor.
4. The respondent and the referring administrator must provide the following to the Administrative Liaison three business days prior to the hearing:
  - a. Respondent(s) and the referring administrator are responsible for notifying their own witnesses of the date, time and location of the hearing.
    - i. The respondent and the referring administrator are responsible for providing a minimum of ten copies of the information they wish to be presented to the board. The Administrative Liaison will provide the number of copies needed for each hearing.
  - b. Names of potential witnesses.
  - c. Name of the respondent's advisor.
    - i. Any information to be presented to the board (reports, written statements, photographs, etc.). During this information-gathering period, the respondent(s) will have the opportunity to share with the Administrative Liaison any additional information they would like to make available to the Student Conduct Review Board.
5. The Administrative Liaison provides the respondent(s), board members, complainant and the referring administrator with a copy of witness lists, names of advisors, and any available written information that has been provided by both the respondent(s) and referring administrator at least three business days prior to the hearing.
6. The respondent(s) is/are not required to attend the hearing, but it will occur as scheduled. If respondent(s) do not attend, the right to question written information and witnesses is forfeited.

**During the Hearing:**

1. The Board members will gather a minimum of one hour prior to the scheduled start of the hearing to discuss procedure.
2. The Administrative Liaison will ensure the hearing is conducted as outlined in the Student Handbook. All persons present are introduced and their roles are explained, particularly those of

the witness(es). The Chair explains the purpose of the hearing and describes the order of events of the hearing. The Administrative Liaison will operate an audio recording device to make a record of the hearing.

3. The Chair will remind the respondent, referring administrator, and any witnesses that complete candor and honesty are required in all hearings. Intentionally furnishing false information and intentional evasiveness are themselves grounds for disciplinary action. The chair also reminds all persons of confidentiality requirements. The chair will remind all present that the hearing is not a legal proceeding. Witnesses are dismissed to the waiting area.

4. The chair reads the list of alleged specific infraction(s).

5. The respondent student(s) or group(s) is/are invited to respond to the allegation(s) and to the information presented in the hearing packet. The response may be:

a. I accept responsibility for the allegation(s) or

b. I do not accept responsibility for the allegation(s)

6. The referring administrator and respondent will be given the opportunity to provide their opening statement.

7. The respondent(s) and the Board may question the referring administrator. The Board and the referring administrator may question the respondent(s).

8. Witnesses will be called in, one at a time, first by the referring administrator and next by the respondent. The Board, the referring administrator and the respondent(s) may question the witnesses. The number of witnesses called may be limited by the chair to prevent unnecessary repetition during a hearing.

9. When the chair is confident that all relevant evidence and/or testimony has been heard, the chair invites concluding questions followed by closing statements. The referring administrator followed by the respondent will provide a closing statement. After each closing statement, the board, referring administrator, and respondent may ask questions.

10. All non-members of the Board are dismissed.

11. The Board considers the evidence and testimony from the hearing and makes, by a majority vote, a determination of either responsibility or non-responsibility for each allegation. The chair votes only in the case of a tie.

12. If the Board's finding is "responsible" for any of the allegations, the respondent(s), advisor referring administrator, and Administrative Liaison will be recalled to the hearing room. The respondent(s) and referring administrator will be informed of the decision and will be asked to present recommended sanctions. Once all parties have had the opportunity to present their recommendation on sanctions, they will be dismissed in order for the board to deliberate.

13. The Board will consider the recommendations from the referring administrator and the respondent along with the past disciplinary history of the respondent(s) to determine appropriate sanction(s). The respondent(s), advisor, referring administrator, and Administrative Liaison are recalled and informed of the sanction(s). The respondent(s) is/are informed of the right to appeal

the outcome and of the appeal procedures and is/are directed to depart from the hearing room immediately and to have no further discussion with any individuals involved regarding this matter.

14. All contents of the hearing packet, documents presented at the hearing and notes taken during the hearing are collected and retained by the Office of Student Rights and Responsibilities. In the case of an appeal, either party may access a copy of the hearing packet and recording of the hearing at the Office of Student Rights and Responsibilities.

15. Within 5 business days of the hearing, the Chair transmits to the respondent(s) a written report of the board's findings, with a copy to the referring administrator and to the Administrative Liaison.

16. Allegations of new violations of the Student Handbook that are revealed during the hearing may be addressed by the Office of Student Rights & Responsibilities subsequent to the hearing to allow sufficient time for appropriate investigation.

17. Students who harass, intimidate, retaliate or attempt to influence the testimony of any participant in the conduct process, or the members of the Student Conduct Review Board, will be subject to disciplinary action.

### Records and Reports

The College retains the audio recording and contents of the hearing packet for eight years. The Office of Student Rights & Responsibilities retains these records, to be shared with subsequent chairs for purposes of continuity and consistency. The Office of Student Rights & Responsibilities makes these records available to the Vice President for Student Affairs or their designee and the President of the College at their request.