

Bridgewater State University
The Office of Community Standards
Student Code of Conduct

Preamble

Membership in the Bridgewater State University community is a privilege for those who are invited to join. Becoming a student at BSU brings a responsibility to adhere to the values of the University community. Some of these core values include:

- Maximizing teaching and learning relationships.
- Promoting personal and professional growth.
- Fostering the University's responsibility to the public.
- Increasing diversity and global awareness.
- Serving as an agent of social justice.

Students who breach the trust and values extended to them by the community shall be held accountable for their actions. *The Student Code* defines the responsibilities of students and provides a process for responding to allegations of student misconduct in a way that accords with the values of the University.

Part I: Student Conduct Authority

Under M.G.L. c. 15A, § 22, Bridgewater State University has the legal authority to establish "those policies necessary for the... general business of the institution." Concomitant with that authority, *The Student Code of Conduct* was approved by the President's Cabinet on August 28, 2013. It is administered under the direction of the Vice President of Student Affairs. Under the direction of the Vice President for Student Affairs, the Director of Community Standards has been charged with the day-to-day responsibilities for the administration of the Office of Community Standards and *The Student Code*. The Vice President for Student Affairs shall coordinate recommendations from members of the University community regarding suggested revisions to *The Student Code*, and shall present proposed substantive changes to the Division of Student Affairs and The Cabinet.

Part II: Definitions

The following selected terms are defined in an effort to facilitate a more thorough understanding of *The Student Code*. This list is not intended to be a complete list of all the terms referenced in *The Student Code* that might require interpretation or clarification. The Director of Community Standards, or designee shall make the final determination on the definition of any term found in *The Student Code*.

1. **Administrative Conference Agreement** means the final agreement regarding violations and/or sanctions agreed upon between the Community Standards officer and the student.
2. **“Administrative Review officer” or “Community Standards officer”** means a University staff member who is authorized to determine the appropriate resolution of an alleged violation of *The Student Code*, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provision in this code, an Administrative Review officer as well as a Community Standards officer is vested with the authority to, among other duties,

- investigate a complaint of an alleged violation of *The Student Code*; decline to pursue a complaint; refer identified disputants to mediation or other appropriate resources; establish *The Student Code* alleged violations regarding a respondent; approve an Administrative Conference Agreement developed with a respondent; conduct an Administrative Review; impose sanctions; approve sanctions recommended by another review body; and conduct an appellate review.
3. “**Administrative Review Committee**” means one or two University Administrative Review Officers review the investigation report submitted by the Community Standards officer and are responsible for issuing a formal decision in the matter
 4. “**Advisor** ” means any person who accompanies a respondent, a complainant, or a victim for the limited purpose of providing support and guidance. An advisor of your choice may not directly address the Administrative Review officers, Community Standards officers, question witnesses, or otherwise actively participate in the Community Standards process. Requests to change proposed meetings to accommodate an Advisor’s schedule will not be considered.
 5. “**Appellate body**” means any person or persons authorized by the Provost, Vice President for Student Affairs, or designee to conduct a review of a decision reached by an administrative review committee.
 6. “**Bullying**” means the severe or repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another individual that has the effect of: causing physical or emotional harm to the other student or damage to the other student’s property; placing the other student in reasonable fear of harm to him/herself or damage to his/her property; creating a hostile environment at school for the other student; infringing on the rights of other students on campus; materially and substantially altering the education process or the orderly operation of the University. If the bullying is directed at those associated, or perceived to be associated with a protected class, it may be a violation of the University Policy Against Discrimination, Discriminatory Harassment, and Retaliation (included in the [Equal Opportunity, Diversity and Affirmative Action Plan](#)) and/or a violation of the University’s [Sexual Violence Policy](#). Violations of those policies may be addressed under the [Investigation and Resolution Procedures](#).
 7. “**Business day**” means any day, Monday through Friday, that the University is open.
 8. “**Community Restitution Project**” means work projects on and off campus.
 9. “**Community Standards file**” means the printed/written/electronic file which may include but is not limited to incident report(s), correspondence, academic transcript, witness statements, and Community Standards history.
 10. “**Complainant**” means any person, or the University itself, who submits an allegation that a student violated *The Student Code*. When a student believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will have the same rights under *The Student Code* as are provided to the respondent even if another member of the University community submitted the allegation itself.
 11. “**Consent**” has the meaning set forth in the [Sexual Violence Policy](#).
 12. “**Dating Violence**” has the meaning set forth in the [Sexual Violence Policy](#).

13. **“Domestic Violence”** has the meaning set forth in the [Sexual Violence Policy](#).
14. **“Designee”** refers to a staff or faculty member who is responsible for implementing the Community Standards process or administering the Community Standards system, in part or in whole, at the direction of the Vice President of Student Affairs, Director of Community Standards or other University official.
15. **“Director of Community Standards”** refers to that person in Student Affairs, designated by the Vice President, to be responsible for the overall coordination of the University Community Standards system, including the development of policies, procedures, and education and training programs. The Director of Community Standards may serve as an Administrative Review officer, Community Standards officer, and/or an appellate body.
16. **“Disciplinary Hold”** means an administrative hold placed on a student’s record when he/she does not respond to the request of a University official to attend an Administrative Conference, has not completed an assigned sanction, or has withdrawn from the University while a conduct matter is pending.
17. **“Discriminatory Harassment”** has the meaning set forth in the [Equal Opportunity, Diversity and Affirmative Action Plan](#).
18. **“EO Director”** means the Director of the Office of Equal Opportunity. The University has appointed the EO Director as its Title IX Coordinator to oversee its compliance with Title IX of the Higher Education Amendment of 1972 (Title IX) and other equal opportunity laws and regulations.
19. **“Gender-Based Harassment”** has the meaning set forth in the [Sexual Violence Policy](#).
20. **“Guest”** means a non-student who is an associate of a student.
21. **“Incident database”** means the electronic database used to track an incident and the response taken.
22. **“Instructor”** means any faculty member, teaching assistant, graduate assistant or any other person authorized by the University to provide educational services (e.g., teaching, research, or academic advising).
23. **“Interim Administrative Action”** means an immediate restriction taken against a student prior to an Administrative Conference on the student’s alleged violation.
24. **“Investigator”** means the Community Standards officer charged with conducting a full investigation of an alleged violation of *The Student Code*.
25. **“May”** is used in the permissive sense.
26. **“Member of the University community”** includes any person who is a student, instructor, or University staff member; any other person working for the University, either directly or indirectly (e.g., private enterprise on campus); or any person who resides on University premises. A person’s status in a particular situation shall be determined by the Director of Community Standards.

27. **“Policy”** is defined as any written policy, procedure, standard, regulation, rule or Community Standards expectation adopted by the University, as the same may be amended, modified or replaced from time to time.
28. **“Respondent”** means a student who may be charged for violating *The Student Code*.
29. **“Shall”** and **“Will”** are used in the imperative sense.
30. **“Sanction”** means a requirement a student must abide by or complete when found responsible for violating *The Student Code*.
31. **“Sexual Assault”** has the meaning set forth in the [Sexual Violence Policy](#).
32. **“Sexual Exploitation”** has the meaning set forth in the [Sexual Violence Policy](#).
33. **“Sexual Harassment”** has the meaning set forth in the [Sexual Violence Policy](#).
34. **“Sexual Violence”** has the meaning set forth in the [Sexual Violence Policy](#).
35. **“Stalking”** has the meaning set forth in the [Sexual Violence Policy](#).
36. **“Student”** means any person who has been admitted to, registered or enrolled in, or attends, attended or attending the University, any University course, or University conducted program.
37. **“Student organization”** means an association or group of persons that has complied with the formal requirements for University recognition or are recognized by the University.
38. **“University”** means Bridgewater State University.
39. **“University official”** includes any person authorized by the University to perform administrative, instructional, or professional duties.
40. **“University premises”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, either solely or in conjunction with another entity or person.
41. **“Witness”** means any person with knowledge pertaining to a student’s alleged violation of *The Student Code*.

Part III: Proscribed Conduct

The Student Code applies to students and to their registered organizations. Throughout this document the term “student” generally shall apply to the student as an individual and to a registered student organization as a single entity. Registered student organizations may be held accountable either through the Office of Student Involvement and Leadership policies and/or *The Student Code*. The officers or the leaders of a particular registered student organization usually will be expected to represent the organization during the Community Standards process. Nothing in this code shall preclude holding

members of an organization accountable for their individual acts committed in the context of or in association with the organization's alleged violation of *The Student Code*.

A. Jurisdiction of the University

1. Each student shall be responsible for his/her conduct from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his/her conduct is not discovered until after a degree is awarded). *The Student Code* shall apply to a student's conduct even if the student withdraws from the University while a Community Standards matter is pending.
2. Generally, University jurisdiction shall be limited to student conduct that occurs on or about University premises or in connection with University-sponsored or University-supervised events, programs, and activities (including students involved with off-campus internships and study abroad programs). However, the University may apply *The Student Code* to students whose misconduct may have an adverse impact on the University community, its members, and/or the pursuit of its objectives regardless of where such conduct may occur.

The following examples describe the kinds of off-campus acts that may be addressed through the University Community Standards system: driving under the influence of alcohol or drugs; physical assault; sale/distribution of illegal substances; and malicious destruction of property. These examples are illustrative in intent and they should not be regarded as all-inclusive. Should the Director of Community Standards reasonably determine that a particular alleged act of off-campus misconduct falls within the jurisdiction of the University, the case will be referred to the University Community Standards system.

3. University Community Standards proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and *The Student Code* (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under *The Student Code* may be carried out prior to or simultaneously with civil or criminal proceedings at the discretion of the Director of Community Standards. The University cooperates with law enforcement, or other agencies, in the enforcement of laws on campus and in regards to its students. This includes providing information requested by subpoena or as otherwise permitted by law.

Determinations made or sanctions imposed under *The Student Code* shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

4. Sexual violence, including but not limited to, sexual assault and sexual exploitation, dating violence, domestic violence, stalk, sexual harassment, and gender-based harassment are prohibited by the [Sexual Violence Policy](#) and may be adjudicated under the [Investigation and Resolution Procedures](#).
5. Discrimination and discriminatory harassment are prohibited by the Policy Against Discrimination, Discriminatory Harassment and Retaliation (included in the [Equal Opportunity, Diversity and Affirmative Action Plan](#)) and may be adjudicated under the [Investigation and Resolution Procedures](#).

6. Generally, the influence of drugs and/or alcohol on a student's judgment or behavior will not be accepted as a mitigating factor with respect to the resolution of an act of misconduct.
7. Students are responsible for the consequences of their actions even when the conduct may have been influenced by their physical or emotional state (irrespective of any medical or clinical diagnoses).
8. Students are responsible for the contents of their rooms, cars, lockers, or person regardless of claims of personal ownership. Students may also be held responsible for shared common areas. Students need not be present or notified when an inspection is conducted.
9. Students are responsible for the conduct of their guests and should be with guests at all times.
10. If an incident report involves more than one charged student, or if there is more than one incident involving the same student, the Director of Community Standards, or designee, in his/her discretion, may determine whether an Administrative Conference and/or Investigation concerning each incident will be conducted either separately or jointly.

B. Conduct Rules and Regulations

As members of the University community, students have an obligation to uphold *The Student Code* as well as to obey University policies, as well as federal, state, and local laws. The Director of Community Standards or designee shall make the final determination on what constitutes a potential violation of *The Student Code* and shall establish the specific behavioral allegations(s) as appropriate.

Bridgewater State University considers the safety and personal well-being of members of the University community a priority. The University recognizes that there may be alcohol or drug-related medical emergencies or other safety emergencies in which the potential for disciplinary action could act as a deterrent to students who want to seek assistance for themselves or others. Consequently, students who are transported to a local hospital, placed in protective custody, or evaluated as a result of the abuse of alcohol or other drugs will be required to meet with a member of the Office of Community Standards or designee within forty-eight (48) hours of the incident. Failure to schedule and attend the session may result in disciplinary action. When a student aids an intoxicated or impaired individual by contacting Bridgewater State University Police or Residence Life staff, it is up to the discretion of the Director of Community Standards, or designee, to determine if either party will be subject to disciplinary action.

The following list of behaviors is intended to represent the types of acts that constitute violations of *The Student Code*. Although the list is extensive, it should not be regarded as all-inclusive. All community members are responsible for knowing and observing all Policies.

1. Acts of dishonesty including, but not limited to: furnishing false information; forgery, alteration or misuse of any document, record, or instrument of identification; or misrepresenting oneself as another. This may also include violations of the Academic Integrity Policy. Alleged academic dishonesty violations will be addressed according to the

provisions of the Academic Integrity Policy.

2. Disruptive behavior which is defined as participating in or inciting others to participate in the disruption or obstruction of any University activity, including, but not limited to: teaching, research, events, administration, Community Standards proceedings, the living/learning environment, or other University activities, on or off-campus; or of other non-University activities
3. Harming behavior, which includes, but is not limited to: the true threat of or actual physical force or abuse or bullying. In determining whether an act constitutes bullying, The Office of Community Standards will consider the full context of any given incident, giving due consideration to the protection of the members of the University community, and the individual rights, freedom of speech, academic freedom and advocacy required by law. Please note that not every act that might be offensive to an individual or a group necessarily will be considered a violation of *The Student Code*. In addition, please note that any allegation of harming behavior and/or bullying involving alleged discrimination and/or discriminatory harassment on the basis of race, color, creed, religion, national origin, gender, marital or parental status, age, disability, sexual orientation, gender identity, gender expression, genetic information, or veteran status, including, but not limited to, sexual harassment, sexual misconduct, dating violence, domestic violence, and stalking, will be considered under Section 4 and 5.
4. Violation of University Policy Against Discrimination, Discriminatory Harassment, and Retaliation. The University prohibits discrimination and discriminatory harassment on the basis of race, color, creed, religion, national origin, gender, marital or parental status, age, disability, sexual orientation, gender identity, gender expression, genetic information, or veteran status. The University also prohibits retaliation against any person who files a claim, complaint, or charge under these procedures or applicable law or who assisted or participated in an investigation or resolution of such claim, complaint, or charge. For further information regarding this policy, see the [Equal Opportunity, Diversity and Affirmative Action Plan](#) and the [Investigation and Resolution Procedures](#).
5. Violation of the Sexual Violence Policy. The University prohibits, sexual harassment, gender-based harassment, sexual violence (including sexual assault, sexual exploitation, incest, and statutory rape), dating violence, domestic violence, and/or stalking. The University also prohibits retaliation against any person who files a claim, complaint, or charge under these procedures or applicable law or who assisted or participated in an investigation or resolution of such claim, complaint, or charge. For further information, see [Sexual Violence Policy](#) and [Investigation and Resolution Procedures](#).
6. Endangering behavior which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including one's self.
7. Failure to abide by the Hazing Policy. Please note, the express or implied consent of the victim will not be a defense. Apathy and/or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
8. Failure to abide by the Alcohol Policy. Notwithstanding the Alcohol Policies, specific violations include:
 - a) Being a student, under the age of 21, not engaged in an employment or other permissive activity, in the presence of an alcohol container.

- b) Possession, or use, of alcohol by a student under the age of 21. Possession of alcohol at Bridgewater State University is limited to those who are 21 years of age and older. .
 - c) Serving, distributing, or obtaining alcohol for any individual who is under 21 years of age. Serving, distributing to or obtaining alcohol for any individual who is under 21 years of age is prohibited. Allowing a person under the age of 21 to consume alcohol is prohibited. Providing alcohol to a person who is visibly intoxicated and or pressuring others to use alcohol is a violation of this policy.
 - d) Possession, use, sale or distribution of a false identification card, or other false age or identity verification form.
 - e) Use of an alcohol container (including, but not limited to empty beer cans or bottles, etc.) as a room decoration, vase, or storage item.
 - f) Possession of alcohol in a residence hall other than residents of the Great Hill Apartments who are 21 years of age or older who may possess alcohol in their rooms. Possession of alcohol by an apartment resident is limited to 72 oz. of beer, or 200 ml of hard alcohol, or 75- ml of wine, or 72 oz. of a wine cooler in a 24 hour period. Limits apply to full, partially full, or empty alcoholic beverage containers.
 - g) Commercial delivery of alcoholic beverages to the campus is prohibited.
 - h) Any alcohol stronger than 80 proof is not permitted on campus.
 - i) Drinking games are prohibited. Paraphernalia used to administer drinking games or assist the user in ingesting alcohol at a fast rate are a violation of *The Student Code*. This includes, but is not limited to, funnels and beer pong. Such paraphernalia may not be maintained on University property and will be confiscated if discovered.
 - j) Common source containers containing alcohol are prohibited. This includes, but is not limited to kegs, beer balls, and/or punch bowls being used to serve alcohol.
 - k) Public intoxication, either on campus or off campus, is prohibited.
 - l) Public consumption of alcoholic beverages or possession of an open container of alcohol in an area not authorized by University Officials, is prohibited in public.
 - m) Operation of a motor vehicle which contains alcohol, by a student under the age of 21, regardless of the age of any passenger, is prohibited.
 - n) Use of alcoholic beverages to render another person physical or emotionally incapacitated is prohibited.
 - o) Operating a vehicle under the influence of alcohol on campus or off-campus is prohibited.
9. Failure to abide by the Drug Free Policy. Notwithstanding the Drug Free Policies, specific violations include:
- a) The possession, use, cultivation, manufacture, or distribution, of illegal drugs, narcotics or controlled substances, or attempts to commit the same, is prohibited. This includes the use or possession of legally prescribed drugs which fall outside the parameters of the medical prescription.
 - b) Being under the influence of illegal drugs is prohibited.
 - c) Being a student in the presence of illegal drugs is prohibited.
 - d) The use of drugs to render another person physically or emotionally incapacitated is strictly prohibited.
 - e) The possession, use, sale or distribution of drug paraphernalia is strictly prohibited.
 - f) Operating a vehicle while under the influence of drugs on-campus or off-campus is prohibited (exception: the use of medication prescribed by a doctor in accordance with such prescription).

While Massachusetts state law permits the use of medical marijuana, federal law prohibits marijuana use, possession, distribution, and/or cultivation at educational

institutions. Therefore, the use, possession, distribution or cultivation of marijuana for medical purposes is not allowed in any Bridgewater State University residence hall or on any other Bridgewater State University premises; nor is it allowed at any University-sponsored event or activity off campus. Anyone who possesses or uses marijuana at any Bridgewater State University premises may be subject to civil citation, state or federal prosecution, and University discipline.

In addition, no accommodations will be made for any student in possession of a medical marijuana registration card except that Bridgewater State University may release students from their occupancy license if approved as a reasonable accommodation for a documented disability requiring use or possession of marijuana for medical purposes. .

10. Failure to abide by the Tobacco Free Policy.
11. Failure to abide by the Weapons Policy.
12. Uncooperative behavior which includes, but is not limited to, uncooperative behavior and/or failure to comply with the directions of, providing false information, and/or failure to identify oneself to University officials or law enforcement officers acting in the performance of their duties.
13. Creating a fire hazard or a situation that endangers others such as arson; the unauthorized or improper possession, use, removal or disabling of fire safety equipment and warning devices; failure to follow fire safety procedures or instructions; or interference with firefighting equipment or personnel.
14. False reporting of fire, bombs, or other emergency situations.
15. Assisting another person in the commission, or attempted commission, of a violation of *The Student Code*.
16. Conduct that is lewd or indecent such as public urination, public defecation, streaking, stripping, or solicitation of a stripper.
17. Violations of campus guest regulations – student hosts are responsible for their guests' actions.
18. Violation of published University policies.
19. Violation of the Residence Hall License Agreement.
20. Theft, which includes, but is not limited to, attempted or actual theft or unauthorized use or possession of property, resources, or services.
21. Forcible entry or unauthorized entry and/or presence in buildings or property, or attempts to commit the same. Reasonable notice of authority, or lack thereof, shall be given.
22. Damage or misuse of property which includes, but is not limited to, attempted or actual damage to or misuse of University property or other personal or public property as well as actions which obstruct, disrupt, or physically interfere with the use of University equipment

- (including safety and security equipment) or premises.
23. Unauthorized possession, duplication, or misuse of University property or other personal or public property, including but not limited to records, electronic files, telecommunications systems, forms of identification, and keys.
 24. Violation of federal, state, or local law or conduct that would violate the legal rights of others.
 25. Failure to abide by the Gambling and Bookmaking policy.
 26. Failure to abide by the Solicitation Policy.
 27. Failure to abide by the Responsible Use of Information Technology Policy.
 28. Failure to maintain a hygienic living and learning environment.
 29. Unauthorized use of the University name, logo, mascot, or other symbol.
 30. Abuse of the University Community Standards system, including, but not limited to:
 - a) Disruption or interference with the orderly conduct of a Community Standards proceeding.
 - b) Falsification, distortion, or misrepresentation of information to a Community Standards officer or Administrative Review Committee.
 - c) Influencing or attempting to influence another person to commit an abuse of the Community Standards system.
 - d) Attempting to discourage an individual's proper participation in, or use of, the Community Standards system.
 - e) Attempting to intimidate a member of a review body prior to, during, and/or after a Community Standards proceeding.
 - f) Institution of a Community Standards code proceeding in bad faith.
 - g) Failure to comply with the sanction(s) imposed under *The Student Code*.
 31. Attempted use or actual use of electronic devices that invade a person's privacy.

Part IV: Community Standards Procedures The following procedures are the procedures followed to adjudicate all Code of Conduct violations except that allegations of discrimination, discriminatory harassment, sexual harassment, gender-based harassment, sexual violence, dating violence, domestic violence, or stalking committed by a student involving a student as the alleged victim may be adjudicated under the [Investigation and Resolution Procedures](#). Please see the [Equal Opportunity, Diversity and Affirmative Action Plan](#), the [Sexual Violence Policy](#) and the [Investigation and Resolution Procedures](#) for further information.

A. Allegations

1. Any person may file a report regarding any student or registered student organization alleging misconduct. To initiate the Community Standards process, reports shall be prepared in writing and directed to the Director of Community Standards or to a designee. A report should be submitted as soon as possible after the alleged misconduct takes place.

2. The Director of Community Standards or designee shall determine if a complaint alleges or addresses a potential violation of *The Student Code* and will notify the respondent of such allegations. The decision to continue a complaint through the Community Standards process is the decision of the Director of Community Standards or designee.
3. Generally, the Director of Community Standards or designee will assign a Community Standards officer(s) to the case who will investigate, schedule a conference with the respondent(s) and other individuals as deemed necessary and appropriate.
4. The Director of Community Standards, or designee, will determine what testimony, witnesses, or other information is relevant and may exclude information or witnesses that are deemed immaterial and/or irrelevant.

B. Administrative Conference

1. The Administrative Conference is a meeting between a respondent and a Community Standards officer to review a complaint/incident, explain the Community Standards process, and possible options for resolving the matter.
2. After reviewing the incident with the student, the Community Standards officer will determine appropriate allegation(s) and/or violation(s), if any, and whether or not the situation may be resolved by way of an Administrative Conference Agreement or by an Investigation/Administrative Review. Students can also request an Investigation/Administrative Review.
3. If a respondent does not schedule or attend a conference by the date specified, or if the respondent schedules a conference, but does not attend or attends but does not participate, the incident may be referred to an Investigation/Administrative Review.
4. If the Community Standards officer and student are able to resolve the incident regarding the allegations and/or violations, but not the sanctions, the Investigation/Administrative Review shall focus on the sanctions.
5. A student who agrees to resolve any allegation(s) and/or violation(s), and/or sanctions without an Administrative Review shall have no right to appeal.

C. Investigation/Administrative Review for Allegations and/or Violations:

1. If a situation cannot be resolved in an Administrative Conference, a full investigation will be conducted by the Community Standards officer (“investigator”).
2. If a respondent does not schedule or attend a conference by the date specified, or if the respondent schedules a conference, but does not attend or attends but does not participate, the Community Standards Officer may complete the investigation based on the information obtained. This includes the use of police investigation reports.
3. The complainant, any alleged victim, and the respondent shall each have the right to:

- a. Be notified of all alleged allegation(s) and/or violations. This will typically be done through the University e-mail system. Students are responsible for checking their University e-mail and following the instructions contained within the e-mail.
 - b. Review any written complaint(s) submitted in support of the allegation(s) and/or violations.
 - c. Be informed about the Community Standards process.
 - d. Submit a written account or present a personal statement regarding the incident. The decision to not present information is not an admission of responsibility and will not be considered as such.
 - e. Present relevant information, including names of witnesses, questions for witnesses (including the individual reporting the misconduct) and other documentation, regarding the incident.
 - f. Be accompanied by an advisor during any Community Standards meeting in which the student is participating. A student should select an advisor of their choice whose schedule allows attendance at the scheduled date and time for the meeting(s) because delays will not normally be allowed due to the scheduling conflicts of an advisor.
 - g. Receive upon written request, at the conclusion of the investigation and appropriate review, a copy of the investigator's report, to the extent permitted by law.
 - h. Present a personal and/or community impact statement regarding potential sanctioning to the Administrative Review officer(s).
4. Upon completion of the investigation, the investigator will submit to the Director of Community Standards, or designee, a report containing factual findings based on a preponderance of evidence standard, a determination of responsibility, and a recommendation regarding any disciplinary action that may be appropriate. If there is a finding of responsibility, the Investigator will request that a respondent and/or complainant submit a community impact statement and notify the respondent and/or complainant of the Administrative Review to the extent permitted by law.
5. One or two Administrative Review officers will be assigned to review the report, minus the recommendation regarding any disciplinary action as well as community impact statements, and issue a formal decision regarding findings of responsibility. The Administrative Review Committee may adopt the investigator's report, consult with the investigator, request that further investigation be done by the same or another investigator (including questioning of the parties), or request that the investigation be conducted again by another investigator. The Administrative Review Committee may not, however, conduct its own investigation or Administrative Review.
6. If there is a finding that the respondent has violated *The Student Code*, the Administrative Review officers will review the respondent's academic transcript and Community Standards

history, if one exists, the recommendations regarding any disciplinary action, and any submitted personal and/or community impact statements.

7. Once the Administrative Review Committee has completed its review on findings and sanctions, the investigator shall send the final report to the Director of Community Standards, or designee. The respondent will be notified in writing of the findings and imposed sanctions. The complainant will be notified in writing of any sanction that has a direct impact on him/her if permitted or required by law. Upon written request, a copy of this report shall be made available to the respondent, alleged victim, and complainant if permitted or required by law. The respondent, the alleged victim, and the complainant will be simultaneously notified of the factual finding(s) in writing if permitted or required by law.

D. Investigation/Administrative Review for Sanctions:

1. If a Community Standards officer and student are able to resolve the incident regarding the allegation(s) and/or violation(s), but not the sanctions, the Investigation/Administrative Review shall focus on the sanctions.
2. If a respondent does not schedule or attend a conference by the date specified, or if the respondent schedules a conference, but does not attend or attends but does not participate, the Community Standards officer may complete the investigation based on the information obtained. This includes the use of police investigation reports.
3. The complainant, any alleged victim, and the respondent shall each have the right to:
 - a. Be notified of all alleged allegation(s) and/or violation(s). This will typically be done through the University e-mail system. Students are responsible for checking their University e-mail and following the instructions contained within the e-mail.
 - b. Review any written complaint(s) submitted in support of the allegation(s) and/or violation(s).
 - c. Be informed about the Community Standards process.
 - d. Be accompanied by an advisor of their choice during any Community Standards meeting in which the student is participating. A student should select an advisor of their choice whose schedule allows attendance at the scheduled date and time for the meeting(s) because delays will not normally be allowed due to the scheduling conflicts of an advisor of their choice.
 - g. Receive upon written request, at the conclusion of the investigation and appropriate review, a copy of the investigator's report, to the extent permitted by law.
 - h. Present a personal and/or community impact statement regarding potential sanctioning to the review officer(s).
4. Upon completion of the investigation, the investigator will submit to the Director of Community Standards, or designee, a report containing factual findings based on a preponderance of evidence standard, a determination of responsibility (typically, a signed

agreement where the student has taken responsibility for the allegation(s) and/or violation(s), and a recommendation regarding any disciplinary action that may be appropriate.

5. One or two Administrative Review officers will be assigned to review the report and issue a formal decision regarding sanctioning. The Administrative Review officers will review the respondent's academic transcript and Community Standards history, if one exists, and any submitted personal and/or community impact statements. The respondent will be notified in writing of the findings and imposed sanctions. The complainant will be notified in writing of any sanction that has a direct impact on him/her as permitted or required by law.
6. Once the Administrative Review Committee has completed its review on findings and sanctions, the investigator shall send the final report to the Director of Community Standards, or designee. Upon written request, a copy of this report shall be made available to the respondent, and complainant as permitted or required by law.

E. Determination of Facts Relative to an Alleged Violation

1. The standard used in determining whether or not the accused student violated the University policy is a preponderance of the evidence (whether it is more likely than not that a violation occurred).

F. Sanctions

1. If the respondent is found responsible for violating *The Student Code*, appropriate sanctions will be imposed. Sanctions are determined by considering the nature of the misconduct, precedent regarding such misconduct, student's Community Standards history, student's present demeanor, the community impact statements and/or mitigating or aggravating factors.
2. Sanctions for violations of the [Sexual Violence Policy](#) (e.g., sexual violence, domestic violence, dating violence, stalking, or hostility based on sexual or gender-based harassment), are described in the [Investigation and Resolution Procedures](#) and further described below.
3. The University has a special concern for incidents in which persons are mistreated because of race, gender, disability, age, marital status, religion, color, national origin, sexual orientation, gender identity, gender expression, veteran status, genetic information, or other personal characteristic. Such incidents damage not only individuals, but also the free and open academic environment of the University. More severe sanctions are appropriate for such misconduct. Please see the [Equal Opportunity, Diversity and Affirmative Action Plan](#) and the [Investigation and Resolution Procedures](#).
4. Some University policies specify sanctions for violations. See individual policies for sanctions required, if any.
5. A campus department, separate from the Office of Community Standards, may place a restriction on a student found responsible for violating *The Student Code*.
6. The following sanctions may be imposed, individually or in various combinations, on any student found to have violated *The Student Code*. Please note that this is not an exhaustive list of sanctions:

- a. **University Expulsion:** Permanent separation of the student from the University. A student who has been expelled is prohibited from participating in any University activity or program. The individual may not be in or on any University premises.
- b. **University Suspension:** University Suspension is a separation from the University for a designated period of time. Students who are suspended from the University are restricted from all University premises and activities, including but not limited to, course registration, class attendance, participation in co-curricular activities and University housing. Students who have been separated from the University for a period of time must meet with the Vice President for Student Affairs or designee two weeks prior to the next registration period for which the student is eligible to review any outstanding sanctions and the readmission process.
- c. **Probation:** Probation is an indefinite period of time during which the student is given the opportunity to modify unacceptable behavior, to complete specific assignments, and to demonstrate a positive contribution to the University community, in an effort to regain student privileges within the University community. Six (6) months from commencement of the Probation, the student may apply for a review of the student's probationary status. The student will need to meet with the Director of Community Standards, or designee, and demonstrate significant contributions, both of an academic and co-curricular nature, to the University community. The Director of Community Standards, or designee, will determine if the student will continue on Probation or if the Probation is lifted. The decision of the Director is final and not subject to appeal. If it is decided that Probation will continue, the student may re-apply in six (6) months after the decision. Due to the student's Community Standards history there is the possibility of University Suspension or University Expulsion if the student is found responsible for a subsequent violation.
- d. **Warning:** A written notice that the student has violated University policy or the Code of Conduct and a warning that another violation will likely result in more severe sanctions which could include University Probation, Temporary or Permanent Residence Hall Suspension, University Suspension, or University Expulsion.
- e. **Permanent Residence Hall Suspension:** Permanent separation of the student from the residence halls.
- f. **Temporary Residence Hall Suspension:** Temporary separation of the student from the residence halls for a specific period of time, after which the student may reapply for housing. Reapplication for housing does not guarantee immediate placement. Conditions for returning to the residence halls may be specified.
- g. **Relocation of Residence:** Required assignment to another residence area.
- h. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
- i. **Restriction:** Denial of access to any campus facility, activity, class or program. This includes No Contact Orders.
- j. **Fines:** Financial sanction.
- k. **Disciplinary Hold:** A hold may be placed on a student's account. This may impact the student's ability to register for classes, obtain certain academic records, or register for housing.
- l. **Restitution:** Compensation for loss, damage or injury. This may take the form of appropriate service or monetary or material replacement.
- m. **Community Restitution Project:** Assignment of an appropriate service project that will benefit the University community, responsible student or others.
- n. **Assessment:** A student may be referred to an appropriate office or local agency for consultation or assessment. These may include Alcohol and Other Drug (AOD) Assessments and Anger Assessments.

- o. **Educational Program/Project:** Participation in a health or safety program (the student may be required to pay a fee); seminar; and other assignments as warranted.
 - p. **Revocation of Admission or Degree:** Admission to the University or revocation of a degree awarded from the University may be revoked for fraud, misrepresentation, or another violation of *The Student Code* in obtaining the degree or for other serious violations committed by a student after admission or prior to graduation.
 - q. **Withholding Degree:** The University may withhold awarding a degree otherwise earned until the completion of the disciplinary process set forth in *The Student Code*, including the completion of all sanctions imposed, if any.
7. The following sanctions may be imposed upon registered student organizations:
- a. Those sanctions listed above.
 - b. **Loss of Recognition:** Loss of all University privileges for a designated period of time. Loss of recognition for more than two consecutive semesters requires an organization to reapply for University recognition. Conditions for future recognition may be specified.

G. Appeals

1. A decision reached through an Administrative Conference cannot be appealed.
2. A decision reached through the Administrative Review Committee may be appealed by the respondent(s) or complainant(s) or victim(s), when legally appropriate, to an appellate body board within five (5) business days of the decision.
3. All appeals shall be submitted through the on-line form found here <https://my.bridgew.edu/departments/OSC/Lists/Appeal%20Form/newform.aspx?source=https%3a//my.bridgew.edu/departments/OSC/SitePages/Thank%20You.aspx>
4. The appeal form must state the reasons for the appeal and provide information as to the basis of the appeal.
5. Except as required to explain the basis of new information, an appeal shall be limited to a review of the investigation report and review findings. The review shall be for one or more of the following purposes:
 - a. To determine whether the Administrative Review was conducted in conformity with prescribed procedures giving the complainant and victim a reasonable opportunity to prepare and to present information that *The Student Code* was violated, and giving the respondent a reasonable opportunity to prepare and to present a response to those allegation(s) and/or violation(s).
 - b. To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original investigation, because such information and/or facts were not known to the person appealing at the time of the investigation.
6. If an appeal is upheld by the appellate body, the matter shall either be referred to the original Administrative Review Committee to allow reconsideration of the original determination or the appellate body will determine any change. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.
7. All parties to an appeal will promptly receive simultaneous written notice of the outcome of the appeal.

H. Accommodations for Students with Disabilities

1. A student with a disability who desires an accommodation in regard to an Administrative Conference, Administrative Review, appeal, or probation review meeting must request an accommodation by following the procedure for requesting an accommodation through Disabilities Resource Office. The Disabilities Resource Office will make a determination regarding the request and notify the appropriate parties. A student will not be considered to have a disability unless and until the student registers with the Disabilities Resources Office. Please contact the Disability Resources Office at (508) 531-1214 or by email at Disability_Resources@bridgew.edu for further information.
2. Reasonable accommodations depend upon the nature and degree of severity of the individual's documented disability and the setting for which the accommodations are requested. The University is not required to grant a requested accommodation that is unreasonable, ineffective, an undue burden or substantially alters a University program, service or practice. Reasonable accommodations will be provided as required by law.

Part V: Interim Administrative Action

1. The Vice President for Student Affairs, or designee may impose an interim "University Suspension," an interim "Removal from Housing," an interim "Loss of Recognition", and/or other necessary restrictions on a student prior to or during an Administrative Review of the student's alleged violation. Such action may be taken when, in the professional judgment of a University official, a threat of harm to persons or property exists, or to protect the safety of any person.
2. Interim administrative action is not a sanction. It is taken in an effort to protect the safety and well-being of the complainant, respondent, other members of the Campus Community, the University, or property. Interim administrative action is preliminary in nature; it is in effect only until an Administrative Review has been completed. However, violations of interim administrative action may result in additional violations and sanctions including University Suspension or University Expulsion.

Part VI: Maintenance and Review of Community Standards Files

1. Community Standards files are deemed educational records and are maintained separately from any other academic or official file at the University by the Director of Community Standards or designee. Generally, information from the files is not released without the written consent of the student. However, certain information may be provided without a student's prior consent to individuals within the University who have a legitimate legal or educational interest in obtaining it, and to individuals outside the University under certain circumstances. (Please refer to the federal [Family Educational Rights and Privacy Act of 1974](http://www.ed.gov/policy/gen/guid/fpc/ferpa/index.html), as amended by clicking here <http://www.ed.gov/policy/gen/guid/fpc/ferpa/index.html>)
2. The sanctions of "University Suspension" and "University Expulsion" will be noted on the student's official transcript. A suspension will be noted until graduation or four (4) years following the end of the period of suspension, whichever occurs first. An expulsion will be noted

permanently.

3. A Community Standards file is maintained chronologically by incident date and then by respondent. A student may have more than one file. Generally, a Community Standards file, including related documents, will be kept seven (7) years from the date of the incident. The Community Standards file of an expelled student shall be retained indefinitely. Information contained in the incident database is maintained for seven (7) years from the date of the incident.
4. In situations involving both a respondent and student who believes he/she was victim of a student's misconduct, the records of the process, if any, will be considered to be the educational records of both the charged student and the student who believes himself/herself to be the victim because the educational career and chances of success in the academic community of each may be impacted.

Part VII: Interpretation and Revision

1. Any questions of interpretation regarding *The Student Code* shall be referred to the Director of Community Standards or designee for determination. The Director of Community Standards or designee's determination is final.
2. *The Student Code* shall be reviewed at least every three (3) years under the direction of the Vice President for Student Affairs. Substantive revisions shall be approved by the Cabinet.