Advocate and Mentor Guide
2016-2017
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Center for Student Conduct mission statement
In order to promote community standards the Center for Student Conduct designs and delivers a fair and educationally-based behavioral conduct process as well as policy education and training to the RIT community. We accomplish this by emphasizing accountability, emotional growth, conflict resolution, restorative values and campus safety.

Why do we have a conduct process?
A conduct process can be utilized to uphold community standards by holding students accountable. It can also provide campus and individual safety. Any institution receiving state or federal aid needs to comply with local, state, and federal laws. Student growth and development is a major factor behind having a conduct process.

Overview of conduct field
The field of student conduct has been around for as long as American colonial colleges existed— even Thomas Jefferson wrote about it (and was nervous about student misbehavior)! Throughout history, institutions engaged in the philosophy of in loco parentis, where they acted as “parents” for students. In the 1960s and 1970s, the courts started to become involved in what colleges were doing, causing a shift in both philosophy and practice. The courts mandated some components be put into place for conduct processes, such as notification of hearing dates and allowing the student to share their perspective (not always done before), and colleges needed to comply. In an attempt to prevent lawsuits, colleges created very legalistic codes of conduct. During the 1990s and 2000s, another shift was taking place in an effort to make the process more educational and less reflective of the court system. Currently the field expects a developmental approach to conduct while balancing the community needs.

“The article of discipline is the most difficult in American Education. Premature ideas of independence, too little repressed by parents, beget a spirit of insubordination, which is the greatest obstacle to science with us, and a principle cause of its decay since the revolution. I look to it with dismay in our institution, as a breaker ahead, which I am far from being confident that we shall be able to weather.” -Thomas Jefferson, 1822
Language overview

Language is very important when working with students. Some students believe the process is like going to court, which is not true. Below is a list of some jargon used in our field so you can familiarize yourself with words you may hear during the process. There is also a list of comparable words either used in the legal system or at other schools.

What about lawyers- can they attend the hearing? Lawyers can only attend a hearing if the student is being charged criminally for the same incident.

<table>
<thead>
<tr>
<th>Words Used at RIT</th>
<th>Legalistic Words Not Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearing: meeting to determine if a student violated code of conduct</td>
<td>Trial, Court</td>
</tr>
<tr>
<td>Hearing Officer, Conduct Officer: staff member who will meet with the student and decide the outcome</td>
<td>Judge</td>
</tr>
<tr>
<td>Charge Letter: notice of possible policy violations and hearing information</td>
<td>Subpoena, Warrant</td>
</tr>
<tr>
<td>Preponderance of evidence: standard to which hearing officers decide if the student violated policy (more likely than not)</td>
<td>Beyond a reasonable doubt, clear and convincing, etc.</td>
</tr>
<tr>
<td>Responsible, Not Responsible: findings of policy violations</td>
<td>Guilty, Innocent</td>
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</tbody>
</table>
Conduct Process Overview

Common Outcomes
* Warning
* Probation
* Suspension
* Expulsion

Other Possible Outcomes
* Notice of Incident
* Not Responsible/No Action Taken

Common Conditions
* Removal from Housing
* University Housing Probation
* Counseling Referral
* Alcohol & Drug Assessment
* Reflection and Development Seminar
* Community Restitution
* Other educational assignments
Administrative Process Overview

You will receive all correspondence through Maxient or emails. If you receive an email from Maxient, it will appear like this:

Click on “Pick up your letter” and enter your name and RIT ID number. This is a secure way to share information related to the hearing.

Administrative Process

When we receive a report, we determine what action should occur (nothing/keep for record, conversation, or hearing) and with who (Center for Student Conduct or Residence Life)

Student is emailed a charge letter with possible policy violations, information about the hearing process and information about the advocacy program (with names of available advocates)

Student finds an advocate one of three ways:

- Student reaches out to faculty or staff not on our list– CSC trains them
- Student reaches out to trained faculty or staff from the list (CSC may or may not know)
- Student reaches out to CSC and asks for advocate– we email advocate list

Center for Student Conduct:
Tammy works to schedule hearing

Tammy looks at student’s class schedules

All schedules of staff members who should be present are considered

Once staff members accept hearing time, students are notified

Tammy puts meeting request in Outlook for staff

Center for Student Conduct → studentconduct@rit.edu

2460 Student Alumni Union → 585-475-5662
Student Rights and Responsibilities

Rights *(Students can request any or all of these at once through the Hearing Request Form found in their charge letter)*

- Right to a pre-hearing
  - What is a pre-hearing?
    - A pre-hearing is an opportunity for the student (and advocate) to meet with a hearing officer who will not be overseeing their case to review the process. The hearing officer will describe what a typical hearing looks like and possible outcomes
- Right to have a copy of a redacted report (report with all of the information except personally identifying information such as cell phone numbers)
- Right to bring witnesses (witnesses need to be RIT community members and CSC needs to be informed 3 days before hearing)
- Right to bring an RIT staff/faculty advocate

A typical hearing follows this format:

- Welcome and light conversation
- Turn on recorder (explain why hearings are recorded)
- Have everyone introduce themselves
- Show students Bill of Rights and ask if they have any related questions
- Go through Public Safety report and other relevant documents
- Ask student to share their perspective
- Conversation opens to questions
- Student and advocate are asked to leave while hearing officer deliberates
- Student and advocate brought back and outcome is shared
- Hearing ends after student signs Conditions Rendered Form and questions are answered

Responsibilities

- Check their email for charge letter
- Schedule the hearing
- Show up for hearing
- Complete any condition (or a hold is placed on student’s account)
Role of the Advocate

Advocates serve as supportive, knowledgeable partners to either a complainant or to a student accused of misconduct regarding the RIT Conduct Code.

Role

- Support the student through the process
- Support the educational purposes of the process
- Serve as a resource to the student
- Participate in the conduct hearing
- Process the outcome of the hearing

Degree of Involvement

- The Advocate does not “represent” the student
- The student must play the primary role in the hearing
- “Active Participation” on the Advocate’s behalf may range from silent support to helping the student respond or make statements and sharing their own perspectives

Selection of Advocate

- Students can select an Advocate from the list of trained Advocates provided by Student Conduct
- Students can select an RIT faculty/staff member with whom they are familiar (training will be provided to that person by Student Conduct)
- Students can request that Center for Student Conduct to provide them with a trained Advocate
Tips for Advocates

Be Informed

- Learn about the conduct process (read this guidebook, the Students Rights & Responsibilities handbook)
- Learn about the incident/case you are going to be working with student on
  - Ask for the Public Safety or RA report and charge letter if you do not receive them

Talk to the Student

- It may be helpful to meet with the student before the hearing, but that is determined by you and the student
- Learn about the student, particularly:
  - The student’s perspective of the incident
  - What they plan on saying during the hearing
  - If they have any conduct history
  - What questions they have about the process
  - How they act in similar situations
  - Help prepare them for the types of questions they could expect during the hearing
  - How they want you to help them (silent support, remind them of things during the hearing, etc.)
  - What is their support network? Do parents/guardians/friends know about this incident?
  - What will they do if they are suspended, removed from housing, etc.?

Follow Up

- Check in with the student before the hearing and during deliberation
- Follow up after the hearing:
  - Ask how they are doing now that they have had time to process
  - Ask if they are planning on appealing and if they would like you as an appeal advocate
Role of the Mentor

Mentors help students reflect on their conduct situations and develop connections at RIT through discussions about their campus involvement and engagement, academics, and positive social outlets.

Role

- Discuss how the student can be successful at RIT both socially and academically,
- How to handle issues related to the code of conduct,
- Students’ goals for RIT and beyond,
- The impact of the community service hours on the student,
- Other topics important to the student
- The mentor relationship will continue for a minimum of one semester with future meetings at the discretion of the student and mentor.

Degree of Involvement

- Three meetings a semester
- Student’s responsibility to schedule meetings
- Student completes 3-5 page paper at the end- mentor and hearing officer both read and respond

Selection of Mentor

- Mentors will be matched with students by the conduct officer with an aim to place a student with a mentor who will complement that student’s needs and personality
- Hearing officer will reach out to a mentor and share student and incident information and ask if they would like to participate
- Hearing officer will then notify student in outcome letter or follow up letter
Tips for Mentors

You can utilize these “E.P.I.C. Development Assessment Recommendations” for guidance (borrowed from the award-winning model at University of Texas at San Antonio)

Engagement
Assess student experience at RIT, living in housing, class, etc. Seek to understand the level of active engagement the student has within the university as well as the internal sense of engagement the student feels towards the institution. Some of this will be evident in general conversation and comment (“I go home every weekend.”), but the following questions are available to further understand the student’s development along the continuum.

- Tell me about your involvement at RIT?
- What programs have you attended on campus? (housing or otherwise)
- What are you enjoying about your experience at RIT?
- What are you planning on getting involved in at RIT?

Personal Development
While this can certainly be the broadest area of development, consider the violation(s) and specify to a more local area of personal development as it applies, (i.e. maturity, cognition, and dependence, social, professional, emotional, and physical). This too may be easily assessed through general conversation and the student’s behavior at the conference, and description of the incident. Basic personal questions and others regarding the student’s understanding of the issue at hand may be most useful. The key to this assessment is narrowing the focus and following that path.

- Have you shared this with anyone?
- What is your major? What are your plans for the future?
- Do you know why you are here? If so, why?
- How do you handle stress?
- How do you typically react in these situations? How do you move past similar incidents?
Interpersonal Development
Conversely, this area is more focused, specifically dealing with relationships, behaviors and attitudes towards other individuals. This can be assessed through observing behavior with others (i.e. physical improprieties, Face book/Instant Message communication), and attitudes and awareness of others (exposure to diverse groups), in addition to the following questions.

- Tell me about your relationship with your roommate.
- What do you consider to be a healthy relationship?
- What do I mean when I say personal boundaries?
- What do you mean when you say, “Those kinds of people?”
- Describe yourself. How would you like to be portrayed to others?
- How do you prefer to communicate?

Community Membership
Assessment of an individual’s development in this area has a more macro level focus addressing issues of civility, citizenry, and accountability to the community. The student’s attitudes and perceptions of self amongst the group in which they exist are vital to understanding their level of development in this area. Involvement and service oriented activity can be indicative of community membership.

- How did your actions affect the community? (University community, etc.)
- What do you enjoy doing?
- What kind of community service are you a part of?
- Why do we have community standards?
Self-Care

The role of advocate or mentor can sometimes be an emotional process for both the student and the staff or faculty member. Below are some ways to take care of yourself before, during and after the specific case you are advising. An easy self-check throughout the advocate or mentor process is recognizing your HALT (Hungry, Angry, Lonely, Tired) level and taking the appropriate self-care measures if you feel any of these things.

Before meeting with the student, have your information regarding the conduct process ready so you know what information to cover with the student. Also prepare yourself emotionally to hear the student’s story, which they may or may not share. It is not your job to do detective work by asking them details about the incident, but certainly ask how they are currently doing and how they are preparing themselves for the hearing (for advocates) or how the hearing went (for mentors). It is helpful to find out what other support the student has, including family, friends and legal support.

In providing for a student in these roles, you may experience some emotional reactions; some emotions like sadness or anger may seem natural, whereas you may have some reactions you did not expect. Being a supporter for a student accused of violating policy is sometimes a difficult task as you may have negative feelings for the student. Some things to keep in mind which may help your advocacy for the student: Don’t take what they are charged with personally, educate yourself about the policies, understand your own feelings, and acknowledge their feelings.

Some common stress reactions include: increase or decrease in activity level, difficulty sleeping, numbing, irritability, anger, frustration, helplessness, physical reactions (headaches, stomachaches, etc.), anxiety and decreased social activities. Some extreme stress reactions are more serious and warrant support from a professional or your supervisor. These can include: confusion, demoralization, resignation, preoccupation of trauma experienced by the victim, depression.
After the hearing, depending on the outcome, the student may be very emotional; they will probably be emotional regardless of the outcome, but be prepared for what could be relief or what could be anger and resentment with RIT. Allowing the student to talk and making sure they have support after they leave you is important. You may have your own emotions after the outcome of the hearing, including relief, anger, or resentment; it is important that you discuss these feelings with someone. The Center for Student Conduct staff members are always willing to speak with you.

Various emotions may set in as the hearing or mentoring period winds down. This is a good time to engage in self-care. Activities that promote self-care include: getting adequate exercise, nutrition and relaxation, and planning for family/home/personal safety. Beneficial stress management tools include: practicing brief relaxation exercises during the workday, sharing upsetting emotional responses with a buddy, staying aware of limitations and needs, increasing positive activities, spending time with family and friends and limiting caffeine, tobacco and substance use.
Student Bill of Rights

All Students can expect the Student Code to be administered in a caring, sensitive and supportive manner, and to be treated with dignity and respect by all persons involved in the conduct process. The Student Code will allow Complainants to utilize the Student conduct process unimpeded, free from intimidation and harassment, while maintaining the rights of the Accused. All Students have the following rights:

1. As citizens of the community at large, including but not limited to:
   a. The right to be free in their persons, living quarters, papers, and effects against unwarranted searches and seizures;
   b. The right to remain silent and to be provided with basic due process in disciplinary proceedings;
   c. The right to privacy (in accordance with the Family Educational Rights and Privacy Act) regarding access to and disclosure of Student records; and
   d. The right to freedom of association.

2. Freedom of inquiry, and expression, along with the right to participate in university governance and to maintain a Student press free from censorship.

3. To be informed of any risks involved in acting as human subjects for research activities conducted through RIT.

4. To receive information pertaining to the Student Code and appropriate referrals for information on the criminal process, where applicable.

5. To receive access to and information pertaining to available counseling assistance.

6. To receive access to assistance throughout the Student conduct process, including the ability to utilize the RIT Advocacy Program.

7. To have access to all information presented during any hearing held in accordance with the provisions of the Student Code, including information and testimony from witnesses.

8. To be informed, in writing, of the results of any hearing held in accordance with the provisions of the Student Code.
Sample Charge Letter

September 3, 2014

Joseph Johnston
Sent electronically to jpvsa@rit.edu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: 2013076601

Dear Joseph:

The Center for Student Conduct and Conflict Resolution has received incident report #2013076601 dated August 17, 2016 from Public Safety which alleges that you had an excessive amount of alcohol to drink and, as a result, had to be transported to the hospital. According to the information we received, the following policies of the RIT Standards of Conduct as listed in the 2015-2016 RIT Student Code of Conduct may have been violated:

1. Alcohol and Other Drugs Policy: Alcohol (Policy D 18, Standard 2)
2. Disruptive/Disorderly Behavior (Policy D 18, Standard 6)
3. Endangering Behavior (Policy D 18, Standard 1)

In order to resolve this issue, we will need to have a student conduct hearing. A hearing is an opportunity for all involved parties to meet with a hearing officer to determine what happened, and if any RIT policies were violated. Please review the list of your responsibilities and rights, which follow.

Your Responsibilities
*Scheduling the hearing. The Center for Student Conduct and Conflict Resolution will schedule your hearing based on your class schedule. If you have any additional times when you are unavailable, it is your responsibility to notify Tammy Brongo at tammy.brongo@rit.edu no later than August 23, 2016. *
*Showing up to the hearing. Show up on time to your hearing once it has been scheduled. If you do not show up for your hearing, it will be held without the benefit of your perspective, and you will be notified of the outcome.
*Reviewing communication. Our office will utilize email to communicate with you throughout this process. It is your responsibility to check your email and read the letters sent to you.

Your Rights
**Student Request Form** This link allows you to request any and all of the following items:

*Notification of the hearing. You can expect your hearing to be held within a few weeks, and you will receive an email notification of the date and time.
*Advocate. You have the right to choose an advocate. An advocate is a knowledgeable faculty or staff member whose role is to support students during conduct hearings, and can meet with students prior to hearings, as well as attend hearings.
*Copy of report. A copy of the report and all available written documents are available through the Center for Student Conduct and Conflict Resolution upon your request.
*Pre-hearing. A pre-hearing is a meeting with the student and a hearing officer in order to review the conduct process and answer any questions before the hearing.
*Witness(es).* Students may bring witnesses to their hearing, upon approval by the hearing officer. You need to notify the Center for Student Conduct and Conflict Resolution at least 3 days prior to your hearing of your witnesses’ names and email addresses. Only witnesses with direct information who are part of the RIT community are allowed to participate. Character witnesses are not allowed.

**Helpful Information**

*Audio/Video Recording.* All hearings in the Center for Student Conduct and Conflict Resolution are audio recorded. For NTID-supported students requesting video recording, please notify the Center for Student Conduct and Conflict Resolution at least 3 days prior to your hearing by emailing Tammy Brongo at tammy.brongo@rit.edu.

*Confidentiality.* The university will keep the report and investigation confidential to the extent possible and in compliance with applicable laws, rules, and regulations.

*Resources.* The Students Rights & Responsibilities Handbook, as well as the Center for Student Conduct and Conflict Resolution website may be helpful resources to prepare for your hearing. We highly recommend reviewing the handbook before your hearing. At the end of this letter you will also find, for your review, the Bill of Rights, Advocate List, and Hearing Procedure outline.

*Contact Information.* The Center for Student Conduct and Conflict Resolution is located in the Student Alumni Union 2460. Our email is studentconduct@rit.edu. Tammy Brongo can be reached at tammy.brongo@rit.edu or 585-475-5662.

If you have any questions about the process or RIT policies, please contact me or refer to the Center for Student Conduct and Conflict Resolution website at RIT Student Rights and Responsibilities Handbook.

Sincerely,

Colette Shaw  
Assistant Director, Center for Student Conduct & Conflict Resolution

Others Who May be Attending the Hearing:  
Public Safety  
Center for Residence Life  
Athletics  

Attachments: Bill of Rights, Advocate List, and Hearing Procedure outline
Sample Outcome Letter

September 3, 2014

Joseph Johnston
Sent electronically to jpjvsa@rit.edu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: 2013076601

Dear Joseph:

This letter is to follow up about the outcome of your student conduct hearing regarding incident #14-0001. During the hearing on September 3, 2014, you took responsibility for drinking while underage and becoming uncooperative with Public Safety officers.

The following determination has been made regarding the Standards for Student Conduct violation(s) for which you were charged:

1. Alcohol and Drug Policy (09.b) -- Responsible
2. Endangering Behavior (01) -- Responsible

As a result, you have been issued the following outcomes(s):

**Probation**
Probationary periods indicate that a Student or Student organization is no longer in good standing with the university and that further violations during the probation (not to exceed two calendar years) may result in extension of the probationary period, additional conditions, or suspension or expulsion. During the period of probation, specific conditions may be assigned. All assigned conditions are required to be completed before their deadlines. If a Student organization with a national affiliation (e.g., a Greek-letter organization) is found responsible for misconduct and is placed on a status of Probation, RIT will inform the national office of the decision. This Probation will remain in effect until **September 3, 2015**.

**Reflection and Development Seminar: Decision-Making and Community Standards**
You are to attend "Decision-Making and Community Standards". You can email studentconduct@rit.edu to schedule this seminar. You are to complete the seminar no later than **April 3, 2014**.

**Alcohol and Other Drug Assessment with Karen Pelc**
You are to meet with Karen Pelc, Student Wellness Coordinator, for an Alcohol and Other Drug Assessment. This appointment must be arranged by no later than **March 14, 2014**. You are encouraged to follow any recommendations offered by Ms. Pelc regarding your use of alcohol and/or other drugs. You can schedule this appointment by contacting Maureen Glegg at mxgral@rit.edu.

*You have the ability to explore your options regarding appealing this decision. Warnings are not appealable. In order to appeal Probation or Suspension, please follow the directions on this form: Appeal Request Form.* Your deadline to appeal is **September 9, 2014**.
Your feedback is important! Please fill out a quick, anonymous survey about the conduct process, and have your voice be heard. If you have any serious questions or concerns, feel free to email our office directly at studentconduct@rit.edu.

If you have any questions concerning this letter, please feel free to contact me.

Sincerely,

HEARING OFFICER
Attachment: Appeal Process PDF
RIT Policy D.18

RIT STUDENT CODE OF CONDUCT

I. INTRODUCTION

An environment that encourages freedom of expression and inquiry is essential to achieving the educational mission of RIT. It is the responsibility of RIT students, faculty/staff and administrators to work towards the achievement of this educational mission through appropriate actions or behaviors related to P.3.0 - Honor Code (https://www.rit.edu/academicaffairs/policiesmanual/p030). When these actions or behaviors are inappropriate, or when these actions or behaviors lead to conflicts, it is the responsibility of RIT to provide a process that informs and educates the RIT community about appropriate behaviors and provides a fair and reasonable manner for the resolution of conflicts. This Student Code of Conduct provides that process for cases involving students.

II. SCOPE

The standards set forth in this policy apply to conduct by or against an RIT Student from the time of acceptance of admission. This includes conduct which occurs while students are on a leave of absence, studying abroad, or on co-op. It also includes conduct which occurs when students are not officially enrolled during a particular term as long as they have a continuing relationship with the university. This policy will apply to a student's behavior even if the student withdraws or graduates from the university while a disciplinary matter is pending, or if the behavior occurs off campus. For purposes of this policy, the location of the off campus behavior will not affect its applicability.

III. DEFINITIONS

Terms not defined elsewhere in this policy are defined below.

A. Accused means any Student member of the RIT Community alleged to have engaged in conduct in violation of the Student Code.
B. Business Day means Monday through Friday and does not include official RIT holidays.
C. Code of Conduct means RIT’s Student Code of Conduct.
D. Complaint means the written charges filed against a Student or Student Organization by a Student Conduct Officer for alleged violation(s) of the Student Code. Complaints may only be filed by a Student Conduct Officer.
E. Complainant means RIT.
F. Report of Misconduct means any allegation of a violation of the Student Code. Anyone may file a Report of Misconduct against a Student or Student Organization.
G. RIT Community means RIT administrators, faculty, staff, Students and Student organizations.
H. Responses for Code of Conduct Violations means all assigned statuses and conditions to hold Students accountable and to support Student reflection and learning from their behaviors.
I. Student means undergraduate, graduate, non-degree seeking, students in not-for-credit programs, and all persons taking courses or training at RIT as well as Students on co-op and Students not officially enrolled during a particular term, but who have a continuing relationship with the university.

J. Student Organization means any RIT recognized student group including fraternities and sororities, athletic teams, clubs, or other student groups on campus.

K. Student Conduct Officer or Conduct Officer means any trained administrator designated by the director of the Center for Student Conduct and Conflict Resolution who is authorized to conduct hearings and to impose the full range of university statuses and conditions. Center for Residence Life professional staff members have the authority to hear cases, and can impose the full range of university statuses and conditions, excluding removal from housing and separation from the university.

L. Student Conduct Appeals Coordinator or Appeals Coordinator means a trained staff member who works with Students interested in appealing decisions of student conduct hearings. The Student Conduct Appeals Coordinator will act as a resource for the Student as they begin the appeal process, and will provide information about the RIT appeals process.

M. Appeals Liaison means a staff member who works with students to help them prepare for the appeal process.

IV. RIT STANDARDS OF CONDUCT

Students and Student organizations are expected to conduct themselves in ways that support the university's mission. The behaviors outlined in these standards are inappropriate and do not support the university's mission. They are listed below to provide Students with information about the university’s expectations for community behavior. Students engaging in inappropriate behaviors, including but not limited to those behaviors listed below, will be afforded the opportunity to participate in the process outlined in the Student Code of Conduct.

A. Endangering Behavior. Behavior that threatens or endangers the health and/or safety of oneself or others. Endangering behavior may include physical, verbal, or electronic abuse, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.

B. Alcohol and Other Drugs Policy. Behavior that involves substances including alcohol and other drugs. For detailed information, see D.18.1 “Alcohol and Other Drugs Policy (https://www.rit.edu/academicaffairs/policiesmanual/d181).”

C. Harassment. Abuse, threats, intimidation, assault, coercion and/or conduct, by physical, verbal, signed, written, photographic or electronic means, which unreasonably interferes, threatens or endangers any person on RIT premises or at university sponsored or supervised functions.

D. Discrimination. The treatment of an individual based on that individual's group, class, or category. Group, class, or category includes, but is not limited to, race, religion, age, citizenship, color, creed, culture, including deaf culture, actual or perceived disabilities, gender, marital status, ethnic or national origin, political affiliation or preference, military or veteran status, sexual orientation, gender identity, gender expression, or genetic predisposition. Any gender-based or sexual misconduct alleged will be adjudicated under

E. **Retaliation.** Any adverse action intended to intimidate or punish another individual from reporting misconduct or participating in any university process or activity.

F. **Disruptive/Disorderly Behavior.** Behaviors that are disruptive to any on or off campus activity or conduct that infringes the rights of others.

G. **Theft.** Attempted or actual theft of, or unauthorized possession of university, personal, or public property.

H. **Property Damage.** Attempted or actual damage, destruction, or alteration of university, personal, or public property.

I. **Refusal to Comply.** Refusal to comply with the legitimate and reasonable request of any university representatives in the performance of their official duties.

J. **Hazing/Failure to Report Hazing.** Behavior, regardless of intent, which endangers the emotional, or physical health and safety of a Student for the purpose of membership, affiliation with, or maintaining membership in, a group or Student Organization. Hazing includes any level of participation, such as being in the presence, having awareness of hazing, or failing to report hazing. Examples of hazing include, but are not limited to, beating or branding, sleep deprivation or causing excessive fatigue, threats of harm, forcing or coercing consumption of food, water, alcohol or other drugs, or other substances, verbal abuse, embarrassing, humiliating, or degrading acts, or activities that induce, cause or require the Student to perform a duty or task which is not consistent with fraternal law, ritual or policy or involves a violation of local, state or federal laws, or the RIT Code of Conduct.

K. **Fire/Fire Safety.** Behavior that results in a fire, a false fire alarm, or a fire safety hazard.

L. **Unauthorized Access.** Unauthorized entry to or presence in any university building or property. Unauthorized possession, duplication, or use of a university key, ID, or access card.

M. **Violation of Law.** Violation of federal, state or local law on university premises or at university sponsored or supervised activities.

N. **Weapon Possession.** Possession of, or implied possession of, a weapon anywhere on property owned, leased, or controlled by the university. Examples of weapons include, but are not limited to, any type of firearm, martial arts tools, paintball and air soft guns, explosives, chemicals used in a dangerous way, and ammunition.

O. **Gambling.** Possession of gambling devices, operation of lotteries and/or the promotion of gambling.

P. **Failure to be a Responsible Host.** Failure to ensure that the behavior of a non-university member complies with university policies.

Q. **Dishonest Behavior.** Any act of dishonesty, including misrepresenting, omitting, altering, or falsifying information to university officials or on university documents, IDs, or records, exclusive of violations of D08.0 - Student Academic Integrity Process.

R. **Violation of RIT Policies.** Violation of published RIT policies, rules, and regulations including, but not limited to, Parking and Traffic Regulations, educational policies including the Student Academic Integrity Policy, Tobacco-Restricted University Policy, Housing Terms and Conditions, Policy with Respect to Demonstrations On Campus, and other outlined university policies, rules and regulations.
S. Code of Conduct for Computer and Network Use. Behaviors related to the misuse of RIT’s computing, network, and information resources, including copyright infringement. For specifics, see C8.2 - Code of Conduct for Computer Use.

V. General Provisions for the Student Code of Conduct

A. The university will take reasonable steps to prevent discrimination and harassment, to prevent the recurrence of discrimination and harassment, and to remedy the discriminatory effects on members of the RIT Community, as appropriate. Any gender-based or sexual misconduct alleged will be adjudicated under D19.0 (RIT's Student Gender-Based and Sexual Misconduct Policy, Title IX). Any conduct hearings or appeals that may be commenced under this policy will be conducted in an impartial manner by an impartial decision maker(s).

B. The university has adopted the following principles to govern its internal Student conduct processes for responding to Student misconduct:

1. Students are adults who are responsible for the consequences of their actions. An academic institution can and should hold a Student accountable for violating institutional policies and rules, particularly when the Student’s conduct interferes with the safety or rights of other members of the institutional community (including fellow Students, faculty, staff and visitors to the campus).

2. The university is not a microcosm of the general community; it is a special purpose community and only activities related to the achievement of its educational purposes are proper to the community.

3. Academic institutions are neither law-enforcement agencies nor sanctuaries from the law. Criminal and civil laws still apply within the academic community. In addition, the university has the authority to establish further policies to educate and hold Students accountable for violating these policies. Where the interests of the academic institution and the members of the university community are involved, the special authority of the university will be asserted.

4. Except for violations of civil or criminal laws, the internal affairs of the university are best handled by the university itself without resort to outside intervention. There can be no guarantee that outside agencies will not choose to intervene on their own or that a victim of a crime will not request the involvement of outside law enforcement.

C. Violations of Criminal or Civil Laws

1. The senior vice president for Student Affairs or designee will determine if the university will refer violations of criminal law to the appropriate law enforcement agencies.

2. A proceeding under the Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Statuses and conditions may be imposed before the outcome of any civil or criminal proceeding.

3. The university will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by
D. **Filing a Report of Misconduct**

Anyone may file a Report of Misconduct against any Student or Student organization for violation of the Student Code.

1. A Report of Misconduct concerning academic conduct matters can be made to the dean of the college (or designee) responsible for the academic program in which the alleged misconduct occurred.
2. A Report of Misconduct concerning non-academic conduct matters can be made to Public Safety, a Center for Residence Life staff member, or a Student Conduct Officer.

E. **Investigating a Report of Misconduct**

Upon receipt of a Report of Misconduct, regardless of type, Public Safety will conduct an investigation. Generally, the investigation will be concluded within thirty (30) Business Days from the Report of Misconduct and transferred to the Center for Student Conduct and Conflict Resolution. This time frame may be modified based on the facts and circumstances of the specific investigation only with the approval of an associate vice president within the division of Student Affairs. The Student Conduct Officer will review the Report of Misconduct and determine if a Complaint will be filed. If a Complaint is filed, the Student Conduct Officer will determine the appropriate action to be taken in accordance with the provisions of the Student Code, including but not limited to, whether the case will be heard by a Center for Residence Life administrator or by a Student Conduct Officer. Generally, the appropriate action will be determined within thirty (30) Business Days from the conclusion of the investigation. This time frame may be expanded based on the facts and circumstances of the specific Complaint and/or the availability of witnesses only with the approval of the Student Conduct Officer.

F. **Retaliation**

The university prohibits retaliation against anyone filing a complaint alleging a violation of the Student Code, participating in the processes described in the Student Code, or opposing any practice in violation of the Student Code or applicable federal, state, or local laws.

G. **Student Rights**

All Students can expect the Student Code to be administered in a caring, sensitive and supportive manner, and to be treated with dignity and respect by all persons involved in the conduct process. The Student Code will allow Complainants to utilize the Student conduct process unimpeded, free from intimidation and harassment, while maintaining the rights of the Accused. All Students have the following rights:
1. As citizens of the community at large, including but not limited to:
   a. The right to be free in their persons, living quarters, papers, and effects
      against unwarranted searches and seizures;
   b. The right to remain silent and to be provided with basic due process in
      disciplinary proceedings;
   c. The right to privacy (in accordance with the Family Educational Rights
      and Privacy Act) regarding access to and disclosure of Student records;
      and
   d. The right to freedom of association.
2. Freedom of inquiry, and expression, along with the right to participate in
   university governance and to maintain a Student press free from censorship.
3. To be informed of any risks involved in acting as human subjects for research
   activities conducted through RIT.
4. To receive information pertaining to the Student Code and appropriate referrals
   for information on the criminal process, where applicable.
5. To receive access to and information pertaining to available counseling
   assistance.
6. To receive access to assistance throughout the Student conduct process, including
   the ability to utilize the RIT Advocacy Program.
7. To have access to all information presented during any hearing held in accordance
   with the provisions of the Student Code, including information and testimony
   from witnesses.
8. To be informed, in writing, of the results of any hearing held in accordance with
   the provisions of the Student Code.

H. RIT Advocacy Program

The RIT Student Conduct process is intended to address Student misconduct in
accordance with RIT's community expectations. As an educational experience, the
participating Student is expected to take primary responsibility for responding to the
incident in question. Throughout the conduct process, Students may find that a trained
and knowledgeable advocate can be both supportive and beneficial. The Advocacy
Program is a university initiative designed to provide Students with assistance throughout
the RIT Student Conduct Process by partnering the Student with an RIT faculty or staff
member as they engage in the RIT Student Conduct Process ("RIT Advocate"). An RIT
Advocate neither represents the Student in the hearing, nor may an RIT Advocate serve
as a character witness for the Student. The RIT Advocate serves as a supportive partner to
the Student in this educational process. Advocates will provide:

1. Advocacy prior to Conduct Hearings, including:
   a. Meeting with the Student to assist in preparing for the hearing;
   b. Assisting the Student in understanding RIT policies, and the procedures of
      the Student Conduct Process; and
   c. Assisting the Student in accessing available university resources.
2. Advocacy during Conduct Hearings, including:
   a. Participating in the conduct hearing by providing silent support, assisting
      the Student in making statements and responding to questions, and/or
unless otherwise stated, directly asking questions of witnesses and other conduct hearing participants; and
b. Assisting the Student in clarifying information pertinent to the incident.
3. Choosing an Advocate. In choosing an advocate, Students may:
   a. Select a specific person from a list of trained advocates provided by the Center for Student Conduct;
   b. Request that a selection be made for them from a list of trained advocates; or
   c. Select an RIT faculty/staff member with whom they are familiar. Advocates who have not yet been trained for advocacy may receive training by the Center for Student Conduct and Conflict Resolution. Advocates will not be attorneys admitted to practice law in any court or members of a bar association.
   d. An advocate will determine, within their sole discretion, whether they are willing to serve as an advocate in any particular matter. In the event a chosen advocate declines to serve in any particular matter, the Student may select another person.

I. Reporting and Record Management

Records of proceedings under the Student Code will be governed by C22.0 - RIT Records Management Policy.

VI. PROCEDURES REQUIRING A HEARING FOR RESOLVING VIOLATIONS OF THE STUDENT CODE OF CONDUCT

A. Notification Process
   1. The Accused will be sent written or electronic notice of the allegations brought forth as a Complaint. The notice will include:
      a. A request for the Accused to contact the Center for Student Conduct and Conflict Resolution;
      b. A description of the conduct in which the Student was allegedly involved;
      c. A list of possible university policies, rules or regulations allegedly violated;
      d. The offices that will be represented at the hearing;
      e. A link to the website explaining the Student Code, along with instructions to review the RIT Student Conduct Process documented in the Student Rights and Responsibilities Handbook; and
      f. An assurance that the university will keep the Complaint and investigation confidential to the extent possible and in compliance with applicable laws, rules, and regulations.
B. Standard of Review

All hearings and appeals under the Student Code will be determined using the preponderance of the evidence standard, which is established when all supporting documents of an incident provide information that a Student more likely than not violated the Student Code.

C. Conduct Hearings

The Director of the Center for Student Conduct, or designee, will determine which hearing type is most appropriate for the incident. There are three hearing types, including:

1. A hearing with a Center for Residence Life staff member. These hearings are for cases involving incidents in or around RIT housing, and are not recorded. Center for Residence Life staff are authorized to issue the full range of statuses and conditions up to, but not including, removal from campus and separation from the university.

2. A hearing with a Student Conduct Officer. These hearings are for cases that are not designated in VI(C1). Student Conduct Officers have the authority to impose a full range of statuses and conditions including suspension and expulsion. Student Conduct Officers will determine, within their sole discretion, the extent to which the Complainant and their advocate may participate in the hearing.

D. Hearing Participants

1. Advocates. The Accused will be informed that they have the right to bring an RIT Advocate from a list of trained advocates provided by the Center for Student Conduct and Conflict Resolution or any RIT faculty or staff member to the hearing (refer to V.H.)

2. Attorneys. The Accused may also bring an attorney, in addition to an advocate, to the conduct hearing as an advisor only when the case has resulted in an arrest and is also being heard in a court of law, and upon the permission of the Student Conduct Officer. If an attorney is present during a conduct hearing or appeal presentation, the attorney cannot participate in either the hearing or appeal process. An attorney can only observe the hearing process and give the Accused quiet counsel outside the conduct hearing or appeal. If the Student Conduct Officer determines that the behavior of an attorney present during a conduct hearing is inconsistent with, or disruptive to, the university hearing process, the conduct hearing may be terminated at that time or the attorney excused from the remainder of the conduct or appeal hearing.

3. Parents/Guardians. Parents/guardians are not permitted to participate in or be present during any RIT Student conduct hearing or appeal, unless the Accused is under the age of eighteen (18). In those instances, the parent/guardian can observe the hearing process or appeal presentation and give the Student quiet counsel.

4. Witnesses. The Student Conduct Officer determines and permits witnesses for the Accused. Witnesses must be members of the RIT Community in order to be present for the hearing. Other witnesses can make statements through Public Safety, which statements will be read during the hearing at the discretion of the
Conduct Officer. Witnesses must have direct information regarding the incident; character witnesses are not allowed.

5. **University Liaisons.** Other persons who may be present at the hearing include:

   a. Public Safety representatives;
   b. NTID conduct liaison (if either the Accused or the Complainant are NTID-supported Students);
   c. Other appropriate university personnel (e.g., a representative from the Center for Residence Life or Fraternity and Sorority Life); and/or
   d. Sign language interpreters or captionists if the Student, or any participant in the hearing, is deaf or hard of hearing.

E. **Recording of Hearing**

All conduct hearings with Student Conduct Officers are audio recorded. The participants in the conduct hearing will be informed upon entry into the hearing location of the recording. Hearings can be video recorded upon request. A request for video recording must be made in writing twenty-four (24) hours prior to the scheduled hearing. Video recording requests made with less than twenty-four (24) hours' notice may be denied at the discretion of the Student Conduct Officer. All participants in the conduct hearing will give their consent to video recording. Any participant in the conduct hearing that chooses not to be video recorded will be audio recorded only. Recordings (both audio and video) will be retained in accordance with the C22.0 - RIT Records Management Policy. The recording of the conduct hearing is a university business record and the property of the university. The Accused may request access to the recording by submitting a written request to the Center for Student Conduct and Conflict Resolution after an appeal is submitted to the Student Conduct Appeals Coordinator and prior to the Appeals Hearing.

F. **Accommodations Request**

Students with a valid Disabilities Services Agreement (DSA) from the Disability Services Office may be eligible for accommodations in the student conduct process. Students requesting accommodations for the conduct process must provide a current DSA to the Center for Student Conduct and Conflict Resolution before accommodations can be made.

VII. **HEARING PROCEDURES FOR RESOLVING VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

A. All Student conduct hearings will be conducted in private.
B. The Student Conduct Officer will inform the Student that the conduct hearing is being recorded (when applicable).
C. The Student Conduct Officer will review with the Student a copy of the Student Rights section V.G. of the Student Code and ask the Student to acknowledge in writing that it has been reviewed and understood.
D. The Student Conduct Officer will review all of the materials or evidence that has been submitted. The materials may consist of, but are not limited to, a summary of the case as written by Public Safety, statements from witnesses, or statements from other persons involved in the situation.

E. After the submitted materials and evidence have been read, the Accused will have an opportunity to refute or explain the materials or evidence and add information. The Student Conduct Officer and other university officials present may ask the Student questions and discuss the case. The Student may choose to remain silent (not answer any questions or make statements), or the Student (and their advocate) may participate in the discussion.

F. The Accused and the Student Conduct Officer are permitted to bring witnesses and question the witnesses of others.

G. The RIT Student Conduct Process is not a court of law and legal rules of evidence and procedure do not apply. The Student Conduct Officer will determine in the officer's sole discretion the range of testimony permitted by witnesses and items of information which may be considered.

H. If the Student Conduct Officer determines that a witness may be emotionally harmed by giving evidence in the presence of the Accused, the Student Conduct Officer may make other arrangements (such as use of a wall partition or video conferencing) to allow the testimony while not depriving the Accused of access to the evidence.

I. All procedural questions will be decided in the sole discretion of the Student Conduct Officer.

J. In cases where the Accused fails to answer the charges or appear at the conduct hearing, the hearing may still take place. A determination will be made and a status imposed based on the evidence submitted at the conduct hearing. The Accused's failure to answer charges or appear at the conduct hearing cannot be the sole basis for a responsible finding under this policy. In addition, the Accused may be put on a conduct status for failure to attend a conduct hearing after receiving a written or electronic request to appear at the hearing.

K. Once all evidence has been submitted and discussed, and within the sole discretion of the Student Conduct Officer, the Accused and the advocate will leave the room. The Student Conduct Officer will deliberate and discuss the appropriate resolution of the case including appropriate statuses and conditions, if any, with other university staff that were present for the hearing before making a final determination.

L. Upon conclusion of the deliberation and discussion, the Accused and their advocate will then be asked to rejoin the conduct hearing and be informed by the Student Conduct Officer of the determination. If the determination is that the Student violated the policies, rules, or regulations of the university, the response to misconduct will be discussed. The conduct hearing is concluded when the Student Conduct Officer provides their determination.

M. If, in the sole discretion of the Student Conduct Officer, it is deemed appropriate, interim suspension or restrictions may be imposed during the time of an appeal or until the time to appeal has passed. (See VIII. 4).

N. Upon conclusion of the conduct hearing, the Accused will be simultaneously sent written notice of the determination and any status imposed within three (3) Business Days of the conclusion of the conduct hearing. This written notice will include the process by which the Student can appeal.

O. The Accused must file an appeal to the Student Conduct Appeal Coordinator within three (3) Business Days from the date of the electronic mailing of the outcome letter.
Once the outcome is final (i.e., after the decision of an appeal or after the three (3)-day time to appeal has passed), the Student is required to complete all of the required conditions.

There will be a single record of the conduct hearing and this record will be the property of the university. The record will be maintained in accordance with the provisions of [C22.0 - RIT Records Management Policy](#).

### VIII. Responses to Violations of the Student Code of Conduct

An important component of the conduct process is education. Conduct officers may assign or design responses to allow for education and reflection on a particular incident while promoting a safe and respectful community. Responses, which include statuses and conditions, emphasize accountability, emotional growth, conflict resolution, restorative values and campus safety. A refusal to comply with an assigned condition will result in further action, including a hold on a Student’s account, a new hearing, or suspension.

#### A. Statuses

A status is meant to allow students to reflect on their behavior and the decisions they made that led to the finding of responsibility. A status indicates the Student's disciplinary standing with the university. Some statuses may exclude a Student from participating in various university activities. It also indicates how long a record will be retained by the university and under what circumstances, if any, it would be available to third parties (See [C22.0 - RIT Records Management Policy](#)).

1. **Notice of Incident.** For certain code violations, the Student or Student organization may be notified of the incident report either through a meeting or a letter, stating that the university will take further action for any subsequent violations.

2. **Warning.** Written notice to a Student or Student organization that continued or further violations of any university policy, rule, or regulation within a specific period of time (not to exceed one calendar year) may result in an additional response from the university. Warnings may require specific conditions to be completed.

3. **Probation.** Probationary periods indicate that a Student or Student organization is no longer in good standing with the university and that further violations during the probation (not to exceed two calendar years) may result in extension of the probationary period, additional conditions, suspension or expulsion. During the period of probation, specific conditions may be assigned. All assigned conditions are required to be completed before their deadlines. If a Student organization with a national affiliation (e.g., a Greek-letter organization) is found responsible for misconduct and is placed on a status of Probation, RIT will inform the national office of the decision.

4. **Suspension.** Suspension is the immediate removal of the Student's affiliation with the university for a specific period of time, which includes exclusion from classes, university housing, and all other university activities. Suspended Students are not allowed to be on campus for any reason during the period of suspension and may be arrested for trespassing if found on university property. Students are not allowed to live on campus after a return from the suspension period. Suspended Student organizations may lose certain privileges, such as use of campus facilities,
participation in university activities, use of allocated funds, recruitment, or new
member education activities. If a Student organization with a national affiliation (e.g.,
a Greek-letter organization) is found responsible for misconduct and is placed on a
status of Suspension, RIT will inform the national office of the decision. Specific
conditions will be required to be completed prior to the Student or Student
organization's return. Once the term and the conditions of a suspension are
completed, it is the responsibility of the Student to contact their academic college to
discuss returning to that college.
5. **Expulsion.** Expulsion is a permanent involuntary separation of a Student from the
university. Under typical circumstances, readmission is not possible.

**Additional Statuses for Student Organization Statuses.** While Student organizations may
be placed on a status similar to individual Students, including Warning, Probation, and
Suspension, several other statuses apply solely to Student organizations.

6. **Social Probation.** A Student organization on Social Probation is not permitted to hold
any social functions (e.g., parties) for a specified period of time.
7. **Disaffiliation.** Disaffiliation is a permanent involuntary process to revoke recognition
of a university organization that has a charter.

B. **Conditions.** A condition is a response to provide the Student or Student organization with
experiences from which to learn. Any condition may be required of a Student or Student
organization, and may include the following: community restitution, substance abuse
education and/or evaluation, Reflection and Development seminar attendance, research or
reflection paper, letter of apology, university housing probation, removal from housing, and
loss of housing renewal privileges.

C. **Interim Suspension or Restrictions.** This action assigned by the director of the Center for
Student Conduct and Conflict Resolution, or designee, is a temporary suspension of certain
rights or privileges during the conduct process. An interim suspension may be broad and all-
inclusive or may be specific to a location and/or function to ensure the physical or emotional
safety and well-being of members of the university community, the Student’s own physical
or emotional safety and well-being, or the preservation of university property, or safety and
order on university premises. An interim suspension, interim removal from university
housing, or other interim restriction, may be imposed before, during, or after the
commencement of a conduct hearing, or during the appeal process. A Student or Student
organization subject to interim suspension or other restrictions will receive written or
electronic notice of the suspension or restrictions imposed, as well as the notice of the
process for resolving the interim restrictions. The interim suspension or restrictions will
remain in effect until the conduct process is resolved.

D. **Hold on Student Account.** A hold may be placed on a Student’s account as a response to a
Student who refuses to comply with the conduct process, or in other appropriate
circumstances. It may be applied in situations where there is a need to resolve a pending
conduct charge, even in the case of an individual who was, but is not now, currently a
Student.
IX. APPEALS FOR THE STUDENT CODE OF CONDUCT

A. Appeals Process
   1. **Cases originating from the Student Conduct Officer.** Unless otherwise noted in this policy, the University Appeals Boards (UAB) will hear appeals of determinations of violations made under the Student Code of violations of the Student Code and the imposition of statuses as follows.
      a. Warnings. Warnings may not be appealed.
      b. Probation, suspension or Expulsion. Appeals of probation, suspension or expulsion from Student Conduct Officers may be appealed to the University Appeals Board.
      c. Title IX outcomes. Any outcome following a Title IX hearing (see Gender-Based & Sexual Misconduct Policy, Title IX, D.19) may be appealed by either Accused or Complainant to the University Appeals Board.
   2. **Cases originating from the Center for Residence Life.** For cases heard by the Center for Residence Life, the follow is applicable:
      a. Within three (3) days, the Student intending to appeal must submit the basis of the appeal in writing to the Student Conduct Appeals Coordinator.
      b. The appeal letter will be assigned to an associate vice president for Student Affairs or designee.
      c. All relevant information will be reviewed and a determination will be made by the assigned associate vice president for Student Affairs. This decision final and cannot be appealed further.

B. Grounds for Appeals
   1. The grounds for appeal will be limited to:
      a. Determining whether the hearing was conducted in accordance with the procedures under this policy or Policy D19.0. Any deviation in procedure will not be a basis for sustaining an appeal unless the deviation impacted the outcome of the process;
      b. Determining whether the sanctions imposed were appropriate for the violation of the policy for which the Student was found responsible;
      c. Considering new information or evidence which was not known, knowable, or available at the time of the original hearing and which information or evidence is sufficient for a reasonable person to alter the determination of the original hearing.
   2. Except as required to explain the basis of new evidence, the appeals process will limit its review to the process and outcome of the initial hearing (if applicable), together with any supporting documents.
   3. Any party seeking to appeal a determination must do so in writing and must specifically state one or more of the reasons above and the evidence supporting the appeal. Any appeal that fails to specifically state the basis for appeal may be dismissed if not based upon one or more grounds for appeal.
   4. Witnesses will not be permitted to appear on appeal except to the extent that witnesses may provide testimony related solely to new evidence or information that
the appellant demonstrates was not known or available for the original hearing. See guidelines for Witnesses (VI.D.4).

C. **Members of the University Appeals Board (UAB).** Members of the UAB will be selected from a pool of candidates from representatives of RIT’s shared governance system (Academic Senate, Staff Council and Student Government). All members of the UAB will attend mandatory training periodically as offered throughout the year. The UAB will be trained and selection for a given panel will be coordinated by an associate vice president within the division of Student Affairs, or designee.

D. **Board Composition.** Each UAB will consist of three (3) members. The members will include a Student; a faculty or staff member; and an associate vice president within the division of Student Affairs or designee, who will also serve as chairperson for the UAB, all of whom will each have the right to one (1) vote.

E. **Closed Hearings.** Appeals are conducted in private. Upon the request of either of the parties involved, the chair of the UAB, at the chair's sole discretion, may open the appeal to other members of the RIT community.

F. **Possible Outcomes after an Appeal Hearing**

After considering the appeal, and upon close of the hearing, the UAB may:

1. Reverse, reduce, dismiss, uphold, or otherwise modify the original determination and/or status and conditions imposed.
2. Remand the case for rehearing or reconsideration of the status or conditions imposed or with specific recommendations for resolving procedural or process that the UAB determines would have impacted the outcome of the original hearing.

G. **Procedure for UAB Appeals**

1. **Within three (3) days of receiving the determination of a conduct hearing, the Student** must submit the basis for appeal in writing to the Student Conduct Appeals Coordinator.
2. **For non-Title IX matters,** the Student requesting the appeal has the right to be assisted by an advocate in accordance with the provisions of the RIT Advocacy Program (See V. H.).
3. **Once an appeal is filed,** the parties involved will receive written, electronic notification within three (3) Business Days of the receipt of the appeal. This notice will state that the case is under appeal and will be scheduled for an appeals hearing. Upon receipt of any written responses, or the expiration of three (3) Business Days from the sending of the notification of an appeal, whichever comes first, an appeals hearing will be scheduled. The appealing party will attend the scheduled hearing or forfeit the right to appeal.
4. **The Student filing the appeal and their advocate will appear in front of the UAB and present the basis for the appeal.** There will be a time limit of twenty (20) minutes for
this presentation and their advocate (and/or advisor of choice in the Title IX hearings).

5. A member of the Center for Student Conduct and Conflict Resolution will be available to respond to the appeal and give the rationale for the determination made at the original hearing, including and status and conditions.

6. After presentation of the appeal and before the parties are dismissed, the UAB may, at its discretion, ask questions of the parties present. Upon conclusion of the appeal hearing, a final determination will be made. A hearing is considered closed after all testimony and evidence has been submitted by the parties and the chair of the UAB has concluded the appeal.

7. The decision of the UAB will be sent electronically to the required parties within three (3) Business Days of the hearing. The determination rendered by the UAB is final and may not be appealed further.
D.18.1

Alcohol and Other Drugs Policy

RIT is a community that believes the best environment for learning occurs when the community promotes and supports healthy and responsible behavior among its members. Students make their own choices and are ultimately responsible for their behavior. The purpose of the Alcohol and Other Drugs Policy is to promote individual responsibility and advance the goals and expectations central to the university mission. The Alcohol and Other Drugs Policy applies to all Student members of the university community and their guests. Faculty and staff, and their guests, are governed by a separate policy (C 15.2, found here: http://www.rit.edu/academicaffairs/policiesmanual/sectionC/C15_2.html).

RIT follows all local, state, and federal laws. Students and Student organizations are subject to local, state and federal laws regarding alcohol and drug use, and the university will not protect individuals or groups from law enforcement with respect to drugs and alcohol use or abuse.

In order to avoid the dangerous and possibly fatal effects of alcohol poisoning or overdosing from other drugs, an individual who has passed out or shows other signs of serious effects from alcohol or other drug consumption should immediately be brought to the attention of Public Safety, RIT Ambulance, the Center for Residence Life staff, or some other person able to assist or to get assistance. Seeking such help is encouraged by the university and the Good Samaritan Protocol, listed below.

Responsible and Legal Use

A. Legal Use. Alcohol and other drugs may not be illegally used, possessed, manufactured or distributed. Distribution includes serving, selling, or providing either alcohol to persons who are under 21 years of age or drugs to persons of any age. Examples of illegal use includes:

   i. Open Containers. Open containers of alcohol are not permitted outdoors on the university campus without prior authorization.

   ii. Fake IDs. Use of false or altered identification or other misrepresentation of one's age in order to possess or consume alcohol is explicitly forbidden.

   iii. Cover Charges. No alcohol may be sold or exchanged for money on university property or at university-sponsored events without a New York State liquor license.

   iv. Distribution of Legal Drugs. Sharing or distributing prescription medicine or other legal drugs, with or without the exchange of money, is prohibited.

B. Excessive Drinking. Behavior that is inappropriate or endangering which suggests excessive drinking regardless of age is prohibited.

C. Driving Under the Influence. Driving under the influence of alcohol or other drugs is forbidden.

University Housing

D. Residence Halls, Global Village, Greek Housing. The consumption or possession of alcoholic beverages is prohibited, regardless of age or circumstances.

E. University Apartments. The consumption or possession of alcoholic beverages is permitted in university operated apartments (Colony Manor, Perkins Green, RIT Inn,
Racquet Club, Riverknoll, and University Commons) only by those residents of the apartment who are at least 21 years of age. Alcohol possession and consumption is not permitted in common or public areas within apartment complexes.

i. **Occupancy.** Parties in apartments are to be limited to invited guests of a number that is defined by building occupancy codes and that can be accommodated without disturbing the community. These numbers may be found in the RIT Housing Terms and Conditions ([http://www.rit.edu/fa/housing/content/housing-terms-and-conditions-2013-2014](http://www.rit.edu/fa/housing/content/housing-terms-and-conditions-2013-2014)).

ii. **Advertising.** The guests at all privately hosted parties where alcohol is to be served must be invited by direct personal invitation only. General "come all" posters, flyers, or mass electronic invitations are only permitted for events that are approved through the Center for Campus Life Event Registration process ([http://campuslife.rit.edu/main/sau/evr](http://campuslife.rit.edu/main/sau/evr)).

F. **Drug Accessories.** Drug accessories and other drug delivery systems used for illegal drugs, including, but not limited to, bongs, bowls, and pipes, are prohibited.

G. **Bulk Containers.** Bulk containers of alcohol, such as kegs, are prohibited in all university apartments.

H. **Drinking Games/Rapid Consumption.** Items/substances used to dispense alcohol in a rapid manner, (e.g., beer bongs, funnels, Jell-O shots, etc.) or drinking games (e.g., "Quarters," "Beer Pong," etc.) are prohibited.

**Events**

I. **Student Events.** All student events and parties where alcohol is served, possessed, or consumed must abide by all existing university policies and procedures regarding the use, possession, sale, and distribution of alcohol and may be further restricted by existing municipal and state ordinances. The authorization process for use of alcohol and securing authorization from the New York State Liquor Board in these situations is coordinated through the Center for Campus Life Event Registration process ([http://campuslife.rit.edu/main/sau/evr](http://campuslife.rit.edu/main/sau/evr)).

**Good Samaritan Protocol**

Student health and safety is a primary concern for the university community. Students are expected to contact Public Safety when it is believed an individual needs medical attention due to the abuse of alcohol or other drugs including prescription, over the counter, or other. The Good Samaritan Protocol is designed to provide education rather than discipline when a student voluntarily contacts university personnel (e.g., Public Safety, Resident Advisor/Community Advocate) or outside emergency services for medical assistance related to alcohol or other drugs. **Individuals covered by the Good Samaritan Protocol are the caller, the person in need of assistance, the host Student organization, and any witnesses named in the incident report.**

Center for Student Conduct staff determine whether or not the Good Samaritan Protocol is applicable for each incident. Incidents involving sex discrimination, sexual harassment, sexual misconduct, sexual violence, dating violence, domestic violence, or stalking shall be covered by the Good Samaritan Protocol for those students reporting or intervening to prevent harm to a particular student. Incidents involving other violence or serious code violations, such as hazing,
will not apply. A conduct officer will contact the Student or the Student organization involved in the incident to arrange for a meeting. There will be no official charges or conduct status from the university through the Good Samaritan Protocol. The person who made the call to university personnel may be invited to the meeting. At the meeting, the incident will be reviewed with the Student or Student organization to determine an appropriate educational response, which could include participation in an educational group or class, program presentations, counseling intake session, or substance abuse education and/or evaluation. A response may also include parental/guardian notification of the incident.

If a Student or Student organization fails to attend the initial meeting with the conduct officer or complete the educational responses following the meeting, the incident will be referred to the Student Conduct Process.
**Common Responses for Violations of the Alcohol and Other Drug Policy**

The responses listed are intended to guide the process of determining the most reasonable outcome to potential violations of the Alcohol and Other Drug (AOD) Policy. Each reported incident will be reviewed individually and an appropriate response will be assigned given the specific circumstances. In some cases, despite it being a first time violation, there may be a more serious response. Student organizations can also be assigned the same responses listed below.

<table>
<thead>
<tr>
<th>Behavior</th>
<th>First Violation</th>
<th>Second Violation</th>
<th>Third Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession/consumption of alcohol by an underage student</td>
<td>Warning or Probation</td>
<td>Probation</td>
<td>Removal from housing</td>
</tr>
<tr>
<td>Possession/consumption of alcohol by any student in the residence halls, Global Village, and Greek Housing</td>
<td>Educational condition</td>
<td>Alcohol and Other Drug Assessment and/or educational condition</td>
<td>Possible suspension</td>
</tr>
<tr>
<td>Open container</td>
<td>Possible parental/legal guardian notification*</td>
<td>University housing probation</td>
<td>Mandatory counseling intake</td>
</tr>
<tr>
<td>Fake ID</td>
<td></td>
<td>Parental/legal guardian notification</td>
<td>Parental/legal guardian notification</td>
</tr>
<tr>
<td>Possession of bulk containers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excessive drinking/ rapid consumption</td>
<td>Probation</td>
<td>Removal from housing</td>
<td>Suspension or Expulsion</td>
</tr>
<tr>
<td>Transport to the hospital due to alcohol</td>
<td>Alcohol and Other Drug Assessment and/or educational condition</td>
<td>Possible suspension</td>
<td>Parental/legal guardian notification</td>
</tr>
<tr>
<td>Serving, purchasing, or sale of alcohol to minors</td>
<td>Possible university housing probation</td>
<td>Mandatory counseling intake</td>
<td></td>
</tr>
<tr>
<td>Hosting an on campus party and serving to minors, charging cover fees, or exceeding occupancy</td>
<td>Parental/legal guardian notification</td>
<td>Parental/legal guardian notification</td>
<td></td>
</tr>
<tr>
<td>Driving while intoxicated/DWI on campus</td>
<td>Suspension or Expulsion</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazing</td>
<td>Referral to local law enforcement agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parental/legal guardian notification</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Other Drug Violations

<table>
<thead>
<tr>
<th>Behavior</th>
<th>First Violation</th>
<th>Second Violation</th>
<th>Third Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession/use of marijuana or other illegal drugs</td>
<td>Warning or Probation</td>
<td>Probation</td>
<td>Removal from housing</td>
</tr>
<tr>
<td>Possession of drug accessories (e.g., bongs, bowls, scales, pipes)</td>
<td>Educational condition</td>
<td>Alcohol and Other Drug Assessment and/or educational condition</td>
<td>Possible suspension</td>
</tr>
<tr>
<td></td>
<td>Parental/legal guardian notification</td>
<td>University housing probation</td>
<td>Mandatory counseling intake</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parental/legal guardian notification</td>
<td>Parental/legal guardian notification</td>
</tr>
<tr>
<td>Transport to the hospital due to drug overuse</td>
<td>Probation</td>
<td>Removal from housing</td>
<td>Suspension</td>
</tr>
<tr>
<td></td>
<td>Alcohol and Other Drug Assessment and/or educational condition</td>
<td>Possible suspension</td>
<td>Parental/legal guardian notification</td>
</tr>
<tr>
<td></td>
<td>Possible university housing probation</td>
<td>Mandatory counseling intake</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parental/legal guardian notification</td>
<td>Parental/legal guardian notification</td>
<td></td>
</tr>
<tr>
<td>Driving while under the influence/DWAI on campus</td>
<td>Suspension or Expulsion</td>
<td>Removal from housing</td>
<td></td>
</tr>
<tr>
<td>Other serious behaviors such as selling or distributing drugs including prescription, over the counter, or illegal drugs</td>
<td>Removal from housing</td>
<td>Referral to local law enforcement agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Referral to local law enforcement agency</td>
<td>Parental/legal guardian notification</td>
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</table>

Responsible Office: Center for Student Conduct