

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

**Notice of Risk Related to COVID-19**

COVID-19, a highly infectious, life-threatening disease, has been declared to be a global pandemic. There currently is no known treatment, cure, or vaccine for COVID-19. The disease may be contracted through contact with infected persons who may be symptomatic, asymptomatic or from contact with the virus left on surfaces.

In accordance with the recommendations and guidance of the Centers for Disease Control and Prevention (CDC) and the Massachusetts Department of Public Health (MDPH), the university has taken steps to limit the spread of COVID-19, but the health and safety of the community depends upon all its members accepting the shared risk associated with the disease.

There are inherent risks associated with participating in university required, sanctioned or voluntary activities on or off campus. It is not possible for the university to limit all potential sources of COVID-19 infection. Individuals must rely on their own judgment in assessing the safety of, or risks associated with, participating in university activities.

Further, campus community members must understand that campus safety in respect to COVID-19 is a shared risk and that everyone must do their part to contribute to the health and safety of the community.

To that end, the university has implemented certain policies and procedures intended to mitigate the potential spread of COVID-19. The university may update or revise these protocols at any time in response to new information, recommendations or guidance from the U.S. Centers for Disease Control and Prevention (CDC) or Massachusetts Department of Public Health (MDPH).

Members of the university community are expected to comply with all mandates of the CDC, MDPH, and associated policies mandated by the university such as wearing face coverings, adopting good hygienic practices and cleaning protocols, physical distancing, monitoring of symptoms, and self-reporting of symptoms or a positive COVID-19 diagnosis. Please consult the Bridgewater State University [COVID-19 website](#) for additional information.

Working together, we can help prevent the spread of COVID-19 while ensuring a rich academic experience for every member of the university community.

**Preamble**

Bridgewater State University is a community dedicated to the lifelong success of all students. Membership in the Bridgewater State University community is a privilege for those who are invited to join. All students are expected to adhere to the core values of the university community which include civility, fairness, inclusivity, and respect for others' dignity. The university encourages both the freedom of expression and the free exchange of ideas and enjoins students to think beyond themselves and to be engaged in the advancement of the greater good.

The community standards process is an educational process that fosters students' educational, personal, and social development and growth. The university encourages students to embrace its standards to be better prepared for their roles and responsibilities as citizens. *The Student Code of Conduct* defines the rights and responsibilities of students and provides a process for responding to allegations of student misconduct in a way that aligns with [the university's values](#).

**Part I: Student Conduct Authority**

Bridgewater State University has been granted authority by the Commonwealth of Massachusetts to establish policies necessary for the general business of the institution. *The Student Code of Conduct* is approved by the President and the President's Cabinet and is administered by the Director of Community Standards under the general direction of the Vice President of Student Affairs and Enrollment Management. The Director of Community Standards is given the day-to-day responsibilities for the administration of the Office of Community Standards and *The Student Code of Conduct*. The Vice President of Student Affairs and Enrollment Management or designee shall coordinate recommendations from members of the university community regarding suggested revisions to *The Student Code of Conduct* and shall present proposed substantive changes to the President's Cabinet.

## **Part II: Process Definitions**

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

1. **“Administrative Conference”** is a meeting between a respondent and a Case Resolution Coordinator to review a referral, explain the community standards process, and review possible options for resolving the matter.
2. **“Administrative Review”** allows for the full consideration of an allegation that a student has violated *The Student Code of Conduct* and/or the proposed sanctions for an allegation. An Administrative Review examines the completed investigation and allows the parties to respond to the investigation report and findings as well as any proposed sanctions, if applicable.
3. **“Administrative Review Committee (ARC)”** means three university staff members who are authorized to conduct an Administrative Review to determine the appropriate resolution of an alleged violation(s) of *The Student Code of Conduct*, and/or to impose sanctions or affect other remedies as appropriate. The Director of Community Standards authorizes and trains members of the Administrative Review Committee annually. Members may conduct reviews for any alleged violation of *The Student Code*.
4. **“Administrative Review Committee Advisor”** means any person authorized by the Director of Community Standards to assist members of the Administrative Review Committee in any answering procedural question raised during Administrative Review Committee meetings.
5. **“Advisor”** means any person who accompanies a respondent, a complainant, or a victim for the limited purpose of providing support and guidance. An Advisor may not directly address the Administrative Review Committee, Case Resolution Coordinators, question witnesses, or otherwise actively participate in the community standards process. Individuals allegedly involved in the same incident may not serve as an Advisor. Requests to change proposed meetings to accommodate an Advisor's schedule will not generally be considered.
6. **“Appellate body”** means any person or persons authorized by the Provost, Vice President of Student Affairs and Enrollment Management, or designee to conduct a review of a decision reached by an Administrative Review Committee.
7. **“Business day”** means any day, Monday through Friday, that the university is open.
8. **“Case Resolution Form”** means the final agreement regarding violations and/or sanctions between the Case Resolution Coordinator or the Administrative Review Committee and the student or student organization.
9. **“Case Resolution Coordinator”** means a university staff member who is authorized by the Director of Community Standards to determine the appropriate resolution of an alleged violation of *The Student Code of*

*Conduct*, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provision in this code, a Case Resolution Coordinator is vested with the authority to, among other duties, investigate an alleged violation of *The Student Code of Conduct*; decline to pursue a referral; refer identified disputants to mediation or other appropriate resources; establish alleged violations regarding a respondent; approve a Case Resolution Form developed with a respondent; conduct an Administrative Review; impose sanctions; approve sanctions recommended by another review body; and conduct an appellate review.

10. **“Community Standards file”** means the printed/written/electronic file which may include but is not limited to incident report(s), email and written correspondence, witness statements, and conduct history. Community Standards file records, including those resulting in a finding of “not responsible” for violations of *The Student Code of Conduct*, are maintained by the university for a period of at least seven years from the date that the student leaves the university. Records are subject to the protections and release provisions by the Family Educational Rights and Privacy Act (FERPA) of 1974 as it may be amended from time-to-time.
11. **“Community Standards Hold”** means an administrative hold placed on a student’s record or on a student organization’s activities or privileges when the student or student organization representative does not respond to the request of a university official to attend an administrative conference, has not completed an assigned sanction, or, with respect to a student, has withdrawn from the university while a conduct matter is pending.
12. **“Community Standards process”** means the process defined in *The Student Code of Conduct* to address behavioral concerns within the Bridgewater State University community involving students. Potential violations of the [Equal Opportunity, Diversity, and Affirmative Action Plan](#) are normally managed by the Office of Equal Opportunity under the procedures outlined in the EO Plan.
13. **“Complainant”** refers to any person who believes that they have been a victim of a student’s misconduct. If the complainant is a Bridgewater State University student, that student will have the same rights under *The Student Code of Conduct* as are provided to the respondent, even if another member of the university community referred or reported the allegation itself.
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 and Enrollment Management, Director of Community Standards, or other university official.
15. **“Director of Community Standards”** refers to that person in the Division of Student Affairs and Enrollment Management, designated by the Vice President of Student Affairs and Enrollment Management, who is 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 Committee member, a Case Resolution Coordinator, and/or a member of an appellate body.
16. **“Discriminatory Harassment”** has the meaning set forth in the [Equal Opportunity, Diversity and Affirmative Action Plan](#).
17. **“Equal Opportunity, Diversity, and Affirmative Plan” or “EO Plan”** addresses issues of discrimination and harassment and includes the Policy Against Discrimination, Discriminatory Harassment and Retaliation and the [Title IX Sexual Harassment Policy](#). Definitions related to sexual harassment, sexual assault, and harassment may be found in the EO Plan. Additional information regarding these policies and procedures may be found in the [Equal Opportunity, Diversity and Affirmative Action Plan](#).
18. **“Investigator”** refers to the Case Resolution Coordinator given the responsibility of conducting a full investigation of an alleged violation of *The Student Code of Conduct*.

19. **“May”** is used in the permissive sense.
20. **“Member of the university community”** includes any person who is a student, instructor, or university employee; any person who works directly or indirectly (e.g., a vendor), resides, or receives services on university premises or in connection with its programs or activities; and may include visitors to university premises. A person’s status in a particular situation shall be determined by the Director of Community Standards.
21. **“Policy”** is defined as any written policy, procedure, standard, regulation, rule, or Community Standards expectation adopted by the university, as may be amended, modified or replaced from time to time.
22. **“Referring party”** means any person who submits an allegation that a student violated *The Student Code of Conduct*.
23. **“Respondent”** means a student who, or student organization, which has been accused of violating *The Student Code of Conduct*.
24. **“Shall,” “Will,”** and **“Must”** are used in the imperative sense.
25. **“Sanction”** means a requirement a student or student organization must abide by or complete when found responsible for violating *The Student Code of Conduct*. Failure to complete assigned sanctions will result in the application of a Community Standards hold on a student’s account.
26. The **“Standard of Evidence”** used in determining whether or not the respondent violated *The Student Code of Conduct* is a preponderance of the evidence (whether it is more likely than not that a violation occurred).
27. **“Student”** means any person who has been admitted to, registered or enrolled in, or attends the University, any University course, or University conducted program. This includes any University sponsored academic program which provides individuals with any access to the University, its programs, or facilities.
28. **“Student organization”** means an association or group of persons, including, but not limited to, any student organization, team or club, that has complied with the formal requirements for University recognition and/or are recognized by the University.
29. **“Student Organization Representative”** means the president or designee representing the student organization in the Community Standards process.
30. **“University”** means Bridgewater State University.
31. **“University official”** includes any person authorized by the University to perform administrative, instructional, or professional duties.
32. **“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.
33. **“Witness”** means any person with knowledge pertaining to an alleged violation of *The Student Code of Conduct*.

### **Part III: Proscribed Conduct**

*The Student Code of Conduct* applies to students and recognized student organizations.

#### **A. Jurisdiction of the University**

1. Each student shall be responsible for their 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 their conduct is not discovered until after a degree is awarded). *The Student Code of Conduct* shall apply to a student's conduct even if the student withdraws from the University while a Community Standards matter is pending.

2. Student organizations, as well as their members, other students, and guests, may be held collectively and/or individually responsible for violations.
3. Generally, University jurisdiction shall be limited to conduct that occurs on or about University premises or in connection with University-sponsored, University-supervised or University-affiliated events, programs, and activities (including students involved with off-campus internships, study abroad programs, and recognized student organizations). However, the University may apply *The Student Code of Conduct* to students and student organizations, whose misconduct may have an adverse impact on the University, members of the University community, and/or the pursuit of University objectives regardless of where such conduct may occur.

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 Community Standards process.

4. The Community Standards process may be instituted when alleged conduct potentially violates both criminal law and *The Student Code of Conduct*. Proceedings under *The Student Code of Conduct* 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 or required by law.

Determinations made or sanctions imposed under *The Student Code of Conduct* 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.

5. Academic integrity matters are managed through the [Academic Integrity Policy](#) as outlined in the Academic Catalog. If there is a jurisdictional issue between the Academic Integrity Policy and *The Student Code of Conduct*, the Director of Community Standards and the Dean of Undergraduate Studies will make the determination as to the applicable policy.
6. Sexual harassment, including sexual violence, and discrimination and discriminatory harassment are prohibited under the [Equal Opportunity, Diversity, and Affirmative Action Plan](#) and may be adjudicated under the Investigation and Resolution Procedures outlined in the EO Plan.
7. Matters involving potential violations of both the [Equal Opportunity, Diversity and Affirmative Action Plan](#) and *The Student Code of Conduct* may be co-investigated by both offices. Issues involving alleged discrimination, discriminatory harassment, sexual harassment, sexual misconduct, and retaliation that do not meet the definitions outlined in the Equal Opportunity, Diversity and Affirmative Action Plan may be addressed separately under *The Student Code of Conduct*.
8. Student Organizations.
  - a. Student organizations may be held accountable under *The Student Code of Conduct* for the student organization's misconduct and/or for the misconduct of any one or more of its leaders, members, guests, or other representatives.
  - b. The president of the student organization will serve as the representative unless the Director of Community Standards receives written notice of a different representative within three (3) days of the

organization being sent notice of the conduct matter. The student organization representative will represent the student organization during the Community Standards process.

- c. Student organizations are prohibited from conducting their own disciplinary proceedings prior to the resolution of alleged violations of *The Student Code of Conduct*.
- d. Nothing in *The Student Code of Conduct* shall preclude holding students who are members of a student organization responsible for their individual violations of *The Student Code of Conduct* committed in the context of or in association with the student organization's alleged violation of *The Student Code of Conduct*. Both the student organization and individual students may be found responsible for violations of *The Student Code of Conduct* in connection with the same behavior.
- e. The student organization representative is required to notify their university Advisor of any alleged violations of *The Student Code of Conduct* and any sanctions imposed.

#### 9. Parental Notification.

- a. As recommended by the Massachusetts Board of Higher Education and permitted under the Family Educational Rights and Privacy Act (FERPA), the University may notify parents/guardians when students under the age of 21 have been found responsible for violating the University's alcohol or drug policies.

### **B. Conduct Rules and Regulations**

Students and student organizations must adhere to and uphold *The Student Code of Conduct* and obey University policies, rules and procedures 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 of Conduct* and shall establish the specific behavioral allegations(s) as appropriate.

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 alleged misconduct.

If a student is involved in more than one incident, the Director of Community Standards, or designee, in their discretion, may determine whether an Administrative Conference and/or Investigation concerning each incident will be conducted either separately or jointly.

In cases where more than one student is involved in an incident, Administrative Conferences or other meetings related to an Investigation will be held separately. Requests for joint Administrative Conferences or other similar meetings with multiple students will not be permitted.

#### **Amnesty Procedure**

Students may be hesitant to report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation out of concern that they, or witnesses, might be alleged to have violated the University's alcohol and/or drug policies. While the University does not condone such behavior, we place a priority on the need to address sexual violence and misconduct. Accordingly, University officials may elect not to initiate the Community Standards process against a student who, in good faith, reports, witnesses, or possesses personal knowledge of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking, or retaliation.

Similarly, the University recognizes that there may be alcohol or drug-related medical emergencies or other safety emergencies in which the potential for action under *The Student Code of Conduct* could act as a deterrent to students who want to seek assistance for themselves or others. When a student aids an intoxicated or impaired individual by contacting the Bridgewater State University Police or Residence Life and Housing staff, it is up to the discretion of the Director of Community Standards, or designee, to determine if any involved parties, student organizations the Community Standards process. This does not preclude action regarding other violations of University standards such as causing or threatening physical harm, damage to property, harassment, hazing, or violations of the Sexual Violence Policy.

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 contacted by a University official to meet to discuss the incident. Amnesty granted in accordance with *The Student Code of Conduct* does not prevent any independent action that may be taken by any law enforcement agency, including University police.

### **Prohibited Behaviors**

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

1. **Acts of dishonesty** including, but not limited to: furnishing false information; forgery, alteration, or misuse of any document (including but not limited to: student admission materials), record, or instrument of identification; or misrepresenting oneself.
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.

“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 individual’s property; placing the other individual in reasonable fear of personal harm or damage to personal property; creating a hostile environment at school for the other individual; infringing on the rights of other individuals in the University community or activities; 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 considered a violation of the [Equal Opportunity, Diversity and Affirmative Action Plan](#). Such violations may be addressed under the Plan’s Investigation and Resolution Procedures.

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 of Conduct*.

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 such a claim, complaint, or charge 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 its Investigation and Resolution Procedures.

5. **Sexual or Gender-Based Misconduct**, which includes but is not limited to: nonconsensual conduct based on sex or gender that does not meet the definition of sexual harassment under the Title IX Sexual Harassment Policy, including off campus or international conduct, such as rape, sexual assault, incest, statutory rape, sexual exploitation, and aiding in the commission of sexual violence.

Consent, Incapacitation, Force, and Coercion have the meanings ascribed to them under the Title IX Sexual Harassment Policy.

- a) **Rape** - Rape is the penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent. Rape is also the performance of oral sex or anal sex on another person without that person's consent. Sexual intercourse means penetration, no matter how slight, of a bodily orifice (vagina, anus, or mouth) by an object or by a body part, and/or non-consensual oral sex or anal sex.
  - b) **Sexual Assault** - Sexual assault is any kind of sexual physical contact that involves any form of coercion, force or lack of consent. Sexual physical contact includes the intentional touching of another person on an area of the body generally recognized as a private part of the body, or touching any part of another person's body with a private part of one's own body or object, no matter how slight.
  - c) **Incest** - Incest is sexual intercourse between persons who are related to each other and whose marriage would be prohibited by law. Attempts to commit incest are also prohibited.
  - d) **Statutory Rape** - Statutory rape is sexual intercourse with a person who is under the statutory age of consent, which is 16 in Massachusetts. Attempts to commit statutory rape are also prohibited.
  - e) **Sexual Exploitation** - Sexual exploitation is taking sexual advantage of another person for one's own benefit or the benefit of anyone other than that person without that person's consent, including but not limited to: recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent; distributing through social media, text, email or other media images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; viewing child pornography; and viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent.
  - f) **Aiding in the Commission of Sexual Misconduct** - The aiding or assisting in the commission of an act(s) of sexual misconduct is prohibited.
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](#).**
  8. **Failure to abide by the [Alcohol Policy](#).** Notwithstanding the Alcohol Policy, specific violations include:
    - a) Being under the age of 21, not engaged in an employment or other permissive activity, in the presence of alcohol.
    - b) Possession, or use, of alcohol under the age of 21.



- c) Serving, distributing, or obtaining alcohol for, or allowing consumption by, any individual who is under 21 years of age.
  - d) Unauthorized manufacture, distribution, dispensing, or sale of alcohol, or attempts to commit the same.
  - 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 at Bridgewater State University is limited to those who are 21 years of age and older. Possession of alcohol in a residence hall is limited to residents of the Great Hill Apartments who are 21 years of age or older who may possess alcohol in their rooms subject to the following limits: *either* (A) 72 oz. of beer or wine cooler or (B) 200 ml of hard alcohol (80 proof or under), or (C) 750 ml of wine (limits apply to full, partially full, or empty alcoholic beverage containers).
  - g) Commercial delivery of alcoholic beverages to the campus is prohibited.
  - h) Drinking games and paraphernalia used to administer drinking games or assist the user in ingesting alcohol at a fast rate are a violation of *The Student Code of Conduct*. 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.
  - i) Common source containers containing alcohol including, but is not limited to kegs, beer balls, and/or punch bowls being used to serve alcohol are not permitted.
  - j) Public intoxication, either on campus or off campus.
  - k) Consumption of alcoholic beverages, or possession of an open container of alcohol, in an area not authorized by University officials.
  - l) Operation of a vehicle which contains alcohol, by a student under the age of 21, regardless of the age of any passenger.
  - m) Operation of a vehicle under the influence of alcohol on campus or off-campus.
  - n) Use of alcoholic beverages to render another person physical or emotionally incapacitated.
9. **Failure to abide by the Drug Free Policy.** Notwithstanding the Drug Free Policy, specific violations include:
- a) The possession, use, cultivation, manufacture, participation in a conspiracy, or distribution of illegal drugs, narcotics or controlled substances, or attempts to commit the same. 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.
  - c) Being in the presence of illegal drugs.
  - d) The use of drugs to render another person physically or emotionally incapacitated.
  - e) The possession, use, sale or distribution of drug paraphernalia.
  - f) Operating a vehicle while under the influence of drugs on-campus or off-campus, excepting the use of medication prescribed by a doctor in accordance with a prescription.

While Massachusetts state law permits the use of marijuana, federal law requires the University to prohibit marijuana use, possession, distribution, and/or cultivation at educational institutions. Therefore, the use, possession, distribution or cultivation of marijuana for personal or 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 or any student organization event or activity. Anyone who possesses or uses marijuana at any University premises may be subject to civil citation, state or federal prosecution, and a referral to Community Standards.

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 Residence Hall License Agreement if approved as a reasonable accommodation for a documented disability.

10. **Violation of the Smoke Free and Tobacco Free Policy.** The smoking or other use of tobacco or other smoking products is prohibited in all buildings, grounds, and vehicles owned or leased by Bridgewater State University, regardless of location. No tobacco products or smoking paraphernalia of any kind shall be possessed, used, sold, or distributed as samples in any campus buildings, grounds, or vehicles owned or

leased by Bridgewater State University, regardless of location.

11. **Violation of the Prohibition of Weapons Policy.** No one may possess, carry, use, transport, store, or otherwise have in their custody or control – however temporary – any weapon while on University owned or controlled property or at any University sanctioned event, wherever situated. Weapons include firearms, explosives, dangerous chemicals, or any object that can be used to threaten harm, or any other destructive device or instrument that may be used to do bodily injury. This prohibition applies even to those with a government-issued license to have a firearm, as well as to some weapons that are legal to possess.
12. **Uncooperative behavior** which includes, but is not limited to, uncooperative behavior and/or failure to comply with the directions of, providing false information to, and/or failure to identify oneself to University officials or law enforcement officers acting in the performance of their duties.
13. **Fire Safety** - Creating a fire hazard or any other situation that endangers others such as the willful or malicious burning of property; 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 or a student organization in the commission, or attempted commission, of a violation of *The Student Code of Conduct*.**
16. **Conduct that is disorderly** such as public urination, public defecation, streaking, stripping, solicitation of a stripper, and/or participation in acts of a sexual nature publicly or in the presence of others that do not rise to the level of a violation of the Equal Opportunity, Diversity and Affirmative Action Plan.
17. **Violations of campus guest regulations.** Student hosts and Student Organizations are responsible for their guests' actions.
18. **Violation of any published University policies** or rules whether or not specifically listed in *The Student Code of Conduct*.
19. **Violation of the Residence Hall License Agreement** or published Residence Hall Policies and Procedures:
  - a) Alteration of Premises - Residents shall not make any changes, alterations or improvements to an apartment or room.
  - b) Pets - except fish, and those permitted under the Americans with Disabilities Act and other legislation. All animals falling under such legislation must be approved in accordance with University procedures.
  - c) Cleaning and Care of Rooms - Residents are required to maintain cleanliness, reasonable sanitation and safety standards in all residential spaces.
  - d) Room Inspection Procedures - Rooms may be inspected for health, safety and security reasons on a periodic basis and prior to each vacation period, by a Residence Life and Housing staff member, with or without notice or the presence of residents.
  - e) Hall Sports – Any type of sports or sports-related activity (such as bouncing a basketball) is prohibited at all times.
  - f) Furniture - All furniture and furnishings brought into a residential facility are subject to approval by a Residence Life and Housing staff member. All personal furniture must be removed at the end of the occupancy period. No personal upholstered furniture is allowed in the residence halls. University supplied furniture cannot be removed from the room without the approval of a Residence Life and Housing staff member. Additional University supplied furniture, based on availability, may be provided upon request. The furniture in lounges and recreational areas is for the use of all the residents of the building and may not be moved into resident rooms or apartments.
  - g) Room Decorations - Pictures, posters and other decorations may be hung on the walls with tape that will not mar the wall surface. Nails, tacks, pins, screws, scotch tape and duct tape are damaging, and their

use may lead to damage charges. No more than a third of the room door should be covered with decorations. No items should be posted on or suspended from the ceiling, smoke detector or sprinkler head.

h) Guest Policy – As found in the [Residence Hall Policies and Procedures](#).

i) Prohibited Items – As found in the [Residence Hall Policies and Procedures](#).

j) Quiet Hours – Quiet Hours are observed in the residence halls from 9:00 PM to 8:00 AM Sunday night through Friday morning and from 12:00 AM to 10:00 AM Friday evening through Sunday morning.

20. **Theft**, which includes, but is not limited to, attempted or actual theft or unauthorized use or possession of property, resources, or services.
21. **Unauthorized entry and/or presence** in buildings or property or attempts to commit the same.
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. **Unauthorized use of the University name, logo, mascot, or other symbol**.
29. **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 Case Resolution Coordinator 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 or retaliate against a member of a review body, a complainant, referring party, respondent or witness, 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 of Conduct*.
30. **Attempted use or actual use of electronic devices that invade a person's privacy**. This includes but is not limited to taking photographs, audio, or visual recordings of another person without their consent.
31. **Retaliation against any University community member** for raising a good faith concern or issue regarding another community member.
32. **Violating university requirements or public health orders in place to reduce the risk of spreading infectious disease**.

- a) Failure to follow any and all applicable federal, state, and/or local public health orders. If multiple orders apply or in the event of conflict between or among them, students are required to follow the most restrictive public health order.
- b) Failure to follow University policies, procedures, and any other requirements in place to help reduce the risk of contracting or spreading infectious diseases.
- c) To the extent consistent with University policy, failure to comply with any additional or more specific actions required by a campus department or unit, to limit the spread of infectious disease, while participating in a program or activity, utilizing a service or benefit, or using University facilities.
- d) Failure to abide by face covering requirements. If University policy, procedures, or other requirements and/or public health orders require wearing face coverings, students are required to wear face coverings that cover the nose and mouth whenever indoors on campus and whenever outdoors on campus.
- e) Failure to abide by physical distancing requirements as specified by University policy, procedures, or other requirements and/or public health orders.
- f) Failure to abide by gathering requirements. All on campus gatherings, public or private, must comply with applicable University policy, procedure, or other requirements and the most restrictive public health order in place. All off campus gatherings, public or private, must comply with the most restrictive public health order in place. For example, if specific capacity or density limitations or guidelines are in place, student must abide by those parameters.

#### **Part IV: Community Standards Procedures**

The following procedures are used to adjudicate alleged violations of *The Student Code of Conduct* except allegations of discrimination, discriminatory harassment, sexual harassment, sexual violence, dating violence, domestic violence, or stalking allegedly committed by a student or student organization which may be adjudicated under the [Equal Opportunity, Diversity and Affirmative Action Plan](#). Allegations of sexual harassment, sexual violence, dating violence, domestic violence, or stalking that occur off campus or internationally will be addressed under *The Student Code of Conduct*.

##### **A. Allegations**

1. Any person may file a report regarding any student or student organization alleging misconduct. To initiate the Community Standards process, reports shall be referred to the Director of Community Standards, or designee. A report should be submitted as soon as possible after the alleged misconduct takes place. Reports may be [filed electronically](#), in person at the Office of Community Standards in DiNardo Hall room 133, or via email at [communitystandards@bridgew.edu](mailto:communitystandards@bridgew.edu).
2. The Director of Community Standards or designee shall determine if a referral alleges or addresses a potential violation of *The Student Code of Conduct* and will notify the respondent of such allegations. The decision to continue a referral 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 Case Resolution Coordinator(s) to the case who will investigate, schedule a conference with the respondent(s) and other individuals as deemed necessary and appropriate.

##### **B. Determination of Facts Relative to an Alleged Violation**

1. The standard used in determining whether or not the respondent violated *The Student Code of Conduct* is a preponderance of the evidence (whether it is more likely than not that a violation occurred).

##### **C. Resolution of Referred Incidents**

Incidents referred to the Office of Community Standards may be resolved through resolution options identified below. Use of the case resolution options listed below are determined by the Case Resolution Coordinator and are informed by nature of the alleged incident and other applicable factors including but not limited to the student's past conduct history. Students are presumed not responsible for violations prior to adjudication. The burden of proof shall be on the university to show that the preponderance of the evidence standard is met before a student is determined to be responsible. All reviews will be fairly and impartially decided.

### **1. Response by Letter**

- a. The Director of Community Standards, or designee, shall determine the appropriateness of addressing an incident by letter. In such cases, a student shall receive a letter from the Case Resolution Coordinator outlining the alleged violation(s), determination, and sanction(s), if applicable.
- b. Students will have the opportunity to respond to the allegations and corresponding decision and request that an Administrative Conference be held to review the incident. Such requests must be made within three (3) business days from the date the notification was sent. Failure to respond within this timeframe will result in the decision being considered final.
- c. Examples of incidents that may be responded to by letter include but are not limited to minor off campus incidents and violations of the Residence Hall License Agreement.

### **2. Administrative Conference**

- a. An Administrative Conference is a meeting between a respondent and a Case Resolution Coordinator to review an incident, explain the Community Standards process, and review possible options for resolving the matter.
- b. After reviewing the incident with the respondent, the Case Resolution Coordinator will determine appropriate allegation(s) and/or violation(s), if any, and whether or not the situation may be resolved informally by marking the case as an educational conference or by signing a Case Resolution Form with the respondent. If the matter is unable to be resolved informally, the Case Resolution Coordinator may refer the matter for a formal Investigation/Administrative Review. Respondents may also request an Investigation/Administrative Review. Requests for an Investigation/Administrative Review will typically be granted.
- c. If a respondent does not attend an Administrative Conference on the date specified the incident may be referred to an Investigation/Administrative Review.
- d. Findings of "not responsible" result in the matter being closed. Students will receive this disposition in writing.
- e. A respondent who agrees to resolve any alleged violations and applicable sanctions during an Administrative Conference shall have no right to appeal.
- f. A respondent or a complainant, if any, may request that the matter be referred to the Administrative Review Committee.

### **3. Investigations/Administrative Reviews**

#### **A. Investigations**

1. If a situation cannot be resolved during an Administrative Conference, the Case Resolution Coordinator will assume the role of investigator and will conduct a fair and impartial investigation regarding the referred incident. The respondent and complainant, if applicable, may provide information in person and/or submit a written account, and provide the names of incident witnesses for possible interviews with the Case Resolution Coordinator, provide witness statements and any documentation that may be relevant to the facts of the incident. The investigator will make a reasonable effort to obtain supporting documentation regarding the

incident from other University entities or other resources. The investigator will determine the relevancy of the information proposed and/or provided. Upon completion of the investigation, the investigator applying a preponderance of the evidence standard, will determine if any violations of *The Student Code of Conduct* occurred.

2. If a respondent, complainant, and/or a witness, after receiving notification, does not appear for an Administrative Conference or any other meetings scheduled by the Case Resolution Coordinator, the Investigation and/or Administrative Review will proceed without the student(s).
3. During an Investigation/Administrative Review process, the respondent and the complainant(s) shall each have the right to:
  - a. Be notified of all alleged violations. This will typically be done through the University e-mail system. Notifications of student organization respondents will be done through the University e-mail system to the president of the student organization (for notice of allegations) and the student organization representative thereafter. Students and student organization leaders and representatives are responsible for checking their University e-mail and following the instructions contained within the e-mail.
  - b. Review any written referral(s) submitted in support of the allegation(s) and/or violation(s).
  - c. Present relevant information, including names of witnesses, questions for witnesses (including the individual reporting the misconduct) and other documentation, regarding the incident during the investigation period.
  - d. Submit a written account or present a personal statement regarding the incident during the investigation period. The decision to not present information is not an admission of responsibility and will not be considered as such. A student organization representative may submit one statement regarding the incident investigation on behalf of the student organization.
  - e. Be informed about the Administrative Review process.
  - f. Review investigation reports, including all supporting documentation, and any written recommendations prior to the Administrative Review.
  - g. A reasonable period of time to prepare for an Administrative Review.
  - h. Request a delay of an Administrative Review due to extenuating circumstances. The decision to grant or deny any such request is within the discretion of the Director of Community Standards or designee.
  - i. Be accompanied by an Advisor during the portions of the investigation or Administrative Review in which the student is participating. Individuals allegedly involved in the same incident may not serve as an Advisor. A student should select an Advisor whose schedule allows for attendance at the scheduled date and time of any meetings. Delays will not be allowed due to the scheduling conflicts of an Advisor.
  - j. Present a community impact statement to the Administrative Review Committee in the event that the student is found “responsible” for one or more violations of *The Student Code of Conduct*.
  - k. If, prior to the meeting of the Administrative Review Committee, the investigator, the respondent, and the student complainant (if any) agree to the recommended violations and sanctions, the case may be resolved prior to an Administrative Review. If not, the case will proceed to an Administrative Review.

## B. Administrative Reviews on Allegations/Violations

1. Upon completion of the investigation, the investigator will send the respondent a copy of the completed investigation report and will attempt to meet with the respondent to review the findings of the investigation. The report will outline the factual findings based on preponderance of evidence standard. If the investigation report includes a recommendation that a student be found “responsible,” for one or more allegations, the investigator will also review the recommended sanctions.

After the investigation report has been sent, the student will have five (5) business days to respond to the findings and recommended sanctions contained in the investigation report. The student will also be encouraged to submit a Community Impact Statement, which summarizes the student’s understanding of the incident and the impact that their behavior may have had on the community. A Student Organization Representative may submit one statement on behalf of the Student Organization.

The investigator will also send the completed investigation report to the Complainant(s), if any, and will attempt to meet with them to review findings of the investigation. Complainant(s) will have five (5) business days to respond, including submission of a Community Impact Statement, which summarizes the student’s understanding of the incident and the impact that the alleged behavior may have had on them or the community.

Upon the conclusion of five (5) business days, the investigator will submit to the Director of Community Standards or designee, a final draft of their investigation report as well as any responses from the respondent and/or complainant(s).

2. Within ten (10) business days, an Administrative Review Committee, comprised of three Administrative Review Committee members will be assigned to review the report and the parties’ written responses to its findings, minus any recommendations regarding any disciplinary action.
3. Administrative Reviews bring several people together to allow for the full consideration of any allegations that a student has violated *The Student Code of Conduct*. Participants may include the investigator(s), the respondent(s), complainant(s), witness(es), member(s) of the Administrative Review Committee, an Administrative Review Committee Advisor, and an Advisor for each respondent or complainant.
4. All participants are expected to be respectful of each other’s purpose in the review process and are to conduct themselves accordingly at the direction of the Administrative Review Committee. The Director of Community Standards or designee may modify the procedures after taking into consideration the support and privacy needs of the parties and/or other potential meeting participants. This may include, but is not limited to, alteration of the meeting room setup, use of multiple rooms, video-conferencing equipment, or other electronic means.
5. Administrative reviews shall be generally limited to a review of the final investigation report, responses to the investigation report submitted by the respondent and the complainant(s), and statements and evidence collected during the investigation period.

Members of the Administrative Review Committee may opt to ask questions of the investigator, the respondent(s), complainant(s), and any witnesses. Questions may be presented to the Administrative Review Committee by the complainant and respondent for the Administrative Review Committee members to pose to any witnesses, the complainant, or the respondent. Whether or not the questions presented by the complainant or respondent will be asked by the Administrative Review Committee shall be at the discretion of the Administrative Review Committee.

The Administrative Review Committee may adopt the investigator’s report in full or in part, may 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.

If there is a finding that the respondent is “responsible” for violating any provision of *The Student Code of Conduct*, or the purpose of the review is limited to reviewing proposed sanctions, the Administrative Review Committee will then review the respondent’s academic transcript and conduct history, if one exists, the recommended sanctions, and any community impact statements. Character references and/or letters of support will not be accepted.

6. Once the Administrative Review Committee has completed its review on findings and sanctions, the respondent and the complainant(s), if present, will be verbally notified of the findings and sanctions. The respondent will receive written notification of the Committee’s decision within three (3) business days. The respondent and the complainant(s) will be simultaneously notified of the factual finding(s) in writing if permitted or required by law. Upon written request, a copy of the final investigation report shall be made available to the respondent and the complainant(s) if permitted or required by law.

Administrative Review Committee meetings shall be conducted in accordance with the procedures listed below.

- a. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in these proceedings.
- b. Administrative Reviews shall be conducted in private. In accordance with Massachusetts state law, Administrative Review Committee proceedings may not be recorded.
- c. Admission of any person into the meeting room shall be at the discretion of the Administrative Review Committee. The Administrative Review Committee shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.
- d. When an Administrative Review involves more than one respondent, the Director of Community Standards may, at their discretion, permit Administrative Reviews concerning each student to be conducted either separately or jointly.
- e. When a student respondent has been found “Responsible” for violating any provision of *The Student Code of Conduct*, or the purpose of the review is limited to reviewing proposed sanctions, the Administrative Review Committee shall consider the student’s academic transcript, student conduct history, impact statements from the respondent and complainant, and the investigator’s written recommendations before imposing sanction(s). Character references and/or letters of support will not be accepted.
- f. Following the meeting, the Administrative Review Committee shall advise the respondent and the complainant, if any, in writing of its determination and of any imposed sanction(s).
- g. All procedural questions are subject to the final decision of the Administrative Review Committee.

### **C. Administrative Reviews on Sanctions**

1. If the Case Resolution Coordinator and respondent are able to resolve the incident regarding the allegation(s) and/or violation(s) but not the sanctions, an Investigation /Administrative Review shall focus solely on the proposed sanction(s).
2. 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 regarding the alleged violation(s) (typically, a signed agreement where the respondent has taken responsibility for the alleged violation(s)), and a recommendation regarding any sanction(s) that may be appropriate.



3. An Administrative Review Committee will be assigned to review the report, all evidence, and issue a formal decision regarding sanctioning. The Administrative Review Committee will review the respondent's complete educational record, including but not limited to a review of the respondent's academic transcript and Community Standards history, if one exists, and any submitted community impact statements. Character references and/or letters of support will not be accepted.
4. Administrative Reviews on Sanctions bring several people together to allow for the consideration of any proposed sanctions. Participants may include the investigator(s), the respondent(s), complainant(s), member(s) of the Administrative Review Committee, an Administrative Review Committee Advisor, and an Advisor for each respondent or complainant.
5. All participants are expected to be respectful of each other's purpose in the review process and are to conduct themselves accordingly at the direction of the Administrative Review Committee. The Director of Community Standards or designee may modify the procedures after taking into consideration the support and privacy needs of the parties and/or other potential meeting participants. This may include, but is not limited to, alteration of the meeting room setup, use of multiple rooms, video-conferencing equipment, or other electronic means.
6. Once the Administrative Review Committee has completed its review on sanctions, the respondent and the complainant(s), if present, will be verbally notified of the assigned sanctions. The respondent will receive written notification of the Committee's decision within three (3) business days. The respondent and the complainant(s) will be simultaneously notified of the factual finding(s) in writing if permitted or required by law. Upon written request, a copy of the final investigation report shall be made available to the respondent and the complainant(s) if permitted or required by law.

#### **D. Sanctions**

1. Findings of "not responsible" result in the matter being closed. Students will receive this disposition in writing.
2. If the respondent is determined to be responsible for violating *The Student Code of Conduct*, appropriate sanctions will be imposed. Sanctions are determined by considering the nature of the misconduct, precedent regarding such misconduct, the respondent's complete educational record, including but not limited to the student's academic transcript, Community Standards history, the community impact statements and/or mitigating or aggravating factors. With respect to respondents that are student organizations, the Case Resolution Coordinator will obtain recommendations from other applicable university departments and offices. In cases alleging student organization misconduct, the Case Resolution Coordinator may also review the Community Standards history of individual members of the student organization.
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.
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 or student organization found responsible for violating *The Student Code of Conduct*. Examples include, but are not limited to: Athletics, the Center for Student Engagement, Residence Life and Housing, and the Office of Study Abroad.
6. Sanctions such as University Expulsion, University Suspension, Permanent Residence Hall Suspension or Temporary Residence Hall Suspension may result in the forfeiture of certain monies. Please refer to the [Undergraduate/Graduate Catalog](#) and/or the [Residence Hall Policies and Procedures](#) for additional information.

7. In addition to other mitigating and aggravating factors considered in connection with imposing sanctions, additional factors may be considered with respect to student organizations including, but not limited to:
- a. The role of leaders and the seniority of the members of the student organization involved in the behavior supporting the violation;
  - b. Whether leaders had knowledge of the misconduct before or while it occurred and failed to take corrective action;
  - c. The number of members of the student organization involved in the behavior supporting the violation and the extent to which members acted in concert in connection with such behavior;
  - d. Whether the leaders of the student organization self-reported the behavior underlying the violation;
  - e. The extent to which the student organization leaders and members cooperated, responded honestly to questions, and accepted responsibility for the behavior underlying the violation;
  - f. The misconduct involves a violation of the University's [Hazing Policy](#), [Alcohol Policy](#), [Drug Free Policy](#), or the [Equal Opportunity, Diversity and Affirmative Action Plan](#), or violation of law.
  - g. The following sanctions may be imposed, individually or in various combinations, on any student found to have violated *The Student Code of Conduct*. Please note that this is not an exhaustive list of sanctions.

### Major Sanctions

1. **University Warning:** A written notice that the respondent has violated *The Student 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 or Loss of Recognition with respect to a student organization.
2. **University Probation:** University Probation is a set period of time during which the student or student organization is given the opportunity to modify behavior, to complete specific assignments, and demonstrate a positive contribution to the University community in an effort to regain privileges within the University community. Please be aware that a responsible finding for any violation(s) of any University policy during the probationary period will be viewed as a violation of probation, and will result in further action being imposed, including, but not limited to, University Suspension or University Expulsion. Additionally, as students and organizations which are on University Probation are not considered to be in good standing with the University, this may impact their ability to participate in intercollegiate athletics, represent the University, or participate in student leadership positions, study abroad opportunities, or extracurricular activities or student employment.
3. **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 found in violation of this restriction, including attempts to enter the lands or buildings of the University will be subject to immediate arrest for trespassing as well as further sanctions from the University. Please be aware that the student's academic record will be updated to reflect a suspension, including any grade change which may be assigned.
4. **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 also not be in or on any University premises. Students found in violation of this restriction, including attempts to enter the lands or buildings of the University will be subject to immediate arrest for trespassing. Additionally, a student's academic record will be updated to reflect an expulsion, including any grade change which might be assigned.

5. **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 of Conduct* committed during the course of obtaining the degree or for other serious violations committed by a student after admission or prior to graduation.

#### **Sanctions Impacting Residence Hall Status:**

1. **Housing Probation:** A designated period of time during which the student or student organization is given the opportunity to modify their behavior, to complete specific assignments, and demonstrate a positive contribution to the residential community. Additional violations of *The Student Code of Conduct* may lead to temporary or permanent removal from the residence halls.
2. **Relocation of Residence:** Required reassignment to another campus residence location.
3. **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.
4. **Permanent Residence Hall Suspension:** Permanent separation of the student from the residence halls.

**Additional Sanctions:** The following may be assigned in conjunction with any status sanction(s).

1. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
2. **Restriction:** Denial of access to any campus facility, activity, class or program.
3. **No Contact Order:** University issued directive ordering no contact and/or communication between one or more parties. This includes but is not limited to letters, emails, text messages, social media, or messages delivered through a third party.
4. **Fines:** Costs assigned in conjunction with participation in educational programs or assignments.
5. **Restitution:** Compensation for loss, damage or injury. This may take the form of appropriate service or monetary or material replacement.
6. **Community Restitution Project:** Assignment of an appropriate service project that will benefit the University community, responsible student or others.
7. **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.
8. **Educational Program/Project:** Participation in a health or safety program (the student may be required to pay an enrollment cost); seminar; and other assignments as warranted. Examples include, but are not limited to: BASICS, Marijuana 101, Nicotine 101, written research projects, or reflective essays.

**In addition to the above listed sanctions,** the following sanctions may be imposed upon any student organizations found to have violated *The Student Code of Conduct*. Please note that this is not an exhaustive list:

**Loss of Recognition:** Loss of all University privileges for a designated period of time. Loss of recognition for more than two consecutive semesters requires a student organization to reapply for University recognition.

Conditions for future recognition may be specified. Students may not continue to participate or associate in a student organization or accept further members during any Loss of Recognition.

## **E. Appeals**

1. A decision reached through an Administrative Conference, where the student accepts responsibility and agrees to sanctions, cannot be appealed. Additionally, cases resolved through the Response by Letter process will not be subject to appeal or additional review following the three (3) business day response period.
2. A decision reached through the Administrative Review Committee may be appealed by the respondent(s) or complainant(s) to an appellate body within five (5) business days of the decision. Only the student organization representative may submit an appeal on behalf of a student organization respondent.
3. All appeals shall be submitted through the designated online form. In order to be considered, appeals must state the grounds for the appeal and provide a rationale supporting those grounds.
4. Appeals shall be limited to a review of the investigation report and the subsequent findings. The review shall be limited to the following reasons:
  - a. To determine whether the administrative review was conducted in conformity with prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice resulted.
  - b. To consider new information and/or facts because such information and/or facts were not known to the person making the appeal at the time of the investigation. New information and/or facts must be considered sufficient to alter a decision.
5. Sanctions are normally placed on hold pending the decision of the appellate body. However, the University reserves the right to maintain the status of any/all sanctions it deems appropriate.
6. If the original decision reached by the Administrative Review Committee is not upheld by the appellate body, the matter may be referred back to the Administrative Review Committee to allow further reconsideration of the decision. Alternately, the appellate body may determine any appropriate changes to the findings or imposed sanctions. If the original decision reached by the Administrative Review Committee is upheld, the matter shall be considered final and binding.
7. All parties to an appeal will promptly receive simultaneous written notice of the outcome of the appeal.

## **F. Accommodations for Students with Disabilities**

1. A student with a disability who desires an accommodation in regard to an Administrative Conference, Administrative Review or appeal must request an accommodation by following the procedure for requesting an accommodation through Student Accessibility Services. It is the student's responsibility, and not that of a University official, to request an accommodation. Student Accessibility Services 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 Student Accessibility Services. Please contact Student Accessibility Services at 508.531.1214 or by email at [SAS@bridgew.edu](mailto:SAS@bridgew.edu) for additional information.

## **Part V: Interim Administrative Action**

1. The Vice President of Student Affairs and Enrollment Management 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 respondent prior to or during an Administrative Review of the respondent'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, to protect the safety of any person, or when a significant disruption occurs within the educational community or living and learning environment.

2. Interim administrative actions are not sanctions. They are taken in an effort to protect the safety and well-being of the complainant, respondent, other members of the University community, the University, or property. Interim administrative actions are preliminary in nature; and are in effect only until the resolution of the Community Standards process; however, violations of interim administrative actions may result in additional violations and sanctions including University Suspension or University Expulsion or Loss of Recognition.
3. Every effort will be made to meet with the respondent to provide an opportunity for the respondent to make a statement regarding the proposed interim action.
4. A student who receives an interim administrative action may request a meeting with the Vice President of Student Affairs and Enrollment Management or designee to demonstrate why an interim action is not merited. Regardless of the outcome of this meeting, the University may still proceed with the Community Standards process.
5. The Vice President of Student Affairs and Enrollment Management or designee will monitor any interim administrative action placed upon a student or student organization, and if information comes to light during the Community Standards process that warrants a different interim administrative action or the removal of an action, that action shall be taken as soon as is reasonably possible.
6. Interim administrative actions imposed by the Vice-President of Student Affairs and Enrollment Management, or designee may remain in effect through the conclusion of the appellate process.

#### **Part VI: Maintenance and Review of Community Standards Files**

1. Community Standards files are deemed education 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. Additional information regarding the disclosure of educational records may be found in the [Family Educational Rights and Privacy Act section of the Student Handbook](#).
2. Community Standards files are maintained chronologically by academic year, then by the date the incident was reported, and then by respondent. A student may have more than one file. Generally, a Community Standards file, including related information documents, will be kept and maintained for seven (7) years from the date that the student is no longer enrolled at the university. The Community Standards file of an expelled student shall be retained for twenty-five (25) years.
3. In situations involving both a respondent and another student who believes they were a victim of the respondent's misconduct, the records of the process, if any, will be considered to be the education records of both students since their educational career and chances of success in the academic community may be impacted. Please note that not all procedural records will be considered to be student conduct records.
4. The Director of Community Standards or designee has the final authority regarding the inspection, review, or release of any Community Standards file.

#### **Part VII: Interpretation and Revision**

1. *The Student Code of Conduct* was most recently approved by the President's Cabinet on September 3, 2020.
2. Any questions of interpretation regarding *The Student Code of Conduct* shall be referred to the Director of Community Standards or designee for determination. The Director of Community Standards or designee's

determination is final.

3. *The Student Code of Conduct* shall be reviewed at least every three (3) years under the direction of the Vice President of Student Affairs and Enrollment Management. Substantive revisions shall be approved by the Cabinet.