



**Code of Conduct**  
**The University of the South**  
*Effective August 12, 2024*

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## I. Introduction

The University of the South's policies are derived from our general philosophy of University life defined by our motto—*Ecce Quam Bonum (EQB)* meaning *Behold how good and pleasant it is when kindred live together in unity!* Our motto comes from Psalm 133 and embodies the principle that, as members of the Sewanee community, we have a responsibility to live harmoniously and respectfully together. We aspire to live and learn in a community that promotes our collective responsibility to hold one another to shared standards. Students and recognized student organizations are expected to uphold the University's motto in their daily lives and actions. University of the South students are regarded as people who are morally and legally responsible for their own conduct within the context of the norms and values of an educational community and as responsible residents of the local community in which the University is located, with respect for the laws of the state and country.

[The EQB Guide](#) is Sewanee's student handbook. It contains information about policies and resources, including the Code of Conduct. The Code of Conduct is designed to provide students with clarity about the major expectations of their behavior as outlined in University policies.

The resolution process outlined in the Code of Conduct is designed to be a part of the educational mission of the University, one that focuses on upholding the commitments and values inherent in the Sewanee community. The resolution process teaches students in the College of Arts and Sciences appropriate and acceptable behavior within a community. We believe in an ongoing developmental process in which individuals assume responsibility for the effect of their behavior on themselves and others. Students are expected to engage in behavior that creates a mutually beneficial living and learning community for all.

The College provides a resolution process in which members of the Sewanee community may resolve violations of the Code of Conduct with mutual respect for one another. The resolution process will be governed by fairness, education, and respect at all stages. Fairness means the process should be carried out in a consistent, clear, and equitable manner. The process, including potential outcomes, strives to be educational. Students are responsible for the consequences of their actions and are expected to make ethical choices. The process also is characterized by respect for all individuals, as well as the community as a whole.

## II. Definitions

- A. **Accommodation:** An accommodation is a legally mandated reasonable modification or service that gives a student with a disability an equal and equitable opportunity to benefit from the educational process and/or University services.
- B. **Appeals Board:** The Appeals Board oversees and resolves appeals to outcomes of the resolution process as described in this Code of Conduct. The board has three members selected from a larger pool—one faculty as chair, one staff, and one student – selected and trained by the Office of Community Standards.
- C. **Community Hearing Board:** The Community Hearing Board is a panel composed of one faculty member, one staff member, and one student selected from a larger pool, trained by



the Office of Community Standards which is responsible for resolving cases as outlined in the Code of Conduct.

- D. Complainant: A person who alleges violation(s) of the Code of Conduct.
- E. Educational Conference: An Educational Conference is an informal resolution process where the Respondent meets with the Resolution Facilitator to mutually resolve alleged violations of University policies including the Code of Conduct. With few exceptions, all cases begin resolution at an Educational Conference. The alleged violation may be resolved during the Educational Conference if the respondent and Resolution Facilitator mutually agree on appropriate resolution, including responsibility and outcomes as relevant.
- F. Fact-Finding: Fact-finding is the process overseen by the Resolution Facilitator solely to collect information about a reported incident. The goal of fact-finding is to determine if there is enough information to support an alleged violation of the Code of Conduct or other University policies. Fact-finding includes, but is not limited to, meetings with individual students, review of submitted materials including photos and videos, and review of information available within the University system like enrollment, residential, and event participation data.
- G. Hearing: Formal resolution processes are heard by either the Student Conduct Board or Community Hearing Board, which is a panel of people selected from a larger pool of trained panelists. The type of hearing depends upon the circumstances of the alleged violation. This contrasts to informal resolution processes called Educational Conferences.
- H. Interim Measure: A time-bound restriction or requirement of a participant in the resolution process issued by the Dean of Students prior to the resolution of an allegation of misconduct.
- I. Recognized Student Organization (RSO): Any Student Organization, including, but not limited to, fraternities and sororities, club sports, music and performance groups, and intercollegiate athletic teams. The Student Organization Handbook defines a Recognized Student Organization as a group of undergraduate or graduate students who unite to promote or celebrate a common interest. For the purposes of this Code of Conduct, Recognized Student Organizations will also include those groups of students pursuing but not yet recognized and groups of students acting as an RSO without recognition. The Code of Conduct applies to organizations just as it applies to individual students.
- J. Report: Information received by the Office of Community Standards about a potential violation of University policy. Also called an Incident Report.
- K. Resolution Facilitator: A University official who has been designated by the Dean of Students and received special training from the Office of Community Standards to resolve potential violations of the Code of Conduct in an Educational Conference.
- L. Respondent: A student or RSO alleged to be in violation of the Code of Conduct or other University Policy.
- M. Student: For the purposes of this Code of Conduct, a student is any person taking, scheduled, or reasonably expected to take courses in the College of Arts and Sciences, full or part-time. Student status continues between academic terms and applies to persons who have a continuing relationship with the College including those who withdraw from classes after the alleged conduct. Student status ends upon conferral of degree or the completion of official process to withdraw, transfer, or take a leave of absence.



- N. Student Conduct Board: The Student Conduct Board is a panel composed of trained students who have been selected through an application and interview process with the Office of Community Standards. The Student Conduct Board is responsible for resolving cases as outlined in the Code of Conduct.
- O. Student Housing: Any facility selected by students to live in via the housing application process while attending the University.
- P. Student Organization Activity: An activity organized, supported, or sponsored by a Student Organization. The following guidelines will be used to determine if an alleged activity is associated with a Recognized Student Organization.
1. Conduct is endorsed by the organization or any of its leaders. Endorsement includes, but is not limited to, active or passive consent or support, having prior knowledge the activity was likely to occur, or helping to plan, promote, or advertise the activity.
  2. Conduct is committed during the course of an activity paid for by the organization or paid for by one or more members contributing personal funds.
  3. Conduct occurred on property owned, controlled, rented, leased, or used by the organization or its members for organizational activities.
  4. Purpose of the activity was related to joining, initiating, or continuing membership/affiliation with the organization.
  5. Non-members of the organization learned about the activity from advertisements or communications associated with the organization.
  6. Members of the organization attempted to conceal the activity or protect members who were involved.
  7. One or more leaders of the organization had prior knowledge or reasonably should have known that the conduct would take place.
- Q. Supportive Measure: An action taken by the University to provide appropriate support to a participant in the resolution process to ensure their continued access to education programs and activities.
- R. Support Person: A person attending any part of the resolution process to provide emotional or other support to the Respondent, Complainant, or witnesses. Support Persons may not have an active role during resolution proceedings, i.e., they may not speak for or represent the person they are supporting. All communication will be to and must be made by the Respondent, Complainant, or witness.
- S. The Domain: The Domain defines the University's land including the combined 13,000 acres of natural land, campus properties, and residential spaces.
- T. Threshold Review: An initial review by the Resolution Facilitator of an incident report submitted to the Office of Community Standards to examine readily available information for credibility and actionability before the incident is addressed any further by the Resolution Process.
- U. University Property: Property including items owned or controlled by the University. Examples include the Domain and all campus buildings, spaces rented by the University, University personal property including University vehicles, and technology resources.
- V. University Official: University administrators, faculty and staff, and Sewanee Police officers are considered University Officials.
- W. University Community: Students, faculty, staff, and visitors to the campus are considered our University Community.



- X. Witness: A person participating in a resolution process who can provide additional information about an alleged violation based on their personal knowledge of the incident.

### **III. Authority**

Students, faculty, and staff voluntarily enter into membership in the University community and, in so doing, assume obligations of behavior reasonably expected by that community for the purpose of furthering its mission, vision, processes, and functions. In order to carry out its mission, the University promotes and enforces appropriate rules, regulations, and policies and takes action when violations of such rules, regulations, and policies occur. The University Ordinances give the Dean of Students, and staff under their direction, responsibility for establishing and implementing a student disciplinary system.

College of Arts and Sciences undergraduate students (referred to as “students”) accept the expectations and policies set forth in this Code of Conduct and other University rules, regulations, and policies when they are admitted to the University. Behavior that violates policies related to non-discrimination, harassment, and retaliation, including Title IX, will be subject to the processes outlined in those policies separate from this Code of Conduct. Students are also subject to the laws of the state of Tennessee, federal law, and other local, national, and international governing laws and policies.

The student resolution process is not a criminal or civil court system. The two systems are independent and have different purposes, processes, and standards used to determine responsibility and consequences. The University’s student resolution process is not a legal process and thus rules of law, evidence, and procedure used in legal proceedings do not apply and will not be used. In addition to being managed through the University, conduct violations that are also violations of federal and/or Tennessee law may be referred to the appropriate legal authorities. These processes may run concurrently as the University is responsible for upholding its policies and expectations at all times.

The language used in this Code is not intended to create nor is it to be construed to constitute a contract between the University and any one or all of its students. It is the student’s responsibility to read the Code of Conduct. The Code of Conduct does not contain all policies of the University and its units, but rather highlights important policies for students. Students are responsible for understanding any other pertinent policies, handbooks, or expectations from any University units with which the student may be involved and will be subject to the policies and expectations of any unit within the University to which the student belongs.

### **IV. Jurisdiction and Scope**

The University’s Code of Conduct applies to student behavior occurring from the time of admission until the awarding of a degree or other separation from the institution. More specifically, each student is responsible for their conduct from their admission to the University through the actual awarding of a degree, even though the 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.



The University reserves the right to address student behavior or recognized student organization activity on-campus, off-campus, and online when such behavior or activity is inconsistent with the Code of Conduct. Any incident involving an individual student's behavior or a recognized student organization's activity that is believed to be inconsistent with federal, state, and local laws may be referred to the appropriate authority. Further, students may be held accountable for behavior that attempts to commit a violation of the Code of Conduct as if an attempt has been completed.

Students are responsible for the conduct of their guests on or in University property and at functions sponsored by any recognized student organization. Residential students should review [Residential Life Policies](#) for more information about host and guest responsibility.

For entering students, a student's violation of the Code of Conduct occurring prior to the opening of student housing for the admitted semester may be addressed through re-evaluation of the offer of admission or by the Dean of Students. After the opening of student housing for the admitted semester, a student's behavior will be addressed in accordance with the process published in this Code. For graduating students, violations of policy just prior to, during, or after final exams may result in the inability to participate in Commencement exercises and stipulations that must be met to receive a diploma at a later date.

## **V. Student Rights & Responsibilities**

Student Rights: The University affirms the following student rights and privileges in conduct resolutions for individual students and recognized student organizations:

- A. To be informed of the Code of Conduct and its corresponding procedures;
- B. To petition for redress of a grievance arising from an incident that violates University policy and/or the Code of Conduct;
- C. To receive notice of any alleged violations of University policy and/or breaches of the Code of Conduct prior to the initiation of fact-finding and, if deemed appropriate, an Educational Conference or Hearing;
- D. To have an opportunity to be heard by an impartial Hearing Board or Resolution Facilitator to address an allegation(s) of a violation of University policy;
- E. To be presumed not responsible for a violation of the Code of Conduct until the conclusion of an Educational Conference, Hearing, or Appeal, as applicable can occur;
- F. To have a Support Person of one's choosing present in any resolution proceedings. Support Persons may not participate directly in a resolution process nor may a Support Person address any participant in the conduct hearing process other than the student they are supporting;
- G. To examine evidence of an alleged violation to be presented prior to an Educational Conference or Hearing;
- H. To view the list of witnesses prior to a Hearing and to suggest additional witnesses to this list;
- I. To choose not to answer a question asked in a fact-finding meeting, Educational Conference, or Hearing;
- J. To choose not to participate in an Educational Conference or Hearing, noting resolution proceedings may continue without their participation;
- K. To be informed of the outcome of the resolution process;





- L. To appeal the decision as outlined in the appeals section of the Code of Conduct.

Student Responsibilities: The following responsibilities represent the standard of conduct at the University for individual students and recognized student organizations:

- A. To maintain a level of behavior consistent with the Honor Code and Code of Conduct;
- B. To observe the laws of local, state, and federal government;
- C. To read, become familiar with, and adhere to all University policies;
- D. To participate in all resolution proceedings or communicate the desire to abstain, unless participation has been required at a fact-finding meeting;
- E. To stay informed by reading communications from the University.

## VI. Prohibited Conduct

The following conduct is prohibited as it violates the spirit of the University's motto and the shared commitments and values of the institution.

### A. Alcohol

1. Common Source: Providing access to or serving alcoholic beverages from common sources is prohibited. This includes possession, storage, or use of any container where alcohol may be stored, mixed, or served from including, but not limited to, kegs of any size, shared coolers, commercial dispensers, or punch bowls or any container that serves as a common source of access to alcoholic beverages to multiple persons.
2. Alcohol Possession/Use: The University prohibits the unlawful use, possession, and distribution of alcoholic beverages. Under Tennessee law, it is unlawful for any person under the age of 21 to buy, possess, transport, or consume alcoholic beverages, including beer and wine.
3. Driving Under the Influence: In addition to being a violation of Tennessee law, driving under the influence of alcohol, controlled, or other substances used for the purpose of intoxication or inebriation is prohibited by the University.
4. Glass Bottles: Glass bottles or glass containers of alcohol are prohibited.
5. Providing to Underage: It is unlawful under Tennessee law and prohibited by the University for a person to buy, furnish and/or make available alcoholic beverages for anyone under the age of 21.
6. Public Intoxication-Alcohol: Public intoxication, being under the influence of alcohol to the extent of losing control of one's faculties or behavior, including disorderly conduct in public or private locations (including student housing), or endangering oneself or others, is prohibited.
7. Rapid Consumption: The possession of paraphernalia such as beer funnels, beer pong games, and drinking games with or without the express purpose of encouraging or facilitating the rapid consumption of alcohol is prohibited.

### B. Drugs

1. Drug Possession/Use: The University expects students to comply with federal and Tennessee state laws related to controlled and other substances used for the purpose of intoxication or inebriation. This includes the unlawful possession, use,



- manufacture, sale, provision, and/or distribution of marijuana, narcotics, hallucinogens, and/or other controlled substances.
2. Misuse of Prescription Drugs: Misuse of prescription drugs including using without a prescription, in manners inconsistent with prescribed use, sale, provision, and/or distribution is prohibited.
  3. Paraphernalia: Any equipment or items related to the production, concealment, or consumption of drugs is prohibited even if the paraphernalia is being used for an alternate purpose. It includes, but is not limited to, items such as smoking devices, bong, roach clips, miniature spoons, homemade bong, scales, cigarette papers, needles, and various types of pipes.
  4. Public Intoxication-Drugs: Public intoxication, being under the influence of controlled substances used for the purpose of intoxication or inebriation to the extent of losing control of one's faculties or behavior, including disorderly conduct in public or private locations (including University owned student housing), or endangering oneself or others, is prohibited.
  5. Selling, Distributing, or Providing Drugs: Students may not sell, distribute, or provide controlled substances or other substances used for the purpose of intoxication or inebriation or violate federal or Tennessee state laws related to sales, distribution, or provision of these substances to anyone on or off campus. Provision includes "sharing" or "trade" but does not require an exchange of money, anything of value, services, or favors.
  6. Tobacco, Smoking Hemp, and Vapor Products: The University prohibits the unlawful possession, use, or distribution of tobacco products including tobacco, smoking hemp, or vapor products or smokeless nicotine products. Under Tennessee law, smokeless nicotine products means nicotine that is in the form of a solid, gel, gum, or paste that is intended for human consumption or placement in the oral cavity for absorption into the human body by any means other than inhalation. Smoking and the use of tobacco products is prohibited in all student housing and campus buildings, including on balconies, and within 50 feet of campus buildings.

#### C. Abuse and Respect for Others

1. Bullying: Bullying, the repeated and/or severe behaviors directed at a person or persons that cause or would reasonably cause the person(s) to be intimidated, distressed, or harmed physically, mentally, or emotionally and interferes with their ability to participate in and benefit from the University's activities, is prohibited.
2. Physical Conflict: Students may not engage in physical conflicts including actual contact between individuals, as well as threatening physical harm, regardless of whether physical contact occurs or not. A student's intent to initiate physical conflict is not necessary for a violation to occur. Students alleged to have engaged in physical conflicts resulting from domestic or dating violence may be referred for resolution under the [Title IX and Sex Discrimination Policy](#).
3. Hazing: Students may not engage in any behavior that violates the [Hazing Prevention Policy](#). Hazing is defined by Tennessee Law, and the University expands its definition to include any behavior associated with recruiting, joining, initiating, admitting, affiliating, or retaining membership in a group that humiliates, degrades, abuses, or





endangers a person's mental, physical or emotional well-being, regardless of their consent or willingness to participate.

4. Harassment: Students may not engage in unwelcome verbal or physical conduct that is so sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the college's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation. Sexual or gender-based harassment will be handled under the [Title IX and Sex Discrimination Policy](#). Other forms of harassment (i.e. age, race, disability, etc.) will be managed under the [Non-Discrimination, Anti-Harassment, and Retaliation Policy](#).
5. Retaliation: Any person who brings a good faith report under this Code of Conduct, or has information about or is involved in a resolution process, is encouraged to do so without fear of adverse action. Any person who retaliates against a person who brings a report or participates in the complaint resolution process is subject to being charged with retaliation regardless of the outcome of the underlying complaint. Retaliation as a part of an ongoing investigation of sexual or gender-based harassment will be handled under the [Title IX and Sex Discrimination Policy](#). Retaliation as part of an ongoing investigation of other forms of harassment (i.e. age, race, disability, etc.) will be managed under the [Non-Discrimination, Anti-Harassment, and Retaliation Policy](#).

#### D. Community Behavior

1. Complicity: The state of being involved with others in an illegal activity, violation of policy, or wrongdoing and/or failure to take reasonable action in the face of a clear wrong is prohibited. Additionally, students may not facilitate or actively encourage others to violate the Code of Conduct.
2. Conduct Unbecoming: Students are expected to respect the dignity of all individuals. This tenet extends to the interactions students have with one another, University staff and faculty, and any other individuals. When a behavior is determined to cause disruption to the learning environment or campus community, the conduct is no longer becoming of a Sewanee student.
3. Deceptive Behavior: Students should engage in honest interactions and refrain from deceptive behavior. Deceptive behavior includes lying, misleading, misrepresenting, omitting or otherwise hiding or distorting the truth. Deceptive behavior is prohibited regardless of whether another person is actually deceived. Violations of this policy may be referred to the Honor Council.
4. Disruptive Behavior: Conduct constituting a nuisance or danger to persons (including oneself) or property, including but not limited to being loud, aggressive, intimidating, bullying, engaging in a physical conflict. This conduct is prohibited.
5. Disruption of the Resolution Process: No one will engage in conduct that disrupts a meeting, Educational Conference, or Hearing, lessens the authority or dignity of any participant in the resolution process, or otherwise intentionally interferes with the resolution process. This includes causing, attempting to cause, or coercing a student to give false information in any meeting, Educational Conference, or Hearing. Students found to be giving false information can be referred to the Honor Council.
6. Endangerment: Students are expected to protect the safety of themselves and others by making responsible choices to reduce the risk of danger. Physical, mental, or



emotional abuse, or force against one's self, another individual, or group, or conduct that endangers the health, safety, or well-being of one's self or another person or group is prohibited.

7. **Failure to Comply**: Students are expected to be cooperative and respectful to University Officials who are acting in the performance of their duties. Further, students are expected to comply with instructions, requests, or orders of a University Official, a University Official's designee, or a University document. A Failure to Comply violation can result when a student knows or reasonably should have known of the instruction, request, or order.
8. **Public Health Measures**: The University establishes health policies with the goal of providing the safest environment for students, faculty, and staff to learn and live together on The Domain. Students must follow all of these policies.
9. **Theft**: Students should respect the property of others. Students are expected not to have another's property without express permission. A student who keeps property that excludes its rightful owner of its use or enjoyment when the student knows or reasonably should have known the property belonged to another will be treated as if the student took it no matter how it came into the student's possession. Violations of theft may be referred to the Honor Council.
10. **Unauthorized Entry**: Students are prohibited from physically entering non-public areas of the University without first receiving the appropriate permission(s) that grants access. Students are also prohibited from assisting others without permission to enter such areas. Non-public areas include, but are not limited to: student housing including private rooms, construction areas, athletic playing surfaces, staff or faculty offices, card-restricted rooms/areas, rooftops, and balconies, as well as closed or locked academic or administration buildings, University chapels and towers.

#### E. Property

1. **Damage to Property or Premises**: The damage, destruction, or abuse of personal, private, or University property and/or premises is prohibited. Students and RSOs may be charged restitution for any damage to University facilities and public areas that result from misconduct or misuse.
2. **Misuse of University Property**: Using University property in manners inconsistent with the designed use is not allowed. This includes removing, exchanging, or otherwise relocating property (i.e., furniture, plants, mattresses, doors, or other furnishings).
3. **Unauthorized Use of University Documents**: Lending, stealing, or otherwise transferring a student identification card, parking decal, and/or University document is prohibited. Additionally, use of a student identification card by anyone other than the owner is prohibited. No student shall obtain under false pretenses any document, identification card, parking decal, or other University-issued item. Students who violate this policy may be referred to the Honor Council.

#### F. Safety and Security

1. **Fire Hazards and Combustible Materials**: The University is committed to the safety and welfare of our community, and combustible materials including, but not limited to, gasoline, gunpowder, flammable chemicals, explosives, etc., are not permitted.



- Incendiary devices of any kind, including fireworks, are strictly prohibited in University facilities and on the premises of The Domain. Students may not light fires of any kind without the appropriate permits and approval. A Tennessee State burn permit is needed between October 15 and May 15.
2. Tampering with Fire Safety Equipment: Smoke detectors, sprinkler systems, alarms, and fire extinguishers are integral to student and facility safety and are not to be tampered with, disabled, or misused in any way. Smoke detectors must remain plugged in and/or with batteries intact.
  3. Pets and Other Animals: Students are prohibited from having pets and other animals in University-owned buildings and all student housing. Animals appropriately registered as an emotional support animal with [Student Accessibility Services](#) may reside in student housing, but may not be in other University buildings. Service animals will have appropriate access granted to them as defined by the [ADA](#).
  4. Weapons: Students may not engage in any behavior that violates the [University Weapons Policy](#).

G. Other Policy or Laws

1. Other Policy or Law Violation: Students are expected to comply with all University policies, as well as local, state, and federal laws. Violation of a University policy, or policies governing academic or administrative units, including Athletics, are a violation of the Code of Conduct. Additional policies may be found by using University credentials on the [Provost's webpage](#) and in the EQB Guide.

## VII. Procedure

- A. Standard of Evidence: The University uses a preponderance of the evidence standard to determine responsibility, which means that if it is more likely than not that the student violated a policy, the student will be found responsible.
- B. Release of Information: The University does not release certain information related to the conduct process.
  1. Information collected via a report or during the fact-finding phase is usually not shared with the Respondent or Complainant until an official notice has been given to the Respondent(s) of an Educational Conference or Hearing.
  2. Conduct records are a part of a student's education record and are handled in accordance with the Family Educational Rights and Privacy Act (FERPA).
  3. Outcomes from an RSO resolution process may be shared by the University once the resolution process has concluded. This information may be redacted in accordance with FERPA.
- C. Scheduling
  1. Fact-Finding meetings, Educational Conferences, and Hearings are scheduled based upon the class schedules of the involved parties, availability of the Resolution Facilitator, Hearing Board members, and any witnesses relevant to each case.
  2. If a Resolution Facilitator needs to reschedule the Educational Conference or Hearing prior to its commencement, the facilitator will make a reasonable effort to notify the student of the new time, date, and location of the Educational Conference or Hearing. The facilitator will set a new meeting time, date, and location.



3. If a Respondent needs to reschedule the Fact-Finding meeting, Educational Conference, or Hearing prior to its commencement, they must contact the Resolution Facilitator in advance to request an alternative date and time. These meetings will be rescheduled only for reasonable, unavoidable scheduling conflicts, or additional time to provide evidence or identify witnesses.
  4. Fact-Finding meetings, Educational Conferences, and Hearings are not scheduled during final exam periods, reading days, or holidays when the University is closed. Exceptions may be made at the request of the participating student. The University reserves the right to continue the resolution process during academic breaks when appropriate.
  5. A student's failure or refusal to attend a Hearing or Educational Conference will result in a Hearing or Educational Conference being conducted in the student's absence, including the determination of responsibility and assigning of outcomes as appropriate.
    - a. Cases where the Resolution Facilitator proposes suspension or expulsion will be referred to a Hearing if the Respondent fails or refuses to attend the Educational Conference.
  6. At any point during the resolution process, students seeking accommodations for disabilities should contact Student Accessibility Services at [sas@sewanee.edu](mailto:sas@sewanee.edu).
- D. Supportive Measures: The Office of Community Standards may take supportive measures and share information about support resources that may include counseling and psychological and trauma-informed services to Complainants, Respondents, and other impacted parties.
- E. Interim Measures
1. The Resolution Facilitator may recommend to the Dean of Students, or Associate Dean of Students in their absence, an Interim Measure be issued. The Dean of Students or designee may then determine if interim measures should be issued to a student or RSO when there is reason to believe, based upon available information, that the student or RSO has engaged in, attempted, or threatened to engage in behavior that:
    - a. poses a danger of imminent physical harm to the student or to others, or
    - b. directly or substantially impedes the lawful activities of other members of the campus, or
    - c. has or is likely to cause property damage, or
    - d. there is an indication of the potential for ongoing violation of University policies.
  2. Types of Interim Measures:
    - a. Interim Organization Restriction: RSOs may be issued interim restrictions on their activities as defined by the Dean of Students including, but not limited to, a cease of operations, new member activities, or events with alcohol.
    - b. Interim Suspension: This action requires a student to leave The Domain and University property immediately, not return during the interim suspension period, and/or comply with other stated conditions for a specified period.
    - c. Housing Relocation: This action requires a student to relocate to another space within student housing within 24 hours.



- d. Housing Removal: A student who is removed from student housing may not enter any student housing.
3. Procedures for Interim Measures
  - a. A student or an RSO's leadership (including the designated advisor or coach) will receive notification via email or other appropriate manner of any interim measures, which will explain the nature and reason for the action, as well as any interim restrictions that may apply.
  - b. Any student who is suspended on an interim basis and returns to The Domain or University property and/or violates other stated conditions shall be subject to separate discipline for violation of the interim suspension and may be treated as a trespasser.
  - c. Following the imposition of interim measures, the standard resolution process will occur as expeditiously as possible.
- F. Preliminary Steps
  1. Report: The resolution process begins with a report of a potential violation of the Code of Conduct. Any member of the University community, any anonymous person, or any concerned person can file a report.
    - a. Reports may be filed via:
      - i. The [Office of Community Standards webpage](#)
      - ii. The [Sewanee Police Department](#)
      - iii. Mail or email to the Office of Community Standards ([communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu))
      - iv. The [LiveSafe app](#)
      - v. In person in the Dean of Students' Office or Office of Community Standards in the Bishop's Common
    - b. The Office of Community Standards conducts a threshold review of all reports prior to moving forward with any action. This includes examining readily available information for credibility and actionability before being addressed.
      - i. Examples of readily available information include but are not limited to, housing assignments, participation and registered event data, and student enrollment information.
      - ii. As an example, if the person listed in the report is not a student or the behavior occurred outside of the jurisdiction of the Code of Conduct, this process ends.
    - c. Reports including potential violations of the [Non-Discrimination, Harassment, and Retaliation policy](#) and/or the [Title IX and Sex Discrimination policy](#) will be referred to the [Senior Director of Equity, Equal Opportunity, and Title IX](#).
  2. Notice: If the threshold review yields credible information of an alleged violation of the Code of Conduct or other University policies, written notice will be provided to the Respondent of either fact-finding or an Educational Conference.
    - a. Notice of fact-finding will follow the procedures outlined below.
      - i. Participants in fact-finding meetings will be provided with written notice to the University email address at least 24 hours prior to the meeting date.



- ii. Written notice will include a general summary of the incident and University policies potentially relevant to the incident, as well as the date, time, and location of their meeting.
    - iii. In cases involving potential violations by RSOs, the RSO leadership and their advisor may be invited to attend a meeting with the Resolution Facilitator to discuss the fact-finding process before fact-finding meetings commence with any individual student. This may include a request for an internal fact-finding report.
    - iv. Participants in fact-finding meetings may bring a Support Person of their choice; however, no person who may be subject to the fact-finding process is permitted to serve as a Support Person during fact-finding meetings.
  - b. Notice of an Educational Conference or Hearing will follow the procedures outlined below.
    - i. The notice will be sent to the University email address of the Respondent(s). In the case of an RSO, notice will be sent to the RSO's leadership including the organization's advisor or coach.
    - ii. Notice will include a summary of the allegation, alleged policy violations, date, time, and location of the Educational Conference or Hearing, name of Resolution Facilitator and/or Hearing Board Panelists, any interim measures in place, and instructions about the resolution process. These instructions will include opportunities to submit additional information and address potential bias.
    - iii. Notice will be sent no less than five (5) business days prior to the Educational Conference or Hearing date to accommodate students requesting to view case materials in advance.
3. **Fact-Finding:** The Resolution Facilitator assigned to manage the report by the Office of Community Standards will oversee fact-finding related to the nature of the report after the threshold review determines the report is credible and actionable under the Code of Conduct. Fact-finding includes readily available information (e.g., room assignment, registered event), as well as information from people who may have some knowledge of the incident. Fact-finding efforts are designed to determine if there is enough information to support an alleged violation of the Code of Conduct or other University policies.
  - a. The University may interview all necessary persons including, but not limited to, witnesses to the behaviors. Attendance at these meetings may be required when deemed to be in the interest of community safety and wellbeing.
  - b. Participation in these meetings will be kept confidential. This includes removing identifying information in any summary reports used for Educational Conferences or Hearings.
  - c. RSOs may be asked to provide an internal fact-finding statement regarding the allegations.
  - d. If the fact-finding conducted by the University determines there is sufficient information to support an alleged violation of the Code of Conduct or other University policy, the Respondent(s) will be notified in writing as described above.





## G. Resolution Process

1. **Educational Conference**: An Educational Conference is an informal resolution process during which the Respondent meets with the Resolution Facilitator to mutually resolve allegations. With few exceptions, all cases begin resolution at an Educational Conference.
  - a. Educational Conferences provide the Resolution Facilitator and Respondent an opportunity to discuss the available information and alleged violations to mutually assess whether it was more likely than not the Respondent violated the Code of Conduct or other University Policies.
  - b. Educational Conference Procedures: The following procedures will be followed for all Educational Conferences.
    - i. Educational Conferences are closed meetings.
      - A. A Respondent may bring a Support Person with them to Educational Conferences to provide them support as described in the Code of Conduct.
      - B. Witnesses are not permitted in Educational Conferences.
    - ii. The Resolution Facilitator will provide the Respondent with an opportunity to review the information collected by the University during fact-finding and respond to the alleged violations.
      - A. The University reserves the right to redact information when it poses a risk to the safety of an individual(s) or is required by FERPA.
      - B. If the Respondent wishes to provide additional information or materials, they may request the Educational Conference be paused and resumed when they can provide this information.
    - iii. Resolution options during an Educational Conference are as follows.
      - A. After reviewing the information and discussion, the Respondent and Resolution Facilitator may agree that insufficient information exists to substantiate a violation and determine the student is not responsible for a violation.
      - B. If the Resolution Facilitator and the Respondent determine the Respondent is responsible for a violation using the established standard of evidence, the Respondent may:
        1. Agree to fulfill the outcomes as discussed and waive appeal rights; or
        2. Disagree with the proposed outcomes and request a Hearing for determination of appropriate outcomes.
      - C. If the Respondent and Resolution Facilitator do not reach a mutual decision during the Educational Conference, the case will be referred for a Hearing.
    - iv. A Respondent may request to resume the Educational Conference at any time prior to the commencement of a Hearing to pursue informal resolution of an alleged violation.
2. **Hearings**: The Office of Community Standards determines the appropriate Hearing type and schedules the hearing for all incidents.



- a. A member of the Dean of Students staff who was not the Resolution Facilitator for a case will coordinate the scheduling and management of the hearing. This includes being the point of contact for questions for all parties including hearing board panelists, Complainant(s), and Respondent(s).
  - b. Hearing Board Jurisdiction
    - i. The Student Conduct Board hears cases involving individual students. The Student Conduct Board does not hear cases involving RSOs or those that could result in an outcome of removal from student housing, suspension, or expulsion.
    - ii. The Community Hearing Board hears cases involving individual students that could result in outcomes of removal from student housing, suspension, or expulsion, and involving RSOs.
  - c. Hearing Types
    - i. Student Conduct Board: The Student Conduct Board is a panel composed of no fewer than three trained students who have been selected through an application and interview process.
      - A. The Director of Community Standards serves as an advisor for the panel to oversee their training and adherence to the procedures outlined in the Code of Conduct. The Associate Dean of Students will serve as the advisor in cases where the Director of Community Standards has been the Resolution Facilitator.
      - B. The SCB advisor may be present during Hearings as a non-participant.
      - C. Hearings conducted by the Student Conduct Board will be chaired by one of the students on the panel as identified by the Office of Community Standards.
    - ii. Community Hearing Board: The Community Hearing Board is a panel composed of one faculty member, one staff member, and one student trained by the Office of Community Standards.
      - A. Panelists must be in good standing with the University in order to serve.
      - B. Hearings conducted by the Community Hearing Board will be chaired by either the faculty or staff member on the panel as identified by the Office of Community Standards.
3. Hearing Procedures: The following procedures are followed regardless of the Hearing type:
- a. Prior to a Hearing, the Complainant(s) and Respondent(s) will receive the Hearing materials including information collected during fact-finding (such as notes and photos), instructions related to the resolution process, and relevant policy(ies).
    - i. The University reserves the right to redact information when it poses a risk to the safety of an individual or individuals or is required by FERPA.
    - ii. Should the Respondent or Complainant wish to have additional time to review the incident report or to collect information that would be helpful in the case outcome, the Hearing can be rescheduled for a later date not to exceed five (5) business days from the originally scheduled date.



- iii. The Complainant(s) or Respondent(s) will be offered a meeting to review the Hearing materials with the Dean of Students staff member coordinating the hearing.
  - b. The Complainant(s) and Respondent(s) may request permission to bring additional information to the Hearing including a person or persons who have information related to the incident to the Hearing to serve as witnesses.
    - i. The name of any person appearing as a witness should be emailed to [communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu) no less than one (1) business day prior to the Hearing and include why the witness is relevant to the case.
      - A. Complainant(s) and Respondent(s) are responsible for ensuring their witness(es) are present at the Hearing.
    - ii. Additional information should be provided to the Office of Community Standards at [communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu) no less than one (1) business day prior to the Hearing and include why the information is relevant to the case. This information will be added to the Hearing materials for all parties, including the hearing board panelists.
  - c. A Hearing is a closed meeting involving only those who have information regarding what happened, an optional Support Person for each party, and those responsible for the resolution process.
    - i. A support person cannot speak directly to any other party during a hearing or speak on behalf of the Respondent.
    - ii. The hearing will not be recorded by anyone other than the Hearing Board Chair, and the recording is the property of the University for the specific purposes of any potential appeal.
  - d. On the day of the hearing, Complainant(s) and Respondent(s) will have the opportunity to participate in a pre-hearing consultation with the Dean of Students staff member serving as the hearing coordinator. This meeting will provide an opportunity to review the procedural process and address any questions or concerns prior to the commencement of the hearing.
  - e. During a Hearing, the Complainant and Respondent will have the opportunity to challenge or clarify information related to the incident and present their own information related to the incident.
  - f. The Chair of the Hearing will determine whether the information shared by any party including witnesses is relevant to what happened during an incident and may limit information if it is determined to be irrelevant.
  - g. At the conclusion of the Hearing, the Hearing Board will deliberate in private to determine responsibility using the preponderance of the evidence standard. If a student is found responsible for a violation(s), the Hearing Board will assign outcomes.
  - h. A Respondent's prior conduct record will be considered only during the determination of outcomes phase of the Hearing and will not be considered during the deliberation regarding responsibility for the alleged violation(s).
4. Outcome Letters: Decisions regarding responsibility and outcomes, if any, will be delivered to the student or RSO leadership including advisor or coach in writing



through the student's University email address within seven (7) business days of the Educational Conference or Hearing.

- H. Appeals: Students and RSOs may submit appeals to the outcome of a resolution process in the following circumstances and observing the procedures outlined below. All appellate responses are final.
1. Cases Eligible for Appeal: Cases heard by the Student Conduct Board or Community Hearing Board are eligible for appeal. Outcomes related to suspension, revocation of RSO recognition, expulsion, and removal from student housing will not take effect until the appellate process is complete, except in the case of Interim Measures.
  2. Grounds for Appeal: The decisions made by the Student Conduct Board or the Community Hearing Board related to responsibility or outcomes can be appealed, provided that one or more of the reasons for appeal is relevant to the case:
    - a. Procedural error, which had a bearing on the original decision.
    - b. New information that was not available at the time of the hearing that would affect the original decision.
    - c. Disproportionate nature of the assigned outcomes to the violation.
  3. Appellate Officers: All appeals will be reviewed by the Appeals Board.
    - a. The Appeals Board has three members—one faculty member as chair, one staff member, and one student. Two faculty members or two staff members may serve along with one student if needed.
    - b. The students serving on the Appeals Board shall be appointed from the pool of trained hearing panelists for either the Student Conduct Board or Community Hearing Board and will not have participated in the original hearing of the case.
    - c. The faculty or staff members shall be appointed by the Dean of Students, or designee, annually and include one chair for the appellate proceedings, and will not have participated in the original hearing of the case.
    - d. All three members shall have an equal vote, and a majority vote is needed to change a previous decision regarding responsibility and/or outcomes.
  4. Appeal Procedures: The following procedures are followed regardless of the appellate body:
    - a. A written appeal must be completed and submitted via the [online appeal form](#) within five (5) business days from the date of the Outcome Letter. A student may request an extension of this deadline by submitting an extension request to the Appeals Board Chair in writing. Unless instructed otherwise, a student should continue attending classes during the Appeals Process.
    - b. The appeal request should be complete at the time of submission, including at a minimum the reason(s) for appeal with the supporting facts, any new information available and why it was not available at the time of the original hearing, and any supporting documentation. All appeal materials must be uploaded at the time of submission.
    - c. Respondents wishing to appeal the outcome of their hearing may request the recording and any additional materials added to the case file during the hearing by contacting the Office of Community Standards at [communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu).



- d. The Appeals Board Chair will first review the request for appeal to determine if the request meets the established criteria for appeal and is within the appeal filing timeline. This determination will be made within seven (7) business days of the appeal submission.
  - i. If the Respondent(s) do(es) not meet the established criteria for appeal or the appeal is not submitted within the allotted time frame, the original decision of the Hearing Board will be the final decision of the University.
  - ii. If the appeal meets the established criteria and timeline, the case will be referred to the Appeals Board.
  - iii. The Respondent(s) will be notified in writing of the appeal request determination sent via email to the University email address of the Respondent(s) within seven (7) business days of the referral from the Chair.
- e. If the appeal is referred, the Appeals Board shall have access to the case file maintained by the Dean of Students' Office.
5. Appeal Outcomes: The Appeals Board has the option of:
  - a. affirming the original decision(s) regarding responsibility and outcomes,
  - b. affirming the original decision(s) regarding responsibility and modifying the outcomes,
  - c. sending the matter back for a rehearing by a new panel of the Student Conduct Board or Community Hearing Board, whichever heard the original case according to the procedures of the respective Hearing Board, if a procedural error is found to have impacted the original outcome, or
  - d. reversing the original decisions regarding responsibility and eliminating the outcomes.
6. Notification: Appellate outcomes are communicated in writing and sent to the Respondent's University email address within seven (7) business days of referral to the appellate body or determination the appeal did not meet the criteria.
  - a. The case is considered complete once the appeal outcome response is sent or the appeal window closes without a submission.
- I. Overlapping Jurisdiction: In cases where conduct may violate policies included in the Code of Conduct and another policy governed by the Honor Council or Title IX, the following procedures will be observed.
  1. Cases with potential violations of [Title IX policies](#) will be referred to the Senior Director of Equity, Equal Opportunity and Title IX Coordinator for evaluation and administration. This evaluation will take priority over administration of the Code of Conduct procedures. The Senior Director of Equity, Equal Opportunity, and Title IX Coordinator will consult with the Office of Community Standards for resolution of any potential violations of the Code of Conduct.
  2. The [Honor Code](#) begins with the principle that "an honorable person shall not lie or cheat or steal." As such, any allegation of lying, cheating, or stealing may be remanded to the Honor Council for review and resolution, in addition to being reviewed through the Student Conduct process. In these cases, the Office of Community Standards and the advisor to the Honor Council will confer about the priority order of resolution.



## VIII. Outcomes

The University uses a progressive outcome model for addressing repeated violations of University policies throughout a student's enrollment. The outcomes assigned in each case address the specific behaviors present in the incident, as well as considering the student's prior history of violations. The goal of outcomes is to impact future decision-making and initiate appropriate behavior change. Educational outcomes including training and reflective activities are used more frequently to fulfill this goal. Multiple violations, even minor ones, will see the implementation of more restrictive outcomes as these educational outcomes fail to result in changed behavior. For example, a common outcome for a first-time underage possession of alcohol violation could include an educational course about alcohol, the opportunity to complete Conduct Forgiveness, and a reflection paper. A common outcome for a second-time underage possession of alcohol violation could include an in-person discussion with a trained professional about their substance use, a term of Institutional Probation, and a notification to the student's parent/guardian of their second violation.

The following outcomes may be used for students and RSOs as a means to address the harm caused by their behaviors and resolve violations of this Code of Conduct. More than one outcome may be applied for any single violation.

1. Administrative Referral: Students will be required to meet with another University office or department for a particular need or behavior. For example, a student may be referred to meet with a Career Readiness and Student Success coach for academic support.
2. Conduct Forgiveness: Conduct forgiveness gives students a one-time opportunity to remove the violation from their conduct history. A student will complete assigned community service hours to restore harm in the community and complete a reflection paper to earn Conduct Forgiveness. If a student never has any other incidents in which the student is found responsible, the initial incident will not be reported on an internal conduct check. If further violations occur, Conduct Forgiveness will be revoked, including being listed in a student's conduct record and be used for assignment of future outcomes.
3. Drug Testing: Students will have 24 hours to complete and submit a drug test at a local facility. Any failed, missed, late, or diluted tests will constitute a failed test and subject the student to further sanctioning. These tests are random, and students required to take a drug test will be contacted via University email and phone.
4. Educational Programs: There are several in-person and online educational seminars and workshops students may be assigned to attend specifically designed to address the issue or behavior. On occasion, students may be asked to pay for these classes or services as applicable.
5. Expulsion: Separation of an individual student from the University without the possibility of readmission. A student will lose all tuition, fees, coursework, and other privileges of an enrolled student, regardless of the time in the semester when the status is imposed.





6. Housing Probation: Students placed on housing probation are permitted to remain in University-owned student housing, provided they abide by the rules and regulations outlined in the Code of Conduct, Residential Life Policies, and for campus residency. Violations of any campus policies while placed on housing probation may result in immediate removal from campus housing.
7. Housing Relocation: The University reserves the right to relocate students as appropriate to ensure safety and a productive learning environment for all students.
8. Institutional Probation: A period of time during which any further violation of University policy may result in suspension. A student or RSO on Institutional Probation will be considered to not be in good standing, which may affect the student's ability to participate in certain University activities including leadership roles and study abroad opportunities or restrictions of an RSO's recognition privileges.
9. Letters of Apology: Students may be assigned to provide a reflective letter of apology.
10. Loss of Privileges: Specific privileges to be involved in the University community and represent the University may be limited or lost as a result of violating University policy, including but not limited to the privilege to move out of student housing, membership in RSOs, which may include the ability to participate in recruitment for Greek organizations, and/or remaining in student housing beyond finals.
11. No-Contact Order: Individuals may be issued mutual no-contact orders which may also limit access to certain areas of campus in the effort to provide safety and productive learning environments. Contact between these persons is not permitted even through third parties and social media. No-contact orders may also be issued outside of the resolution process in an effort to preserve the educational environment for both parties.
12. No-Trespass Order: The University may limit any person from coming to the Domain or campus as appropriate. This order is typically issued by the Sewanee Police Department in consultation with the Dean of Students.
13. Other Educational Outcome: A student may be assigned an educational outcome not listed here that is tailored to their specific need and circumstances of violation.
14. Parental/Guardian Notification: The University reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status, or conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. The University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk.
15. Reflection Essays: A student may be asked to research and reflect on a violation.
16. Removal from Student Housing: Loss of the privilege of living in student housing. A person removed from student housing for conduct reasons will be responsible for all housing charges assessed for the semester the student is removed. Additionally, the student will be responsible for the complete payment of the student's current meal plan, unless the student receives an exemption from the Dean of Students.
17. Restitution: A person causing damage or contributing to damage of any property or person may be responsible for paying to repair, replace, or make right the situation.



18. Revocation of RSO Recognition: Loss of recognition as a registered student organization at the University. The group loses all rights and privileges of University recognition. Revocation may be issued for a period of time equivalent to individual student suspension, or may be issued permanently, equivalent to individual student expulsion.
19. Social Restriction: Restriction from participation in or hosting of specified University/sponsored activities, events, or use of specified University facilities. Social restriction may be tailored to each student or RSO based on the nature of the violation.
20. Substance Use Assessment: Students may be required to complete a substance use assessment with a qualified counselor to assess if further treatment is needed, and to provide verification that the assessment has been completed. Counselors may only report to verify completion; however, should there be a concern about the student's ability to persist or their safety, the counselor may report this to the University.
21. Suspension: Separation of an individual student from the University for a specified period, which includes loss of all tuition, fees, coursework, and other privileges of an enrolled student regardless of the time in the semester when the status is imposed.
22. Warning: Written notice given to draw attention to the fact that behavior was not appropriate and violated University policy.

## **IX. Revision**

The Code of Conduct is revised annually at the direction of the Dean of Students. The University reserves the right to issue revisions at any time throughout the year.

The Dean of Students will provide all students with written notice when changes have been made to this document. It is the responsibility of each student to read and be familiar with the provisions of this Code of Conduct and other University policies.