

## SECTION 8: STUDENT RIGHTS, RESPONSIBILITIES, AND CODE OF CONDUCT

### I. STUDENT RIGHTS

The CIA Student Bill of Rights guarantees to all students:

- Retention of their rights as citizens of the community at large
- Protection in the classroom of freedom of expression and against improper academic evaluation
- Protection of their rights to privacy regarding access to and disclosure of student records (in accordance with the Buckley amendment and Family Educational Rights and Protections Act).
- Student Activities rights regarding freedom of association, inquiry, and expression, along with the right to participate in Institute governance and to maintain a student press free from censorship.
- The right to be free in their persons, living quarters, papers, and effects against unwarranted search and seizures.
- The right to remain silent and receive basic due process in disciplinary proceedings.

Students may be subject to disciplinary actions for conduct that violates Institute policies and regulations. Being found guilty of such conduct might result in Institute disciplinary action. The Director of Student Life and Housing supervises the Institute's disciplinary system. The procedures of criminal and civil courts shall not govern disciplinary proceedings at the Institute. In such proceedings, formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures invalidate a proceeding or decision, unless significant prejudice to an alleged violator or to the Institute may result.

### II. EXPECTED CONDUCT

The Institute regards its students as adults who are responsible for their actions, conduct and any resulting consequences. Students must maintain high standards of conduct and professionalism in their work, and respect the property of the college and fellow students, faculty and staff.

The issuance of threats of physical harm to other students or faculty will result in immediate suspension from the Institute and you will be locked out of all facilities until such time as an appropriate hearing (description below) may be convened. In most instances, you will be required to undergo a complete psychiatric evaluation and to obtain a letter from the evaluators that your return to the Institute does not represent a clear and present danger to others, including yourself. An unsatisfactory evaluation will lead to your dismissal.

The University Circle Police will be advised of your threats. Your doctor and your parents (provided they are providing a significant portion of your tuition) will be notified and, given the nature of your offense, all rights to confidentiality are deemed waived with respect to those parties.

### III. ACADEMIC INTEGRITY

The academic integrity policy applies to all undergraduate students enrolled at CIA in, including but not limited to those in, courses, practica, seminars, field placements and institutes as well as individuals participating in other educational experiences.

#### A. Defining Academic Integrity

Academic honesty and integrity is a core value of an academic community like CIA. The entire CIA community is responsible for fostering a healthy culture of academic honesty, and for maintaining CIA's integrity and academic reputation.

Students may demonstrate commitment to academic integrity in many ways. Members of the CIA community are obligated to honor and uphold the Institute's policies and procedures governing academic integrity as set forth below.

#### B. Prohibited Behavior

No CIA student shall knowingly perform, attempt to perform, or assist another in performing any act of academic dishonesty. The term "knowingly" means that the student submitting the work knows that it will be for academic credit or advancement. "Knowingly" does not mean that the student must have known that the particular act was a violation of the Institute's Academic Integrity Policy.

#### C. Acts of Academic Dishonesty

Academic dishonesty comes in many forms. Academic dishonesty includes, but is not limited to, a student taking or attempting to take any of the following actions. The following list is not exhaustive and a student may be charged and found guilty of violating the Institutes' Academic Integrity Policy for an offense that may not be listed below.

1. **Cheating:** Use and/or solicitation of use of unauthorized materials, information, notes, study aides or other devices in any academic exercise. This definition includes unauthorized communication of information during an academic exercise.

Examples: Copying from another's paper, or receiving unauthorized assistance during a quiz or examination; copying reports, laboratory work, computer programs or files; soliciting and/or sending a substitute to take an examination; unauthorized collaboration on a take-home exam.

2. **Plagiarism:** Presenting the work of another as one's own (i.e., without proper acknowledgment of the sources). Plagiarism can occur through written work, as well as, orally, visually, or conceptually.

Examples: Utilizing commercial writing services, obtaining and submitting work done by another as one's own, and not acknowledging the source when using facts, figures, graphs, images, charts or other information and examples. Lastly, copying artwork or copying work found on the internet and submitting it as one's own. Within the context of the studio environment, plagiarism involves using the imagery or ideas of someone else and submitting them as one's own. Submitting a project that uses someone else's plan, image, method or device without acknowledging the source is plagiarism.

3. **Fabrication and Falsification:** Falsification means altering information; fabrication is inventing or counterfeiting information.

Examples: Inventing or altering data or research results; fabricating research processes to make it appear that the results of one process are actually the results of several processes; false citation of a source; falsifying attendance records in class or at practicum or internship sites for the student at issue or for someone else; having another falsify attendance records on a student's behalf; falsifying material relating to course registration or grades; falsification, forgery, or misrepresentation of academic records or documents including

admissions materials, transcripts and/or practicum or internship documentation; communication of false or misleading statements to obtain an academic advantage or to avoid academic penalty.

4. Multiple Submissions: Submitting the same paper, oral presentation or piece of work for credit more than once without prior written authorization.
5. Complicity/Unauthorized Assistance: Intentionally or knowingly allowing another to commit and act of academic dishonesty. Giving or receiving assistance in connection with an examination or any other academic endeavor that a faculty member has not authorized.

Examples: Allowing a student to copy from a test, giving or receiving answers to an exam before the test; completing academic work for another or allowing another to complete an academic exercise for the student.

6. Lying/Tampering/Theft: Giving false information in connection with the performance of any academic work or in connection with any proceeding under this Policy.

#### D. Sanctions for Academic Dishonesty

All acts of academic dishonesty diminish the integrity of the Institute and are taken very seriously by the school. Students being accused of Academic Dishonesty will participate in our judicial process and if found responsible, will be subject to appropriate sanctions. Sanctions may include, but are not limited to any one or a combination of the following:

- Formal warning/censure/academic alert.
- Reduced grade including a failing grade for the assignment.
- Reduced grade including a failing grade for the entire course.
- Forfeiture of student leadership positions, and/or restrictions on participation in Institute activities.
- Academic probation
- Suspension
- Expulsion from the Institute.

Warning or censure is a written reprimand for violating the Institute's standards of academic conduct. This action will also serve as a warning against future incidents as they will result in more severe sanctions. Censure will not be noted on a student's transcript, but will be noted in their student file located in the Director of Student Life and Housing's office.

In appropriate cases, a student may perform community service as part of a sanction imposed under this Policy. In the event that a student accepts a community service alternative, the Director of Student Life and Housing shall approve the terms and duration of such service.

**Note:** When the sanction of a lowered or failing grade is given, the student may not debate the grade through the school's grade grievance procedure.

#### E. When a Faculty Member Suspects Academic Dishonesty

If a faculty member has reason to believe that a student has engaged in academic dishonesty, s/he shall promptly discuss the matter with the student and shall consider whether the student has violated the Policy. The faculty member then has the following options:

1. If the faculty member determines that no act of academic dishonesty has occurred, the matter shall be considered closed and shall not be reported further.

2. If the faculty member is unsure as to whether a violation has occurred, s/he shall consult with the Director of Academic Services or immediate supervisor for review and discussion.
3. If the faculty member is persuaded that an act of academic dishonesty has occurred, s/he shall report in writing his/her findings, reasons for his/her conclusion with appropriate supporting materials and, on a separate sheet, a list of possible witnesses promptly to the Director of Academic Services for review.

#### F. Acceptable Use of Computing Resources

CIA makes available, to authorized users, computer facilities and services in support of its mission of providing an environment which encourages innovative teaching, learning, and research.

The complete statement on acceptable use of computing resources at CIA is found at [http://gate.cia.edu/joomla/index.php?option=com\\_content&task=view&id=12&Itemid=34](http://gate.cia.edu/joomla/index.php?option=com_content&task=view&id=12&Itemid=34)

##### 1. Rights and Responsibilities

Unauthorized use of CIA computing resources is strictly prohibited. Authorized users are given authorization with the understanding that they will have certain rights and responsibilities. These responsibilities include the following:

- Protect your password(s)
- Report any observed or attempted breach of security by others
- Change your password(s) as required or requested
- Make frequent and appropriate backups of your own work to guarantee protection against loss
- Clearly label personal works and opinions as yours before they are distributed to others
- Respect the rights of others, the integrity of ht esystems, and related physical resources
- Abide by applicable state and federal legislation
- Respect the confidentiality of records

##### 2. Legal Context and Enforcement

All existing local, state, and federal laws, licensing agreements, and all Institute regulations and policies apply to the use of CIA computing resources.

Reproduction or distribution of copyrighted works, including but not limited to, images, texts, or software, without the expressed, written permission of its owner is an infringement of US Copyright Law, and is subject to civil damages and criminal penalties, as well as judicial action by CIA.

Misuse of computing networking or information resources may result in the restriction or discontinuation of computing privileges, and may be prosecuted. Users are accountable for following Institute policies and procedures. Violators are subject to a full range of sanctions including but not limited to the loss of computer or network access privileges, disciplinary action, and dismissal from CIA.

Students and employees may have rights of access to information about themselves contained in computer files, as specified in federal and state laws. Files may be subject to search under court order. System administrators, may access user files as required to protect the integrity of computer systems. The Institute reserves the right to access the files

of others for the maintenance of its computer, network, and storage resources and to monitor the use of these resources for excessive or inappropriate use.

Users are responsible for understanding the examples of misuse cited at the website above. Ignorance of the policies is not an acceptable excuse for violation of these regulations.

#### IV. COLLEGE PROPERTY

Students must respect Institute property and must promptly return any items borrowed for either classroom or other use. Students who are responsible for damage to Institute property will be required to make restitution for damage to or loss to that property. Under no circumstances may students remove Institute property for use in their rooms or apartments unless the equipment has been formally checked out.

#### V. ALCOHOL, DRUG, AND SMOKING POLICIES

Based on its commitment to ensure the safety and health of its students and employees, The Cleveland Institute of Art seeks to maintain work and learning environments free of the unlawful manufacture, distribution, possession or use of a controlled substance or the abuse of alcohol. Drug and alcohol abuse affects the responsible conduct of business, teaching and learning, and, therefore, will not be tolerated.

##### A. Alcohol Policy

The Institute recognizes its obligation to provide student support services and information regarding the use and abuse of alcohol, and it affirms that the choice not to drink, exercised by students of legal drinking age, is as socially acceptable as the choice to drink, that excessive drinking or drunkenness is not condoned, and that being drunk is no excuse for misconduct or infringement upon the rights of others. Students are therefore required to observe Institute guidelines for responsible and legal consumption of alcoholic beverages.

The Institute will conform to all state and local laws controlling the sale and use of alcoholic beverages. It is illegal to sell, provide or serve beer, wine or liquor to anyone who is under the age of 21. Students who do not comply with local or state laws or Institute procedures will be subject to disciplinary action by the Institute.

*In regard to the use of alcohol:*

1. Alcohol is not permitted in student studios.
2. Attending class or working in any studio while under the influence of alcohol is not permitted.
3. The consumption of alcoholic beverages at the Cleveland Institute of Art is subject to the STATE OF OHIO LIQUOR LAW and certain provisions of the OHIO PENAL CODE. The minimum legal age for any beer/wine/alcohol purchase, serving, and consumption is 21 years.
4. The alcohol policy applies equally to all Institute students, faculty, staff and guests during the time that they are on the premises. Students, faculty, and staff are encouraged to make appropriate decisions concerning consumption of alcohol at Institute events and while operating a vehicle.
5. Public intoxication on Institute premises will not be tolerated.
6. Alcoholic beverages are not to be served to persons under legal drinking age or to persons who appear intoxicated. Photo identification and proof of age are required.
7. Alcoholic beverages found in the possession of an underage individual will be confiscated and disposed of.

8. Underage students found in possession of, using or manufacturing illegal identification that alters their age or their identity will be subject to disciplinary action and the document confiscated.
9. Alcohol is not permitted for smaller departmental events or parties that typically do not provide an Institute level of student supervision. **No alcohol means no alcohol.**
10. The serving and consumption of alcoholic beverages on the premises of the Institute is permitted only at approved registered events or events otherwise officially sponsored by the Institute. Individuals wishing to serve alcohol at their event, must submit appropriate paperwork to the Dean of Student Affairs <form online> If the event is approved, organizers **MUST** follow the following rules:
  - Events will require professional servers. Non-alcoholic beverages and food must also be available at all events where alcohol is served.
  - The sale of alcoholic beverages is prohibited except at specific events for which a temporary license has been secured by the Cleveland Institute of Art
  - Consumption of alcoholic beverages at an event is permitted only in the area designated on the approved event registration form
  - Organizers must prescribe to the 0-1-3 rule for responsible alcohol consumption: 0 drinks for underage students, 1 drink per hour, 3 drinks per event
  - No social event shall include any form of “drinking contest” in its activities or promotion, nor should the presence/serving of alcohol be the focus of advertising for an event
  - Make provisions to ensure that excessive drinking does not take place
  - The alcohol policy must be posted at all registered events at which alcohol is served
  - Student events must be staffed with security personnel approved by the Dean of Student Affairs

#### B. Drug Policy

In accordance with Ohio law, the Institute will not tolerate the use or possession of drugs or narcotics not prescribed by a physician. Students found in violation of the drug policy will be subject to disciplinary proceedings. Depending on the nature of the offense, a student will be referred to either a judicial conduct meeting or a judicial board hearing. The choice of disciplinary hearing will be determined by the Director of Student Life and Housing. Possible sanctions for the possession and/or sale of drugs or narcotics are as follows:

1. Fines
2. Referrals to counseling
3. Expulsion
4. Loss of Federal Financial Aid
5. Referral for prosecution

Students found responsible for the sale or distribution of a drugs on- or off-campus should expect to be suspended or dismissed from the Institute. This includes the possession of illicit drugs in quantities as to create a presumption of possession with the intent to resell on- or off-campus. *Students may be suspended from the Institute or college housing before the hearing if it is believed that such action is needed in order to protect the health and safety of the Institute or any member of the Institute community.* Refer to section

Drugs to which these statements and rules apply are currently defined as including (but not limited to): opiates (such as morphine, heroin, codeine, opium, demerol, and paregoric), cocaine, marijuana, hallucinogens (such as LSD, DMT, mescaline, peyote and psilocybin),

barbituates (such as nembutal and seconal), tranquilizers (such as librium, phenothiazine, and reserpine), and amphetamines (such as benzedrine, methadrine, and dexadrine).

### C. Smoking Policy

Under Ohio's Smoke Free Workplace Act, all public places and places of employment are required to be smoke-free. The Ohio Department of Health's regulations implementing the statewide indoor smoking ban are now in effect. With rules adopted, the Department of Health now enforces the smoking ban.

The Cleveland Institute of Art is designated as a smoke-free workplace. There are specific outdoor smoking areas located away from Institute buildings and entrances. These areas do not include locations anywhere near entrances to the buildings.

Specifically, the Cleveland Institute of Art:

1. prohibits smoking in areas surrounding entrances and adjacent to its buildings at any time;
2. posts "No Smoking" signs that are readable by a person of normal vision and include the telephone number of the Ohio Department of Health, at every entrance;
3. ensures that secondhand smoke does not filter into any enclosed space of the Institute by means of a window, door, or ventilation system; and
4. prohibits retaliation against anyone who reports violations to the Department of Health.

Students who are determined to be in violation of the smoking policy will participate in the Institute's judicial process, and will be subject to sanctions that could include fines, educational projects, community service, and loss of privileges.

## VI. RACIAL, ETHNIC, GENDER INTIMIDATION OR ASSAULT

The Cleveland Institute of Art is committed to being an intellectual community in which all members can participate fully and equally, in an atmosphere free from harassment, exploitation, or intimidation. The Institute's commitment to freedom of expression in a diverse community requires it to refrain from regulating speech or expression, no matter how hurtful that speech or expression may be, so long as the speaker or actor refrains from violence, intimidation, or harassment against members of the Institute community or guests of the Institute. The content of hateful expression is protected speech in accordance with the principles of the First Amendment to the U.S. Constitution.

Nevertheless, CIA repudiates acts motivated by hate or bigotry, which, by their nature, diminish the educational priorities of this community.

- A. **Hateful incident** Students, faculty, and staff are expected to respect the rights of others by refraining from any inappropriate behaviors that may negatively impact a member of the CIA community.

Harassment includes but it not limited to the following:

- a. actions by an individual that make the Institute atmosphere intimidating, threatening, or hostile to other individuals, including stalking directly or electronically;
- b. abusive or harassing behavior or stalking, be it verbal, physical or visual, that intentionally or negligently is used to demean, intimidate, threaten, or injure another (physical, financial, or emotional harm) because of his or her personal characteristics or beliefs. Examples of personal characteristics or beliefs include, but are not limited to, matters of gender, sexual orientation, race, ethnicity, national origin, religion and disability;

- c. expressions and/or actions of hatred that destroy or deface the property of other members of the College community, or when an individual wrongfully uses the property rights of a member of the community;
- d. nuisance behavior that includes, but is not limited to, prank phone calls, or abusing or harassing another person other user through electronic means.

If you are involved in an alleged harassment incident:

If you are involved in an alleged harassment incident, either as a complainant (the person who is bringing the charge) or as a respondent (the person against whom a charge is brought), the Institute is committed to respond sensitively and promptly. For various reasons, you may be reluctant to report an incident of harassment. However, doing so is a service to yourself and the community.

In the event that an anonymous harassing incident takes place, the complainant should immediately contact a representative from the Office of Human Resources, the Office of Student Life and Housing, Campus Security, CIA Security, their Resident Assistant, the Facilities Management and Safety Office, or any other responsible office on campus. This person to whom the incident was reported should then contact the Director of Student Life and Housing. After getting the facts of the incident, the Institute will notify the community that a harassing incident has occurred on campus by sending out a notification over email and the *e2campus* notification system. Such notice will be limited to a brief description of the act, the time and location of the event, the fact that the Institute is investigating the act, and when appropriate, that the relevant law enforcement agencies are involved.

In the event of an expression or act of hatred in which the perpetrator of the act is known, the target of abuse can file a written complaint with the Office of Student Life and Housing in accordance with the College's existing incident reporting procedures and/or file a complaint with Campus Police. When both parties are students, the campus hearing board normally hears cases of alleged discrimination or harassment dealing with hateful acts.

The campus hearing board will make a finding as to whether the act or acts alleged in the complaint occurred, and whether such an act or acts violate the Institute's policy. The Committee shall find a violation of the Hateful Incident Policy only when there is a preponderance of evidence that the accused committed the hateful act in violation of Institute policy.

In the event that one of the individuals being accused of the hateful act is faculty or staff, the case is referred to Human Resources and will follow the process that set forth by that office.

## B. Sexual Harassment

The Cleveland Institute of Art is committed to creating and maintaining a learning environment free of discrimination. Sexual harassment is a form of discrimination. The Institute prohibits and will not tolerate sexual harassment toward or by members of the college community. It is a violation of the Institute's statement on expected behavior and it is against the law, as outlined in Title IX of the Education Amendments Act of 1972. All members of the Institute are responsible for ensuring adherence to this policy, discouraging sexual harassment, and cooperating in any investigation which might result from a complaint of sexual harassment.

## 1. Definition of Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, stalking, off-color joking and other verbal, physical, or visual conduct of a sexual nature can be defined as sexual harassment when:

- a. submission to such conduct is either an explicit or implicit term or condition of the student's educational opportunities
- b. submission or rejection is used as a basis for an educational decision
- c. the conduct substantially interferes with the student's ability to perform academically
- d. the conduct creates an environment that the student finds intimidating, offensive or hostile

There is a risk in remaining silent regarding sexual harassment. Any student who believes he or she is or has been sexually harassed, or is aware of the occurrence of sexual harassment, should immediately contact the Director of Academic Services or the Director of Student Life and Housing or the or the Dean of Student Affairs. Due to the sensitive nature of sexual harassment issues, the Institute will investigate the matter quickly, and in a manner which protects the privacy and rights of all parties concerned, but the Institute cannot guarantee confidentiality because of the need to investigate witnesses and receive testimony.

## 2. Complaint Procedures

Informal Complaint Procedure:

Persons who believe they are being sexually harassed have a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the person(s) claiming harassment, informal resolution may involve one or more of the following:

- a. Advising the alleged harasser(s) of the inappropriateness of their communication or behavior toward the complainant.
- b. With the approval of both parties, arranging and facilitating a meeting between the person(s) claiming harassment and the person(s) accused of harassment to work out a resolution acceptable to both parties.

Information about all student informal complaints and resolutions will be kept on file in the office of the Director of Student Life and Housing.

Formal Complaint Procedure:

If informal resolution is not agreed upon or fails to resolve a concern satisfactorily, a formal disciplinary hearing processes using the Institute's Campus Hearing Board will be utilized.

The Institute will take disciplinary action, as it deems necessary and appropriate in its sole discretion unless otherwise prescribed by law or Institute policy. This may include, but is not limited to, warning, suspension or immediate discharge.

## 3. Investigation

Once an accused person or group is identified, the designated Institute official conducts an initial investigation. This investigation will include interviews with the person(s) reporting harassment and person(s) accused of harassment and may include interviews of other potential witnesses. The complainant and the accused may have a non-legal advisor present during interviews. Certain factors will be considered in determining whether the alleged

incident violates this policy, including, but not limited to, the surrounding circumstances, the nature of the alleged sexual conduct, documentation presented in support of the allegation, the relationship between the parties involved, the context in which the alleged incident occurred, and whether the behavior was unwelcome.

#### 4. Retaliation

Submission of a complaint or a report of a violation of this policy that is made in good faith will not affect the individual's future educational endeavors, work assignments or academic career with the Institute.

No retaliatory action will be tolerated by the Institute. Persons who believe they are being retaliated against for making a complaint or participating in an investigation should report immediately such retaliation to the Institute official responsible for investigating the initial complaint.

#### 5. Support Services

The Institute provides confidential counseling and referral services by the Director of Academic Services and/or the Director of Student Life for students who feel they have been sexually harassed.

#### 6. Confidentiality

The Institute recognizes the need for privacy on the part of both complainant and accused and will make all reasonable efforts to maintain the confidentiality of parties involved in a sexual harassment investigation. Confidentiality, however, cannot be guaranteed.

### C. Sexual Assault

One is guilty of sexual assault if he/she knowingly engages in physical contact of a sexual nature with any person without the consent of that person. Sexual assault includes, but is not limited to, rape, sodomy, acquaintance rape, or use of a foreign object in sexual contact. Persons under the influence of substances such as alcohol or drugs may not be able to give consent to engage in a sexual act. Therefore, such cases are considered non-consensual and are included in the definition of sexual assault. Age and mental capacity may also render consent impossible. Sexual assault is a crime and as such will not be tolerated at the Cleveland Institute of Art.

#### 1. Why report a sexual assault

Persons who have been sexually assaulted often fear they will be blamed or disbelieved, or they may know the assailant and fear the consequences to themselves. However, the Institute strongly encourages reporting sexual assault for the following reasons:

- Medical attention may be required for internal injuries, pregnancy, or sexually transmitted diseases
- Delayed reporting will diminish the possibility of collecting valuable evidence that could lead to prosecution
- Reporting the crime does not obligate you to prosecute but gives you options to prosecute
- Reporting the crime gives the police valuable information that could be helpful in prosecuting assailants
- Rapists are often repeat offenders; reporting may help authorities spot patterns of behavior that could lead to arrest

- Reporting the crime is an active way of fighting back and gaining control of the situation
- Filing a police report is necessary to be eligible for any crime victim compensation that might be applicable

## 2. Report Procedures

Students may report to any Institute official, CIA Security staff member, residence hall staff, Student Affairs personnel and Academic Affairs personnel or University Circle Police, or Cleveland Police. Students who choose to report an assault will receive all assistance requested in notifying the necessary authorities. Additional consideration will be given to students who request to have class schedules and or living accommodations changed. Persons who have been sexually assaulted may go directly to the University Hospitals Emergency Room (Cornell and Emergency Room Drive) or the University Health Service (Adelbert Road) for medical attention. Psychological counseling is available 24/7 through the CWRU University Counseling Services (216-368-5872).

## 3. Notification and Assistance

Initial notification: If a victim or a friend of the victim notifies the Director of Student Life and Housing (DSLH) of a sexual assault, the Director will immediately notify the Dean of Student Affairs. Whenever possible, the DSLH should be the first person notified of a sexual assault. All reports to the DSLH remain confidential, no further action is taken until the emotional and safety needs of the victim are attended to promptly and confidentially. The DSLH will also advise the victim of her or his options for further action, and assist the victim in pursuing these options if desired. The Dean of Student Affairs and the DSLH will be only college officials authorized to discuss the situation with the victim's family.

Immediate services: A victim of sexual assault will be encouraged to receive immediate attention at University Hospital in conjunction with University Counseling Services and/or Student Health Services.

## 4. Investigation

The investigation of assault will assure that both the complainant and the accused will receive due process in accordance with established disciplinary procedures stated in the Student and Employee Handbooks, and that each will receive prompt notification of the determination of the proceedings. Any student or employee found guilty of sexual assault will be subject to immediate and appropriate disciplinary action, up to and including dismissal, termination and criminal prosecution.

## 5. Disciplinary Action

External Disciplinary Action: The victim is not required to press civil charges. In the event that the victim desires to press civil charges or take legal action, however, the local police department will notify the DSLH and the Dean of Student Affairs about the extent to which the Institute may investigate the sexual assault.

Internal Disciplinary Action: All cases involving accusations of sexual assault must accord both the accuser and the accused the following rights:

- a. the accuser's academic situation will be changed upon request (e.g. if the accuser has a class with the accused, the accused class schedule will be adjusted to another section, or if the accuser lives in the same residence hall as the accused, the accused will be moved to another housing location;

- b. the accuser and the accused have the same right to have others present during disciplinary hearing(s);
- c. the accuser and accused will be notified of the outcome of the campus disciplinary proceedings.

#### 5. Sanctions

Sanctions may range from dismissal of charges to disciplinary expulsion from the Institute.

#### 6. Retaliation

Submission of a complaint or a report of a violation of this policy that is made in good faith will not affect the individual's future educational endeavors, work assignments, or academic career at CIA.

No retaliatory action will be tolerated by the Institute. Persons who believe that they are being retaliated against for making a complaint or participating in an investigation should immediately report such retaliation to the Institute official responsible for investigation of the initial complaint.

#### 7. Confidentiality

The Institute recognizes the need for privacy on the part of both complainant and the accused, and will make all reasonable efforts to maintain the confidentiality of all parties involved in a sexual assault investigation. Confidentiality, however, cannot be guaranteed.

### VII. STUDENT CONDUCT PROCESS

#### A. What is the Student Conduct Process

As members of the CIA community, students are responsible for maintaining its expectations and standards. This includes abiding by policies and regulations established by the Institute. If a student violates these policies and regulations, it will result in disciplinary action.

#### B. Who is responsible for the Student Conduct Process

The Institute's system for fostering appropriate student conduct is staffed by the Director of Student Life and Housing as the Chief Judicial Officer. The procedures of criminal and civil courts shall not govern Institute disciplinary procedures. In these proceedings, formal rules of evidence shall not be applicable, nor shall deviations from prescribed procedures invalidate a proceeding or decision, unless significant prejudice to a party involved would result.

#### C. Jurisdiction of the Institute

Generally, CIA jurisdiction and disciplinary processes apply to student conduct that:

- occurs on Institute premises or
- occurs during the course of off-campus activities related to CIA, or
- violates federal, state, or local laws on or off the CIA campus, or
- adversely affects the Institute community, Institute's reputation and/or the Institute's pursuit of its educational mission.

Those subject to jurisdiction and discipline under the policy include:

- all persons taking courses at CIA
- all those who reside in Institute housing
- students whose guests violate CIA policy

- student organizations and their officers

Students who are charged with an off-campus violation of federal, state, or local laws will participate in the Institute's judicial process and may have sanctions imposed regardless of other legal or civil penalties. In some cases, interim suspensions or restrictions may be imposed even before the student has been found guilty in a court of law. Institute judicial proceedings may be carried out prior to, simultaneous with, or following civil or criminal proceedings off campus.

In all cases, the Institute will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students, faculty and staff, acting in their personal capacities remain free to interact with governmental representatives, as they deem appropriate.

#### D. Violations

Violations of institutional policies are categorized into two levels, with differing consequences for those found in violation:

##### 1. Level A Offenses:

- Smoking in an undesignated area.
- Failure to comply with directions of Institute officials (faculty or staff) acting in performance of their duties.
- Unauthorized entry to, or use of, Institute facilities.
- Theft of, damage to, or unauthorized use of Institute property, or the property of a campus visitor.
- Violation of any Institute, state or federal drug or alcohol laws or policies, or improper actions resulting from the use of alcoholic beverages or drugs. (1<sup>st</sup> and 2<sup>nd</sup> offense)
- Obstruction or disruption of teaching, research, administration, disciplinary procedures or other Institute activities, including its public service events or other authorized activities of the Institute.
- Verbal abuse which threatens or endangers the health or safety of any person on Institute-owned or –controlled property, or at Institute-sponsored or –supervised events.
- Violation of any Institute, state or federal drug or alcohol laws or policies, or improper actions resulting from the distribution and/or sale of alcoholic beverages or drugs. (1<sup>st</sup> and 2<sup>nd</sup> offense)
- Theft and/or vandalism
- Parking and traffic violations
- Gambling or possession of gambling devices. Operation of lotteries and/or promotion of gambling is prohibited, with the exception of CIA-sponsored lotteries.
- Disruption of CIA events
- Minor violations of the law: violation of state, federal, or local laws on Institute premises or at Institute sponsored activities.

##### 2. Level B Offenses:

- Physical abuse or conduct which threatens or endangers the health or safety of any person on Institute-owned or –controlled property, or at Institute-sponsored or –supervised events.

- b. Violation of any Institute, state or federal drug or alcohol laws or policies, or improper actions resulting from the use of alcoholic beverages or drugs. (3<sup>rd</sup> offense)
- c. Possession of any firearms, weapons, fireworks, explosives or ammunition, or abuse of flammable substances, on Institute property.
- d. Behavior that is self-destructive or threatening to the safety of the individual or other members of the Institute community. This includes bullying and cyberbullying.
- e. Racial, ethnic, sexual, or gender intimidation
- f. Furnishing false information to an Institute authority, including forgery, alteration or misuse of institutional documents, records or identification.
- g. Academic dishonesty, including plagiarism (presenting the works, ideas, theories or images of another as one's own without proper credit or documentation ) and cheating (using notes or crib sheets not permitted by the instructor when taking a quiz or exam, or giving or receiving help while taking a quiz or exam), or submitting the same studio or academic work to more than one class in any given semester.
- h. Stalking (defined as when a person engages in a course of conduct directed at a specific individual that is likely to cause such a individual to have reasonable fear of harm to his or her physical or emotional health, safety or property). Such conduct may include, but is not limited to: repeatedly engaging in unwanted contact or communication; surveillance, following, trespassing; or vandalism.
- i. Disorderly conduct is conduct that is disruptive, lewd or indecent.
- j. Disruption of CIA events
- k. Violation of the law: violation of state, federal, or local laws on Institute premises or at Institute sponsored activities.
- l. Unauthorized entry or duplication of Institute documents or keys to Institute facilities
- m. Hazing
- n. Fire/Fire safety: setting a fire, causing a false fire alarm, or causing a fire safety hazard.

#### E. Disciplinary Hearings and Procedures

Most judicial procedures are in response to a [written report](#) submitted to the Office of Student Life and Housing by a student, faculty, or staff member who has witnessed or has knowledge about an alleged policy violation. That report should be written, dated, and signed. Preferably, it should be submitted within 10 days of the alleged violation.

Occasionally, a report of a policy violation will come from another source, such as a hearing for one student, which brings to light Code of Conduct violations by another student. The report may also come from CIA Security personnel or UCI Police.

Upon receiving a report of a policy violation, the Director of Student Life and Housing will assess whether there is sufficient evidence to warrant a hearing, outline the type of hearing that is appropriate, and contact the student by CIA student email within 2 business days of receiving the report. The alleged violator will be informed of his/her right to bring witnesses and/or one non-legal advisor (lawyers are not permitted to participate in or be present at any hearing) to the hearing. In most cases, the alleged violator will be afforded the right to continue his/her residence on campus and attendance of classes while the hearing or appeal is pending. However, in serious cases, the Dean of Student Affairs may suspend the alleged violator from classes and/or from Institute housing before regular disciplinary proceedings can be held if it is determined that such action is reasonable and/or necessary to protect the health, safety, or welfare of the Institute or any member of the Institute community.

## F. Types of Judicial Hearings

In both types of hearing cases, failure of the alleged violator to appear at the appointed hearing/meeting will be construed as obstructing the judicial procedure and may be viewed as an admission of guilt. Not attending a scheduled hearing will result in an additional “failure to appear” fine of \$50.

### 1. Administrative Hearing

An administrative hearing is a more informal process handled administratively by the Director of Student Life and Housing. These meetings are used for Level A and B infractions. They usually consist of conversations regarding changes in behavior and result in sanctions.

### 2. Judicial Board Hearing

A Judicial Board hearing, however, is a more formal process. Judicial board hearings are for more serious cases of student misconduct. These violations typically are Level B infractions, however, there can be some Level A violations that would warrant a board hearing. The Judicial Board is comprised of a panel of 2 faculty, 2 staff, and 2 students. Members of this panel, as well as one alternate for each group, will be selected on a yearly basis. Both the student and the party bringing the violation forward have the opportunity to present their cases. Witnesses are heard and the Board renders a decision based on the information. If the student is found responsible for the violations, the Board will also suggest possible sanctions for the student that will be approved by the Director of Student Life and Housing.

## G. Judicial Board Process

### 1. The Judicial Board Procedure

All involved will be expected to act with respect, dignity and confidentiality concerning the case.

A secretary will be appointed to take minutes and to make sure that the hearing is being recorded.

Hearings will follow the following procedures:

- Rules of the hearing will be read.
- The panel will be introduced.
- The alleged violations will be read.
- The student will admit or deny violating Institute policy.
  - If the student admits policy violations, the Board will proceed to determine sanctions to be approved by the Director of Student Life and Housing.
  - If the student denies policy violations, the Board will hear evidence from witnesses.
    - The Director of Student Life and Housing or the Dean of Student Affairs will make the determination as to whether or not the alleged violator can be present when adverse witnesses give their testimony. The Director of Student Life and Housing or the Dean may also elect to have all present for the entire hearing or to have them come before the Board sequentially.
    - The alleged violator will have the right to call witnesses on his/her behalf. Pertinent records, exhibits, and written statements may be accepted as

evidence for consideration by the Board, at the discretion of the Director of Student Life and Housing.

- Members of the Judicial Board will ask questions.
- The alleged violator and all other witnesses shall be excused while the Board deliberates and makes its decision.
- Upon conclusion of deliberation, the accused will be asked to come back into the room and told the board's decision.
- The accused will then sign the Judicial Board summary report.

The standard of proof required for finding that policy has been violated will be the preponderance of the evidence.

## 2. Determining Sanctions

Prior student judicial history of the alleged violator will be taken into consideration when determining sanctions. When decisions by the Board have been reached, the Board will send a written report, as well as the minutes of the hearing and/or a recording if one has been made, to the Director of Student Life and Housing. That report will contain the determination that policy was or was not violated as well as recommended sanctions, if any. Based on the Board's recommendation, the Director of Student Life and Housing will make the final determination of sanctions to impose and inform the accused within 5 working days of the hearing. The Dean of Student Affairs will also inform the Provost about Judicial Board- or Dean-level hearings that have ramifications that extend beyond the scope of Student Affairs.

## 3. Types of Warnings and Sanctions

The following factors shall be considered when determining the appropriate sanction(s):

- The nature and seriousness of the offense.
- The impact or damage to the Institute, complainant's property, or to others as result of the misconduct.
- The student's motivation, state of mind, and class status at the time of the incident.
- The student's prior academic and disciplinary record at the Institute.
- The student's response, attitude and demeanor after the violation.
- The student's appreciation of the nature and severity of his/her academic dishonesty.
- Any mitigating circumstances.
- The penalties which have been imposed in similar prior cases.

The following is a list of some of the possible sanctions for infractions of Institute policy:

- *Warning*: Often levied after a first offense, a warning places the student on notice that a repeated violation may result in more severe disciplinary action.
- *Community Service or Educational Projects*: Such service or projects are designed to educate the student so he/she can gain a greater understanding of the impact of the infraction on the individual and on the Institute community. Failure to complete the service or project may result in further disciplinary action. Students receiving community service will be given a community service timecard that they must take to their service hours. These timecards must be signed by the sponsor to verify that the service was completed.

- *Disciplinary Probation:* A probationary period during which any further infractions of Institute policy may result in the imposition of more serious disciplinary sanctions, including possible suspension or dismissal from the Institute.
- *Restitution:* Reimbursement for damage to or misappropriation of property may be in addition to or imposed as an alternative to other sanctions. Failure to comply with an order of restitution shall result in the imposition of further disciplinary penalties. At the discretion of the Director of Student Life and Housing, restitution may also take the form of appropriate community service. Any funds required as restitution must be paid at the Student Accounts Office. The student will receive a receipt which is to be presented to the Director of Student Life and Housing as proof of payment. The receipt will be photocopied and the original returned.
- *Fine:* A student may be fined as the sole disciplinary action taken or in conjunction with other sanctions; he/she may also be fined if he/she fails to perform community service which has been required of him/her as a sanction. Fines are paid at the Student Accounts Office. The student will receive a receipt which is to be presented to the Director of Student Life and Housing as proof of payment. The receipt will be photocopied and the original returned.
- *Personal Counseling:* A student may be required to complete a specified number of hours of personal counseling after which time he/she and the counselor will determine together whether to proceed with counseling. The student is required to sign a consent form which allows the Institute to be informed of participation once the student has fulfilled the sanction.
- *Rehabilitation or Educational Program:* A student may be referred to an appropriate organization, counselor or doctor for a rehabilitation or educational program. Either a student may be required to complete a rehabilitation or educational program as a condition for continued enrollment, or he/she may be suspended and required to complete the program as a condition for reinstatement. In either case, the student must grant permission to the Office of Student Life and Housing to verify compliance with such a program. If a student who is required to complete a rehabilitation or educational program as a condition for enrollment fails to complete the program, he/she will be subject to dismissal from the Institute.
- *Institute Housing Transfer or Dismissal:* A student may be transferred to another room or housing unit or dismissed from Institute housing altogether.
- *Suspension:* A student may be excluded from classes and other privileges or activities as set forth in the notice of suspension for a defined period of time, not to exceed one year.
- *Dismissal:* Dismissal entails termination of student status for an indefinite period. The conditions of readmission (if permitted) shall be stated in the letter of dismissal.
- *Expulsion:* Expulsion is a permanent termination of student status for the most serious offenses or for repeated offenses.
- *Failing Grade:* In cases of academic dishonesty, possible sanctions may include any of the above sanctions. They may also include assignment of an "F" grade for a paper, a project or an entire course. If the sanctions include assignment of an "F" for an assignment or a course, the Director of Academic Services will notify the faculty member, the Department Head, and the Registrar.

4. The following table contains typical fines for various offenses. Because each case is evaluated on an individual basis, the Director of Student Life and Housing and/or the Judicial Board reserve the right to impose other sanctions at their discretion depending on the particular circumstances of the infraction and with the approval of the Dean of Student Affairs.

#### Fee or fine?

<b>INFRACTION</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
Smoking in an undesignated area	\$25 fine	\$75 fine	\$150 fine
Alcohol-drinking in studio	6 hours of community service Written assignment Clean-up cost if necessary \$75 fine	All sanctions from 1st (except fine) Letter home Alcohol evaluation @ UCS \$125 fine	All sanctions from 2nd (except fine) Behavior contract Meeting with parent(s) \$175 fine
Alcohol-drinking in Hall	Possible ban from campus apartments 10 hours community service Written assignment Clean-up cost (if necessary) \$75 fine Judicial warning	All sanctions from 1 <sup>st</sup> (except fine) Alcohol evaluation from UCS Letter home \$125 fine Possible removal from residence hall	All sanctions from 2nd (except fine) Behavior contract Meeting with parent(s) \$175 fine Removal from residence hall
Alcohol-taken to hospital	No campus apartment 10 hours community service Written assignment Clean-up cost (if necessary) Alcohol evaluation @ UCS \$75 fine Judicial probation	All sanctions from 1 <sup>st</sup> (except fine) Letter home Mandatory counseling at UCS \$175 fine Possible removal from campus housing	All sanctions from 2nd (except fine) Behavior contract Meeting with parent(s) \$200 fine Removal from campus housing
Illegal Drug Use	No campus apartment 10 hours community service Written assignment Drug evaluation @ UCS \$100 fine	All sanctions from 1 <sup>st</sup> (except fine) Letter home Counseling @ UCS Possible removal from campus housing	All sanctions from 2 <sup>nd</sup> (except fine) Removal from campus housing

		\$175 fine	
Destruction of property	Replacement cost of item Judicial probation Fine/community service	All sanctions from 1st Removal from campus housing for a specified period Behavior contract	All sanctions from 1st Removal from campus housing Behavior contract
Physical violence	Judicial probation Fine Removal from campus housing or academic department facilities for 48 hours Possible expulsion	Psychological evaluation @ UCS Removal from housing Expulsion	
Candles or incense/ banned items	Confiscation of items Judicial warning \$25 fine	Confiscation of items Judicial probation \$45 fine	Confiscation of items Removal from campus housing \$75 fine

#### 5. Notification of the Outcome to the Complainant

In cases involving physical injury, threat, intimidation or force, including sexual misconduct, assault or abuse of the complainant, the complainant will be informed of the decision and the sanction imposed.

#### 6. Parental Notification Policy

The Institute reserves the right to notify a student's parent, guardian, or emergency contact, regardless of the student's age, status, or conduct, in health or safety emergencies, including hospitalizations or when, in the Institute's judgment the health or well-being of the student or others may be at risk. In accordance with federal legislation, the Institute may also contact parents or guardians of dependent students under the age of 21 who violate federal, state, or local law and/or the Institute's policies that govern the use or possession of alcohol or controlled substances.

#### 7. Appealing the Decision of the Judicial Board or Judicial Conduct Meeting

Accused students who do not agree with the outcome of the meeting/hearing do have the opportunity to appeal to the Dean of Student Affairs within 48 hours of receiving their outcome letter. Students may appeal based on the following reasons:

- Availability of new evidence that was not heard at the hearing that may have a bearing on the outcome
- The hearing was conducted in a manner that deviated from written procedures that impacted the fairness of the hearing
- Belief that the sanction(s) imposed was grossly disproportionate to the severity of the offense
- The finding does not accord with the evidence

- Belief that there was bias on the part of a hearing board member that deprived the process of impartiality

The decision of the Dean of Student Affairs concerning the appeal is final.

#### 8. Records of the Disciplinary Hearing

Students have the right, upon request, to review and inspect their educational records. Federal law permits the Institute 45 days within which to comply with any request to review records. Please see the section on the [Family Educational Rights and Privacy Act \(FERPA\)](#), a copy of which is also on file in the Office of Student Life and Housing and in the Registrar's Office.

### VIII. GRIEVANCE PROCEDURE FOR STUDENTS

#### A. Definition of a Grievance

A grievance is a written allegation of discrimination involving:

1. Admission to and treatment while enrolled in an academic program
2. Employment as a student employee on campus
3. Other matters of significance relating to campus living or student life, including, but not limited to:
  - a. Assignment of roommates in resident halls
  - b. Membership in and/or admission to student clubs/ organizations
  - c. Provision of student health services
  - d. Awarding of scholarships or financial aid

#### B. When is the Grievance Procedure not Applicable:

A student may not use the Grievance Procedure for grievances related to the following matters:

1. Violations of the Student Code of Conduct
2. Grade appeals
3. Allegations of discrimination
4. Student disciplinary proceedings outcomes
5. Matters covered under other Institute policies that contain grievance, hearing and/or appeal procedures, such as CIA's FERPA policy, financial aid appeal procedures, and the Institute's Code of Conduct
6. Matters concerning the student in his or her capacity as an employee of the College, which are resolved in accordance with the employment policies of CIA

#### C. Steps for Filing a Grievance Against an Institute Employee

Students who feel that they have a grievance against an Institute employee should take the following steps:

##### Step 1: Informal Discussion with College Employee

In many cases, informal actions can resolve a dispute between a student and an Institute employee. The student may choose to meet with the employee and make a good faith effort to resolve the dispute promptly and fairly. This discussion should be initiated within fourteen (14) working days of the event or as soon thereafter as reasonably possible. If this conversation does not resolve the issue, or if the student does not feel that he or she can

discuss the matter with the employee, the student may, but is not required to, contact the employee's supervisor.

#### Step 2: Discussion with supervisor or department head

If a satisfactory resolution is not reached after direct discussion with the employee, or if the student chooses not to discuss the matter informally with the employee, the student shall, within fourteen (14) working days of the informal discussion or event, or as soon thereafter as reasonably possible, meet with the employee's supervisor or the individual to whom such employee reports, who will attempt to mediate a resolution. If a faculty member is the subject of a grievance, the student should ordinarily discuss the matter with the department head. At his or her discretion, the head may consult with or refer the matter to the Environment chair or the Dean of Faculty.

The supervisor, department head, Environment chair, or Dean of Faculty shall notify the employee that a grievance has been raised by the student, provide information about the nature of the grievance, and indicate that mediation will be attempted to resolve the grievance. The supervisor, department head, Environment chair, or Dean of Faculty shall attempt to mediate the grievance, then summarize the results of the mediation and provide a copy of this summary in writing to the student and the employee who is the subject of the grievance. Mediation shall occur and will result in a written summary within thirty (30) working days of the date the student initially contacted the supervisor or department head, or the next level supervisor, or as soon thereafter as reasonably possible.

#### Step 3: Formal Grievance

If the matter is not resolved through the informal process, the student may submit a written statement of the grievance to the Provost within ten (10) working days after the informal process has ended. The statement shall contain:

- a. a complete narrative of the circumstances giving rise to the grievance
- b. identification of the parties involved, including names, addresses, and contact information
- c. a statement of the remedy or outcome requested. Remedies under this procedure are generally limited to restoring losses suffered by the student or making changes in college policy, practice, or procedure. Monetary damages, fines or penalties, or disciplinary action against the individual who is the subject of the grievance are not remedies available to the student under this policy.

The Provost shall notify the appropriate dean, department head, or other administrator that a formal grievance is pending in his or her area of responsibility. The employee shall also be notified of the grievance. Written copies of the grievance statement will be provided to the appropriate dean, department head, or other administrator, and to the employee.

#### Step 4: Investigation of Grievance

The Provost will gather any material deemed necessary for review and will meet with all parties directly related to the grievance, in order to gather facts and information needed to make a fair and equitable decision. The student and the individual against whom a grievance is filed may be advised or accompanied by another person at any stage of the grievance procedure, except that practicing attorneys may not participate in any

meetings as a representative of any party. This stage of the grievance procedure shall be completed within twenty-one (21) working days after the Provost receives the grievance, or as soon thereafter as reasonably possible.

#### Step 5: Grievance Decision

Within seven (7) working days after completion of the investigation, the Provost shall issue a written finding as to whether the employee has violated an Institute policy or has otherwise acted in a discriminatory or arbitrary manner, resulting in unfair treatment of the student, and, if so, what remedies should be made available to the student as described in Step 3. A copy of the decision will be sent to the President of the Institute and the Dean or administrator in the appropriate administrative area, as well as to the student and the employee.

#### Step 6: Appeal to the President

The student and the employee may appeal the Provost's decision to the President. The appeal shall be in writing and shall be delivered to the president's office within seven (7) working days of receipt of the Provost's written decision. The President shall meet with such parties as he/she deems necessary to make a fair and equitable decision and shall render his/her decision in writing within fourteen (14) working days of the receipt of the appeal. In meeting with the President, the student and the employee may be advised or accompanied by another person (with the exception of practicing attorneys, who cannot participate in meetings or represent either the student or the employee). The decision of the President shall be final.

#### D. Disciplinary Action

Although disciplinary action against the employee is not a remedy available to a student who files a grievance under this policy, the Institute reserves the right to impose discipline on its employees because of determinations made through the grievance process. Any such discipline will be imposed only after a final decision has been issued and/or the appeal period has expired with no appeal being filed.

The employee's supervisor, in consultation with the Director of Human Resources and Inclusion, shall determine whether disciplinary sanctions should be imposed. If the employee is a faculty member, the Provost shall determine whether disciplinary sanctions should be imposed. The imposition of disciplinary sanctions may not be appealed by the employee under this policy.

#### E. Confidentiality

All parties to the proceedings held or actions taken under this policy shall maintain the confidentiality of the proceedings and all written reports to the extent reasonably possible. Original records, documents, and reports shall be maintained in the Office of the Provost, and a duplicate copy shall be maintained in the Office of the Director of Human Resources and Inclusion.

#### F. Non-Retaliation

No person against whom a grievance is filed or any other person shall intimidate, threaten, coerce, or discriminate against any individual for filing a grievance under this policy. Complaints of such retaliation or interference may be filed and processed under this procedure.

#### G. Time Guidelines

If the Institute is not in session during part of these proceedings, or in instances where additional time may be required because of the complexity of the case, unavailability of the parties or witnesses, or other extenuating circumstances, any of the time periods specified herein may be extended by the Provost, at the request of any party or individual involved in the grievance procedure. If a period is extended, the student and the person against whom the grievance has been filed will be so informed.

#### H. False Grievances

The purpose of this policy is to provide a mechanism to address legitimate student complaints and grievances. Any student member of the college community is encouraged to use the procedures provided in this policy, not only for the benefit and protection of that individual but ultimately of the entire college community. However, false grievances undermine the purpose and effectiveness of this policy. Accordingly, persons who knowingly bring false grievances may be subject to disciplinary action. Allegations of false grievances must be reported within six months of the date the grievance was brought. Such allegations may be reported to the administrator handling the grievance, which shall investigate the allegations and take any appropriate action. The fact that a grievance may not result in a finding that an employee has violated an Institute policy or has otherwise acted in a manner resulting in unfair treatment of a student is not alone evidence that the grievance was knowingly false.

#### I. Addressing other Concerns

Depending on the type of concern, expression of the concern should always begin with a [written incident report](#). While the Office of Student Life and Housing would prefer the use of our in-house incident report, an email to the Director of Student Life and Housing that outlines the follow should suffice:

- a. Name of complainant
- b. Date and time of incident
- c. Pertinent information to the incident including the accused and other parties involved.

The report should only report the facts and not personal opinions about any of the individuals involved.

Upon receipt of the above, the Director of Student Life and Housing will forward the written complaint to the appropriate party.