

# THE UNIVERSITY OF RHODE ISLAND



Division of Student Affairs

## STUDENT HANDBOOK

## Introduction

The Student Handbook is produced by the Dean of Students Office with the assistance of relevant departments and committees. Questions about the Handbook should be directed to the Dean of Students Office, 302 Memorial Union, 401-874-2098 (TT via RI Relay: 711).

The Handbook is reviewed every two years and changes that occur between revisions will be published in the campus newspaper, distributed through residence halls and on the following websites: Dean of Students, Office of Community Standards, Housing Residential Life, and Commuter Affairs. The most current version of the Student Handbook may be viewed at

<https://web.uri.edu/studentconduct/universitystudent-handbook/>

Enrollment at this University is an agreement to comply with all rules, regulations, and policies including those set forth herein, and it is your responsibility to become familiar with these expectations. Ignorance of a policy or regulation is not an excuse for failure to observe it.

The Community Standards and Student Conduct system pertain to any individual currently enrolled in an academic offering at the University of Rhode Island, including both full-time and part-time undergraduate, graduate, professional, non-degree, and visiting enrollments, as well as individuals participating in exchange or cooperative programs under the University of Rhode Island's control. For the purposes of this handbook, an individual's status as a Student begins at the time of enrollment or the admittance to the University and ends upon graduation, withdrawal, separation, or upon the last day for registration for any semester in which the individual does not continue enrollment, barring the existence of an approved leave of absence.

Student Handbook is reviewed and approved by the URI Student Senate, URI Faculty Senate, and the President of the University of Rhode Island.

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## URI Mission, Vision & Values

### Mission

The University of Rhode Island is the state's flagship land and sea grant research institution, with a commitment to urban initiatives.

A student-centered research institution, URI actively partners with other organizations globally and locally to advance knowledge and to develop informed residents and leaders. URI is committed to high-quality education, community engagement, and solving the world's most important challenges. Situated on the traditional land and territories of the Narragansett Nation and the Niantic People, URI strives to create a diverse and inclusive environment for researchers, teachers, learners, and community members.

### Vision

The University of Rhode Island will be a leading global research university that drives positive social, cultural, economic, and environmental change by contributing and instilling new knowledge to address the world's greatest challenges.

### FOUNDATIONAL VALUES

- Freedom to learn, teach, create, and conduct research with integrity in the pursuit and dissemination of new knowledge aimed at contributing to the public good.
- An inclusive, accessible, equitable and diverse community whereby we respect the rights and dignity of all.
- Intellectual curiosity, lifelong learning, leadership, and scholarship in creating a thriving URI community in service to Rhode Island and the world.
- Sustainability and care of our environment conducive to the physical and mental health of our community.
- Self- and institutional reflection of our values in our work, scholarship and interactions, holding ourselves, each other, and the institution accountable to uphold them to a high standard.

## **Student Rights and Responsibilities**

- Students have the right to freedom of expression, freedom of association, freedom of inquiry and peaceful assembly.
- Students have the right to a learning environment free of disruption and intimidation.
- Students have the right to freedom from harassment, hazing, and any form of illegal discrimination.
- Students have the right to respect for their property.
- Students have the right to redress through a grievance procedure.
- Students have the right to personal privacy and protection against illegal disclosure.
- Students have the right to be represented in university decision-making and policy-forming bodies and the right to be duly informed of proposed changes to student responsibilities and academic policies.
- Students have the right to know grading criteria and to know graduation rates.
- Students have the right to know statistics concerning crime on and around campus.



## **Statement of Students Rights and Responsibilities in the University Student Conduct System**

### **RIGHTS AND RESPONSIBILITIES OF THE RESPONDENT**

- A respondent has the right to have complaints brought against them within a reasonable time and investigated in a fair, impartial, and timely manner. Time extensions may be made by the Dean of Students or their designee.
- A respondent has the right to procedural due process as outlined in the Student Handbook.
- A respondent has the right to have the hearing process explained by a conduct officer.
- A respondent may have a Conduct Advisor during all phases of the University Student Conduct System. The Conduct Advisor's role is passive, there to provide guidance and support but does not actively participate in the University Student Conduct System.
- A respondent has the right to request mediation provided both parties voluntarily agree, however, mediation may not be possible in all cases.
- A respondent has the right to be notified in writing of all charges.
- A respondent has the right to accept or deny responsibility.
- A respondent has the right to request a hearing option according to the Student Handbook procedures.
- A respondent has the right to present witnesses as described in the relevant Student Handbook provisions.
- A respondent has the right to submit oral or written statements on their behalf.
- A respondent has the right to question and challenge information presented against them.
- A respondent has the responsibility to present a list of witnesses for a hearing at least two (2) days before the hearing.
- A respondent has the responsibility to be cooperative, respectful, and truthful in all interactions with the hearing officer or the hearing panel.

- A respondent who is found responsible for an offense shall, prior to receiving a sanction for that offense, have the right to submit to the hearing panel or officer responsible for determining the sanction, a verbal or written statement concerning an appropriate sanction.
- A respondent has the right to appeal the decision of the hearing panel or hearing officer as explained in the Student Handbook.
- A respondent has the right to be informed of the outcome of the hearing.

## RIGHTS AND RESPONSIBILITIES OF THE URI STUDENT COMPLAINANT

- A URI student complainant has the right to request mediation provided both parties voluntarily agree, however, mediation may not be available in all cases.
- A URI student complainant, who indicates they have experienced sexual or gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, or a crime of violence has the right to know the outcome of the case.
- A URI student complainant or a witness has the right to have the hearing process explained by a conduct officer.
- A URI student complainant may have a Conduct Advisor during all phases of the University Student Conduct System. The Conduct Advisor's role is passive, there to provide guidance and support but does not actively participate in the University Student Conduct System.
- A URI student complainant has the right to submit a victim impact statement, verbally or in writing, to the hearing panel or hearing officer determining the sanction.
- A URI student complainant has the right to have their past behavior excluded from the hearing on the facts of the case. Past behavior will be considered when determining sanctions, if needed.
- A URI student complainant has the right to request a change of on-campus residence, if needed.
- A URI student complainant has the right to present witnesses to the hearing panel or hearing officer.
- A URI student complainant has the responsibility to be cooperative, respectful, and truthful in all interactions with hearing panel or hearing officer.
- A URI student complainant has the responsibility to provide the hearing officer or board advisor with the names of witnesses and any documentation related to the case. If not provided, the case will move forward without the information.
- A URI student complainant has the right to request to participate in a hearing through alternative means (i.e., having a partition; through remote video conferencing).

## **Rights of Students Pursuant to the Family Educational Rights and Privacy Act (FERPA)**

For information regarding educational records, including student conduct records, please refer to Enrollment Services information found here [FERPA](#).

### **RELEASE OF INFORMATION CONTAINED IN STUDENT EDUCATION RECORDS**

Procedures for the release and disclosure of student records maintained by the University are in large measure governed by state and federal laws.

- Where the law is silent, the University is guided by the principle that the privacy of an individual is of great importance and that as much information in a student's file as possible should be disclosed to the student on request.
- A current or former student has the right to inspect and review official records, files, and data directly related to that student, but subject to limited exceptions.
- This right does not extend to applicants, those denied admission to the University, or those who were admitted but did not enroll.
- Students should be aware that in accordance with federal law, the University may, without consent, release information from conduct records.

The University maintains student records primarily for educational purposes, although student records are maintained for other purposes such as health and employment (University Manual section 6.12.21). Guidelines incorporating the requirements of the Federal Family Educational Rights and Privacy Act of 1974 are published in the Student Handbook.

- Third parties, including the University police, do not have access to personally identifiable records or information pertaining to students without the written consent of the student who specifies that the records be released, except as expressly permitted by FERPA.
- Parents are considered third parties. However, as a student, you may assign guest access to e-Campus to a third party to view your billing, academic records, and/or financial aid information.
- A guest can be your parent, guardian, grandparent, sibling, employer, or other third-party payer. Details to grant third party access can be found [here](#).

Detailed guidelines for the release and disclosure of information from the student records are available from the Dean of Students Office. These guidelines comply with the legal requirements of the Family Educational Rights and Privacy Act (FERPA) of 1974 as amended.

## University Grievance Procedures

### **Student Grievance against a Faculty or Staff Member**

Procedures for students are designed to manage complaints and grievances concerning the actions, decisions, or inaction of faculty and/or staff members. A student should initiate an attempt to resolve the problem with the individual whose action or decision is being questioned. If satisfaction is not reached at this level, the student should proceed up the normal administrative hierarchy.

For example, in academic matters such as a grade complaint, the student should first speak with the professor. The normal hierarchy then leads to the department chairperson, dean of the college, and finally the provost.

Similarly, complaints regarding administrative actions and decisions should first be addressed to the individual whose action or decision is being questioned. The normal hierarchy then leads to the appropriate dean, director, or department head, and then to the vice president or provost of the division in question. In the event of a complaint alleging discrimination, the student may choose to have their complaint heard under the discrimination and equality procedures.

The Dean of Student Office and the Office of Equal Opportunity offices are available to advise and inform students concerning such complaints. In addition, students may visit the University Ombuds located in Green Hall. In most cases the Ombuds will not become actively involved until the student has exhausted the normal grievance procedures. Please see [Ombuds](#) for additional information about services provided by the University Ombuds.

# Student Code of Conduct

## COMMUNITY STANDARDS OF BEHAVIOR

The University expects students to adhere to all University Policies, Procedures, and Practices.

This Student Code of Conduct, also known as Community Standards of Behavior, is written to give students general notice of expected and prohibited conduct. The regulations should be read broadly and are not designed to define misconduct in exhaustive terms. Making specific plans or arrangements to violate community standards may lead to charges whether the act is completed. Community standards and University policies are examined and revised once every two years by a committee of students, staff, and faculty with input from the University community and with administrative approval. Thus, the standards and policies in this handbook reflect current community norms. They apply to all students and to all student groups. Revisions to Community Standards that occur before handbook redistribution are published in the campus newspaper or otherwise distributed widely.

Although comprehensive, the Student Code of Conduct is not the only conduct process students may be held accountable to. These include, but are not limited to, academic and professional standards board and committees; the Graduate School Manual; college and program specific manuals; Athletic and team codes of conduct. It is the responsibility of the student to be aware of these additional processes and understand they may face additional sanctions outside of the Student Code of Conduct for the same violation.

## DEFINITIONS

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

- 1.) **“Administrative Hearing Officer” or “hearing panel”** means a university staff member(s) who is authorized to conduct an Administrative or Conduct Board Panel hearing to determine the appropriate resolution of an alleged violation for the *Student Code of Conduct*, and/or to impose sanctions or affect other remedies as appropriate.
- 2.) **“Business day”** means any day Monday through Friday, that the University is open.
- 3.) **“Complainant”** means any person who believes that they have been (or have been alleged by another) to have been a victim of another student’s/ student organization’s misconduct. If the complainant is a University of Rhode Island student, that student will have the same rights under the *Student Code of Conduct* as are provided to the respondent, even if another member of the University community referred or reported the allegations itself.

- 4.) **“Conduct Advisor”** means any person who accompanies a complainant or respondent for the limited purpose of providing support and guidance. A conduct advisor may not directly address the hearing body, Student Conduct officer(s), question witnesses, or otherwise actively participate in the Student Conduct process, including hearings. Under the URI Student Conduct Process parents are not allowed to serve as Conduct Advisors.
- 5.) **“Conduct Board”** The full Conduct Board consists of trained students, faculty, and staff. Every effort will be made to have Board representation from the following groups: graduate students, recognized student organizations, residence hall students, and commuters. Every effort will be made to recruit and select students from diverse backgrounds. Only full-time students who do not have current conduct sanctions are allowed to serve.
- 6.) **“Designee”** refers to a staff or faculty member who has responsibility for implementing the Student Conduct process or administering the Student Conduct system, in part or in whole.
- 7.) **“Director of Community Standards”** refers to the Associate Dean of Students for Community Standards in the Division of Student Affairs, designated by the Vice President of Student Affairs and/or the Dean of Students to be responsible for the overall coordination of the University Student Conduct system, including the development of policies, procedures, and education and training programs. The Director of Community Standards may serve as an administrative hearing officer, Student Conduct Officer, Charging Official, and/or an appellate body. As used in this document, “Director of Community Standards” includes the Director’s designee.
- 8.) **“Hearing Panel Advisor”** means a Community Standards staff member, administrative hearing officer, or Student Conduct Officer who observes a hearing panel throughout the hearing/meeting and during the hearing body’s private deliberations for the purpose of providing information and interpretations relative to the University Student Conduct system and the *Student Code of Conduct*.
- 9.) **“Incident Database”** means the electronic database used to track an incident and the response taken.
- 10.) **“Instructor”** means any faculty member, teaching assistant, or other person authorized by the University to provide educational services (e.g., teaching, research, or academic advising).
- 11.) **“May”** is used in the permissive sense.
- 12.) **“Member of the University community”** includes any person who is a student, instructor, faculty member, or University staff member; any other person working for the University, either directly or indirectly (e.g., private enterprise on campus); or any person who resides on the University premises. A person’s status in a particular situation shall be determined by the Director of Community Standards.

- 13.) **“Negotiated Agreement”** means an agreement between the respondent, URI student complainant if any, and Student Conduct Officer which identifies mutual resolution. Negotiated agreements can be created between student organizations and the Office of Community Standards as well.
- 14.) **“Policy”** is defined as the written regulations, standards, and student conduct expectations adopted by the University and found in, but not limited to, the *Student Code of Conduct*; *The Student Handbook*; *The On-Campus Housing Contract*; the *University of Rhode Island Policy on Sexual Misconduct*; the *University of Rhode Island Policy on Nondiscrimination*; *The University Manual*, *The Graduate School Manual*; graduate and undergraduate student catalog; and other publicized University notices and/or administrative policies.
- 15.) **“Referring party”** means any person/s, other than the complainant, who submits an allegation that a student or student organization violated the *Student Code of Conduct*.
- 16.) **“Report”** means any allegation of alleged misconduct regarding a student or recognized student group. “Report” is used interchangeably with “complaint” and “referral” in this document.
- 17.) **“Respondent”** means any student or student organization accused of violating the *Student Code of Conduct*.
- 18.) **“Shall”** and **“Will”** are used in the imperative sense.
- 19.) **“Student”** any individual currently enrolled in an academic offering at the University of Rhode Island, including both full-time and part-time undergraduate, graduate, professional, non-degree, and visiting enrollments, as well as individuals participating in exchange or cooperative programs under the University of Rhode Island’s control. For the purposes of this handbook, an individual’s status as a student begins at the time of enrollment or the admittance to the University and ends upon graduation, withdrawal, separation, or upon the last day for registration for any semester in which the individual does not continue enrollment, barring the existence of an approved leave of absence.
- 20.) **“Student Conduct file”** means the printed/written/electronic file, which may include, but is not limited to, incident report(s), correspondence, academic transcript, witness statements, and student conduct history. As used in this document, “Student Conduct file” is used interchangeably with “Student Conduct record”.
- 21.) **“Student Conduct Officer, “Investigating Student Conduct Officer”, “Charging Official” or “Investigator”** means a university staff member who is authorized to investigate and determine the appropriate resolution of an alleged violation of the *Student Code of Conduct*. Subject to the provisions of this code, this individual is vested with the authority to, among other duties, investigate than alleged violation of the *Student Code of Conduct*; decline to pursue a complaint; refer identified disputants to mediation or other appropriate resources; establish the *Student Code of Conduct* alleged violations regarding a respondent; approve a case resolution form; and impose sanctions or affect other remedies as



appropriate. The University reserves the right to contract with outside vendors to complete investigation when necessary.

- 22.) **“Student organization”** may mean an association or group of persons that has complied with the formal requirements for university recognition by the Office of Student Involvement. “Recognized student groups” and “Registered Student Organizations” are used synonymously with “Student organization” in this document.
- 23.) **“University Appeals Board on Student Conduct”** The University Appeals Board on Student Conduct consists of one full-time student appointed by the president of the Student Senate, one member of the teaching faculty appointed by the chairperson of the Faculty Senate, and a chairperson holding the rank of assistant professor or above, appointed by the President of the University. For a graduate student’s appeal, the Graduate Student Association shall appoint the student member. Students appointed to the Appeals Board cannot have current conduct sanctions. Past board members who are familiar with the current system may serve if current members are not available.
- 24.) **“University” and “URI”** mean the University of Rhode Island.
- 25.) **“University official”** includes any person employed by the University to perform administrative, instructional, or professional duties.
- 26.) **“University premises”** includes all land, buildings, facilities, and other property in the possession or owned, used, or controlled by the University, either solely or in conjunction with another entity.
- 27.) **“Witness”** means any individual who has direct knowledge of an incident. Character witnesses are not part of the Student Conduct process.

#### **JURISDICTION OF THE UNIVERSITY**

- 1.) Each student shall be responsible for one’s conduct from the time of admission through the actual awarding of a degree or separation, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if the conduct is not discovered until after a degree is awarded.) The Student Code of Conduct shall apply to a student’s conduct even if the student withdraws from the University while a student conduct matter is pending.
- 2.) The University of Rhode Island Student Code of Conduct shall apply to conduct that occurs on university premises, at URI sponsored activities, and to off-campus conduct, including online and social media, that adversely affects the URI community, poses a threat to safety of persons or property, or damages the institution’s reputation or relationship with the greater community. In addition, the University of Rhode Island, in collaboration with the surrounding communities, may respond to student violations of community-based laws and ordinances designed to protect civility and quality of life. The following examples describe the kinds of off-campus acts that might be addressed through the University student

conduct system. They are illustrative in intent, and they should not be regarded as all-inclusive: driving under the influence of alcohol or drugs; physical/ sexual assault; sale or distribution of illegal substances; malicious destruction of property.

- 3.) University student conduct proceedings may be initiated against a student without regard to co-occurring civil or criminal litigation in court or criminal arrest and prosecution resulting from the same or related conduct. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Associate Dean of Students/ Director of Community Standards.

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

All Student Senate recognized student organizations and all other academic based student organizations are subject to the Student Code of Conduct.

#### **APPEAL OF OFF-CAMPUS JURISDICTION**

If a student is accused of an off-campus offense, and if the Student Conduct Officer determines that there is cause for referring the matter to the University Student Conduct System, the student shall have the right to dispute the jurisdiction of the University Student Conduct System.

Such an appeal must be filed in writing with the Dean of Students not later than three (3) business days after notice of the Office of Community Standard's decision to charge the student. The appeal shall be presented to the Vice President for Student Affairs for disposition of the application of Off-Campus Jurisdiction. The decision on jurisdiction arrived at by the Vice President for Student Affairs shall be final.

## Prohibited Student Conduct

As members of the University community, students and student organizations have a responsibility to uphold ***Student Code of Conduct*** as well as adhere to federal, state, and local laws. The Dean of Students shall make the final determination on what constitutes a potential violation of the ***Student Code of Conduct*** and shall establish the specific code violation(s) as appropriate.

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

- 1.) **Acts of dishonesty**, including but not limited to cheating, plagiarism, or other forms of academic dishonesty; furnishing false information to any University official; forgery, alteration, mutilation, or misuse (including unauthorized access, disclosure, removal) of any University document, record, educational material, identification, or property; unauthorized access to, disclosure of, or use of any university document, record, or identification, including but not limited to, electronic software, data, and records; misrepresenting oneself or an organization as an agent of a university.
- 2.) **Disruption, obstruction, or interference** with university activities, including but not limited to teaching, research, administration, meetings, public events, disciplinary proceedings, and public service functions on or off campus, the right of access to university facilities or freedom of movement of any person on University premises.
- 3.) **Abusive conduct**, including physical abuse, verbal abuse, threats, harassment, discriminatory harassment, stalking, cyberstalking, bullying/cyberbullying, privacy violations and/or other conduct which threatens or endangers the physical or psychological health, safety, or welfare of oneself, another individual, a group of individuals, or members of a student organization.

In determining whether an act constitutes harassment, the Office of Community Standards will consider the full context of the conduct, giving due consideration to the protection of the University climate, individual rights, freedom of speech, academic freedom and advocacy. Not every act that might be offensive to an individual or group constitutes harassment and/or a violation of the ***Student Code of Conduct***.

**Harassment** is defined as conduct that is so severe, pervasive, or objectively offensive, and that so undermines and detracts from the victim's ability to fully participate in the programs, activities, and mission of the University that the victim is effectively denied equal access to educational and or working environment, resources, and opportunities.

**Bullying** is the repeated use of a written, oral, or electronic communication, or a physical act or gesture by one or more individuals, repeatedly directed at another individual that:

- a.) causes physical or emotional harm or damage to property and/or

- b.) places the target of such behavior in reasonable fear of harm to self, or of damage to property and/or
- c.) creates a hostile environment or otherwise infringes on the rights of such individual and/or
- d.) substantially disrupts the education process

Bullying shall include, but not be limited to, a written, oral, or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental ,physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

- 4.) **Endangering behavior**, which includes, but is not limited to, conduct that threatens or endangers the health or safety of any person including oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm. Examples include but are not limited to physical abuse, verbal abuse, threats, intimidation, coercion, and/or other conduct which threatens or endangers the health or safety of any person, including oneself.
- 5.) **Theft of and/or damage** to other persons' or University property, including possession of property known to be stolen.
- 6.) **Failure to comply** with directions of university officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- 7.) **Unauthorized access or entry**- Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of other persons' or University property.
- 8.) **Fire Safety**-the setting of or participation in unauthorized fires; the unauthorized or improper activation, possession, use, removal, or disabling of fire safety equipment and warning devices; failure to follow standard fire safety procedures; and/or interference with firefighting equipment or personnel.
- 9.) **Misuse of Alcohol**- Public intoxication, use, possession, manufacturing, transporting, providing, or distribution of alcoholic beverages except as expressly permitted by university regulations or by law. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
- 10.) **Misuse of Drugs**- Use, possession, manufacturing, providing, or distribution of marijuana, heroin, narcotics, other controlled substances, and/or paraphernalia except as expressly permitted by law and university regulations.

- 11.) **Weapons or other dangerous items**- Use, possession, or distribution of firearms, ammunition, explosives, other weapons, or dangerous chemicals on university premises in violation of law or university regulations or use of any object in a way that harms, threatens, or causes fear to others on or off campus.
- 12.) **Hazing**- Behavior in violation of the [University of Rhode Island Policy on Hazing](#)
- 13.) **Sexual Misconduct**- Behavior in violation of the [University of Rhode Island Policy on Sexual Misconduct](#)
- 14.) **Nondiscrimination**- Behavior in violation of the [University of Rhode Island Policy on Nondiscrimination](#)
- 15.) **IT Acceptable Use**- Behavior in violation of the [University of Rhode Island Policy on IT Acceptable Use](#)
- 16.) **Housing and Residential Life**- Behavior in violation of **On-Campus Housing Contracts and Housing and Residential Life policies.**
- 17.) **Violation of federal, state, or local law.**
- 18.) **Violation of any University policy, rule, or regulation** published in hard copy or available electronically on the University website, including, but not limited to, the University Manual, The University Student Handbook, Housing and Residence Life policies, Student-Athlete Handbook, URI computer, internet and electronic communications policies and procedures, or any academic college policies.
- 19.) **Abuse of the Student Conduct System**- including but not limited to failure to obey the notice from a University Hearing Officer or designated University Official to appear for a meeting or hearing as part of the Student Conduct System; falsification, distortion, or misrepresentation of information before a University Hearing Officer or designated University Official; disruption or interference with the orderly conduct of a University Hearing proceeding; institution of a student code of conduct proceeding in bad faith; attempting to discourage an individual's proper participation in, or use of, the Student Conduct System; attempting to influence the impartiality of a University Hearing Officer or Appeal Board prior to, during the course of, or after a University Hearing proceeding; harassment (verbal or physical) and/or intimidation of a University Hearing Officer or Appeal Board prior to, during the course of, or after a University Hearing proceeding; failure to comply with the sanction(s) imposed under the Student Code of Conduct, a No Contact Order or a No Trespass Order;

influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

- 20.) **Retaliation**- Retaliation is defined as any conduct which serves as a reprisal with the intent of causing physical or psychological pain. Retaliation includes, but is not limited to, unwelcome or repeated contacts by telephone, by letter, in person, or by third party; damaging or vandalizing personal property; offensive acts/gestures; contact via text or social media; overt threats, whether or not they were actually carried out; or any conduct that would instill fear and trepidation in the victim.

## **The University Student Conduct System**

The purpose of the University Student Conduct System is to promote student growth and to preserve the atmosphere of learning necessary to the well-being of all students. The Dean of Students Office is responsible for administering all aspects of the University Student Conduct System. Conduct action may be implemented only through referral of violations to the Dean of Students Office, The Office of Community Standards, the Office of the Vice President of Student Affairs, or Housing and Residential Life. Complaints and reports of violations may be submitted to the Dean of Students Office from the campus police or local police departments, from other students, faculty and staff, and community members.

As members of both the University community and the outside community, students may be held responsible for incidents in more than one arena. Thus, if the University police receive a complaint, as a fully empowered police department, they may bring criminal charges against any student. If the same incident is also a violation of the University's community standards and falls within jurisdiction of the student conduct system, campus proceedings may proceed independently, concurrently, and according to the University's timetable. Any questions about concurrent charges should be addressed to the Dean of Students Office.

Notice will be given to all students of meetings, hearings, incidents, and outcomes using the student's URI email address.

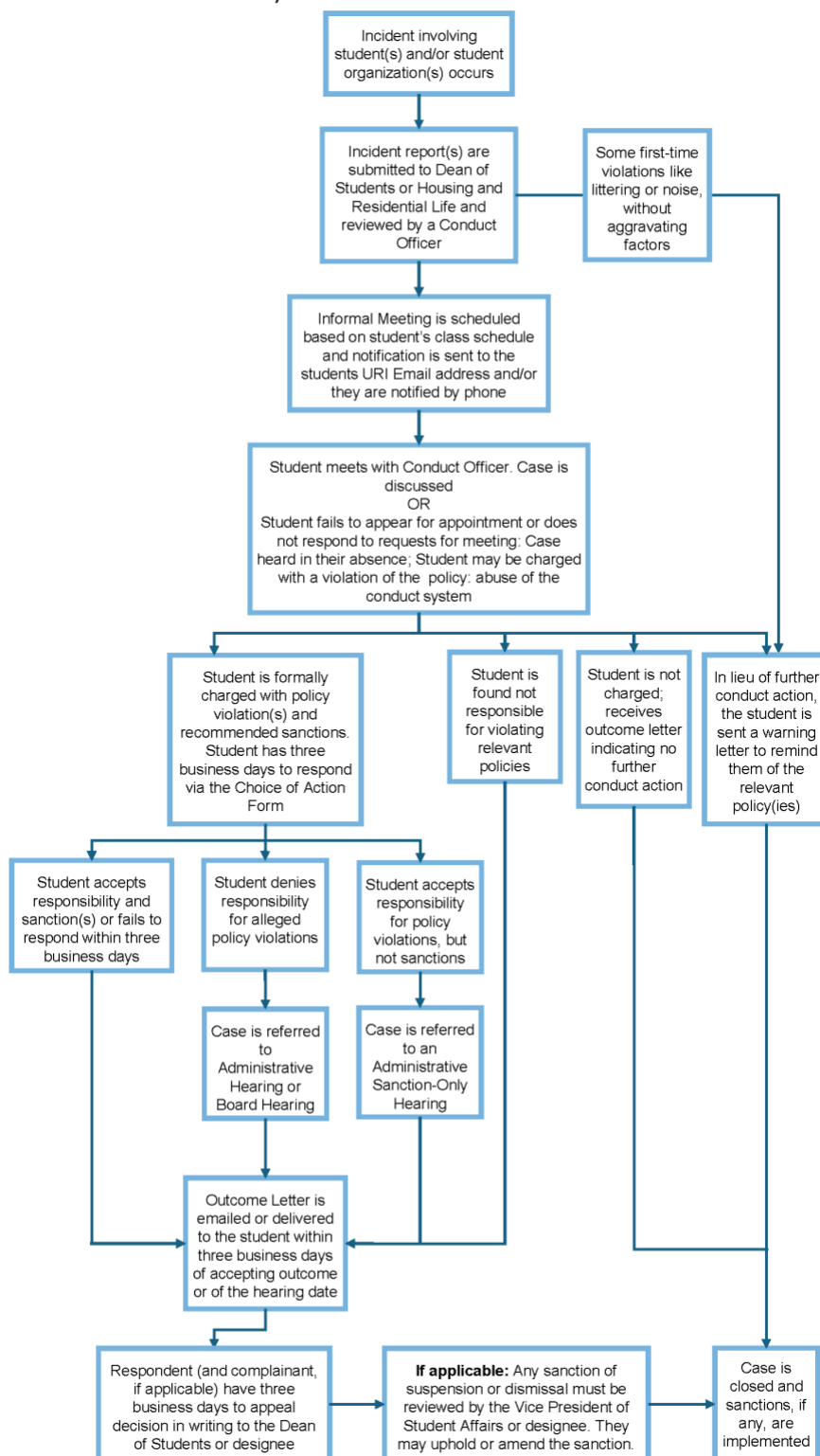
Cases of academic misconduct that receive grade sanctions, but no formal conduct action, are governed by guidelines under Academic Misconduct policy.

The University Student Conduct System applies primarily to individual students but also applies to student organizations. Fraternity, sorority, and student organization cases are heard by the Office of Community Standards using the same general guidelines outlined in the Student Handbook.

Both reporting and responding students have rights that the University is committed to maintaining and protecting. All policies, procedures, and practices of the University Student Conduct System will therefore be administered in a manner that reflects and preserves a balance and does not favor the rights of one side to the detriment of the other.

Errors in charge letters, outcome letters, or other official communication should be brought to the attention of the identified Student Conduct Officer within three business days of receipt. Substantive errors may necessitate extension of the student's deadlines. Questions about the conduct system should be addressed to the Dean of Students Office, 302 Memorial Union, 874-2098.

**Student Conduct Process Flow Chart:** **NOTE:** Allegations involving sexual and gender-based harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking are heard under a separate process, the Sexual Misconduct and Relationship Violence Complaint Policy. All other violations of the University Community Standards of Behavior are adjudicated as outlined in the flow chart below).





## **INCIDENT OR REPORT REVIEW**

The available facts shall be gathered from the complainant or the reporting agency and a careful evaluation of these facts, as well as the reliability of information shall be made. If corroboration of the information presented is deemed necessary, further inquiry and investigation shall be undertaken.

If, at this point, in the judgment of the conduct officer, there is insufficient information of a violation, or the case lacks merit, a decision not to refer the matter to the student conduct system may be made. Generally, a complaint or incident report is acted on within 60 business days after the information is known. In unusual cases, conduct action may occur after a longer period of time.

## **DEFERRAL OF PROCEEDINGS**

The staff of the Dean of Students Office or the Office of Community Standards may defer conduct action at any stage of the process for a period not to exceed ninety (90) calendar days when school is in session. Pending charges may be discontinued thereafter depending upon the good conduct of the accused student.

## **CONDUCT ADVISORS**

The University Student Conduct System is not an adversarial process, but an impartial inquiry into student conduct and the facts of the incident. A Conduct Advisor's role is to provide guidance and support for students involved in student conduct matters. The advisor's role is to provide support, guidance and/or advice only. A Conduct Advisor may be a student, faculty, or staff member at the University who has been trained on the University Student Conduct System. Parents or guardians do not serve in a Conduct Advisor role, even if they are employees of the University. Training on the Student Handbook and student conduct procedures is strongly recommended for an individual serving in the Conduct Advisor role.

However, anyone with a law degree or a licensed attorney is only permitted to serve as a Conduct Advisor in University Student Conduct Systems meetings or hearings where students are:

- Involved in incidents involving sexual assault, sexual harassment, domestic violence, dating violence, and stalking or
- Involved in incidents when there is a concurrent criminal charge.

The Dean of Students must give prior approval in all instances where licensed attorneys or the presence of anyone with a law degree is requested.

A student with a disability affecting communication or a student who cannot effectively communicate in the English language may seek a reasonable accommodation to allow an advisor or interpreter to present or translate the case for the student.

Witnesses and involved parties are not allowed to serve as advisors.

## STUDENTS WITH DISABILITIES

Students registered with Disability, Access, and Inclusion (DAI) can contact their DAI coordinator to request necessary accommodations. DAI will determine accommodations on a case-by-case basis. Students with a documented disability who are not yet registered with DAI may contact [Disability, Access, and Inclusion](#) at 302 Memorial Union, Phone 401-874-2098 to schedule a consultation. Accommodations are not applied retroactively and will not fundamentally alter this process.

### Role of the Conduct Advisor

The Conduct Advisor's role is passive, and the advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. The advisor may not ask questions or respond on behalf of the complainant or respondent. The complainant or the respondent may request a break during any meeting and/or proceeding to allow the complainant or the respondent to confer with their respective advisors in private. Conduct Advisors may participate in the following ways during the student conduct process:

- To advise the complainant or respondent on the preparation and presentation of the information prior to and during meetings and hearing.
- To accompany the complainant or respondent to all student conduct meetings and hearings.
- To advise the complainant or respondent in the preparation and presentation of any appeal.
- To ensure that the complainant or respondent understands the seriousness of the hearing.
- To consult with and advise the complainant or respondent during the process.
- To support the complainant or respondent during the student conduct process.

A Conduct Advisor may not do any of the following:

- Present any part of the information for the involved parties.
- Ask any questions of any witnesses appearing for the respondent or for the complainant.
- Ask any questions of the Administrative Hearing Officer or Hearing Panel during hearings.

Advisors who do not follow the guidelines outlined in this Policy will be asked to leave the meeting(s) and/or proceeding(s).

The University may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the University is not required to do so and will not do so if it unreasonably delays the Student Conduct process.

## **Interim Administrative Measures**

The Vice President for Student Affairs or designee may impose an interim University Suspension, and interim Removal from Housing, and interim Loss of Recognition, and/ or other necessary restrictions on a student or organization prior to a Student Conduct resolution on the student's or organization's alleged violation. Such action may be taken when, in the professional judgment of a university official, a threat of imminent harm to persons or property exists.

## **Interim Suspension**

The student(s), or student organization, will receive notice stating the reasons for the Interim Suspension and are entitled to a meeting with the Dean of Students, or their designee, within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student or organization's responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students, the student/student organization will have the opportunity to share information regarding the incident and request that the Interim Suspension be lifted. The Dean of Students, or their designee, will make the final determination whether an Interim Suspension warrants continuation.

If requested, every effort will be made to offer a hearing within 15 days after the suspension. A student or student organization separated from campus by this authority must remain separated until the hearing is held. If more than one semester elapses from the time of the Interim Suspension to the time the student/student organization requests a hearing, the hearing will always be an Administrative Hearing.

### **INTERIM REMOVAL FROM ON-CAMPUS HOUSING**

The immediate interim removal of a residential student from all on-campus residential units pending formal student conduct charges. An Interim Removal may be initiated for reasons of imminent danger to their physical or emotional safety or well-being or for reasons of imminent danger to the safety or well-being of the University community. The action must be approved by the Dean of Students or Director of Housing and Residential Life or their designee. Removal from traditional residence halls would prevent the student from living in any other on-campus University housing (i.e., IEP/TI Houses, TD Achievement House, Fraternity or Sorority Houses). The student(s), or student organization, will receive a written notice stating the reasons for the Interim Removal and are entitled to a meeting with the Dean of Students within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student or organization's responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students or designee, the student will have the opportunity to share information regarding the incident and request that the Interim Removal be lifted. The Dean of Students or Assistant Vice President of Student Affairs/ Director of Housing and Residential Life (or designee) will make the final determination whether an Interim Removal warrants continuation.

### **INTERIM RELOCATION WITHIN ON-CAMPUS HOUSING**

The immediate interim relocation of a residential student from their assigned living unit to another room and/or residence hall. An Interim Relocation may be initiated for reasons of imminent danger to their physical or emotional safety or well-being or for reasons of imminent danger to the safety or well-being of the University community. The action must be approved by the Dean of Students (or designee) or the

Assistant Vice President of Student Affairs/Director of Housing and Residential Life (or designee). The student(s) will receive a written notice stating the reasons for the Interim Relocation and are entitled to a meeting with the Dean of Students within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the student(s) responsibility to contact the Dean of Students Office to schedule that meeting. The interim relocation will be enforced until the meeting can be held. During the meeting with the Dean of Students or designee, the student will have the opportunity to share information regarding the incident and request that the Interim Relocation be reversed. The Dean of Students or Assistant Vice President of Student Affairs/ Director of Housing and Residential Life will make the final determination whether an Interim Relocation warrants continuation.

#### **INTERIM NO CONTACT ORDER**

A directive issued when there is a perceived concern for the health, safety, and wellbeing between all involved parties of an incident. In cases involving multiple parties, mutual No Contact Orders will be issued to all involved in the incident. The involved parties will receive a written notice stating the reasons for the Interim No Contact Order and the specific parameters of the Interim No Contact Order. The involved parties are entitled to a meeting with the Dean of Students or designee within three (3) business days to discuss the next steps in the student conduct/disciplinary proceedings. It is the parties responsibility to contact the Dean of Students Office to schedule that meeting. During the meeting with the Dean of Students or designee, the parties will have the opportunity to share information regarding the incident and request that the Interim No Contact Order be vacated. The Dean of Students or designee will make the final determination whether an Interim No Contact Order warrants continuation. Interim Mutual No Contact Orders can be issued even when there is no additional conduct action taken.

#### **INFORMAL MEETING**

A meeting that occurs with a conduct officer when an incident or report has been received. During this meeting the student, or student group, is given the opportunity to discuss the incident or report. The student may or may not be charged during this meeting.

#### **CHARGES**

When the Student Conduct Officer decides that there is information of a violation that warrants referral to the conduct system, the respondent shall be notified in writing of the charges. This written notification will include the date, location, description of the alleged violation, reference to the handbook section allegedly violated, and potential sanction(s) will be given.

If a student withdraws or is academically dismissed while charges are pending, conduct procedures may continue or be delayed upon the student's return to the University at the sole discretion of the Dean of Students or designee.

If a student completing degree requirements is accused of a violation of community standards that may lead to suspension or dismissal, the student's degree (e.g., diploma, transcripts) may be held pending resolution of student conduct action or because of such action.

A respondent has three (3) business days to point out errors in charge letters and when a corrected letter is issued, a respondent will have, at minimum, an additional three (3) business days to choose action.

## RESPONSE TO CONDUCT CHARGE

Formally charged students, or student groups, may admit or deny responsibility for the charges. A student, or student group, will have three (3) business days upon receipt to respond to a charge letter.

The charged student, or student group, has three options for responding to a conduct charge:

- 1.) If the respondent accepts Responsibility for the charges and the Recommended Sanction(s), the case is resolved, and an Outcome Letter will confirm the resolution.
- 2.) If the respondent accepts Responsibility for the charges but does not accept the Recommended Sanction(s), the incident will be referred to an Administrative Hearing Officer.
- 3.) If the respondent denies Responsibility for the charges, the case will be referred to a hearing before a Conduct Board Hearing Panel or Administrative Hearing Officer.

If a respondent opens the Charge and Choice of Action (COA) form but does not complete their COA within the given timeframe, the charges will be upheld, and the recommended sanctions will be imposed. If the Charge and Choice of Action form is not opened within the timeframe, a second attempt will be made to contact the respondent. If those attempts are unsuccessful, the charges will be upheld, and recommended sanctions will be imposed. A sanction of suspension cannot be imposed without first meeting with the student.

## HEARINGS

The purpose of a hearing is to evaluate information relevant to the responsibility of the respondent, and to evaluate information relevant to appropriate sanctioning. The following applies to all hearings:

- Every effort will be made to hold a hearing within 20 class days from the date the student completes the Choice of Action form.
- Concerns, challenges, or objections regarding the prehearing process are not part of the hearing but must be raised with the Dean of Students Office no later than three (3) business days in advance of the hearing.
- If a student withdraws or is academically dismissed while charges are pending, conduct procedures may continue at the discretion of the Dean of Students. If a student completing degree requirements is accused of a violation of community standards that may lead to suspension or dismissal, the student's degree (e.g., diploma, transcripts) may be held pending resolution of student conduct action or as a result of such action.

Because the University believes in the value of review, students may indicate their preference of formal hearing type when charged with a violation of community standards, however the final

determination is at the discretion of the Dean of Students, or their designee based on the nature of the charges. Generally, Conduct Panel Hearings are reserved for cases where the potential for suspension or dismissal from the institution is recommended. The two options for formal hearings are:

### **Administrative Hearing before an Administrative Hearing Officer**

Administrative hearings are conducted by a single staff person and are recorded.

### **UNIVERSITY HEARING PANEL OF STUDENTS, FACULTY, AND STAFF**

The number of panel members varies based on the type of charges (i.e., academic integrity, sexual misconduct, etc.) however all board hearings involve faculty and students, except cases involving allegations of Sexual Misconduct.

These hearings are recorded, and the recordings are saved as long as the record is retained.

### **ADMINISTRATIVE HEARING**

#### *Summary of Administrative Hearing Process before an Administrative Hearing Officer*

The following steps apply to the Administrative Hearing Process:

- 1.) Informal meeting is scheduled with the Student Conduct Officer.
- 2.) The respondent is charged. At the end of three (3) business days, the respondent must respond to the Charge Letter by submitting a Choice of Action Form to the Student Conduct Officer.
- 3.) If a respondent chooses to deny the recommended outcome (either responsibility and/or sanction), they may request an Administrative Hearing.
- 4.) The Administrative Hearing is scheduled as soon as possible, usually within 2 weeks.
- 5.) The Administrative Hearing Officer will send an Administrative Hearing Notification a minimum of five (5) business days prior to the hearing.
- 6.) Respondents should present a list of witnesses of fact two (2) days before the hearing to the Administrative Hearing Officer.
- 7.) The Student Conduct Charging Officer presents all information gathered to the Administrative Hearing Officer prior to the scheduled hearing.
- 8.) The Administrative Hearing Officer sends an Outcome Letter to the student within three (3) business days of the hearing.

- 9.) If the student appeals to the University Appeals Board on Student Conduct, the Administrative Hearing Officer along with the Student Conduct Charging Officer prepares the University's response to the appeal.

#### **UNIVERSITY HEARING PANEL**

The full Conduct Board consists of trained students, faculty, and staff. Every effort will be made to have Board representation from the following groups: graduate students, recognized student organizations, residence hall students, and commuters. Every effort will be made to recruit and select students from diverse backgrounds. Only full-time students who do not have current conduct sanctions are allowed to serve.

Conduct Board member selection will take place in the following order:

- 1.) A community wide nomination, interview by representatives from the Office of Community Standards team, and a formal appointment made by the Dean of Students or designee.
- 2.) Two or more students appointed by Student Senate.
- 3.) Two staff members appointed by the Vice President of Student Affairs and/or Dean of Students.
- 4.) Four Faculty members appointed by the Faculty Senate.

#### **Conduct Board Hearing Panel Selection**

A Hearing Panel selected from the current Conduct Board membership hears cases of alleged violations of community standards or University policies as referred to it by the Dean of Students Office. Past board members may serve if current board members are not available. Panels will be comprised of at least three (3) members of the conduct board, one of which will always be a student representative, except in cases involving sexual misconduct.

The panel chairperson shall be selected from the student hearing panel members.

#### **Summary of University Hearing Panel Process**

The following steps apply to the University Hearing Panel Process: At the end of three (3) business days, the student must respond to the Charge Letter by submitting a Choice of Action Form.

- 1.) If a respondent chooses to deny responsibility, they may request a Conduct Board hearing.
- 2.) The Conduct Board is notified of a request for a Hearing Panel.
- 3.) The Student Conduct Officer sends the Hearing Notification Packet a minimum of five (5) business days prior to the hearing.
- 4.) The respondent may challenge Hearing Panel members within three (3) business days before the hearing.
- 5.) The involved parties should present a list of witnesses of fact two (2) days before the hearing to the Student Conduct Officer. It is the respondent's responsibility to ensure that their witnesses are available at the time of the hearing.

- 6.) The Hearing Panel Advisor sends an Outcome Letter to the student within three (3) business days of the hearing.
- 7.) If there is no appeal filed, the Hearing Panel's sanction recommendations are sent to the Dean of Students or Vice President of Student Affairs for final approval. Once the final sanctions are decided, the hearing panel advisor sends a Final Outcome Letter.
- 8.) If the respondent appeals to the University Appeals Board on Student Conduct, the Hearing Panel Advisor along with the Student Conduct Charging Officer prepares the University's response to the appeal.

#### **PRESENCE OF RESPONDENT, OATHS, BURDEN OF PROOF, AND STANDARDS OF PROOF FOR HEARINGS**

The respondent must be present at the hearing. The respondent may present evidence and introduce witnesses. No oaths shall be requested or allowed and the technical rules of evidence applicable to civil and criminal cases shall not apply. The charging official and the chair of the panel will work to eliminate consideration of previous conduct and irrelevant information. If the respondent feels that this has not been done, the respondent may add a written complaint or correction to the materials that are given to the hearing panel or officer. When the respondent denies responsibility, the burden of proof shall rest upon the person(s) bringing the charges.

The standard for this proof shall be preponderance of the evidence. Preponderance of the evidence is defined as based on the information and evidence provided the incident more likely than not occurred.

#### **RIGHT TO QUESTION WITNESSES, RIGHT TO VIEW EVIDENCE, AND RULES FOR WRITTEN TESTIMONY**

The respondent shall have the right to question the complainant and all witnesses through the hearing panel chair, and to view and question all evidence presented to the panel during the hearing. Written testimony from absentee witnesses may be received for consideration only if the administrative hearing officer or hearing panel advisor and its chair deem it appropriate. If the hearing panel advisor and the chair disagree as to the admissibility, they shall refer the matter to the panel for disposition.

#### **SANCTIONS AND FINDINGS**

**Note: Please refer to the Academic Honesty Procedures for additional information regarding sanctions for Academic Honesty Violation.**

##### **FINDINGS:**

The hearing panel or administrative hearing officer makes one of the following decisions upon completion of the hearing based on the preponderance of the evidence:

- 1.) A finding of **Not Responsible**,
- 2.) A finding of **Responsible**,



- 3.) Continuance of the case for the purpose of obtaining additional information or for further consideration.
- 4.) **Insufficient Information to Proceed**- There is insufficient information to proceed with the conduct process. Charges are dismissed, but case can be reopened should new information become available.
- 5.) **No Further Action**- There is insufficient information to determine responsibility in an incident.

Sanctions are a range of actions that may be imposed by the Student Conduct Officer or Hearing Panel because of being found responsible for violating the University's community standards of behavior. The Administrative Hearing Officer or Conduct Board can establish new or modify existing sanctions that promote student growth and preserve the atmosphere of learning necessary to the well-being of all students and the community. In addition, situational conditions may be applied when appropriate. Situational conditions may include, but are not limited to:

- All facets of the specific individual situation
- The severity of the violation
- The degree to which a student has participated or been involved in an incident.
- The student's motivations and intent in connection with the infraction, and
- Any record of past violations

## **RANGE OF SANCTIONS AND FINDINGS**

### **Community/Work Service**

A specific number of unpaid work hours for a non-profit agency. It is the student's responsibility to complete the work service hours and return the documentation certifying completion of work to the hearing officer by the determined deadline. The student must have the supervisor at the volunteer site complete the [Work Service Verification Form](#) or forward a letter to the hearing officer detailing the hours and specific work completed.

### **Court Ordered Sanctions**

Sanctions required by the court system. In some instances, a student maybe required to provide verification of completion of any court ordered sanctions.

### **Disciplinary Probation**

A stated period of time indicating that a student is responsible for a violation of the student handbook and their behavior is under close examination. During the probationary period, the student is subject to further conduct action, including suspension or dismissal, if found responsible for another violation of the student handbook.

### **Dismissal**

The permanent involuntary separation of a student from all University of Rhode Island owned and operated properties and campuses. Specifically, the student is trespassed from the University. The student is not allowed to attend classes or university events, nor use or be present in any university facilities. Rhode Island General Law 11-44-26, as amended, allows the University police to arrest any dismissed student found on campus. Dismissal from the University must be approved by either the President or Vice President of Student Affairs and the Dean of Students.

### **Educational Sanction**

Sanctions used to provide additional education related to the behavior or incident by the hearing officer. Students assigned an educational sanction will be given a detailed description of the assignment by the hearing officer. Examples of educational sanctions include, but are not limited to self-assessment surveys, written assignments and presentations.

### **Fines**

A monetary sanction assigned by the hearing officer.

### **Formal Warning**

A written formal warning is an indication that a reported behavior is unacceptable and inappropriate and is therefore, a violation of community standards. While this sanction does not restrict a student's activities on campus, it reinforces that community standards cannot continue to be violated. The student should understand that subsequent incidents will be reviewed in light of this incident and could result in more serious disciplinary action.

### **Grade Sanction**

A grade of F or zero issued by a faculty member for an assignment or a course when they find that a student cheated on or plagiarized an assignment. A grade sanction is issued by the faculty of record, and not the Office of Community Standards.

**Degree Revocation**

A student's degree may be revoked by the Provost Office following the recommendation and outcome of the student conduct process.

**No Contact Order**

A directive issued when there is a perceived concern for the health, safety, and wellbeing between all involved parties of an incident. In cases involving multiple students, mutual No Contact Orders may be issued to all involved in the incident. A detailed letter outlining the parameters of the order will be provided to all students involved by staff in the Dean of Students Office.

**No Further Action**

After reviewing the facts of the report and meeting with the student, it is determined that there is no need for additional sanctions.

**Parental Notification**

Notification to a parent/guardian that a student under the age of 21 has violated the alcohol, marijuana, and/or drug policy or an incident was of such a serious nature that the parent/guardian should be notified.

**Residence Probation (On-Campus)**

A specified period of time where a residential student is not in good standing with their residential living community, including IEP/TI House, Fraternity and Sorority Houses, and the TD Achievement House. Any further unacceptable behavior may be cause for removal from the residential living community.

**Residence Relocation (On-Campus)**

The requirement of a residential student to move from one residential living community to another residential living community due to unacceptable and inappropriate behavior. The student will be re-assigned by the relevant residential living community staff.

**Residence Removal (On-Campus)**

The immediate termination of a residential student's residential living community contract after one serious violation or repeated violations of community standards in a residential living community. The action must be approved by the Dean of Students or Director of Housing and Residential Life. Removal from traditional residence halls would prevent the student from living in any other on-campus University housing, including IEP/TI House, Fraternity and Sorority Houses, and the TD Achievement House.

**Restitution**

A monetary sanction levied by the conduct officer for loss of or damage to university property or services rendered. The amount is determined by Housing and Residential Life or Facilities Operations and is based on the cost of repair or replacement and the associated parts, delivery fees, and labor costs.

**Referral to Counseling Services**

Referral to counseling services for an intake and assessment session. The student is required to comply with any additional treatment, referrals and educational activities which may be recommended.

**Referral to Alcohol and Other Drug Education**

Students found to have violated the alcohol or drug policies may be referred to the AODE program. After an initial assessment, the AODE program will inform the student of the required next steps. Next steps range from participation in a survey, an in-person course, an online course, or one on one meetings with a AODE staff member.

**Student Records Hold**

A conduct Officer may sanction (e.g., place a hold which may prevent registration or course enrollment) a student's University record when a student fails to complete sanction(s) when found responsible in the University Student Conduct system and/or when a student fails to respond to a reasonable request for a student to meet with a University Official.

**Suspension**

Involuntary separation of the student from the University for a specific period of time or until a stated condition is met. Such action does not take effect until approved by the Vice President for Student Affairs and the Dean of Students.

**Suspension of Privileges**

A student is prohibited from participating in designated social events or activities. The Office of Community Standards will notify partnering departments (i.e., Greek Life, Athletics, Talent Development) of the imposed sanction so that the individual department can review the further participation of the student.

**Treatment Compliance**

The student will be required to comply with any treatment, referrals and educational activities which may be recommended and to provide documentation of official discharge from treatment provider upon completion.

**Trespass**

A suspension of a student's right to enter a specific building on university property, locations on campus, or all of the University of Rhode Island campuses. When appropriate, a trespass notice may include the suspension of a student's right to represent the University at University-sponsored or related events. When a trespass notice is given, the student will receive a detailed explanation of the parameters of this trespass. In the event there is a report that the student has violated the trespass, it will be recommended to the Vice President for Student Affairs that the student be Interim Suspended, as defined in the Student Handbook.

## **INFORMAL RESOLUTION AND NEGOTIATED AGREEMENTS**

### **Negotiated Agreements for Student Organizations**

When there are alleged violations of community standards by a student group where the student group accepts responsibility for committing violations, an incident may be adjudicated through a Negotiated Agreement Process if it is the unanimous choice of two parties involved:

- 1.) The student group who accepts responsibility for the violation, and
- 2.) The Dean of Students or Associate Dean of Students, Community Standards.

Negotiated agreements may only be requested after an informal meeting and before formal University Student Conduct System processes have begun. Negotiated agreements will be jointly developed by a Student Conduct Officer and leadership of the student group involved.

### **Negotiated Agreements between Individual Students**

When there are alleged violations of community standards by a student against another student an incident may be adjudicated through a Negotiated Agreement Process if it is the unanimous choice of the parties involved:

- 1.) The respondent,
- 2.) The complainant,
- 3.) The Dean of Students or Associate Dean of Students/Director of Community Standards.

Negotiated agreements may only be requested after an informal meeting and before formal University Student Conduct System processes have begun. Negotiated agreements will be jointly developed by a Student Conduct Officer and the parties involved.

Negotiated agreements must be approved by the Dean of Students.

In all cases of Negotiated Agreements, the written agreement will be kept on file/electronically in the Office of Community Standards. Should any aspect of the agreement not be completed, or should a party fail to abide by the written agreement, the respondent will be charged with Failure to Comply and charged for the incident through the University Student Conduct System.

## APPEALS

### The University Appeals Board on Student Conduct

The University Appeals Board on Student Conduct hears appeals of decisions made by administrative action, administrative hearing, or by hearing panels.

The University Appeals Board on Student Conduct consists of one full-time student appointed by the president of the Student Senate, one member of the teaching faculty appointed by the chairperson of the Faculty Senate, and a chairperson holding the rank of assistant professor or above, appointed by the President of the University. For a graduate student's appeal, the Graduate Student Association shall appoint the student member. Students appointed to the Appeals Board cannot have current conduct sanctions. Past board members who are familiar with the current system may serve if current members are not available.

### Appeal Procedures and Sanction Approval

#### *Appeal Procedure for the Respondent*

Following a hearing, a respondent has the right to submit within three (3) business days of the date on the Outcome Letter to the Dean of Students. Upon receipt of a written request for appeal, the Dean of Students or designee will conduct a preliminary evaluation of the submission to ensure that the appeal is based on the grounds listed below. If it is determined that the appeal is not supported by one of the four grounds, the appeal request will be denied. Such appeal requests are based on specific information, presented in writing to the Appeals Board, on one or more of the following four (4) grounds:

- a) **Fraud** – Information was deliberately submitted or omitted during the hearing process that was not factually or substantially true.
- b) **Denial of Rights** – At any stage of the Student Conduct Process, a Student's Rights outlined in the Student Handbook were violated.
- c) **Procedural Error** – At any stage of the Student Conduct Process, a Conduct Officer, Administrative Hearing Officer, or Conduct Board did not follow processes or procedures outlined in the Student Handbook.
- d) **New Information** – The student discovers new information which was not previously known and available at the time of hearing.

The written appeal must explain how any of these four appeal grounds would have materially affected the outcome of the hearing. The Dean of Students may grant extensions to the deadline for filing appeal requests for good and sufficient reason or cause.

Please use the following link to submit a written appeal:

[Written Appeal Form](#)

**Only appeals submitted through this online portal will be considered.**

## APPEAL PROCEDURE FOR THE COMPLAINANT

Following a hearing, the complainant has the right to submit within three (3) business days of the date on the Outcome Letter, an appeal to the University Appeals Board based on the following grounds:

- a) **New information** - The complainant discovers new information which was not previously known and available at the time of hearing.
- b) In cases involving sexual misconduct outside of Title IX, the complainant may also appeal on the same four grounds, as specified above, upon which respondents may appeal.

The written appeal must explain how these grounds would have Materially Affected the Outcome of the Hearing. The Dean of Students may grant extensions to the deadline for filing appeal requests for good reason or cause.

Sanctions are not grounds for appeal. If a respondent does not agree with the sanction assigned by the Student Conduct Officer during an Informal meeting, the student should choose a Sanction Only Hearing.

### CRITERIA FOR GRANTING AN APPEAL

If the appeal request is approved by the Dean of Students or their designee, a meeting of the University Appeals Board on Student Conduct will be scheduled. The board will be provided with a report of the hearing or administrative action, the appeal request, and an administrative response (from either the Hearing Panel Advisor or the Administrative Hearing Officer) to the appeal request.

A copy of the report of the hearing or administrative action and the administrative response will be provided to the student from the Dean of Students Office as soon as it becomes available.

If the appellant respondent wants the University Appeals Board on Student Conduct to have reactions to the administrative response, it must be put in writing and delivered to the Dean of Students Office at least one hour before the Appeals Board meets and begins deliberations. To help prepare the appeal, the respondent may listen to any available recording. Recordings may be reviewed but copies will not be provided to students or their designee. Requests to review the recordings of the hearing can be made through the Office of Community Standards

The University Appeals Board meeting is not a hearing and will remain closed to the public. All appeals are based off a review of the written submissions. If needed the complainant, respondent, their respective Conduct Advisors, or Administrative Hearing Officer or Hearing Panel Advisor may be invited to appear before the Appeals Board for the sole purpose of responding to questions from the University Appeals Board members about the written appeal materials. An alternate time will be scheduled for any in-person questioning.

If the University Appeals Board on Student Conduct determines that a written request for an appeal demonstrates one or more appeal ground(s), and that the written appeal demonstrates that the ground(s) has materially affected the hearing outcome, it refers the case back to a new hearing panel.

A new Hearing Panel may either uphold the original decision and sanction imposed or adjust the original decision and/or sanction.

Approval of the sanction by the Vice President for Student Affairs (for cases of suspension or dismissal) or Dean of Students (for all other cases) shall take place after the appeal process is completed. If the Vice President or the Dean of Students does not approve the sanction, they have the authority to change it.



# General University Policies, Procedures, and Definitions

## GREEK COMMUNITY

### Fraternity and Sorority Chapters

All policies in this handbook apply to students living in fraternity and sorority chapter houses. Greek letter organizations at the University are a component of the institution's total educational program. As such they are partners with the University in a mutually supportive educational endeavor. Therefore, Greek letter organizations share a responsibility for strengthening the overall quality of student life by making a significant positive contribution to present and future students. All Greek Chapter Houses on University property are substance-free- including tobacco and vaping products, alcohol, marijuana, and other illicit drugs.

Because of their importance to their own members and to the educational quality of the University campus, fraternity and sorority chapters have specific rights and responsibilities within this community.

Social fraternities and sororities exist at the University as residential units or groups under policies established by the Office of Student Affairs. Fraternities and sororities exist at the University of Rhode Island only at the invitation of the University. This invitation is formally extended by the Vice President for Student Affairs and can be withdrawn if a fraternity or a sorority fails to comply with university policies. Specific policies are found in the Interfraternity Council, Panhellenic Association, President's Manual and in this handbook.

### RIGHTS OF FRATERNITY AND SORORITY CHAPTERS

Fraternities and Sororities at the University, as with all student organizations, have rights. These rights include:

- Choosing their members
- Participating as a unit in campus group activities
- Receiving assistance from the University in leadership development activities
- having a university advisor who will assist them in their chapter development and who will serve as a liaison between them and other parts of the university.
- Participating in self-governing activities through the Interfraternity Council, Panhellenic Association, Multicultural Greek Council, or National Panhellenic Council
- Providing the opportunity for participation in educational experiences; and
- The right not to be discriminated against because of Greek membership.

### RESPONSIBILITIES OF FRATERNITY AND SORORITY CHAPTERS

Fraternities and Sororities at the University, as with all student organizations, have responsibilities. These responsibilities include:

- To conduct all activities in accordance with regulations and policies of the University of Rhode Island and their general fraternity or sorority, including policies on hazing and rights of individual members and policies on nondiscrimination on the basis of race, sex, religion, age,

color, creed, national origin, disability, sexual orientation, gender identity or expression, or disabled veterans;

- To prohibit alcohol availability during all on-campus events
- To comply with their chapter and by-laws developed in consultation with and approved by their general fraternity.
- To operate their chapter affairs in a businesslike manner consistent with their constitution and University policies
- To maintain an atmosphere within their chapter and its activities supportive of high academic standards, establishing general goals and specific objectives periodically in consultation with Greek Affairs in the Dean of Students Office and representatives of the general fraternity
- To strive toward the achievement of these goals and objectives in consultation with university and general fraternity advisors; and
- To employ a full-time live-in educational advisor.

#### **HOUSING CORPORATIONS**

Fraternities and Sororities partner with local and national Housing Corporations to operate living and learning facilities at the University. The relationship between the Housing Corporation and the University is guided by the Student Handbook and land lease or license agreements. Housing Corporations must provide the following staff for Fraternity and Sorority residential facilities:

- Must provide a House Director for at least the academic year.
- If a food service is provided, Housing Corporations must provide a culinary professional.

#### **FINANCES**

Each Housing Corporation that is recognized at the University must annually file 990's and 3rd party audited or compilation financial statements with the Dean of Students Office which align with the federal filing deadlines.

#### **ORGANIZATIONAL CONDUCT PROCESS**

If a recognized chapter is alleged to have violated University policy, every effort will be made to notify both the local chapter and any recognized external stakeholder. Depending on the severity of alleged policy violations, interim measures may be issued pending the outcome of the investigation and any subsequent conduct process. Whenever possible information regarding the alleged offense will be shared with the relevant stakeholders and a representative will be invited to participate in the investigation with university staff. The level of participation by the inter-/national organization will be determined on a case-by-case basis by the organization and the University. Regardless of level of involvement, the University will be transparent about processes and procedures to ensure that due process rights are not violated. Individual students may face additional charges from the same incident separately from the organization. Some cases may also be referred to the Interfraternity Council and Panhellenic Council Conduct Boards in addition to the University conduct process.

## **HOUSING AND RESIDENTIAL LIFE- RESIDENTIAL LIVING COMMUNITIES POLICIES**

For updated information and policies related to residential living communities on campus, please refer to your on-campus housing contract and the HRL website at <https://web.uri.edu/housing/>

## **DINING SERVICES**

For updated information and policies about Dining Services please visit their website at <https://web.uri.edu/dining/>

## **HEALTH SERVICES**

For updated information and policies regarding Health Services please visit their website at <https://web.uri.edu/healthservices/>

## **TRANSPORTATION AND PARKING**

For updated information and policies regarding parking please visit their website at <https://web.uri.edu/transportation/>

## **INFORMATION TECHNOLOGY SERVICES**

For updated information and policies regarding IT services please visit their website at <https://its.uri.edu/>

## **RELIGIOUS EXPRESSION**

The University encourages the expression of religious ideas within the context of academic freedom. Rights of all religious groups are to be respected by individuals and by other groups. Religious groups should represent themselves clearly, honestly, and openly.

Students must be free to join and free to leave religious groups. There must be no use of coercive measures to recruit or retain members.

## **FREE EXPRESSION AND PEACEFUL DEMONSTRATIONS**

(Picketing, Rallies, Parades, Demonstrations, and other Assemblies)

The University of Rhode Island strongly values free speech. The freedom to debate and discuss the merits of competing ideas does not mean that members of the university community may say whatever they wish, wherever they wish. Consistent with the rule of law, the University of Rhode Island may restrict expression that violates the law including speech determined to be incitement to imminent lawless action; speech that falsely defames a specific individual; speech that constitutes a genuine threat or intimidation; speech that constitutes fighting words or legally defined obscenities; or that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the university.

#### **PEACEFUL DEMONSTRATIONS**

The University of Rhode Island believes in the right to assemble, and is committed to the protection of all peaceful, non-disruptive forms of protest including mass demonstrations, pickets, and rallies. The campus must be open to a free exchange of ideas; however, the University may reasonably regulate the time, place, manner of expression to ensure that it does not disrupt the regular functioning of the university.

#### **PROTESTS AND DEMONSTRATIONS**

If a formal protest or demonstration is held, it will not be confined to a specified area, but persons, or signs or other devices used to express the protest will not block sight, hearing, access or egress, or otherwise interfere with the orderly conduct of the event being protested or of normal University activities. In order to attain the latter objective, certain areas in which protest activity is to be prohibited may be defined in advance by mutual agreement between the University and the protesting parties defining time, place, and manner.

#### **SIGNS, POSTERS, AND BANNERS**

No signs supported by standards or sticks shall be permitted in any assembly inside any building on campus. Signs supported by standards or sticks shall be permitted outside.

#### **Fire, Torches, or Open Flame**

The carrying or brandishing of torches, fire, or open flame is prohibited. Protected candles (candles with wind screens) may be used only with prior approval from the Public Safety Office/ Fire and Life Safety.

#### **IDENTIFICATION**

A student is always expected and required to carry a University of Rhode Island Student Identification Card. Students must identify as a student to an authorized University official having just cause to issue the order. The official must provide identification if the student requests it.

#### **RESPONDING**

Students must appear before a university official when properly notified to appear and be informed of the reason for which the meeting requested.

#### **OBSTRUCTION**

Students must recognize and respect the legitimate functions of the University. Obstructing or disrupting or interfering with teaching, research, administrative, service and other functions of the University are prohibited. Making noise or causing noise to be made with objects or instruments which disturbs any of the above is prohibited.

#### **FREEDOM OF MOVEMENT**

Students must allow other students, school officials, employees, and invited guests of the University lawful freedom of movement on the campus, lawful use of the property of the University, and the right of lawful entrance to and exit from any of the University's physical facilities.

#### **IMPEDING ACTIVITIES**

Students must recognize and allow the staff or faculty of the University to engage in the lawful performance of their duties, or for students to pursue their educational activities. Impeding or

restricting these activities through the use of restraint, abduction, coercion, or intimidation, or when force and violence are present or threatened, is prohibited.

#### **VACATING FACILITIES**

Students must vacate a building, street, sidewalk, driveway, or other facility of the University when directed to do so by an authorized official of the University, or during a fire alarm.

#### **FALSE IDENTIFICATION**

The University identification card is to be used exclusively by the student to whom it belongs. Possession of and/or manufacture of any form of false identification are prohibited.

#### **STUDENT ADDRESSES AND PHONE NUMBERS**

Students must provide the University with a correct home and current local mailing addresses, phone number, and email address through e-Campus. The University and the Dean of Students Office utilizes the campus email system as the primary means of contact and communication with students.

#### **ENCOURAGING VIOLATIONS**

To encourage, entice, influence, or enlist another person to violate any of the University rules, regulations, or policies listed in this handbook is prohibited.

#### **COMPLYING WITH INSTRUCTIONS**

Students must comply with instructions of University or town officials (e.g., faculty, staff, police, safety and fire officials) when they have just cause to issue these instructions.

#### **LOUD OR ABUSIVE ACTION**

Loud and abusive actions (including participation in “food fights”) which disturb or threaten the peaceful assembly of the students in the dining rooms will be grounds for referral to the University Student Conduct System.

#### **GAMBLING**

Any gambling not licensed by the state is prohibited. Prohibited activity includes, but is not limited to, such activities as sports betting pools, parlay cards, pyramid schemes, card games with money bets.

#### **NAME OF THE UNIVERSITY**

No group of students will use the name of the University in outside activities, thereby representing the University, unless approved and authorized by the Director of the Memorial Union/Student Involvement & Center for Student Leadership Development and the Student Senate Inc. For graduate students, the approving body is the Graduate Student Association.

#### **University Trademark**

Any use of University marks is governed by the [University Policy on Trademarks and Licensing](#).

#### **Copyrights and Patents**

All members of the University community, including faculty, pre and postdoctoral fellows, research associates, staff, and students, including graduate assistants and research assistants in any combination of study, research, and teaching, will be subject to the University's Intellectual Property Policies. These policies, which relate to patents, copyrights, and other forms of intellectual property, are contained in

the University Manual and are subject to interpretation and implementation by the University's Intellectual Property Committee, with the approval of the President of the University.

## Appendix I- **Academic Misconduct**

Students are expected to be honest and have integrity in all their interactions including academic work. For information on Academic Misconduct please see the [University Manual](#)- 8.27.10-8.27.22

### **Truthful Access**

Seeking or obtaining University privileges or services to which you are not entitled is prohibited. For example, “hacking” or using someone else’s username or password to access information or services.

### **Truthful Information**

Providing incorrect, untruthful or incomplete information in response to legitimate requests by University officials or conduct boards is prohibited.

### **Tampering with Information**

Destroying, altering, or concealing information of violations of community standards in an attempt to avoid consequences or to assist another to avoid consequences is prohibited. For example, destroying or deleting photos or videos that show policy violations.

### **Academic Honesty**

Students are expected to be honest in all academic work. A student’s name on any written work including assignments, lab reports, internship reports, papers, or examinations, shall be regarded as assurance that the work is the result of the student’s own thought and study. Work should be stated in the student’s own words and produced without assistance or properly attributed to its source. When students are authorized to work jointly, group effort must be indicated on the work submitted.

Most academic work builds on the contributions of others. Students have an obligation to know how to quote, paraphrase, summarize, or reference the work of others with integrity. A source need not be given for common knowledge within a discipline. Students should seek guidance from instructors about the preferred citation style for each course. It is the student’s responsibility to become familiar with that style and utilize it in their work for that course. In addition, utilizing campus academic resources including the Academic Enhancement Center and the Writing Center are encouraged and not a violation of this policy.

While intent or negligence may affect the seriousness of the sanction, the following examples of academic dishonesty apply regardless.

- Using story material, wording or dialogue taken from published work, motion pictures, radio, television, lectures, websites or similar sources without appropriate quotation marks, citation or footnote reference
- Claiming disproportionate credit for work not done independently
- Submitting work without acknowledging aid received or claiming disproportionate credit for work done jointly
- Unauthorized possession or access to exams
- Unauthorized communication during exams
- Unauthorized use of another’s work or preparing work for another student
- Taking an exam for another student

- Altering or attempting to alter grades
- The use of notes or electronic devices such as calculators, computers, or cell phones to gain an unauthorized advantage during exams
- Fabricating or falsifying facts, data or references
- Facilitating or aiding another's academic dishonesty
- Submitting the same paper for more than one course without prior approval from the instructors

**Academic Misconduct Procedures**

Instructors shall have the explicit duty to take action in known cases of academic misconduct. The instructor shall have the right to fail a student on the assignment on which the instructor has determined that a student has cheated or plagiarized. The circumstances of this failure shall be reported to the student's academic dean, the instructor's dean, and the Dean of Students Office (Office of Community Standards). The student may appeal the matter to the instructor's dean, and the decision by the dean shall be expeditious and final.