

NON-ACADEMIC DISCIPLINARY PROCEEDINGS

July 2008 through June 2009

This report highlights the resolution of allegations of violations of the Standards of Student Conduct from the 2008 - 2009 academic year. The non-academic disciplinary procedures involve a hearing before the Peer Community Standards Board (PCSB), a hearing with a dean or with an administrator, a hearing before a University Disciplinary Council (UDC), or a hearing before a University Administrative Hearing Officer (AH).

The report is presented in two six-month periods: July 2008 through December 2008, and January 2009 through June 2009, for a total of 171 cases for the academic year.

| | July 2008- December 2008 | January 2009- June 2009 | Total |
|---|-----------------------------|----------------------------|------------|
| Disciplinary dispositions: | | | |
| Peer Community Standards Board Hearings: | 5 | 8 | 13 |
| Dean's Hearings: | 81 | 56 | 137 |
| Student Organization Hearings: | 0 | 0 | 0 |
| Administrative Hearings: | 4 | 3 | 7 |
| University Disciplinary Council Hearings: | 10 | 0 | 10 |
| Investigations (ongoing): | 0 | 2 | 2 |
| Investigations (No Action Taken): | 0 | 2 | 2 |
| Total | 99 | 71 | 171 |

A few comments about details presented in this report may be helpful. By providing some detail, we hope to educate the Brown community regarding the outcomes of behaviors that negatively impact the University and its members. In order to maintain the confidentiality of the disciplinary process, however, some details of the cases are not provided. Finally the work represented in these hearings is both time-consuming and complex. Much appreciation is extended to the following campus members who provide invaluable service to Brown: undergraduate students (**members of the PCSB**), faculty (**advisors**), deans and administrators (**for dean's hearings**), deans, administrators, and faculty (**members of the University Administrative Hearings**), deans, administrators, faculty, medical students, graduate students, and undergraduate students (**members of the University Disciplinary Council**).

PEER COMMUNITY STANDARD BOARD (PCSB) HEARINGS

Alleged minor and first violations of University policies and procedures involving false fire alarm incidents, theft, copyright violations (repeat offenders), and noise complaints by students, are usually resolved through Peer Community Standard Board Hearings.

Peer Community Standard Board hearings resulted in the following sanctions:

| | July 2008- December 2008 | January 2009- June 2009 | Total |
|----------------------------|-----------------------------|----------------------------|-----------|
| No finding of a violation: | 0 | 2 | 2 |
| Reprimand: | 1 | 6 | 7 |
| Probation: | 4 | 0 | 4 |
| No Action Taken: | 0 | 0 | 0 |
| Open cases: | 0 | 0 | 0 |
| Deferred Suspension: | 0 | 0 | 0 |
| Charges Withdrawn: | 0 | 0 | 0 |
| Total | 5 | 8 | 13 |

DEAN'S HEARINGS

Matters that do not warrant separation from the University and/or a permanent record notation are resolved through Dean's Hearings. If the dean/administrator who hears a case determines that a violation of the Standards of Student Conduct occurred, the dean/administrator imposes one of the following three sanctions:

- **Reprimand:** A reprimand is a written notice that a student has violated the Standards of Student Conduct and that another violation will likely result in a more severe sanction.
- **Probation:** Probation is a designated period of time during which another allegation of misconduct by the student may result in the matter being treated more seriously.
- **Deferred Suspension:** Deferred suspension is used for repeated offenses of a less serious nature or for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense. Deferred suspension is a designated period of time during which another allegation of misconduct by the student will likely put the student in jeopardy of being separated from Brown.

Additionally, the dean may add what are called "accompanying terms" to the sanction. For example, the dean may require that a student attend an educational session about her/his alcohol use or that a student prepare a reflective essay about her/his involvement in the incident. In cases where the dean determines that deferred suspension is an appropriate sanction, the dean may also decide that a non-permanent transcript entry should accompany the deferred suspension.

In determining an appropriate sanction, the dean/administrator considers the nature of the offense, the evidence and testimony available, and the student's prior disciplinary record, if any. ***Because a student's prior record is considered in determining an appropriate sanction, often similar violations result in different outcomes.***

Dean's Hearings resulted in the following sanctions:

| | July 2008- December 2008 | January 2009- June 2009 | Total |
|----------------------------|-----------------------------|----------------------------|------------|
| No finding of a violation: | 13 | 9 | 22 |
| Reprimand: | 51 | 32 | 83 |
| Probation: | 12 | 5 | 17 |
| No Action Taken: | 4 | 3 | 7 |
| Open Cases: | 0 | 5* | 5 |
| Deferred Suspension: | 1 | 0 | 1 |
| Charges Withdrawn | 0 | 2 | 2 |
| Total | 81 | 56 | 137 |

Typical incidents include possession and/or consumption of alcohol while under the legal drinking age, theft, harassment, entering the room of another student without authorization, vandalism, disruptive off-campus parties, being responsible for the behavior of a guest, provision and/or sale of alcohol to others under the legal drinking age, alcohol-related behavior, disruption in the residence halls, lying to a DPS officer, possession and/or use of marijuana and drug paraphernalia, fire safety violations, possession of a keg in a residence hall, smoking in a residence hall, damaging University and personal property, pet policy violations, being on the roof of a University building, failing to comply with the proper directives of a DPS officer and other administrators, possessing and/or burning a candle in a residence hall, entering/leaving a University building through a window, parking police violations, pushing another student, using fireworks, entering university facilities without authorization, throwing objects out of a window (defenestration), violating the terms of probation, and second minor violations (e.g., computing policy, quiet hours, etc.).

***Incidents occurred during summer recess—and are in the process of resolution.**

STUDENT ORGANIZATION HEARINGS

Alleged violations of University policies and procedures by student organizations are resolved through Student Organization Hearings. If the student organization is found responsible, the dean will impose a sanction up to probation for three semesters. In addition to the types of sanctions listed above for Student Organization Hearings, some cases may result in fines, restitution, alcohol and other education/counseling, community restitution, reflective writing assignments.

Student Organization Hearings were not allocated during the academic year 2008-2009

UNIVERSITY ADMINISTRATIVE HEARINGS (AH)

Matters that may warrant separation from the University and/or a permanent record notation are resolved through University Administrative Hearings (AH). If the Administrative hearing officer determines that a violation of the Standards of Student Conduct occurred, the Administrative officer recommends an appropriate sanction to the Vice President for Campus Life. When determining an appropriate sanction, the Administrative officer considers the nature of the offense, the evidence and testimony available, and whether or not the student has a prior disciplinary record.

University Administrative Hearings resulted in the following sanctions:

| | July 2008 - December 2008 | | January 2009 - June 2009 | | Total |
|---|------------------------------|---------------------------------------|-----------------------------|-----------------|--------------|
| Violation | # of Cases | Sanction | # of Cases | Sanction | Total |
| <i>Physical Assaults</i> | 2 | 1. Suspension 2. Charges withdrawn | 0 | n/a | 2 |
| <i>Sexual misconduct</i> | 0 | n/a | 1 | Suspension | 1 |
| <i>Possession and/or Provision of drugs</i> | 1 | Suspension | 0 | n/a | 1 |
| <i>Theft with aggravated circumstances</i> | 0 | n/a | 2 | Suspension | 2 |
| <i>Theft Intent</i> | 1 | Deferred Suspension | 0 | n/a | 1 |
| Total | 4 | | 3 | | 7 |

UNIVERSITY DISCIPLINARY COUNCIL HEARINGS

Matters that may warrant separation from the University and/or a permanent record notation are resolved through University Disciplinary Council (UDC) Hearings. If the UDC determines that a violation of the Standards of Student Conduct occurred, the Council recommends an appropriate sanction to the Vice President for Campus Life. When determining an appropriate sanction, the Council considers the nature of the offense, the evidence and testimony available, and whether or not the student has a prior disciplinary record.

University Disciplinary Council Hearings resulted in the following sanctions:

| | July 2008 - December 2008 | | January 2009 - June 2009 | | Total |
|--|------------------------------|--------------------------------------|-----------------------------|-----------------|--------------|
| Violation | # of Cases | Sanction | # of Cases | Sanction | Total |
| <i>Physical Assaults and harassment</i> | 1 | Deferred Suspension | 0 | n/a | 1 |
| <i>Breaking & Entering a University building</i> | 8 | (7) Probation (1) Not Responsible | 0 | n/a | 8 |
| <i>Charges Withdrawn</i> | 1 | n/a | 0 | n/a | 1 |
| Total | 10 | | 0 | | 10 |

Terry H. Addison, Associate Dean of Student Life/Case Administrator
J. Allen Ward, Senior Associate Dean of Student Life
Yolanda Castillo-Appollonio, Associate Dean of Student Life
Margaret Klawunn, Vice President for Campus Life

¹ OFFENSES AGAINST THE STANDARDS OF STUDENT CONDUCT, 2008 – 2009

Offense I: Behavior that disrupts or materially interferes with the basic rights of others and the educational functions of the University.

Offense II.a.: Actions that result in or can be reasonably expected to result in physical harm to a person or persons.

Offense II.b.: Actions that are unreasonably disruptive of the University community and/or its neighborhoods.

Offense II.c.: Actions that result in or can be reasonably expected to result in damage to property.

Offense III: Sexual Misconduct: non-consensual physical contact of a sexual nature.

Offense IV: Subjecting another person or group to abusive, threatening, intimidating, or harassing actions, including, but not limited to, those based on race, religion, gender, disability, age, economic status, ethnicity, national origin, sexual orientation, gender identity, or gender expression.

Offense V.a.: Illegal possession or use of drugs and/or alcohol and/or drug paraphernalia.

Offense V.b.: The illegal provision, sale, or possession with intent to sell/provide drugs and/or alcohol and/or drug paraphernalia.

Offense VI: Theft or attempted theft of property and/or possession of stolen property.

Offense VII: Failing to comply with the proper directive(s) of a University official, including refusing to identify oneself or refusing to present University identification to a University staff member, including members of the Department of Public Safety.

Offense VIII: Possession, use, or distribution of firearms, ammunition, explosives, or other weapons.

Offense IX: Violation of operational rules governing various offices, departments and facilities of the University (e.g., Residential Life, Student Activities Office, Food Services, Computing and Information Services, the Libraries, etc.).

Offense X.a.: Misrepresentation: Lying or materially misrepresenting information to an official University body or officer, including a member of the Department of Public Safety.

Offense X.b.: Misrepresentation: Lying in the course of a non-academic disciplinary hearing constitutes an offense that is immediately actionable.

Offense XI: Violation of the terms of any non-academic disciplinary sanction.

Offense XII: Failing to appear as a witness during a non-academic disciplinary hearing