

NON-ACADEMIC DISCIPLINARY PROCEEDINGS

July 2003 through June 2004

This report highlights the resolution of allegations of violations of the Standards of Student Conduct from the first and second semesters of the 2003-2004 academic year. The non-academic disciplinary procedures involve either the referral of a case to a non-disciplinary resolution (e.g., mediation, a warning, a dean’s conference), a hearing with a dean in the Office of Student Life, a hearing before the University Disciplinary Council (UDC), a hearing before the University Administrative Hearing Officer(AH), or a hearing before the Peer Community Standards Board (PCSB).

The report is presented in two six-month periods: July 2003 through December 2003 (470 cases) and January 2004 through June 2004 (388 cases) for a total of 858 cases for the year.

	July 2003 – December 2003	January 2004 – June 2004	Total Cases
Non-disciplinary dispositions:			
Mediations:	6	3	9
Warnings:	154	193	347
Dean’s Conferences:	5	5	10
Investigations (ongoing)	0	0	0
Investigations (no action)	0	0	0
Total	165	201	366
Disciplinary dispositions:			
Peer Community Standards Board Hearings:	70	47	117
Administrative Hearings:	1	3	4
Dean's Hearings:	229	133	362
Student Organization Hearings:	4	1	5
Student Organization Hearings (ongoing)	0	1	1
University Disciplinary Council Hearings:	1	2	3
Total	305	187	492

A few comments about the details presented in this report may be helpful. Because the activity captured in this report occurred after revisions to the non-academic disciplinary procedures that were implemented on July 1, 2003, this report contains new information about the newly established Peer Community Standards Board. Also, by providing some detail in UDC and AH level cases, we hope to educate the Brown community regarding the outcomes of behavior that negatively impacts the University or its members. In order to maintain the confidentiality of the accused student, however, some details of the case 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 this invaluable service to Brown: the deans in Campus Life who hear and manage discipline cases; the faculty, deans, and students who serve on the UDC; the Administrative Hearing offices administrators and the administrative staff in the Office of Student Life who support this effort.

PEER COMMUNITY STANDARD BOARD HEARINGS

Alleged minor and first violations of University policies and procedures by student are resolved through Peer Community Standard Board Hearings.

These incidents involved fire alarm, theft, noise complains, violating the social function policy, fire safety violations, conducting unauthorized social functions

Peer Community Standard Board Hearings resulted in the following sanctions:

	July 2003 – December 2003	January 2004 – June 2004	Total
No finding of a violation:	15	6	21
Reprimand:	35	23	58
Social Probation:	0	0	0
Community Restitution:	0	0	0
Probation:	19	18	37
Charge Withdrawn	1	0	1

In addition to the forms of sanctions listed above for Peer Community Standard Board Hearing, some cases resulted in fines, restitution, alcohol and other education/counseling, community restitution, reflective writing assignments.

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 who hears a case determines that a violation of the Standards of Student Conduct occurred, the dean imposes a sanction. In determining an appropriate sanction, the dean 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 2003 – December 2003	January 2004 – June 2004	Total
No finding of a violation:	51	27	78
Reprimand:	91	57	148
Limited Probation:	1	0	1
Probation:	78	42	120
No Action Taken	6	0	6
Open cases:	0	2	2
No Requirements approved by Provost	1	0	1
Deferred Suspension	1	2	3

Warning 0 3 3

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 a roof of a University building, failing to comply with the proper directives of a DPS officer, possessing and/or burning a candle in a residence hall, violation of quiet hours, entering/leaving a University building through a window, sexual misconduct (inappropriate touching), possession of a weapon on campus, computing policy violations, parking policy violations, pushing another student, using fireworks, entering University facilities without authorization, throwing objects out of a window, violating the terms of probation.

In addition to the forms of sanctions listed above for Dean's Hearings, some cases resulted in fines, restitution, alcohol and other education/counseling, community restitution, reflective writing assignments, parental notification, and University file entry (removed upon graduation).

STUDENT ORGANIZATION HEARINGS

Alleged violations of University policies and procedures by student organizations are resolved through Student Organization Hearings.

Student Organization Hearings resulted in the following sanctions:

	July 2003 – December 2003	January 2004 – June 2004	Total
No finding of a violation:	2	0	2
Reprimand:	0	1	1
Social Probation:	0	0	0
Community Restitution:	0	0	0
Probation:	2	0	2

These incidents involved damaging University property, theft, providing alcohol to underage drinkers, harassing behavior, possessing a keg in a residence hall, hazing, violating the social function policy, fire safety violations, conducting unauthorized social functions.

UNIVERSITY ADMINISTRATIVE HEARINGS

At the student's request, matters that may warrant separation from the University and/or a permanent record notation may be resolved through University Administrative (AH) Hearing instead of a UDC Hearing. 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 Dean 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.

Case	Allegations	Charges¹	Findings	Sanction
1	Assaulting another Brown student, attempting to steal a case of beer and a sofa from one of the dorms and drinking alcohol while under the legal drinking age.	Offenses II.a., II.c., IV., Va., VII.	Responsible for violating Offenses IIa, IIc, VII. Not responsible for offenses Va.	Parental Notification; University File entry; restitution for damage to fire extinguisher case; suspension from the University for spring and summer semesters.
2	Making abusive, threatening, and intimidating comments to other Brown students, assaulting another Brown student, being under the influence of alcohol at the time of the incident.	Offenses II.a, IV., Va.	Responsible for violating Offenses IIa, IV., Va.	Suspension from the University for one semester, parental notification, University file entry, Health Education requirement
1	Being in possession of illegal drugs and drug paraphernalia, and selling and distributing illegal drugs to others.	Offenses Va and Vb.	Responsible for offenses Va. and Vb.	Suspension from the University for one semester, parental notification, University file entry, seek professional and comprehensive evaluation of use of marijuana, and must follow a treatment plan

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 Dean 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.

Case	Allegations	Charges¹	Findings	Sanction
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2	Being involved in a physical disturbance with another Brown student , being verbally abusive and physical confrontation	Offenses IV and IIa	Responsible for violating Offenses IV. Not responsible for Offense IIa.	Probation until graduation from the university, apology letter.
1	Threatening another Brown student; Driving throughout Providence with another Brown student against the student's will; and forcibly removing the student from a car.	Offenses II.a., II.c., IV	Responsible for violating Offense IV. Not responsible for offenses IIa and IIc.	Probation through 5/31/04, apology letter.

Margaret M. Klawunn
Interim Dean for Campus Life
February, 2005

¹ **OFFENSES AGAINST THE STANDARDS OF STUDENT CONDUCT, 2003 - 2004**

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.