

ACCOUNTABILITY POLICY & PROCEDURE

Approved by: Residence Life

History: Updated 2023

Related Policies:

Related Forms, Procedures and References:

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Student Accountability

We believe that resident students are all responsible for maintaining a safe and welcoming living environment. The Student Accountability Policy and Procedure lay out the policies that are in place to assist in maintaining a safe and welcoming environment. The procedures listed in this section outline what can be expected if there is a policy that is potentially violated.

STUDENT ACCOUNTABILITY PROCESS

When an incident occurs, an incident report is generated, submitted and then assigned to an Accountability Facilitator.

For resident students: A Residence Life professional staff member will serve as Accountability Facilitator.

For commuter students and resident students who have demonstrated repeated behavior issues: the Assistant Dean of Students will serve as Accountability Facilitator.

The Accountability Facilitator will take the following actions:

- Send a letter to the student describing the incident. A meeting may be required and, if found in violation, a sanction may be given.
- Invite the student to an accountability assessment. If the student is in agreement with the nature of the violation, the extent to which they were involved and the sanction, then no other action is taken.
- If sanctions are given, a deadline is determined to complete the sanctions. If the sanctions are not completed by the assigned date, there may be an additional meeting and/or the student will not be allowed to return to the halls for the next term.

COMPLIANCE WITH STAFF AND COLLEGE OFFICIALS

When a resident student or their guest violates a residence hall policy and is confronted by a Residence Life staff member or another College official, cooperation from the resident student and guest is expected.

This includes opening the door when a staff member is attempting to confront a policy violation, presenting proper identification, managing guest behavior and communicating accurate information upon request. Ignorance of policies, anger and intoxication are not acceptable excuses for inappropriate behavior towards a staff member. Noncompliance with reasonable requests of staff or College officials will result in disciplinary action.

EMERGENCY REMOVAL FROM HOUSING

The Director of Residence Life, or designee, is authorized to impose an emergency, immediate or temporary removal from the residence halls if it is determined that the student's continued presence in the halls would: constitute a potential for serious harm to that specific individual, constitute a potential for serious harm to other members of the residence hall community, pose a threat of serious disruption of residence hall-run or residence hall-authorized activities, or constitute a potential for serious harm to residence hall facilities or property. If the Director of Residence Life, or designee, concludes that one or more of these conditions are present and that an emergency, immediate, or temporary removal from housing is warranted, they shall notify the student in writing of the intent to impose this removal from the residence halls.

Depending on the circumstances of the situation, the Director of Residence Life, or designee, may seek permanent removal from the residence halls either through an administrative contractual action or through the Accountability process. A timely conference with the Director of Residence Life, or designee, and the student will determine the student's future residence hall status.

ADMINISTRATIVE, CONTRACTUAL PERMANENT REMOVAL

A timely meeting with the Director of Residence Life, or designee, will occur after the written notice of temporary removal has been delivered or sent to the student. During the meeting, it will be determined if the student will be allowed to return to the residence halls. Prior to this meeting, the student will provide, in writing, reasons why they should not be administratively or contractually removed from the residence halls. The Director of Residence Life's, or designee's, decision to permanently remove the student from the residence halls shall be regarded as final.

DISCIPLINARY PERMANENT REMOVAL

The Director of Residence Life, or designee, may determine to refer the student to the Accountability Process through Residence Life Office or the Dean of Students Office. The student's "emergency, immediate, or temporary removal" status will remain in effect during the accountability facilitator's investigation and review.

RIGHT TO ASSISTANCE

An Alverno professional staff member assigned by the Dean of Students Office will be available for the student accused, to assist in preparation for the accountability assessment, discuss the process, and be available after the accountability assessment to reflect on the process and get feedback about the experience. It is the responsibility of the student to make contact if the student chooses to utilize this assistance. The student may also invite a support person to assist with the process (e.g., parent, spouse, guardian, friend, another student or faculty/staff member). This person can advise the student, accompany them to the accountability assessment and advise the student in preparation and presentation of any appeal. Electronic communication with the advisor is not permitted during the accountability assessment. The support person may not participate directly in the accountability assessment. Support persons not complying with the accountability assessment procedures may be removed from the hearing. Members of the legal profession are not permitted to attend the accountability assessment.

STUDENT RIGHTS IN AN ACCOUNTABILITY ASSESSMENT

Students who have violated the Student Accountability Policy are entitled to the following procedural protections. The student:

- Will be informed in writing no less than two days prior to the accountability assessment of the possible policy violations.
- Will be listened to and treated with respect.
- Will be considered not responsible until found responsible.
- Has a right to assistance.
- May request that the Assistant Dean of Students, Director of Residence Life or the Hall Coordinator (in the case of residence hall misconduct) resolve the case in an informal accountability assessment.
- If several students are involved in one situation, the individuals are heard alone, not in or as a group.
- *Has the right to when falsely accused of violating this code. If the accuser makes an accusation, which, after investigation, is determined to have been filed with the intent to cause harm, the person filing the complaint may be held accountable for their acts.*
- Has a right to appeal.
- If the student accused decides not to appear, the hearing shall proceed without the student being present. Persons disrupting the hearing will be asked to leave.

POSSIBLE SANCTIONS

The College's response depends on the nature and severity of the incident and whether or not it can be determined that a policy violation has occurred. If it appears that a policy violation has occurred, the normal accountability review process is followed. The College recognizes the right of all parties involved in a complaint to a fair framework for encouraging resolution of complaints. Falsification, distortion or misrepresentation of information during the course of the accountability process may be grounds for an additional accountability assessment. Sanctions are given after a determination of responsibility has been established. The purpose of a sanction is to hold students accountable for their behavior and to state clearly that Alverno College does not tolerate such behavior. Possible sanctions include:

- Residential warning: Notice to the student that the behavior is unacceptable and future misconduct will result in disciplinary action.
- Residential Notice: A specified period of time during which the student is not on good disciplinary standing. The student may be restricted from leadership positions. Probationary status may permit the student to remain in the residence halls on the condition that the individual complies with the sanctions. Failure to maintain behavioral expectations will result in further disciplinary action.
- Educational sanctions: This sanction is intended to engage the student in a positive learning experience related to the inappropriate behavior. The sanction allows a student to reflect upon the behavior. This type of sanction may include a research paper, presentation, educational project or bulletin board related to the violation topic, a work project, interviewing someone or a personal assessment.
- Restorative Service: This sanction is intended to engage the student in a positive, restorative experience related to the inappropriate behavior. Examples of a service sanction would be completing community service, assisting a CA with tasks or assisting housekeeping staff with tasks.

- Intervention measures: This might include an intervention by supervisor or appropriate authority, or an individual meeting with the option of a support person in attendance.
- Loss of privileges: Denial of a designated privilege for a specified period of time.
- Fines: Monetary sanction which must be paid within a designated period of time.
- Restitution: Student is held responsible for damages to personal or community property through financial compensation or appropriate service.
- Suspension from the residence hall: For a resident student or a non-resident student who violates residence hall policies, the student may be separated from the hall for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- Dismissal from the residence hall: The student is removed and is no longer allowed to live in the hall or have visitation privileges for an indefinite period of time. There will be no refunds.
- Suspension: Separation of the student from the College for a specific period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- Deferred suspension from residence halls: A specified period of time in which a student is allowed to continue living on campus; however, the student's ability to continue residency is clearly in jeopardy. • Deferred suspension: A specified period of time in which a student is allowed to attend classes; however, the student's continued enrollment is clearly in jeopardy.
- Immediate removal from campus: A student who presents a threat to her or his own well-being or to the rights, safety and/or property of others may be subject to immediate removal from campus. The student may not re-enter any campus building or be present on campus without the written permission from the Dean of Students office or a designee.
- Dismissal: Permanent termination of student status. A dismissed student is no longer eligible to attend classes and is Officially Withdrawn from the College. There will be no refunds.

Consequences for Noncompliance of Sanctions: Registration for subsequent semesters will be on HOLD until a student completes the sanctions as determined by the student conduct administrators listed above. Failure to comply with any student conduct sanctions may result in additional student conduct action.

RESIDENCE LIFE STUDENT ACCOUNTABILITY POLICIES

Abuse of the judicial system: Abuse of the judicial system includes, but is not limited to:

- Falsification, distortion or misrepresentation of information before a hearing officer.
- Disruption or interference with the orderly conduct of a judicial proceeding.
- Attempts to discourage an individual's proper participation in, or use of, the judicial system. • Attempts to influence

the impartiality of a hearing officer prior to and/or during the course of the proceedings.

- Harassment (verbal, written or physical) and/or intimidation of a hearing officer prior to, during and/or after a judicial proceeding.
- Unacceptable behavior related to persons: Unacceptable behavior threatens or endangers the health or safety of others, including, but not limited to:
- Physical abuse. This is any intentional and unwanted contact with you or something close to your body. Sometimes abusive behavior does not cause pain or even leave a bruise, but it's still unhealthy. Examples of physical abuse include: scratching, punching, biting, strangling or kicking.
- Verbal abuse. This is a negative defining statement told to the victim or about the victim, or by withholding any response, thereby defining the target as non-existent.
- Threats. These are statements of an intention to inflict pain, injury, damage or other hostile action upon someone in retribution for something done or not done.
- Intimidation. This is forcing someone into, or deterring someone from, some action by inducing fear.
- Coercion. This is the intimidation of a person to compel the individual to do some act against his or her will by the use of psychological pressure, physical force or threats.

Disruptive behavior: It is an expectation that students cooperate with one another, guests, Residence Life staff and other College officials. A student shall not interfere with, annoy, disturb or distract any other student, guest or staff member of the College by means of noise, abusive language or any other nuisance, including laser pointers. Students who verbally abuse, provide false information or identification to, or fail to cooperate with College officials (including, but not limited to, professional Residence Life staff, Community Advisors, Desk Workers, Campus Safety or Dean of Students staff) acting in the performance of their duties will face disciplinary action.

Eavesdropping: Eavesdropping, surveillance or intruding upon the privacy of another person or group by means of bugging devices, concealed recorders, cameras, camera phones, magnifying optics, etc., is prohibited.

Failure to comply with or complete disciplinary sanctions: Failure to comply with or complete disciplinary sanctions will result in further disciplinary action.

Failure to cooperate with staff: It is the expectation that every resident and/or guest cooperate with staff while in the residence halls at Alverno College. It is the expectation that the resident(s) of the room and guests(s) open the door, present their IDs, and identify themselves when staff requests and/or confronts the room in the performance of their duties. Use of inappropriate language and/or verbal harassment toward staff while in performance of their duties is considered noncooperation and may result in further disciplinary action above and beyond the normal sanctions for the policy violation.

Filming and/or videotaping: Students may not be filmed or videotaped in any manner unless the student has given written consent to appear in said medium. This includes using such devices as digital video cameras and cell phones with video capability. Any commercial or public use of unauthorized student images is strictly prohibited. For safety reasons, the Office of Residence Life may have security cameras installed in public areas.

Harassment - Physical: The threat to, attempt to, or the actual subjection of striking, shoving, kicking or other physical contact with the intent to bully, harass or intimidate another person. This also includes engaging in a course of conduct or repeatedly committing acts which harass or intimidate another person, which serve no legitimate purpose, and which are intended to harass or intimidate another person.

Harassment - Sexual: The introduction of unwanted gender-based verbal, written or physical conduct into the work, learning or living environments on campus will not be tolerated and is strictly prohibited. Students involved in such behavior may face disciplinary action that may result in removal from all residence halls and suspension or expulsion.

Harassment - Verbal: The bullying, intimidation, harassment or subjecting of another person to derogatory and/or hateful comments through means of communication. This includes acts performed in person and through the use of electronics and/or social media. This also includes engaging in a course of conduct or repeatedly committing acts which bully, harass or intimidate another person, which serve no legitimate purpose, and which are intended to harass or intimidate another person.

Illegal activity and/or law violations: To violate any local, state or federal law, or to violate any College policy within the residence halls, is prohibited.

Indecent exposure and/or behavior: "Streaking," "mooning," "flashing," or any other sexual act or display in a public area (hallways, lobbies, restrooms, basement facilities, lounges, stairwells, etc.) is strictly prohibited.

Offensive materials: While residents are allowed to post materials on their room door, this should not expand to the door frame or surrounding walls. Harassing or demeaning materials cannot be posted to the outside of the door or in windows facing outwards for others to see.

Relationship violence: All forms of sexual assault, sexual harassment, domestic or dating violence and stalking. These acts will not be tolerated in the College community.

Sexual assault: Sexual contact or intercourse without a person's permission or consent is against the law and undermines the safety, security and dignity of all members of the College community. Students involved in such behavior may face disciplinary action that may result in removal from all residence halls and suspension.

Theft and/or attempted theft: No person may intentionally take, retain or use another individual's property without that person's consent. Removal of Residence Life-owned furniture is prohibited and is treated as theft. The College is not responsible for personal property becoming lost, stolen or damaged. Large sums of money or other valuables should be kept in a secure location within your room. The best guard against property loss is to always keep your room door locked. In the event that property is lost or stolen, notify Campus Safety and Residence Life staff immediately. Students should secure renter's insurance for their

personal property; many students find that their belongings are covered by parents'/guardians' homeowner insurance policies.

Vandalism: Students who vandalize property on college premises will face disciplinary action and restitution costs. This includes, but is not limited to, damaging bulletin boards, water and/or food fights, tampering with washing machines, vending machines, and game machines in order to avoid paying for services, and elevator misuse/abuse.

Video copyright law: Students who wish to view copyrighted material must comply with federal copyright regulations. Rental and purchased videos, as well as video streaming, cannot be viewed (even by just one person) in public areas unless a license is secured. A video rental or video streaming service only gives you the right to view the movie in your own room. (*Netflix streaming in the rec room and lounges is not against the law.)

Violent behavior: Any behavior that jeopardizes the safety of oneself or another individual is prohibited and will result in significant disciplinary action.

Weapons: Possession and/or use of firearms (guns) or any other dangerous weapons is prohibited. This includes martial arts equipment (see "recreational equipment" for approved appeal process), bullets, used bullet casing/shells, knives, stun guns, paint-ball guns, air-soft guns, and any article or substance that could be used as a weapon. Note that "facsimile weapons" are not allowed in the residence halls. This would include any replica, toy or other object that bears a reasonable resemblance to, or that can reasonably be perceived to be, an actual weapon.
