Student Handbook

2025-26

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This Code was developed based on student feedback and examples from Codes of Conduct from the following institutions:

Brown University, Claremont McKenna College, Davidson College (2022-23 version), the George Washington University, Johns Hopkins University, Shippensburg University, Skidmore College, Swarthmore College, University of Kentucky, University of Tennessee at Chattanooga, Wake Forest University

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Section 1: INTRODUCTION

As a liberal arts college grounded in the Reformed Tradition, the primary purpose of Davidson College ("Davidson" or "the College") is to assist students in developing humane instincts and disciplined and creative minds for lives of leadership and service. These student conduct codes are based upon the belief that Davidson's purpose can be best advanced in an educational environment that emphasizes the responsible use of freedom within a community that values integrity and mutual respect.

Consistent with the Davidson College Constitution, the College has chosen to define Davidson's expectations for student behavior by adopting The Honor Code (Section 5: Honor Code) and The Code of Responsibility (Section 7: Code of Responsibility), which includes the Title IX Policy, Procedures and Information for Addressing Sex Discrimination, Sexual Misconduct, Dating and Domestic Violence, and Stalking. The other sections of this document outline the ways in which the College will respond to any alleged violation(s) of those expectations (the "Code of Disciplinary Procedures"). Collectively, the Honor Code, Code of Responsibility, and Code of Disciplinary Procedures are referred to in this handbook as the "student conduct codes" or the "Code," and they are set forth below as a cohesive code of conduct. The Title IX Policy and procedures are outlined separately and can be found in Section 13 of this Handbook.

Nothing in this Code is intended to infringe upon a student's rights to expression as outlined in Article XII of the College Constitution[1]. The college expects all students and community members to be mindful of the potential impacts their actions and language may have on others.

Upon entry to Davidson, students adopt the following Statement of Community Responsibility:

I. We are a community of learners who value personal and intellectual **honesty**.
II. Our actions reflect maturity, social responsibility, and **respect** toward others.
III. We value **diversity, equity, and inclusion**, and will not tolerate harassment or discrimination of any kind.
IV. Our actions show respect for **health and well-being**.
V. We honor Davidson by upholding the policies that support our **community** standards and operations.

The Honor Code and the Code of Responsibility emphasize the individual's involvement in and responsibility for the corporate well-being of the college community. It is expected that each member of the Davidson community promotes the climate which these codes seek to establish on campus. This involves not only engaging with fellow members of the college community concerning their actions, but also enacting consequences for those whose conduct is in violation of the Honor Code, Code of Responsibility, or other college policies.

The aim of the Code is to further cultivate an atmosphere of learning and growth, in alignment with the college's **Statement of Purpose**. Therefore, the body determining an outcome for a specific case should consider each violation

[1] Article XII of the College Constitution contains information regarding Student Rights and Responsibilities associated with: the Academic Process, Student Records, Association, Expression and Assembly, Student Media, Student Participation in Institutional Government, and Standards of Disciplinary Procedure.

individually and assess consequences, or accountability measures, according to the seriousness of the offense, taking into consideration the consequences for the individual involved and for the greater community.

Section 2: DEFINITIONS

1) **Advisor:** An advisor is a person who provides support, guidance, or advice to a Complainant or Respondent during the accountability process. Students may have an advisor of their choice present during any related conference or hearing. An advisor's role is limited to requesting breaks to confer with the advisee. An advisor does not participate in the accountability process and cannot speak or ask questions on behalf of the Complainant or Respondent. An advisor may not take notes or record meetings. The Complainant/Respondent may choose their own advisor such as: a friend (who is not also engaged with the student accountability process), a trusted staff or faculty member, an attorney and/or a parent/guardian.

2) **Accountability Conference:** An initial meeting scheduled for the Respondent to meet with an Accountability Officer to discuss the alleged violations of the Code.

3) **Accountability Officer:** a College employee designated by the Dean of Students Office to conduct an Accountability Conference, as outlined under Section 7 of this Code, or to conduct and serve as the decision-maker in an Accountability Officer Hearing, as outlined in Section 7 of this Code.

4) **Accountability Plan:** A set of outcomes as a result of a Respondent accepting responsibility or being found responsible for violating the Code of Responsibility and/or Honor Code.

5) **Business Day:** An official workday during which the College conducts business. Typically, a business day is a weekday (Monday through Friday), excluding any weekdays designated by the College as a holiday or a time period in which classes are not in session. Each business day commences at 8:00 a.m. and ends at 5:00 p.m.

6) **Code:** The Code of Responsibility, the Honor Code, and/or the Code of Disciplinary Procedures of Davidson College. Does not include the Policy, Procedures, and Information on Sexual Misconduct, Relationship Abuse and Violence, and Stalking, unless specifically referenced.

7) **Code of Responsibility:** See: Section 7: Code of Responsibility

8) **Code of Responsibility Council:** The function of the Code of Responsibility Council is to hear and determine all charges of violation of the Code of Responsibility presented on referral from the Dean or their designee.

9) **Code of Responsibility Council Hearing:** A method of resolution in which the Code of Responsibility Council serves as the decision-maker as outlined by Section 8 of this Code. Students who are found Responsible for violations of the Code of Responsibility through this process will have a student conduct record.

10) **College:** Davidson College.

11) **College-controlled Property:** All land, buildings, facilities, grounds, structures, or any other property owned, leased, used, maintained, or operated by the College. For the purposes of this Code, College-controlled

property includes all streets, alleys, sidewalks, and public ways abutting such property. College-controlled property also includes, but is not limited to, computers and network systems owned, maintained, or funded by the College.

12) **Complainant:** Any person, group, or organization that may have been subjected to or the target of conduct that violates the Code, regardless of whether that person, group, or organization makes a complaint or reports an alleged violation of the Code to the College.

13) **Dean of Students Office:** The College office designated with primary responsibility for administering and enforcing the Code and implementing and maintaining student conduct-related rules, policies, procedures, records, training, and education.

14) **Defense Advisor:** Seniors elected at large by the student body who are responsible for information and fact finding on behalf of the Respondent during the Honor Code process. Defense Advisors are responsible for meeting with the reporting party, the Respondent, and any applicable witnesses.

15) **Designee:** A College official or office designated with the authority to carry out a duty or role on behalf of another College official or office.

16) **Student Conduct Record:** A student has a student conduct record if: (1) they are a respondent in a Code of Responsibility Council hearing, an Honor Council hearing, or a Title IX Hearing and accept responsibility or are found responsible for a violation of the Code of Responsibility, the Honor Code, or the Title IX Policy (and such finding is not overturned on appeal); or (2) they are suspended or dismissed from the college, regardless of whether they agreed to accept the sanction through a mutual resolution conference.

17) **Faculty:** An employee who holds faculty rank.

18) **Good Standing:** A student or student organization that does not have pending disciplinary matters or outstanding Accountability Plan items will be in good standing with the College.

19) **Honor Council:** The function of the Honor Council is to hear and determine all charges of violation of the Honor Code presented to it by the Student Solicitors on referral from the Dean or their designee.

20) **Honor Council Hearing:** A method of resolution in which the Honor Council serves as the decision-maker as outlined by Section 6 of this Code. Students who are found Responsible for violations of the Honor Code through this process will have a student conduct record.

21) **Guest:** A non-College affiliated individual who is present on College-owned property as an invited guest. A student hosting a guest may be held responsible under Section 8 of this Code for any Code-violating behavior their guest exhibits.

22) **Mutual Resolution Agreement:** A method of resolution in which a Respondent accepts responsibility for an alleged policy violation of the Honor Code or Code of Responsibility, accepts the proposed Accountability Plan,

and waives all appeal rights as outlined by Section 6 and Section 8 for the Honor Code and Code of Responsibility, respectively.

23) **Notice:** Notice given in writing and transmitted by one (1) or more of the following: (i) email to a student's College-issued email account; (ii) United States mail, (iii) courier service, and/or (iv) hand-delivery to the permanent address the College has on file for the student or their on campus housing assignment.

    When a notice is transmitted via email, the notice is effective on the date the email is sent. Email to a student's College-issued email address is an official method of communication used by the College for accountability and student conduct purposes. When a notice is transmitted by United States mail or courier service, the notice is effective on the date that it is mailed or delivered to the courier service. When a notice is transmitted by hand-delivery, the notice is effective on the date that it is delivered to the person to whom the notice is addressed.

24) **Possession:** Direct, indirect, or communal control of a substance or property, actual knowledge of a substance or property, and/or being in such close proximity to the substance or property that a reasonable presumption could be made that one had possession of the substance or property.

25) **Respondent:** Any student or student organization (a "Respondent") alleged to have violated the Honor Code or the Code of Responsibility and is subject to disciplinary proceedings as outlined in Section 6: Honor Code Procedures and Section 8: Code of Responsibility Procedures. Please review Section 9: General Provisions & Student Rights and Responsibilities for more information.

26) **Review Board:** Review Board: A group of faculty and students who are responsible for hearing appeals of determinations of responsibility or the imposition of any sanction made by the Code of Responsibility Council or Honor Council. The Review Board consists of three (3) faculty members, two (2) students, and a staff member designated by the Vice President of Student Life & Dean of Students to serve as the chair. The faculty members are selected for staggered three-year terms by the faculty according to the procedure set up for faculty committee membership, One junior will be elected each year to serve for two (2) years. The chair shall preside over any meeting of the Review Board but shall not have a vote in the Review Board's deliberations. While five (5) voting members present are preferred, three (3) voting members, including at least one (1) student member of the Review Board constitute a quorum for hearing and determination of appeals.

27) **Staff:** Any full-time or part-time College employee who holds either an exempt or non-exempt staff position excluding student employees.

28) **Student:** A person who is:
    a) Is admitted, enrolled, or registered for classes at the College; or
    b) Has completed a preceding academic term at the College and is eligible for re-enrollment without re-applying for admission and/or otherwise has a continuing relationship with the College.

    Except where explicitly provided otherwise in this Code, the term "student" shall also refer to student organizations.

29) **Student Accountability Hold:** The Dean of Students Office may place a hold on a Respondent's account while student accountability proceedings are under investigation, pending, accountability action items are incomplete, or in accordance with other college policies. A student accountability hold may prevent a student from registering, withdrawing, graduating, or obtaining a transcript. A student accountability hold may also withhold a student's opportunity to take advantage of other college privileges, which include, but are not limited to study abroad, college merit awards, and on-campus employment and leadership positions. This hold will not be removed until all accountability action items and expectations have been satisfactorily completed.

30) **Student Accountability Process:** The process by which allegations of violations of the Honor Code (Section 6) or the Code of Responsibility (Section 8) will be adjudicated.

31) **Student Conduct Council:** An appointed group of students, staff and faculty members that serves as an advisory board to the President in matters of policy relating to student misconduct on campus and accountability processes.

32) **Student Conduct Record:** The collective record of cases involving alleged violations of the Code by a student as specified in Section 12. A student conduct record may include, without limitation, incident report(s), correspondence, investigation report(s), interview records, demographic information, evidence, hearing records and recordings, and the student's conduct history.

33) **Student Organization:** An organization, club, fraternity, eating house, or other group whose membership is composed of College students and which is formally registered and recognized by the College according to College rules, or which has submitted a pending application for registration with the College according to College rules.

34) **Student Solicitor:** Seniors elected at large by the student body who are responsible for information and fact finding in the Honor Code process. Student Solicitors are responsible for meeting with the reporting party, the Respondent, and any applicable witnesses. Student Solicitors will ultimately propose an Accountability Plan to the Honor Council during the Honor Council Hearing.

35) **Weapon:** Any device, instrument, or substance that is designed to, or reasonable could be expected to, inflict a wound, incapacitate, or cause serious bodily injury or death, including, without limitation:
    a) Any firearm (loaded or unloaded);
    b) Ammunition
    c) Electronic control device (including, but not limited to, a Taser gun or stun gun);
    d) Device designed to discharge an object (including, but not limited to, a BB gun, air/CO2 gun, pellet gun, potato gun, paintball gun, slingshot, or water gun);
    e) Dangerous chemical (including, but not limited to, tear gas or oleoresin capsicum);
    f) Explosive or explosive device, including a substance or combination of substances possessed or prepared for producing a visible or audible effect by combustion, explosion, deflagration or detonation (including, but not limited to, a bomb, grenade, or firework);
    g) Marital arts weapon;
    h) Bow and arrow;
    i) Metal Knuckles;

j) Night Stick;
k) Blackjack;
l) Dirk;
m) Knife with a fixed blade longer than four (4) inches (not including ordinary eating utensils);
n) Switchblade, dagger, and sword.

The term “weapon” does not include an ordinary pocket knife that folds; an available over-the-counter chemical repellent for self-defense (including, but not limited to, mace); or an instrument used solely for personal hygiene, preparation of food, maintenance, College-related instruction, or College employment-related duties.

36) **Witness:** Members of the College community, including respondents, are expected to participate in the student accountability process if they have knowledge of or information regarding the incident in question and have been notified to appear. Individuals who are not part of the College community will generally be permitted to appear at a hearing only if they have direct knowledge or information regarding an incident that is not otherwise available. Members of the College community who may have knowledge or information regarding an incident or complaint may be asked to meet with a College administrator to share information or to appear at a hearing to determine the outcome of a disciplinary proceeding.

Section 3: JURISDICTION & SCOPE

The Code covers behaviors by all Davidson College students or student organizations, no matter where the behavior occurs. This includes, but is not limited to, behaviors that occur off campus but cause potential or actual harm to individuals (whether or not those individuals are affiliated with the College), the College community, or to institutional reputation, or that suggest a student’s presence on campus may pose a safety risk. Students are responsible for the behavior of their guests on campus. The determination of whether behavior is subject to this Code will be made by the Dean of Students or their designee. Online behaviors are also subject to the jurisdiction of the Code.

The Code applies to conduct by a student while they are a student, even if it occurs outside of an academic term or when the student is not otherwise present at Davidson College. Students who have taken a personal leave from their studies or who are studying abroad through a Davidson College affiliated program are considered students under this definition. If a student voluntarily withdraws or goes on personal leave from the College with an investigation or resolution process pending, the College reserves the right to proceed with the investigation and resolution to the extent possible and reserves the right to deem a student “not in good standing” if the matter is left unresolved. The College reserves the right to place a hold on the student’s official and unofficial academic transcripts for up to three (3) years until the matter is resolved. Students may petition the Dean of Students to have this hold removed before three (3) years have passed.

Complaints filed against a student after their graduation will not be subject to the procedures outlined in this Code. There shall be no established time limit for reporting an incident, though a delay in reporting will limit the ability of the Dean of Students Office to investigate and resolve a complaint.

Allegations of sexual and gender-based harassment, sexual violence, relationship and interpersonal violence, and gender-based stalking will generally be subject to the procedures outlined in the Title IX Policy, Procedures and Information for Addressing Sex Discrimination, Sexual Misconduct, Dating and Domestic Violence, and Stalking and

the applicable Complaint Process administered by the Title IX Coordinator. In cases that include allegations of Title IX and violations of the Code of Responsibility the Dean of Students or their designee has the discretion to determine whether any such related charge will be considered by the Title IX Hearing Officer pursuant to the Title IX procedures or by accountability proceedings under this code.

The College reserves the right to pursue matters through the Code of Disciplinary Procedures that may also be addressed in the civil or criminal legal system. Proceedings under the Code may be carried out prior to, simultaneously with or following civil or criminal proceedings. Decisions about the timing of College proceedings will be at the sole discretion of the Dean of Students or designee.

Section 4: CODE OF DISCIPLINARY PROCEDURES

The Code of Disciplinary Procedures is the framework the College uses whenever a student may have violated College policies, including the Honor Code and the Code of Responsibility. In this handbook, the Code of Disciplinary Procedures, Honor Code, and Code of Responsibility are collectively referred to as the “Code” or the “student conduct codes.” All steps for handling Honor Code or Code of Responsibility cases take place within this framework, so the Code of Disciplinary Procedures is fully encompassed in both processes. While the Honor Code and Code of Responsibility address different types of behavior, they share the same core procedures for determining violations, assigning accountability plans (such as sanctions or required actions), and maintaining records.

The handbook separates the Code of Disciplinary Procedures into sections, Honor Code Procedures and Code of Responsibility Procedures, to provide clarity and transparency about the differences and nuances of each process, highlighting which steps are the same and which differ. To understand what to expect, students should carefully review the relevant sections of the handbook.

Section 5: HONOR CODE

Upon entry to Davidson, students adopt the following pledge to the Honor Code:

> ***I hereby commit myself to following the Davidson College Honor Code. I will not lie about College business, cheat or steal while I am a student here, nor will I tolerate these actions on the part of others.***

Each Davidson student is honor bound to refrain from stealing, lying about college business, and cheating on academic work. **Stealing** is the intentional taking of any property without right or permission. **Lying** is intentional misrepresentation of any form. **Cheating** is any practice, method, or assistance, whether explicitly forbidden or unmentioned, that involves any degree of dishonesty, fraud, or deceit. Cheating includes plagiarism, which is representing another's ideas or words as one's own.

Additional guidelines for each class may be determined by its professor; each Davidson student is responsible for knowing and adhering to them. Each student is responsible for learning and observing appropriate documentation of another's work. Each Davidson student is honor bound to report immediately all violations of the Honor Code of which the student has first-hand knowledge; failure to do so is itself a violation of the Honor Code.

All students, faculty, and other employees of Davidson College are responsible for familiarity with and support of the Honor Code. Any student, faculty member, administrative officer, employee, or guest of the College may report a potential violation of the Honor Code. Charges are presented to the Dean of Students Office. Hearings, administrative conferences, and other proceedings regarding alleged violations of the Honor Code will be conducted as described in Section 6 of this Code.

Section 6: HONOR CODE PROCEDURES

Introduction

These procedures, which are meant to be educational and restorative in nature, are designed to provide processes to investigate and resolve alleged violations of the Honor Code.

Complaints/Reports of Information

Filing a Complaint. Written complaints alleging violations of the Honor Code may be submitted online at: Honor Code Referral Form. Individuals who are unable to access or use the online form should contact the Dean of Students Office at deanofstudents@davidson.edu. Complaints must include the name(s) of all known involved parties or others who may have information concerning the allegation of prohibited conduct and all known facts about the incident. There is no time limit by which complaints must be submitted after an incident. However, the ability of the Honor Council to fully investigate an incident is impacted by how much time has elapsed since an incident occurred. In addition, a complaint alleging an Honor Code violation by an individual who is not currently a student at Davidson College at the time of complaint will be reviewed but may not be investigated unless that individual re-enrolls at the College. Complaints that are submitted anonymously will be reviewed; however, anonymity may limit the ability of the Honor Council to fully investigate an incident.

Reports of Information. The Honor Council receives reports of information containing allegations of Honor Code violations from several sources including, but not limited to, students, faculty, staff, or other community members of the College. The College may also initiate the Honor Code process in the absence of written allegations if the College becomes aware, through other means, of potential Code violations committed by a student.

Review & Investigation. Upon receipt of an alleged Honor Code violation, the Vice President for Student Life and Dean of Students or their designee will notify the honor Council leadership, which includes the Chair, Vice Chair, Defense Advisors, and Student Solicitors, of the alleged violation and provide a copy of the report received. All complaints and reports are reviewed by the Student Solicitors and where appropriate, the Student Solicitors will conduct an investigation before determining whether or not to initiate the Honor Council process. The review and investigation process may include meeting with the reporting party(ies),, the respondent, or other involved parties and requesting statements and/or documents that will help determine whether there is a need to proceed with an initiation of the Honor Council process. Based on the evidence gathered, the Student Solicitors will determine whether Respondent should be charged with an alleged Honor Code violation, and will notify the Dean of Students in writing of their determination. The Vice President for Student Life and Dean of Students or their designee will notify Respondent of the determination of the Student Solicitors.

The possible resolution options are as follows:

1. **No Action:** If there is no basis to file charges and no follow up is warranted, the Dean of Students Office may close the case and take no action.

2. **Interim Action:** The College may authorize interim actions, which include but are not limited to no contact orders, housing relocation, and interim restrictions, prior to the resolution of a matter under these Procedures. Please review Section 9 for more information on Interim Actions.

3. **Non-Disciplinary Responses:** If it is determined that, based on the allegations, disciplinary action is not warranted, the matter will be handled with a Non-Disciplinary Response Option (Warning Letter or an Administrative Conference).

4. **Disciplinary Responses:** If it is determined that, based on the allegations, disciplinary action is warranted, the matter will be handled through one of the Disciplinary Resolution Options (Honor Council Mutual Resolution Conference or Honor Council Hearing). The Vice President for Student Life and Dean of Students or designee will notify Respondent of the charges and schedule a meeting with Respondent. During this meeting, the Vice President for Student Life and Dean of Students or designee will: review the allegations and charges; explain the Respondent Rights and Expectations; and explain the Disciplinary Resolution Options. At this meeting, Respondent will complete the Respondent Rights and Resolution Options Form, indicating if they: (i) decline to admit to the violation and wish to have the charge referred to the Honor Council; (ii) admit to the violation and agree to have the case referred to the Honor Council to assign an Accountability Plan; or (iii) admit to the violation and agree to resolve the case through a Mutual Resolution Conference, provided all parties consent. The Vice President for Student Life and Dean of Students or designee will provide a copy of the signed Respondent Rights and Resolution Options Form to the Honor Council Leadership.

5. **Withdrawal of Charges:** The Dean of Students Office has the authority to withdraw charges once they have been made.

Honor Code Resolution Options

The Honor Council may refer allegations of violations of the Honor Code to one of the following options for resolution.

Non-Disciplinary Response Options

Warning Letter. Students will receive an official written notice that specifies that a particular behavior(s) may have violated the Honor Code and, if repeated, such behavior may be subject to a higher level of response. This is meant to remind students of both Honor Code and course-specific expectations.

Administrative Conference. Students may be assigned to participate in an Administrative Conference, which is a required meeting with a designated Dean of Students staff member to review alleged incidents or violations and to facilitate dialogue between the student and reporting party(ies) regarding the impact on the student's academic and social standing at the College. Based on the outcome of the Administrative Conference, the Dean of Students Office,

in consultation with the Chair and/or Vice Chair of the Honor Council, may close the case with no further action or refer the matter to a higher level of resolution. Failure to attend the Administrative Conference may result in additional disciplinary action.

Disciplinary Resolution Options

Honor Council Mutual Resolution Conference. For first time or low-level violations in which the Respondent accepts responsibility for the alleged violation(s) of the Honor code, Respondent may elect to have the case resolved through a Mutual Resolution Conference with the reporting party, provided all parties consent. The Mutual Resolution Conference is facilitated by the Chair or Vice Chair of the Honor Council with a representative from the Student Solicitors, a representative from the Defense Advisors, the reporting party/faculty member and the Respondent. The goal of a Mutual Resolution Conference is to resolve the matter through a Mutual Resolution Agreement agreed to by all parties of the Mutual Resolution Conference. When a Respondent accepts a Mutual Resolution Agreement, the Respondent voluntarily:

(1) Accepts the determinations on responsibility of the policy violations;
(2) Agrees to the Accountability Plan set forth by the Honor Council;
(3) Waives their right to an Honor Council Hearing; and
(4) Waives all appeal rights.

If an agreement is not reached, the Respondent will be referred to an Honor Council Hearing to determine the most appropriate accountability plan.

Honor Council Hearing. The Honor Council, composed of a student Chair (non-voting), a student Vice Chair (non-voting), two (2) Student Solicitors (non-voting), two (2) Defense Advisors (non-voting), and six (6) student members selected from the general Honor Council membership (voting), serves as the decision-making body for cases in which a Respondent does not accept a Mutual Resolution Agreement. Cases before the Honor Council may involve either a single incident of serious prohibited conduct or a persistent pattern of less severe prohibited conduct. In cases where the Respondent accepts responsibility or is found responsible, the Honor Council will assign an accountability plan consisting of action items and/or sanctions. In cases where the Respondent denies responsibility, the Council will determine responsibility, using a preponderance of the evidence standard, by a majority vote of the six voting members.
Procedures. The Dean of Students Office, on behalf of the Honor Council, will send the Respondent the notice of hearing letter which will include the time, date, and location of the hearing at least three (3) business days in advance of the hearing. Honor Council hearings will be closed to the public. During the hearing, the Respondent will have the opportunity to make an opening statement, answer questions from the Council and respond to the alleged policy violation(s) and/or proposed accountability plan. See: Honor Council Hearing Procedures for more details.
Outcomes. *Admit Cases:* Cases in which a Respondent has already accepted responsibility for the alleged policy violation(s) are referred to as an “admit case”. The Honor Council hearing will be aimed at assigning an appropriate accountability plan for the Respondent. *Non-Admit Cases:* Cases in which a Respondent has not accepted responsibility for the charged policy violation(s), the Honor Council hearing will be aimed at determining responsibility using the preponderance of the evidence standard and if found responsible, assigning an Accountability Plan for the Respondent. Within three (3) business days of the conclusion of the hearing, the Dean of Students Office, on behalf of the Honor Council Chair, will notify the Respondent of the outcome of the case in both admit and non-admit cases.

Honor Council Hearing Procedures

Council Membership. The Honor Council will be composed of a Chair (non-voting), a Vice Chair (non-voting), two (2) Student Solicitors (non-voting), two (2) Defense Advisors (non-voting), and six (6) students selected from the Honor Council general members (voting).

Function and Authority. The function of the Honor Council is to hear and determine all charges of violation presented on referral from the Dean. However, the Honor Council will not have jurisdiction to hear or determine cases that include allegations of sexual misconduct or Code of Responsibility violations.

Notice of Hearing. The Vice Chair of the Honor Council will confer with Respondent, Student Solicitors, and Defense Advisors to determine the earliest practical hearing date, allowing sufficient time for preparation. The hearing date will be not less than three (3) days or more than ten days from the date of the notice. The Respondent may on their own initiative waive the three-day limit. The Vice Chair will set the hearing time, date, and location, docket it in the Council records, and provide written notice to: Respondent; members of the Honor Council; Student Solicitors, Defense Advisors; any applicable witnesses or other involved parties. Notice to the Respondent will be served to the Respondent's official Davidson email address.

Expedited Hearing(s). The Dean of Students Office may determine that an expedited hearing is necessary (e.g., end of the academic year or a holiday break). In those circumstances, with the Respondent's consent, deadlines may be shortened.

Extended Hearing(s). The Dean of Students Office may determine that an extended hearing is necessary (e.g., end of the academic year or a holiday break). In those circumstances, with the Respondent's consent, deadlines may be lengthened.

Preparation Meeting. The Respondent may attend an Honor Council hearing preparation meeting with the Defense Advisors. During this meeting, the Respondent may ask questions about the process, review materials that will be presented to the Council, review the names of members who will serve on the Council, and provide names of any potential witnesses who they feel should be present at the Hearing. Determination of whether a witness will be called at the Hearing is at the discretion of the Dean of Students Office. Information the Respondent shares with Defense Advisors is not confidential. If a Respondent initially denies responsibility for violating the Honor Code but later admits, either in writing or during conversations with a Defense Advisor, to lying, cheating, or stealing, the Defense Advisor is bound by the Honor Code to report the violation.

Hearing Outline and Process. An outline of the Honor Council hearing process for cases where Respondent admits responsibility and for cases where Respondent does not admit responsibility is provided below. Defense Advisors will review this process with Respondent., Respondents may seek additional clarification from their Defense Advisors or the Dean of Students Office. Respondents may appear at a hearing personally or be represented by a student representative, as authorized by Respondent in writing. All hearing participants shall complete the Pledge of Confidentiality and Honesty prior to the start of the hearing.

Outlined below are the official processes and procedures the Honor Council will follow when addressing alleged Honor Code violations through the hearing process.

Alleged Violation of the Honor Code Reported. Upon receipt of an alleged Honor Code violation, the Vice President for Student Life and Dean of Students or their designee will:

1. Notify the Honor Council Leadership, which includes the Chair, Vice Chair, Defense Advisors, and Student Solicitors, of the alleged violation and provide a copy of the report received.
2. The Student Solicitors will conduct an investigation, which includes meeting with the alleged Respondent and the reporting party(ies).
3. Based on the evidence gathered, the Student Solicitors will determine whether charges of an alleged Honor Code violation should be applied to the Respondent.
4. If charges are warranted, the Student Solicitors notify the Dean of Students Office in writing.
5. The Vice President for Student Life and Dean of Students, Associate Dean of Students, or their designee will notify the Respondent of the charges and alleged violation and schedule a meeting between the Respondent and the Vice President or designee.

Review of Respondent Rights and Resolution Options. Respondents will meet with the Vice President for Student Life and Dean of Students (or their designee) to complete the Respondent Rights and Resolution Options Form as outlined in the Davidson College Student Handbook. During this meeting, the Vice President of Student Life and Dean of Students or designee will:

1. Review the charges being alleged;
2. Explain respondent rights and expectations per the student handbook;
3. Discuss resolution options;
4. Provide the respondent the opportunity to admit or deny responsibility and indicate which resolution option they would like to pursue within the Honor Code process;

The Vice President for Student Life and Dean of Students or their designee is also available to answer any questions the Respondent may have about the process. Upon completion of the Respondent Rights and Resolution Options Form a copy will be provided to the Honor Council Leadership, which includes the Chair, Vice Chair, Defense Advisors, and Student Solicitors, who will then be notified to proceed with scheduling either a hearing or a mutual resolution.

Scheduling the Hearing. Upon receipt of the Respondent Rights and Resolutions Options Form from the Vice President for Student Life and Dean of Students, or their designee, the Student Solicitors will promptly notify the Vice Chair of the Honor Council. The Vice Chair will then confer with the Solicitors, the Respondent, and the Defense Advisors to determine the earliest practicable hearing date, allowing sufficient time for preparation.

The Vice Chair will set the hearing time, date, and location, docket it in the Council records, and provide written notice to:

- Members of the Honor Council
- The Respondent
- The Student Solicitors
- The Defense Advisors
- Any applicable witnesses or other involved parties

Notice to the Respondent will be sent via email to their official Davidson College email address. The hearing date will be scheduled no fewer than three (3) days and no more than ten (10) days from the date of the notice. The Respondent may voluntarily waive the three-day minimum.

At the discretion of the Vice President for Student Life and Dean of Students (or their designee), official college breaks, holidays, or weekends may be counted within the specified time limits for resolving any allegation.

Respondent Appears for Honor Council Hearing. The Respondent may appear at the hearing personally or be represented by a student representative, as authorized by the Respondent in writing. The Student Defense Advisors may represent the Respondent. The hearing will proceed as follows:

1. ***Notice of Charge:*** The Chair will read the Notice of Charge and the Respondent Rights and Resolution Options Form, indicating whether the Respondent has accepted or declined responsibility for the alleged Honor Code violation(s). The Chair will also ensure that all hearing participants complete the Pledge of Confidentiality and Honesty.

2. ***Respondent Admits Violation and Accepts Responsibility:*** If the Respondent or their representative admits the violation and accepts responsibility for the violation, the Council proceeds to conduct the hearing to determine an appropriate accountability plan, generally in the following order:
   a) The Defense Advisors will present their opening statement first, followed by the Student Solicitors. The Respondent may also provide a statement, if they choose. Such a statement may address the incident, any extenuating or mitigating circumstances, and any preferred accountability plan actions or sanctions. The Respondent is not required to provide a statement and may decline to share information regarding the alleged event.
   b) A reasonable number of witnesses may be called by the Student Solicitors, Defense Advisors, and Respondent; please see the *Witness Presentation and Questioning Procedures* section within this document for specific details.
   c) The Council may ask the Respondent questions about the incident, the allegations, and potential outcomes for the accountability plan. The Respondent may decline to respond to questions or share information regarding the alleged event.
   d) The Student Solicitors will present their closing statement first, followed by the Defense Advisors. The Respondent may also provide a closing statement, if they choose. Such a statement may address the incident, any extenuating or mitigating circumstances, and any preferred or recommended accountability plan actions or sanctions. The Respondent is not required to provide a closing statement and may decline to share information regarding the alleged event.
   e) The Council will enter executive session. While in executive session, the following steps will be taken:
      i) The Chair will inform the Council of any relevant case history provided by the Dean of Students Office, specifically noting whether the Respondent has any prior responsible findings of Honor Code violations during their time as a student.
      ii) The Council will review statements and evidence to determine the appropriate accountability plan and any applicable sanctions.

3. **Respondent Does Not Admit and Denies Responsibility*:*** If the Respondent or their representative does not admit to the violation and does not take responsibility for the violation, the Council proceeds to conduct the hearing as to the matter in dispute, generally in the following order:

a) The Student Solicitors present their opening statement first, followed by the Defense Advisors. The Respondent may also provide a statement, if they choose. Such a statement may address the incident and any extenuating or mitigating circumstances. The Respondent is not required to provide a statement and may decline to share information regarding the alleged event.
b) A reasonable number of witnesses may be called by the Student Solicitors, Defense Advisors, and Respondent; please see the *Witness Presentation and Questioning Procedures* section within this document for specific details.
c) The Council may ask the Respondent questions regarding the incident, the allegations, and potential accountability plan outcomes in the event that a responsible finding is reached during the executive session deliberation process. The Respondent may decline to respond to questions or share information regarding the alleged event.
d) The Student Solicitors will present their closing statement first, followed by the Defense Advisors. The Respondent may also provide a closing statement, if they choose. This statement may address the incident, any extenuating or mitigating circumstances, and any preferred or recommended accountability plan actions or sanctions should the Council reach a responsible finding during the executive session deliberation process. The Respondent is not required to provide a closing statement and may decline to share information regarding the alleged event.
e) The Council will enter executive session. While in executive session, the following steps will be taken:
    i) The Council will determine whether Respondent is responsible for the alleged Honor Code violation(s), in accordance with the *General Rules of Procedure and Rights Secured to Respondent in Honor Council Hearings* section of this document. If the Respondent is found not responsible, the hearing shall conclude and the case closed with no disciplinary action.
    ii) If the Respondent is found responsible, then the hearing resumes. At this time, the Student Solicitors may suggest sanctions, and the Defense Advisors may present any mitigating circumstances regarding the suggested sanctions. The Honor Council then returns to executive session to determine the final sanction.
    iii) The Chair will inform the Council of any relevant case history provided by the Dean of Students Office, specifically noting whether the Respondent has any prior responsible findings of Honor Code violations during their time as a student.
    iv) The Council will review statements and evidence to determine the appropriate accountability plan and any sanctions, should a responsible finding be rendered during the executive session deliberation process.

4. **Respondent Does Not Appear for Honor Council Hearing**: If the Respondent does not appear and is not represented by an authorized student representative at the hearing, the Chair will first verify that the Respondent was properly notified of the complaint, as well as the time, date, and location of the hearing. If it is determined that proper notice was not provided, the hearing will be adjourned, and the procedures will revert to scheduling and notifying the Respondent of a rescheduled hearing. If proper notice was provided, the hearing will proceed as outlined above.

Witness Presentation and Questioning Procedures. The Respondent, Student Solicitors, and Defense Advisors may present witnesses in hearings to provide additional information and evidence in support of, or in response to, the charge and alleged Honor Code violations. The presentation and questioning of witnesses will follow this procedure:

- **Evidence in support of the charge (under the direction of the Student Solicitors):** Witnesses may be questioned by the Defense Advisors and the Council.
- **Evidence in response (under the direction of the Defense Advisors):** Witnesses for the Respondent may be questioned by the Student Solicitors and the Council.
- **Respondent as a witness:** Student Solicitors may not call the Respondent as a witness. However, if the Defense Advisors call the Respondent as a witness, the Respondent may be questioned by the Defense Advisors, Student Solicitors, and the Council.
- **Council authority:** The Council may call or recall any witnesses at any time.
- **Rebuttal evidence (under the direction of the Student Solicitors):** Witnesses may be questioned by the Defense Advisors and the Council.
- **Rebuttal evidence (under the direction of the Defense Advisors):** Witnesses may be questioned by the Student Solicitors and the Council.

Following witness questioning, closing oral arguments may be made by the Respondent or their representative, followed by the Student Solicitors. The Honor Council then enters executive session to determine whether a violation has occurred.

If the Council determines a violation occurred, the hearing resumes. At this time, the Student Solicitors may suggest sanctions, and the Defense Advisors may present any mitigating circumstances regarding the suggested sanctions. The Honor Council then returns to executive session to determine the final sanction.

Notice of Outcome. The Notice of Outcome will be sent to the Respondent via email to their official Davidson College email address. The notice will clearly specify the outcome of the hearing and, if a responsible finding is determined, the assigned action plan, including any sanctions imposed. This notice will be sent within three () days of the formal hearing. The Vice Chair of the Honor Council will prepare a written summary of the proceedings, serving as the hearing digest, and provide it to the Dean of Students Office. The digest will be made available to the review board in the event an appeal is submitted regarding the Honor Council's findings and decisions.

Appeals. Please review Section 10: Appeals for more information.

General Rules of Procedure and Rights Secured to Respondent in Honor Council Hearings. The Honor Council follows a standardized set of rules of procedure and ensures specific rights for respondents participating in Honor Council hearings. These procedures, outlined below, not only reflect the policies in this student handbook but also clearly define the expectations and responsibilities of both respondents and Honor Council members throughout the hearing process:

1. **General Conduct of Hearing**. The Chair of the Honor Council, or their designee, presides over the hearing and rules on all questions of practice, evidence, and procedure. The Chair also recognizes and determines the participation of Council members and others during the hearing. By majority vote, the Council may adopt specific rules of order for conducting hearings and deliberations; however, these rules may not abridge any of the general rights or protections afforded to the Respondent as outlined herein.

2. **Quorum for Hearing Panels.** Six (6) members of the Council constitute a quorum for the conduct of any hearing. At the direction of the Chair, or their designee, the Council may sit simultaneously in multiple panels of six members. In such cases, the Chair will appoint a presiding chair for any panel on which they do not sit.

3. **Information Used During Hearing.** No attempt will be made to apply technical legal rules of evidence. Generally, any information—whether oral testimony or documentary—that the Chair considers relevant to the charge or defense may be received, subject to the Chair's authority to exclude frivolous, repetitive, or cumulative testimony. Hearsay information (testimony regarding an absent witness) may be received but should be evaluated with caution, as there is typically no opportunity to question the absent individual. Circumstantial information may be given the same weight as direct information. All objections to information will be ruled upon solely by the Chair.

4. **Burden of Proof, Evidence Standard, and Number of Honor Council Required to Determine Violation**. In Honor Code proceedings, the burden of proof rests with the Student Solicitors. No Council member should vote to find the Respondent in violation without considering all information in accordance with the College's standard of evidence, which is the preponderance of the evidence. Council members should not consider any information regarding a violation that was not presented or discussed during the hearing. A Council member may consider a refusal by the Respondent to cooperate in a proper investigation as a violation only if there is additional supporting information. When the Respondent does not take responsibility, a violation may be found by a majority vote of the Council.

5. **Right To Question Adverse Witnesses.** The Student Solicitors, the Respondent, and the Defense Advisors have the right—within the bounds of general relevance and as outlined in the Witness Presentation and Questioning Procedures of this document—to question all witnesses at the hearing and to submit questions to adverse witnesses who testify. The Respondent is not required to testify against themselves; however, the Honor Council may request other students to testify regarding the Respondent's behavior at the time of the incident. The Council also retains the right to question all witnesses.

6. **Advisor and Support for Respondents.** A Respondent may have an advisor, as defined in the Davidson College Student Handbook, who provides support, guidance, or advice during the accountability process. Students may select an advisor of their choice to be present at any related conference or hearing. The advisor's role is limited to requesting breaks to confer with the Respondent; they do not otherwise participate in the accountability process and may not speak, ask questions, take notes, or record meetings. The Respondent may choose their advisor, which may include a friend (not otherwise involved in the accountability process), a trusted staff or faculty member, an attorney, or a parent/guardian.

7. **Provision of Record for Review.** The Vice Chair will prepare a written summary of the proceedings, known as the Digest, which will include the outcome and, if applicable, the accountability plan, including any sanctions imposed. In accordance with the Family Educational Rights and Privacy Act (FERPA), the Respondent may submit a written request to the Dean of Students Office to schedule a meeting to review the Digest and any corresponding student conduct records.

8. **Pledge of Confidentiality and Honesty.** All parties participating in an Honor Council hearing—including students, witnesses, and Council members—must pledge to maintain honesty and confidentiality regarding all matters presented or discussed during the hearing. If the Chair of the Honor Council has reason to believe that a student is being dishonest during the hearing, that student may be formally charged with an additional Honor Code violation.

Section 7: CODE OF RESPONSIBILITY

Students and student organizations are responsible for exhibiting behavior that represents Davidson's core values and are expected to conduct themselves as responsible members of the Davidson community and society as a whole. Students and student organizations that are alleged, or are found responsible, in violation(s) of laws, published Davidson College Code of Responsibility policies, rules, and regulations are subject to the student accountability process as outlined in Section 7: Code of Responsibility Disciplinary Procedures.

Davidson College prides itself on the trust, respect, and social responsibility of the community. **Upon entry to Davidson, students adopt the following values and pledge to refrain from the following prohibited behaviors.**

1. We are a community of learners who value personal and intellectual honesty.

Misuse of College Information and/or Technology: Theft, misuse, or unauthorized use of information technology facilities, resources, or access codes, including, but not limited to: unauthorized entry into or transfer of a file; using another person's identification and/or password without that person's consent; using information technology facilities or resources to interfere with the work of another student, faculty member, staff employee, or other member of the College community; using information technology facilities or resources to interfere with normal operation of a College information technology system or network; circumventing College information technology system or network security; using information technology facilities or resources in violation of copyright laws; falsifying an email header; and conduct that violates the College's rules or policies on the acceptable use of information technology resources. Please review the Technology Terms of Service Policy for additional information.

Providing False Information: Intentionally providing false information to a College official regarding college business.

Theft: Theft or attempted theft of property and/or possession of stolen property. Examples of theft include, but are not limited to, attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, College account or personal check.

2. Our actions reflect maturity, social responsibility, and respect toward others.

Disorderly Conduct: Conduct that disturbs the peace or impinges on the rights of students or community members, including without limitation: loud parties or excessive noise; shouting or talking that unreasonably disturbs other students or community members; public urination; littering or not disposing of trash appropriately; or failure to reasonably maintain yards or premises.

Invasion of Privacy: Invasion of another person's privacy when that person has a reasonable expectation of privacy, without the person's knowledge and/or consent. Examples of this include, but are not limited to, making, viewing, listening to, or distributing secret recordings or installing the equipment for such recordings, secretly monitoring others in their living quarters or bathrooms either in person (eg., window peeping) or digitally (e.g., drones, cameras), intrusion on a person's property or communications, and the appropriation or use of someone's likeness, identifying personal data, or documents. Amnesty may be granted to individuals who use recording devices to document misconduct against themselves or others, provided those recordings are not shared with the exception of to the Dean of Students Office.

Property Damage: Actions that result in or can be reasonably expected to result in damage to property. This includes, but is not limited to, property owned by the College, property owned by individuals affiliated with the College, and property owned by individuals or entities not affiliated with the College.

Sports Betting: Davidson College prohibits the following sports betting activities:

- Engaging in any form of sports betting on sports competitions in which Davidson College athletes are competing;
- Sharing nonpublic information about Davidson College athletes that is relevant to sports betting; and
- Attempting to influence the outcome of a sporting event that includes Davidson College athletes.

Betting or placing bets is defined as putting something of value at risk (e.g., money, property, entry fee, a tangible item) with a chance of winning something in return. Please review the full Policy on Sports Betting for more information.

3. We value diversity, equity, and inclusion, and will not tolerate harassment or discrimination of any kind.

Bullying: Repeated and/or severe aggressive behavior which is likely to cause another person to experience substantial intimidation, harm, or distress (and that is not speech protected by a student's rights to expression as outlined in Article XII of the College Constitution). Bullying can take several forms, including verbal bullying, physical bullying, and cyberbullying.

Discrimination: Treating members of a protected category (race, color, gender, national origin, religion, age, sexual orientation, gender identity, disability, or any other status protected by applicable federal, state, or local law)

less favorably because of their actual or perceived membership in that category or as having a policy or practice that adversely impacts the members of one protected category more than others.

Discrimination on the Basis of Sex is defined as discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. For resources and resolution options regarding this type of discrimination, please see the Davidson College Title IX Policy, Procedures, and Information.

Harassment: Any conduct that has the purpose or effect of substantially interfering with a student's work or educational opportunity; creates an intimidating, hostile, or offensive work or educational environment; or otherwise negatively affects a student's work or educational opportunities (and that is not speech protected by a student's rights to expression as outlined in Article XII of the College Constitution). Harassment includes, but is not limited to:

- Unwelcome verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of that individual's race, color, gender, national origin, religion, age, sexual orientation, or disability (or that of an individual's relatives, friends, or associates);
- Unwelcome threats, derogatory comments, jokes, innuendoes, insults, slurs, epithets, negative stereotyping, and other similar conduct that relate to race, color, gender, national origin, religion, age, sexual orientation, or disability; or
- The placement, dissemination or circulation in the workplace or on campus of any unwelcome written or graphic material (in hard copy or electronic form) that denigrates or shows hostility or aversion toward an individual or group because of race, color, gender, national origin, religion, age, sexual orientation, or disability.
- Quid pro quo harassment involves abuse of one's power, authority, or position such that, submission to or tolerance of such conduct is made either an explicit or implicit term or condition of an individual's employment or education; or
    - Submission to or tolerance or rejection of such conduct is used as a basis for employment or academic, decisions affecting an individual's welfare;
    - The conduct has the purpose or effect of substantially interfering with an individual's work or academic performance; or
    - The conduct creates an intimidating, hostile, or offensive work or educational environment.

Harm to Person(s): Actions that result in or can be reasonably expected to result in harm to a person or persons. Examples of this include, but are not limited to, the throwing, hurling or firing of projectiles without regard for the safety of others, and physical assault. Assault is defined as any unwelcome physical contact that is intentional or reckless including, but not limited to, striking, slapping, hitting, biting, punching, shoving, or kicking another person. This standard also encompasses behavior that is intended to or can reasonably be expected to result in emotional or psychological harm. Examples of this include, but are not limited to, subjecting another person or group to abusive, threatening, intimidating, harassing, or humiliating actions.

Hazing: Any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate. The following are three types of Hazing that the College recognizes:

- **Subtle Hazing:** behaviors that emphasize a power imbalance between new members/rookies and other members of the group. Because these types of Hazing are often taken-for-granted or accepted as

"harmless" or meaningless, subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members/rookies on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members/rookies often feel the need to endure subtle hazing to feel like part of the group or team (some types of subtle hazing may also be considered harassment hazing).

- **Harassment Hazing:** behaviors that cause emotional anguish or physical discomfort in order to feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members/rookies (some types of harassment hazing can also be considered violent hazing).
- **Violent Hazing:** behaviors that have the potential to cause physical, emotional and/or psychological harm.

Retaliation: Any act or attempt to seek retribution from any person or group who makes a complaint, cooperates with an investigation, or participates in a student accountability or resolution process. Any individual or group of individuals, not just a Complainant or Respondent, can engage in retaliation. Retaliation includes, but is not limited to: abuse or violence, bullying, threats, intimidation, and stalking.

Sex Discrimination, Sexual Misconduct, Dating and Domestic Violence, and Stalking: Davidson College is committed to creating and maintaining an environment that is free of sex discrimination and that promotes a healthy spirit of responsibility, dignity, and respect in matters of sexual conduct and interpersonal relationships. Sex discrimination includes sex-based harassment which encompasses sexual harassment, sexual assault, dating violence, domestic violence, and other harassing conduct on the basis of sex. The College does not condone and will not tolerate sex discrimination. The Title IX Policy provides recourse for students who have experienced sex discrimination and establishes a process for the College to determine whether specific behaviors constitute violations of the Title IX Policy.

4. Our actions show respect for health and well-being.

Alcohol: Davidson College expects community members (students, staff, faculty, and their guests) to operate in accordance with the laws of the State of North Carolina about the use, sale, possession, and consumption of alcoholic beverages. Davidson considers the following behaviors to be in violation of our values and thus the Code of Responsibility:

- **Driving While Impaired:** Students should not drive while impaired. A person is driving impaired if they drive any vehicle (including but not limited to cars, golf carts, scooters, and/or bicycles) while under the influence of an impairing substance; and/or, after having consumed sufficient amounts of alcohol that they have, at any relevant time after the driving, a blood alcohol concentration (BAC) of 0.08 or more; and/or if the driver is under 21 years of age, the driver is considered to be driving while impaired if their BAC is 0.01 or above.
- **Excessive or Irresponsible Use of Alcohol:** Students of legal drinking age and student organizations are expected to use alcohol responsibly in such a way that does not compromise the rights and safety of themselves or others. As such, no alcohol may be provided from common containers or in large quantities including but not limited to: borgs, kegs, punch bowls, Jell-O, pony kegs, beer balls, trash cans and/or funnels. Drinking games designed to encourage excessive consumption are expressly prohibited.

Students requiring medical attention due to excessive use of alcohol, with the exception of those receiving medical amnesty, will be considered in violation of this policy.

- **Providing Alcohol to Minors:** Students of legal drinking age and student organizations are prohibited from providing alcohol to underage students and guests.
- **Underage Possession or Consumption of Alcohol:** Students below the legal drinking age are prohibited from being in possession of, or consuming, alcohol and/or alcohol paraphernalia on College owned property. Alcohol paraphernalia includes but is not limited to: funnels, borgs, unopened alcohol, "decorative" alcohol containers.

Drugs: Davidson College expects community members to operate in accordance with federal laws and the laws of the State of North Carolina about the use, sale, possession, and consumption of drugs or drug paraphernalia. Students are subject to the student accountability process for the possession, manufacture, use, sale or distribution of any quantity of prescription drugs or controlled substance, except for the use of an over-the-counter medication or for the prescribed use of medication in accordance with the instructions of a physician. Controlled substances include, but are not limited to:

- Mushrooms (psilocybin)
- Marijuana
- Cocaine
- "Crack" or other cocaine derivatives
- Heroin
- Amphetamines
- Barbiturates
- LSD, PCP
- "Ecstasy", "eve", or other "designer drugs"
- "Roofies" rohypnol

Fire and Life Safety: Any act of arson; falsely reporting a fire; the presence of an explosive or incendiary device; setting off a false fire alarm; or tampering with, removing, or damaging fire alarms, fire extinguishers or any other safety or emergency equipment from its proper location except when removed in a situation in which there is a reasonable belief of the need for such equipment. Failing to exit the building in the event of a fire alarm regardless of whether the cause of that alarm is real, unknown, or a regularly scheduled drill.

Weapons: Davidson College strictly prohibits possession of weapons of any type by students, employees, and visitors on all college property, including guns, both concealed and visible, and without regard to the validity of any permits. Any violation of this policy should be reported immediately to the Davidson College Police Department.

5. We honor Davidson by upholding the policies that support our community standards and operations.

Failure to Comply: Failure to comply with the directive(s) of a College official acting in the performance of their duties to the College that disrupts the proper operation of the College. College officials include: staff (professional and student staff), faculty, and members of the Davidson College Police Department. Examples

of this include, but are not limited to, refusing to identify oneself or refusing to present CatCard identification to a College official; failure to comply with the terms of any student accountability plan; engaging in prohibited behavior(s) while on an official disciplinary status (e.g., probation, community status) or a failure to complete assigned action items assigned as outcomes to a disciplinary proceeding.

Obstruction or Disruption of College Activities: Obstructing or disrupting teaching, learning, studying, research, public service, administration, student accountability proceedings, emergency services, or any other College-affiliated activity, or the free flow of pedestrian or vehicular traffic. Speech protected by a student's rights to expression as outlined in Article XII of the College Constitution, absent additional behavior, does not rise to the level of obstruction or disruption. Examples of this include, but are not limited to, monopolizing class time with excessive comments or questions, interrupting class sessions or assignments, abusing faculty or staff office hours.

Participation in Deregistered Student Groups: Knowingly affiliating with groups, teams, or organizations that have had their College recognition suspended or permanently revoked by the College for disciplinary reason. Affiliation includes, but is not limited to: joining, rushing, pledging, or being involved in any activity that would normally be associated with being a member of such an organization. This applies to organizations that were created by members of a derecognized organization in an attempt to continue its presence on campus.

Risk Management Violations: Organizations hosting events must abide by all Risk Management Expectations as noted in the Patterson Court Council Organization Risk Management Guide. Expectations include but are not limited to: Ensuring that the appropriate number Risk Management Team members are present, Ensuring that no Risk Management Team members are consuming alcohol, Utilizing appropriate identification checks and placement of wristbands for individuals 21 years of age or older, Only serving alcohol to individuals 21 years of age or older, Only serving alcohol formally approved for the event, Serving alcohol consistent with standards including a clearly marked bar area in which only individuals 21 years of age and older may enter, and informing Campus Police if an individual needs medical attention for any reason, including, but not limited to, alcohol consumption.

Unauthorized Access: Unauthorized access to any College building; unauthorized possession, duplication or use of means of access to any College building; unauthorized possession of any College property including but not limited to keys, cards, parking permits; or trespassing of any kind whether on or off campus. Examples of this include, but are not limited to, the unauthorized entry into or occupation of any College room, building, or area of the campus, including such entry or occupation at any unauthorized time; any unauthorized or improper use of any College property, equipment, or facilities; refusal to leave a space at the request of a College official; assisting another individual to enter a restricted area without authorization; unauthorized possession, use, or duplication of College keys, cards, codes, or other methods of access. A student's College residence hall room is considered a restricted area where permission to enter must be obtained on every occasion, even if the resident's door is not closed or locked.

Violation of Other College Policy: Students are expected to abide by posted policies of Davidson College. Students found in violation of such policies are expected to comply with the accountability process outlined by those policies. Repeated or serious violations, or the failure to comply with the accountability process outlined

by those policies may result in the initiation of the student accountability process under this Code. This includes but is not limited to: Residence Life Office, Parking, College Union, Library, Technology & Information, etc.

Section 8: CODE OF RESPONSIBILITY PROCEDURES

Introduction

These procedures, which are meant to be educational and restorative in nature, are designed to provide processes to investigate and resolve alleged violations of the Code of Responsibility as it pertains to individual student behavior and student organization behavior.

For alleged violations of the Honor Code, please review Section 4 of the Student Handbook.

For alleged violations of the Residence Life Office (RLO) Policies, please review the Residence Life Policies and Procedures Manual.

For alleged violations of the Title IX Policy, please review the Title IX Policy, Procedures and Information for Addressing Sex Discrimination, Sexual Misconduct, Dating and Domestic Violence, and Stalking.

Complaints/Reports of Information

Filing a Complaint. Written complaints alleging violations of the Code of Responsibility may be submitted online at: Report an Incident. Individuals who are unable to access or use the online form should contact the Dean of Students Office at deanofstudents@davidson.edu. Complaints must include the name(s) of all known involved parties or others who may have information concerning the allegation of prohibited conduct and all known facts about the incident. There is no time limit by which complaints must be submitted after an incident. However, the ability of the Dean of Students Office to fully investigate an incident is impacted by how much time has elapsed since an incident occurred. In addition, a complaint alleging a Code violation by an individual who is not currently a student at Davidson College at the time of complaint will be reviewed but may not be investigated unless that individual re-enrolls at the College. Complaints that are submitted anonymously will be reviewed; however, anonymity may limit the ability of the Dean of Students Office to fully investigate an incident.

Reports of Information. The Dean of Students Office receives reports containing allegations of prohibited conduct from several sources, including Residence Life, Davidson College Police Department, college offices/employees, students, and persons unaffiliated with the college.

Review & Investigation. All complaints and reports are reviewed by the Dean of Students Office and where appropriate, the Dean of Students Office will conduct an investigation before a resolution method is determined. The review and investigation process may include meeting with the complainant, the respondent, or other involved parties and requesting statements and/or documents that will help determine whether there is a need to proceed with an initiation of the student accountability process.

The possible resolution options are as follows:

1. **No Action:** If there is no basis to file charges and no follow up is warranted, the Dean of Students Office may close the case and take no action.

2. **Interim Action:** The College may authorize interim actions, which include but are not limited to no contact orders, housing relocation, and interim restrictions, prior to the resolution of a matter under these Procedures. Please review Section 8 for more information on Interim Actions.

3. **Non-Disciplinary Responses:** If it is determined that disciplinary action is not warranted, the matter may be handled with a Warning Letter, a Restorative Conference, or Medical Amnesty.

4. **Disciplinary Responses:** If it is determined that disciplinary action is warranted, the matter may be handled through a Mutual Resolution Conference, and if not resolved at the conference, will be resolved through a Code of Responsibility Council hearing.

5. **Withdrawal of Charges:** The Dean of Students Office has the authority to withdraw allegations once they have been made.

Code of Responsibility Resolution Options

The Dean of Students Office may refer allegations of violations of the Code of Responsibility to one of the following options for resolution. The Dean of Students Office may reassign a matter after referral if the information or circumstances change in such a way as to warrant a different response:

Non-Disciplinary Response Options

Warning Letter. Students will receive an official written notice that specifies that a particular behavior(s) may have violated the Code of Responsibility and, if repeated, such behavior may be subject to a higher level of response. This is meant to remind students of campus policies and behavioral expectations for students.

College Directive Letter. Students alleged to have participated in prohibited behavior may be sent a College Directive Letter with assigned action item(s). Failure to complete these action item(s) could result in further disciplinary action and/or a hold being placed on their student account. Examples of assigned action item(s) include but are not limited to: removal of furniture from an unauthorized location; attending a campus program; completing an online education module.

Restorative Conference. A Restorative Conference provides a voluntary, private opportunity for facilitated interaction between two or more parties. If any party to a conflict is unwilling to engage in mediation or if the parties are unable to resolve the conflict through mediation, the matter may be referred to a disciplinary proceeding for resolution if it involves prohibited conduct. The goal is to provide everyone a voice in the process and bring understanding to all parties. Restorative Conferences also allow for collaboration in deciding what is to be done about the incident in question and also to address any underlying problems that led to the incident. When parties successfully resolve their dispute through mediation, the mediator will notify the Dean of Students Office that the

matter has been resolved. In order for a Restorative Conference to occur, the Respondent must have previously accepted responsibility for the behavior in question. If resolution is met through the Restorative Conference, the outcome is not subject to appeal and does not constitute a disciplinary record. If resolution is not met through the Restorative Conference, the student accountability process will resume.

Medical Amnesty. Davidson College provides amnesty to students who may be hesitant to report to college officials because they fear they may be accused of policy violations, (such as alcohol or drug policies) at the time of the incident. Medical amnesty does not apply to students driving while intoxicated or under the influence, or who do not seek assistance from the College but are found in a medical emergency related to alcohol or drug use. This outcome is not subject to appeal and does not constitute a disciplinary record.

Students may be eligible for Medical Amnesty for the following reasons:

- **Amnesty for Impaired Students:** Students who seek assistance or emergency medical treatment from college, campus police, and/or a local police or EMS agency for themselves due to alcohol or drug use.
- **Amnesty for Good Samaritans:** Students who seek assistance or emergency medical treatment from college staff, campus police and/or a local police or EMS agency for others but may be otherwise found in violation of the alcohol or drug policy themselves may receive Amnesty for Good Samaritans.
- **Amnesty Related to Other Policy Violations:** To encourage reporting of the acts prohibited by the Code of Responsibility, the College will not subject an individual who reports an alleged policy violation to disciplinary action for the individual's own minor policy violation, such as personal consumption of alcohol or drugs, at or near the time of the alleged incident, provided that any such violations did not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational action items regarding alcohol or drug use which will be outlined in an Accountability Plan.

Accountability Conference. Students will meet with an Accountability Officer as a first step to discuss the behavior or incident that is of concern. During the meeting, students will be informed about particular provisions in the Code of Responsibility that may have been violated should the behavior of concern be true or continue. As a result of the Accountability Conference, students may be found not responsible or be referred to a higher level of resolution. The Accountability Officer may also suggest additional resources for the student. Failure to attend the Accountability Conference or to complete any assigned action item(s) could result in further disciplinary action.

Disciplinary Resolution Options

Mutual Resolution Conference. All cases that are not resolved at the Accountability Conference will proceed to a Mutual Resolution Conference. An Accountability Officer will meet one-on-one with respondents (and sometimes complainants and/or witnesses) to review matters involving prohibited conduct. The Accountability Officer will offer to resolve the matter at this level, but if an agreement is not reached, the Respondent will be referred to a Code of Responsibility Council Hearing to determine the most appropriate outcome.

Procedures. The Accountability Officer provides the Respondent with written notice of the charge(s), a summary of the evidence, and the time and date of the scheduled Mutual Resolution Conference. At the Mutual Resolution Conference, the respondent(s) has an opportunity to be heard, and the Accountability Officer and the respondent mutually decide if the respondent is responsible for violation(s) of the Code of Responsibility.

Outcomes. If the respondent accepts responsibility, the Accountability Officer will propose an Accountability Plan (See: Accountability Plans). When determining an appropriate outcome, the Accountability Officer will consider the nature of the incident and its context as well as any prior disciplinary findings and outcomes. The respondent may either accept or deny the proposed Mutual Resolution Agreement. When a Respondent accepts a Mutual Resolution Agreement, the Respondent voluntarily:

1. Accepts the determinations on responsibility of the policy violations; and
2. Agrees to the Accountability Plan set forth by the Accountability Officer; and
3. Waives their right to a Code of Responsibility Council Hearing; and
4. Waives all appeal rights.

When a Respondent accepts responsibility but declines the proposed Accountability Plan (See: Admit cases, below) , or the Respondent declines the Mutual Resolution Agreement altogether, the case will be referred to a Code of Responsibility Council hearing to determine appropriate outcomes (See: Non-Admit cases, below).

Code of Responsibility Council Hearing. The Code of Responsibility Council, composed of a Chair, a faculty or staff member chosen from the Student Conduct Council and three (3) students selected from the Honor Council, serves as the decision-making body in cases for which a respondent does not accept a Mutual Resolution Agreement. Cases before the Code of Responsibility Council may involve serious prohibited conduct in a single incident or a persistent pattern of less severe prohibited conduct. In cases for which the respondent accepts or is found responsible, the Code of Responsibility Council will assign an accountability plan.
Procedures. The Dean of Students Office will send the Respondent the notice of hearing letter which will include the time, date, and location of the hearing at least three (3) business days in advance of the hearing. Code of Responsibility Council hearings will be closed to the public. During the hearing, the Respondent will have the opportunity to make an opening statement, answer questions from the Council and respond to the alleged policy violation(s) and/or previously proposed accountability plan. See: Code of Responsibility Council Hearing Procedures for more details.
Outcomes. *Admit Cases:* Cases in which a Respondent has already accepted responsibility for the alleged policy violation(s) are referred to as an “admit case”. The Code of Responsibility Council hearing will be aimed at assigning an appropriate accountability plan for the Respondent. *Non-Admit Cases:* Cases in which a Respondent has not accepted responsibility for the charged policy violation(s), the Code of Responsibility Council hearing will be aimed at determining responsibility using the preponderance of the evidence standard and if found responsible, assigning an Accountability Plan for the Respondent. Within five (5) business days of the conclusion of the hearing, the Dean of Students Office, on behalf of the Code of Responsibility Council Chair, will notify the Respondent of the outcome of the case in both admit and non-admit cases.

Code of Responsibility Council Hearing Procedures

Council Membership. The Code of Responsibility Council will be composed of a representative of the Dean of Students Office, who will act as Chair, a faculty or staff member selected from the Student Conduct Council, and three students selected from the Honor Council.

Function and Authority. The function of the Code of Responsibility Council is to hear and determine all charges of violation presented on referral from the Dean of Students Office. However, the Code of Responsibility Council will

not have jurisdiction to hear or determine cases that include allegations of sexual misconduct or Honor Code violations.

Notice. Notice to the Respondent will be served by registered mail to the Respondent's official Davidson email address. The hearing date will be not less than three (3) days or more than ten days from the date of the notice. The Respondent may on their own initiative waive the three-day limit.

Expedited Hearing(s). The Dean of Students Office may determine that an expedited hearing is necessary (e.g., end of the academic year). In those circumstances, with the Respondent's consent, deadlines may be shortened.

Preparation Meeting. Each respondent will have the opportunity to attend a Code of Responsibility Council hearing preparation meeting with a staff member from the Dean of Students Office. During this meeting, the respondent will be able to ask questions about the process, review materials that will be presented to the Council, review the names of members who will serve on the Council, and provide names of any potential witnesses who they feel should be present at the Hearing. Determination of whether a witness will be called will be at the discretion of the Dean of Students Office.

Hearing Outline.
When the Respondent appears, the hearing will proceed as follows:

1. The Chair will read the notice of charge. The Chair will ask the Respondent whether they take responsibility or do not take responsibility for the alleged violation(s).
2. If the Respondent takes responsibility, they may then make any statement they desire in relation to their behavior during the time of the violation. The Council will then go into executive session to consider statements made by the Respondent to determine the sanction, if any, to be imposed.
3. If the Respondent does not take responsibility, the Chair presents relevant information and witnesses, and the Council proceeds to hear information as to the matter in dispute. The Council then goes into executive session to determine whether a violation has occurred. If the Council determines that a violation did occur, the hearing resumes and the Respondent may present any mitigating circumstances regarding the suggested sanction(s). The Council then goes into executive session to determine sanction(s).

When the Respondent does not appear, the hearing will proceed as follows:

1. The Chair will verify the Respondent was duly notified of the time, date, and location of the hearing. If it is determined that appropriate notice was not provided, the hearing is adjourned, and the procedures revert to setting and notification of a rescheduled hearing. If it is determined appropriate note was given, the hearing proceeds as follows:
    a. The chair reads the notice of charge
    b. Witnesses and other information in support of the charge are presented by the Chair
    c. The Council then determines in executive session whether a violation as charged occurred and what sanction, if any, to impose.

Outcome Notification. Notice of the outcome (determination of responsibility and/or sanction imposition) to the Respondent will be served by registered mail to the Respondent's official Davidson email address no more than three (3) days from the formal closing of the hearing.

Appeals. Please review Section 11: Appeals for more information.

Section 9: GENERAL PROVISIONS FOR STUDENT ACCOUNTABILITY & STUDENT RIGHTS AND RESPONSIBILITIES

General Provisions for Disciplinary Procedures

Closed Proceedings. All hearings, Accountability Conferences, Mutual Resolution Agreements, and information related to the student accountability process are closed.

Concurrent Honor Code and Code of Responsibility Violations. Cases that involve alleged violations of both the Honor Code and the Code of Responsibility will be addressed in separate processes as outlined by Section 6: Honor Code Procedures and Section 8: Code of Responsibility Procedures of this Code. In such cases, an Accountability Plan may be issued to a Respondent for any Honor Code violations separate from and in addition to an Accountability Plan issued to the same Respondent for any Code of Responsibility violations, as outlined by Section 10 of this Code. Allegations of the Sexual Misconduct Policy will be addressed separately from allegations of the Honor Code or the Code of Responsibility.

Conduct Attributable to Student Organizations. Each student organization is responsible for conduct fairly attributable to the student organization. A determination that conduct is fairly attributable to a student organization does not preclude holding individual student members of the student organization accountable for acts committed in relation to the student organization's conduct. The chief student officer of the student organization (e.g., president or equivalent) or their designee will serve as the representative of the student organization during any proceedings against the student organization under the Code. In determining whether misconduct in violation of the Code of Responsibility is fairly attributable to a student organization, the College will consider the following factors:

a. Whether one (1) or more officers of the student organization had prior knowledge that the misconduct was reasonably likely to occur and failed to take reasonable preventive or corrective action, failed to attempt to stop known misconduct while it was occurring, and/or help to plan, promote, or carry out the misconduct.
b. Whether the misconduct occurred in connection with an activity:
    i. financed by the student organization and/or one or more members or alumni of the student organization who contributed personal funds in lieu of organizational funds;
    ii. related to initiation into, admission into, affiliation with, or as a condition for continued membership in the student organization; and/or
    iii. advertised, promoted, or publicized in such a way that a reasonable person viewing or hearing the advertisement, promotion, or publication would believe that the activity was affiliated with the student organization.

c. Whether the misconduct occurred on property owned, controlled, rented, leased, and/or used by the student organization and/or any of its members or alumni acting on the student organization's behalf.
d. Whether a member of the student organization attempted to conceal the activity connected with the misconduct or concealed the misconduct of another member of the student organization.

Criminal/Civil Charges. College disciplinary proceedings may be initiated and proceed in cases involving conduct that potentially violates both criminal and/or civil laws and the Code of Responsibility, even though a legal investigation or court proceeding might be pending. College proceedings may occur before, during, or after the criminal/civil court proceedings.

Disqualification and Exclusion. Any member of a hearing body with disclosed conflicts of interest or demonstrated bias for or against a respondent or complainant shall not be assigned to hear a case. Examples of a conflict of interest include: a faculty member currently teaches a course in which a student-party is enrolled; or a student has a current or former romantic relationship with a student-party. Members of a hearing body deeming themselves disqualified for reasons of conflict of interest shall remove themselves from the matter or may be removed by the Accountability Officer. A party may petition the Accountability Officer for removal of a hearing body member on the basis of a conflict of interest or demonstrated bias. The petition may be made in writing to the Accountability Officer no more than two (2) days after the Pre-Hearing Conference or receiving the charge letter and will include an explanation as to why they believe the member is unable to render an impartial decision in the case.

Effect on Coursework. Credit for coursework performed by a Respondent during the student accountability process may be affected, delayed, denied and/or revoked based on a finding of a Code violation and/or as a condition of an Accountability Plan created under this Code. In addition, a delay in the granting of a degree or diploma may be imposed, or a degree that is awarded prior to a decision under the Code may be revoked.

Information Used During Hearings. No attempt will be made to apply legal rules of evidence. In general, any information, whether oral testimony or documentary, which is considered by the Chair to be relevant, should be received subject to the power of the Chair to exclude frivolous, repetitive, or merely cumulative testimony. Hearsay information (testimony by a witness not present at the incident) should be received and evaluated with caution, since no opportunity ordinarily exists to question the absent person. Circumstantial information can receive the same consideration as direct information. Objections to information are ruled upon by the Chair alone.

Misconduct Not Excused by Intoxication or Impairment. The intoxication or impairment of a student by alcohol, drugs, or other substances will not diminish or excuse any conduct in violation of the Code that the student commits while intoxicated or impaired, except as provided under the **Amnesty** section of this Code. Please review Non-Disciplinary Response Options: Medical Amnesty for more information.

Multiple Students. Cases in which more than one student is charged with violating the Code of Responsibility and which depend on common facts or set of evidence may either be considered jointly or in a single proceeding with the consent of all parties or be assigned to separate, individual proceedings as determined by the Accountability Officer.

Multiple Violations of a Student Code. Cases that involve multiple alleged violations of either the Honor Code or the Code of Responsibility will be addressed in its respective process in a single hearing. A student may be found

Responsible for all violations, Not Responsible for all violations, or Responsible for some violations and Not Responsible for other violations regarding a single case or incident.

Privacy. In accordance with the Family Educational Rights and Privacy Act (FERPA), information disclosed during these proceedings will remain private unless there is an educational need to disclose it to others within the College (e.g., Residence Life Office in the case of a housing relocation), or required by law (for example, in response to a lawfully issued subpoena or court order).

Standard of Evidence. In determining whether or not a respondent is responsible for the charged violation(s), the hearing body will apply the preponderance of the evidence standard. In other words, the hearing body will consider the greater weight of the credible evidence to determine whether the policy violation occurred, and must find the alleged violation is more likely to be true than untrue in order to find a violation of the policy.

Burden of Proof. In all Code of Responsibility and Honor Code hearings, accountability conferences, and mutual resolutions, the College bears the responsibility for determining whether a violation of the Code has occurred, applying the College's established standard of evidence. Students are not required to prove their innocence; rather, the College must present sufficient evidence to support a finding of responsibility. In Honor Code proceedings, this burden rests with the Student Solicitors, and in Code of Responsibility proceedings, it rests with the accountability officer.

Time Extensions and Rescheduling. Any time period specified under the Code may be extended for good cause at the discretion of the Dean of Students Office, with written notice to affected parties. Any hearing or meeting described in the Code may be rescheduled for good cause at the discretion of the Dean of Students Office with written notice to affected parties.

Rights & Responsibilities

Respondent Rights and Responsibilities

Any student (a "Respondent") alleged to have violated the Honor Code or the Code of Responsibility subject to student accountability proceedings before the Code of Responsibility Council or the Honor Council will be afforded the following rights:

- To be assumed not responsible unless and until proven otherwise by a preponderance of the evidence information standard;
- A prompt, fair, and impartial case resolution process, meaning a process that:
    - Is completed within reasonably prompt timeframes
    - Is conducted in a manner that is consistent with college policy
    - Includes timely notice of meetings at which the Respondent may be present
    - Provides timely access to information that will be used during the complaint resolution process
    - Is conducted by individuals who do not have a conflict of interest or bias for or against the Respondent
- To be informed in writing of the charges against them and given adequate time to prepare for their participation in the student accountability process;

- In referrals to the Honor Council, the right to the assistance of the Defense Advisors.
- To receive written notification of the result of the complaint resolution process (subject to any redactions required by federal law);
- To have an advisor present during any meetings or proceedings related to the student accountability process with the Dean of Students Office, the Honor Council, the Code of Responsibility Council, and the Review Board;
- To request relevant witnesses and ask questions of approved witnesses at hearings;
- An outcome based solely on information presented as part of the complaint resolution process;
- Preservation of privacy, to the extent possible and allowed by law; and
- The option to deny responsibility or decline to provide information about the alleged event. Denying responsibility or declining to provide information will not in itself subject the Respondent to an additional policy violation for lying. However, a Respondent who does not present honest information during a student accountability proceeding may be subjected to more severe outcomes for lying about the facts of an incident, or referred for a potential violation of the Code of Responsibility.

Any student (a "Respondent") alleged to have violated the Honor Code or the Code of Responsibility subject to proceedings before the Code of Responsibility Council or the Honor Council will be expected to hold the following responsibilities:

- To participate fully, honestly, and cooperatively in the student accountability process;
- To respond to communication from the Accountability Officer;
- To attend the scheduled Accountability Conference; and
- To complete any/all Accountability Plan action items by the assigned deadline.

Student Organization Rights and Responsibilities

Student organizations are afforded the same rights & responsibilities as a Respondent during the student accountability process.

Student organizations will be held responsible for the behavior of their members, be they current students, alumni, or guests, when their actions evolve from or are in any way related to their association with or activities of the organization. The organization is expected to maintain and secure appropriate standards on the part of its members and guests. As elected leaders, the organization's officers are responsible for ensuring appropriate conduct of all present at the function and are responsible for any incidents or events that occur directly or indirectly as a result of the event. The sponsoring organization(s) will be responsible for supplying risk management staff appropriate to attendance at the event.

Internal Student Organization Accountability Processes

This Code recognizes that each student organization may have their own process for addressing alleged misconduct of a member. If an accountability process dictated by local or national organization bylaws takes place, it is the responsibility of the President of the organization to inform the Director of Student Activities and their organization's advisor that these proceedings will take place. The organization is responsible for informing Student Activities staff of

the alleged violation, the determination of responsibility, and any membership, educational, or other outcome(s) associated with the case. Similarly, it is the responsibility of the organization to ensure the outcomes are completed.

Interim Actions

No Communication Order. In cases involving allegations of harassment, assault, physical injury, sexual harassment, sexual assault, dating violence, domestic violence, stalking, sexual exploitation and/or retaliation, or where there is reason to believe continued contact between a student and a specific person may interfere with that specific student's security, safety, or ability to participate in work or studies, the College may issue a No Communication Order to those students that prohibits them from having verbal, physical, written, and/or electronic contact, either directly or through a third party or other means, with each other for a definite or indefinite period of time.

All parties involved will receive written notice of the No Communication Order.

Any violation of a No Communication Order will be considered a violation of the Code of Responsibility and a risk to the health, safety, or welfare of the person whom the student is prohibited from contacting under the directive, and may result in the initiation of the student accountability process against the student.

Interim Restriction. When the Dean of Students Office has reasonable cause to believe that the continued presence of a Respondent (student or student organization) on certain College-controlled property or at certain College-affiliated activities poses a risk to the health, safety, or welfare of others or to property or poses a risk of disruption of or interference with the normal operations of the College, the Dean of Students Office may impose an interim restriction on the Respondent prior to the resolution of the allegations of the Code violation(s) against the Respondent in the student accountability process.

Examples of Interim Restrictions include, without limitation, restrictions on the Respondent's privileges to participate in College-affiliated activities, restrictions on the Respondent's privileges to access certain College-controlled property, and the Respondent's interim removal and/or reassignment from College-controlled housing.

The Respondent will receive written notice of the Interim Restriction and the basis for the Interim Restriction. Unless otherwise determined by the Dean of Students Officer, the Interim Restriction will remain in effect until the conclusion of the student accountability process.

If the Respondent wishes to contest the Interim Restriction, the Respondent must request in writing to meet with the Vice President of Student Life & Dean of Students within three (3) business days of the effective date of the notice of Interim Restriction. Upon receipt of a timely request for a meeting, the Vice President of Student Life & Dean of Students (or their designee) will schedule a meeting with the Respondent at which the Respondent will be offered the opportunity to discuss the following issues only:

i. The reliability of the information concerning the Respondent's conduct on which the Interim Restriction was issued; and
ii. Whether the conduct and surrounding circumstances reasonably indicate that the Respondent's continued presence on certain College-controlled property or at certain College-affiliated activities poses

a risk to the health, safety, or welfare of others or to property, or a risk to the disruption or interference with the normal operations of the College.

At the conclusion of the meeting, the Vice President of Student Life & Dean of Students (or their designee) may remove, modify, or maintain the Interim Restriction and will notify the Respondent of their decision in writing.

Violations of the terms of an Interim Restriction may result in the initiation of the student accountability process and/or additional interim actions against the Respondent, and the Respondent may be trespassed from College-controlled property.

Interim Suspension. When the College has reason to believe that the continued presence of a Respondent (student or student organization) on College-controlled property or at College-affiliated activities poses a significant risk of substantial harm to the health or safety of others or to property or poses an ongoing imminent threat of disruption or interference with the normal operations of the College, the Dean of Students Office may impose an Interim Suspension on the Respondent prior to the resolution of the allegation(s) of the Code of Responsibility against the Respondent in the student accountability process.

If the Respondent wishes to contest the Interim Suspension, the Respondent must request in writing to meet with the Vice President of Student Life & Dean of Students within three (3) business days of the effective date of the notice of Interim Suspension. Upon receipt of a timely request for a meeting, the Vice President of Student Life & Dean of Students (or their designee) will schedule a meeting with the Respondent at which the Respondent will be offered the opportunity to discuss the following issues only:

i. The reliability of the information concerning the Respondent's conduct on which the Interim Restriction was issued; and
ii. Whether the conduct and surrounding circumstances reasonably indicate that the Respondent's continued presence on certain College-controlled property or at certain College-affiliated activities poses a risk to the health, safety, or welfare of others or to property, or a risk to the disruption or interference with the normal operations of the College.

At the conclusion of the meeting, the Vice President of Student Life & Dean of Students (or their designee) may remove, modify, or maintain the Interim Suspension and will notify the Respondent of their decision in writing.

Violations of the terms of an Interim Suspension may result in the initiation of the student accountability process and/or additional interim actions against the Respondent, and the Respondent may be trespassed from College-controlled property.

Extraordinary Disciplinary Powers of the President

Declaration of Emergency. The President of the College may declare a state of emergency in the event of disruption on the campus of an order which threatens the minimal security of the campus or the continuation of its normal educational processes. In doing so, the President may initially suspend the procedures outlined in Section 4 in whole or in part for a period of three (3) days at their sole discretion. Thereafter, the President may extend the suspension for additional periods not exceeding five (5) days after consultation with the Student Conduct Council. The initial declaration and any continuations will be publicized by all appropriate means.

Provisional Indefinite Suspension. During a declaration of emergency by the President of the College, the President may on their sole initiative provisionally suspend, for an indefinite period, any student whose continued presence on campus is judged by them to constitute a specific and immediate threat to the physical wellbeing of other members of the College community or to the continuation of its normal educational processes. The student may, in writing, petition the Review Board to end the suspension. Such a petition may be no sooner than three (3) days after the provisional suspension was enacted. If the student is not reinstated by the Review Board, the student may only be reinstated through the normal procedures for re-admission to the College.

Section 10: Accountability Plans

Accountability plans are developmental tools that enable the College to respond to student's documented misconduct in appropriate and restorative ways. They may be educational or disciplinary in nature.

A responsible outcome (whether the respondent is found responsible by a hearing body or accepted responsibility through a mutual resolution agreement), will result in an accountability plan for the respondent.

Accountability plans may be created as an outcome of: a Warning Letter (non-disciplinary), a Restorative Conference (non-disciplinary); Medical Amnesty (non-disciplinary); Mutual Resolution Agreement (disciplinary); or Code of Responsibility Council Hearing (disciplinary).

Accountability Plans provide the official institutional response to violation(s) of the Code of Responsibility, Honor Code and/or Residence Life Office Policies and Procedures. Accountability Plans should, therefore, be tailored to the conduct for which the student has been found responsible as well as the perceived educational, restorative, and accountability needs for students going through the accountability process. Accountability Plans may include Community Statuses, Action Items, or a combination of both.

Accountability plans are progressive; meaning, first time violations typically will be less severe than second or third time violations, with the exception of egregious or severe first-time violations. For example, a first time violation of the alcohol policy may result in a warning, an online assessment, and a reflective activity. A second time violation of the alcohol policy may result in probationary status, an online "refresher" assessment, and an impact on future/wellbeing activity. A third time violation of the alcohol policy may result in extended probationary status, a substance abuse assessment, and a reflective activity.

While points of reference have been established to provide for consistency between various Accountability Officers and incident types, all Accountability Officers are encouraged to use their discretion in determining which sanctions best reflect the incident and respondent's holistic needs.

The following factors may be considered while creating an Accountability Plan:

- The circumstances surrounding and the severity of the violation;
- Whether minimum sanction(s) are already established for the violation;
- Any prior conduct history of the student;
- Whether the Respondent was cooperative and honest during the incident and throughout the investigation process;
- The level of risk to the college community; and

- Any other aggravating, mitigating, or relevant factors

Community Statuses

Violations of the student codes may result in one or more community statuses. When determining whether a community status is appropriate, the hearing body will consider the nature of the incident and its context as well as any prior disciplinary findings. Violation of any community status or action items will warrant a review by the Dean of Students Office and may result in referring the matter to a Code of Responsibility Council Hearing.

Accountability Probation. A defined period of time in which a student or student organization is given the opportunity to demonstrate the ability to abide by the College's expectations of behavior articulated in the Code. Students and student organizations on this community status are considered to not be in good standing with Davidson College. Any further violation of the student codes may result in an extension of this status, elevation to Social Probation status, or definite or indefinite suspension from the College. This status is commonly associated with high-level/egregious first-time violations and/or repeated violations of a less severe/egregious level.

Social Probation. A defined period of time in which a student or student organization is prohibited from engaging in the privileges of extra-curricular activities. Social probation may restrict a student or student organization from: hosting events or gatherings with or without alcohol, attending campus social events, attending Patterson Court functions sponsored on or off campus, participation in club, or intramural activities, attending sports events, and eating house, sorority, or fraternity activities. Scholar-athletes representing the college on varsity athletic teams who are placed on social probation by the Code of Responsibility Council or the Honor Council may be restricted from participating in team activities, practices, and/or competitions by the adjudicating accountability body as a consequence of being found responsible for the Code of Responsibility or Honor Code violation(s). Terms of social probation for each respondent will be outlined in an official outcome letter. Students and student organizations on this community status are considered to not be in good standing with Davidson College. Any further violation of the student codes may result in definite or indefinite suspension from the College. This status is commonly associated with repeated violations of the Code of Responsibility for violations including but not limited to: Alcohol, Drugs, Noise, Failure to Comply, Risk Management violations… etc related to partying/hosting.

Removal from Campus Housing. Termination of a student's housing contract due to egregious or repeated violations of the Code of Responsibility or other College policy. Failure to complete the proper check-out process with Residence Life Office may result in further consequences.

Restricted Campus Access. A specified period of time that a student or student organization is restricted from taking advantage of certain privileges, spaces, organizations or events related to the College. This may include the revocation of the privilege of Residential Community Access.

Definite Suspension. A specified period of time in which a student or student organization's status with the College is suspended. Such suspension prohibits attendance at any classes, presence on campus, forfeiture of all college-related privileges, and the termination of a student or student organization status for the specified period of time. At the completion of the suspension period, and if the student or student organization has met the terms of any Accountability Plan(s) and there is no further violation of the Code of Responsibility, Honor Code, or other college

policy, the student or student organization will be allowed to resume activity as a fully recognized student or student organization.

A definite suspension sanction for the Honor Code violation of cheating may include an F in the course involved with authorized withdrawals (W/A) in any other courses, regardless of the time in the term that the offense is committed, the hearing held, or any appeal decided. If a Code of Responsibility violation is not sanctioned until after the semester in which the violation occurred, and the sanction includes suspension for the semester in which the violation occurred, authorized withdrawals (W/A) will be assigned for all courses for that semester nullifying any earned grades.

A definite suspension typically begins immediately and the student shall leave campus within forty-eight hours after the conclusion of the disciplinary process. If the respondent appeals, the suspension shall be stayed pending the outcome of the appeal. However, if the suspension is upheld on appeal, the effect of the suspension shall be as of the date originally imposed. A suspended student shall not come on campus without the permission of the Dean of Students.

Indefinite Suspension. An undefined period of time in which a student or student organization's status with the College is suspended. Such suspension prohibits attendance at any classes, presence on campus, forfeiture of any college-related privileges, and the termination of a student or student organization status. In order to return, a student or student organization must: have met the terms of any Accountability Plan(s); have no further violation(s) of the Code of Responsibility, the Honor Code, or other college policy; and petition for readmission to the Dean of Students no sooner than one calendar year from the effective date of suspension. Readmission is considered, but not guaranteed.

An indefinite suspension sanction for the Honor Code violation of cheating may include an F in the course involved with authorized withdrawals (W/A) in any other courses, regardless of the time in the term that the offense is committed, the hearing held, or any appeal decided. If a Code of Responsibility violation is not sanctioned until after the semester in which the violation occurred, and the sanction includes suspension for the semester in which the violation occurred, authorized withdrawals (W/A) will be assigned for all courses for that semester nullifying any earned grades.

An indefinite suspension typically begins immediately and the student shall leave campus within forty-eight hours after the conclusion of the disciplinary process. If the respondent appeals, the suspension shall be stayed pending the outcome of the appeal. However, if the suspension is upheld on appeal, the effect of the suspension shall be as of the date originally imposed. A suspended student shall not come on campus without the permission of the Dean of Students.

Permanent Dismissal. Permanent dismissal is an official and permanent separation from the College. A student may be permanently dismissed from the College when:

- the violation of College policy is so egregious or severe that the College deems total and permanent dismissal from the College is appropriate or,
- the student violates College policy while on a probationary or suspension status or,
- the student exhibits blatant disregard for the (i) health, safety, and welfare of themself or other members of the College community or, (2) the College's right to establish rules of conduct.

A student who is permanently dismissed from the College:

- Loses all rights and privileges at the College;
- May not represent the College in any manner;
- Is indefinitely prohibited, without prior approval from the Dean or their designee, from entering upon all College-controlled property, including but not limited to: residence halls, College Union, athletic

facilities, dining halls, etc. Entering upon College-controlled property without prior approval from the Dean or their designee may result in criminal trespass charges against the student under the criminal laws of the State of North Carolina.
- Is permanently barred from re-enrolling at the College.

A permanent dismissal sanction for the Honor Code violation of cheating may include an F in the course involved with authorized withdrawals (W/A) in any other courses, regardless of the time in the term that the offense is committed, the hearing held, or any appeal decided. If a Code of Responsibility violation is not sanctioned until after the semester in which the violation occurred, and the sanction is a permanent dismissal, authorized withdrawals (W/A) will be assigned for all courses for that semester nullifying any earned grades.

A permanent dismissal typically begins immediately and the student shall leave campus within forty-eight hours after the conclusion of the disciplinary process. If the respondent appeals, the dismissal shall be stayed pending the outcome of the appeal. However, if the dismissal is upheld on appeal, the effect of the dismissal shall be as of the date originally imposed. A dismissed student shall not come on campus without the permission of the Dean of Students.

Students who are removed from campus housing, suspended or permanently dismissed will not receive a refund from the College.

Action Items

The following objectives are fundamental to the creation of each Accountability Plan. Students may be assigned more than one outcome in each category for a single violation.

Administrative: meant to provide accountability to a student for a violation of college policy. Administrative outcomes may result in a change in a student's status with the College. Examples of administrative outcomes include:

- Warning: Written notice given to draw attention to the fact that a student or student organization's behavior was not in accordance with College policy. Subsequent policy violations will prompt consideration for a community status.
- Grade Change on Assignment: Students will receive a grade change on the assignment(s) affiliated with their Honor Code case. Grade change outcomes are appealable to the Review Board but are not subject to review from the course instructor or the academic grade appeal process.
- Grade Change in Course: Students will receive a grade change in the course affiliated with their Honor Code case. A student may not designate a course Pass/Fail if a final grade of "F" has been assigned as the result of this outcome. Grade change outcomes are appealable to the Review Board but are not subject to review from the course instructor or the academic grade appeal process.
- Parent/Guardian Notification Letter: Under circumstances permitted by FERPA, parent(s)/guardian(s) of a student may be notified when a student under the age of 21 is in violation of the alcohol and other drug policy and/or is placed on any form of suspension or dismissed from the college. Notification to parent(s)/guardian(s) is made by letter typically within 30 days of the resolution of an incident. Notification letters are general in nature and do not include specific information about an incident, its resolution, or any sanctions that may have been issued.
- Restitution: Students will be required to pay a monetary amount to cover costs associated with repair or replacement of property lost, stolen, or damaged by the student. If the student is required to pay restitution to the College, their student account will be billed the agreed upon amount. If the student is required to

pay restitution to another student, the Dean of Students Office and Business Services will coordinate appropriate payment methods.

Educational: designed to influence responsible judgment and increase knowledge of why certain policies are in place or a specific topic or issue. Examples include:

- Alcohol and Other Drugs Online Workshop;
- Campus Office Referral;
- Follow Up Meetings;
- Research Paper on Specific Topic;
- Resubmission of Assignment/Exam;
- Any other outcome appropriate to the violation.

Reflective: meant to encourage students to reflect on their personal choices and gain the perspective(s) of others. Examples include:

- Alcohol and Other Drugs Interview Project;
- Reflective Paper on topic specific to circumstance and policy violation(s);
- Davidson College Staff Person Interview Project;
- College Service;
- Fire Safety Reflective Paper;
- Any other outcome appropriate to the violation.

Impact on Personal Well-being and Future: designed to require students to focus on their wellbeing. Students are encouraged to explore campus resources that will support their success as members of the college community and beyond. Students may be encouraged to contact resources outside of the college community based on the scope of their need. Examples include

- Designated Sober Weekend;
- SMART Goal and Action Plan;
- Future Employer/Graduate School Interview;
- Goals to Graduation;
- Any other outcome appropriate to the violation.

Section 11: Appeals

Grounds for Appeal. Respondent can appeal the decision of the Honor Council or Code of Responsibility Council on the following grounds:

1. Procedural irregularity that had a material impact on the outcome of the Honor Code or Code of Responsibility Process; or

2. The sanction is substantially disproportionate to the seriousness of the violation.

Filing an Appeal. Appeals must be filed with the Vice President of Student Life & Dean of Students within five (5) days of receiving the written Notice of Outcome. Appeals are made in writing and must state in detail the reasons for the appeal. Appeals shall not exceed five (5) pages. A copy of the formal Notice of Outcome should be attached.

Upon receipt of a written appeal, the Vice President of Student Life & Dean of Students will forward the appeal and the record on appeal to the Chair of the Review Board. The record on appeal comprises all materials reviewed by the Honor Council or Code of Responsibility Council, the record of the hearing, and the Notice of Outcome. Upon request, the Dean of Students Office will provide an opportunity for Respondents to access the record on appeal. Respondents may not make copies or take photographs of the information.

Appeal Procedures. Appeals are heard by the Review Board. The Review Board consists of three (3) faculty members, two (2) students, and a staff member designated by the Vice President of Student Life & Dean of Students to serve as the chair. The faculty members are selected for staggered three-year terms by the faculty according to the procedure set up for faculty committee membership, One junior will be elected each year to serve for two (2) years. The chair shall preside over any meeting of the Review Board but shall not have a vote in the Review Board's deliberations. While five (5) voting members present are preferred, three (3) voting members, including at least one (1) student member of the Review Board constitute a quorum for hearing and determination of appeals.

The Review Board ordinarily will decide within five (5) days of receiving the appeal and record on appeal whether the appeal states sufficient grounds to be considered. If it does not, the Review Board will dismiss the appeal. If the Review Board finds the appeal states sufficient grounds, the Review Board will invite the Chair of the Honor Council or Code of Responsibility Council to submit a written response not to exceed five (5) pages and provide that Chair access to the appeal and record on appeal. The Review Board may, in the Review Board's discretion, request additional documentation related to alleged procedural errors to accompany the written response. Upon request, the Dean of Students Office will provide an opportunity for Respondents to access the written response and any additional documentation submitted by the Chair of the Honor Council or Code of Responsibility Council. Respondents may not make copies or take photographs of the information.

The Review Board may, in the Review Board's discretion, choose to call a conference with the Respondent before making a decision on appeal. In that event, the Dean of Students Office will schedule the Review Board conference.

The Vice Chair of the Honor Council will be present with the Review Board without vote when there is a conference on an appeal from the Honor Council. If the Vice Chair of the Honor Council is unavailable, then the Chair of the Honor Council will designate a member of the panel which heard the case to be present. The Chair of the Code of Responsibility Council hearing will be present with the Review Board without vote when there is a conference on an appeal from the Code of Responsibility Council. If the Chair of the hearing is unavailable, a transcript or equivalent of the hearing will be available for review.

Determination of the Appeal. The Review Board will hear an appeal based solely on the grounds stated in the filed appeal, the record on appeal, the written response, and additional documentation of procedural error, if any. It will not receive any new evidence. It will, however, be permitted to consider oral arguments at the appeal conference. The Review Board will not substitute their own judgment for that of the Honor Council or Code of Responsibility Council.

The Review Board will reach a decision by majority vote in executive conference of all those sitting on the appeal. Decisions will ordinarily be rendered within fifteen (15) days after receipt of the record of appeal.

A written Notice of Outcome will be given by the Review Board to the respondent no later than two (2) business days after a decision is reached. The Review Board shall also prepare a written summary of its proceedings. The summary shall be available to the President of the College in the case of a subsequent appeal.

Actions Available on Appeal. The Review Board may:

1. Uphold the determination of the Honor Council or Code of Responsibility Council;

2. Adjust the sanction(s) to one(s) deemed more appropriate than those imposed;

3. Remand the matter where a procedural irregularity could be corrected by the Honor Council or Code of Responsibility Council.

Finality of Action of Review Board. The action of the Review Board is finally dispositive of the disciplinary proceeding, except in cases of remand, and except for the right of respondent to appeal to the President in cases where the Review Board affirms the imposition of an indefinite or definite suspension.

Appeal to the President. In cases where the Review Board affirms the imposition of an indefinite or definite suspension, respondents may appeal the imposition of the sanction to the President of the College. Notice of Appeal must be given in writing to the President and the Chair of the Review Board within five (5) days after receipt of the Review Board's Notice of Outcome. Review is solely on the record on appeal before the Review Board, plus materials reviewed or prepared by the Review Board. The President may, in conference with the respondent, hear and consider oral argument. Review by the President is confined solely to the question of the appropriateness of the sanction in total context. The President shall ordinarily reach a decision and give formal written Notice of Outcome within ten (10) days after receiving the Notice of Appeal. The President may affirm the decision of the Review Board or reduce the sanction to one deemed more appropriate. The action of the President is finally dispositive of the disciplinary proceedings.

Stay of Sanctions Pending Appeals. When an appeal is filed, sanctions are stayed until the matter has been finally disposed of within these procedures; provided, however, that: a) If a sanction of suspension is appealed, the Respondent is restricted during the appeal period to academic involvements only. Thus, the continuation of participation in privileged or extra-curricular activities is not permitted during the appeals process. A reversal of the sanction of suspension on appeal may allow for reinstatement at the discretion of the Review Board; b). If a sanction of suspension is appealed and the sanction is upheld, the effect of the suspension shall be as of the date imposed by the Honor Council or Code of Responsibility Council; c) If a sanction including a Community Status is appealed and the sanction is upheld, the term of that status shall begin when the appeal concludes.

Section 12: Student Record Keeping & Reporting

Types of Records

The Dean of Students Office maintains two categories of student records: (1) student interaction records; and (2) student conduct records. Both student interaction records and student conduct records are kept separate from student

academic records maintained by the college Registrar. Student conduct records are not notated on a student's academic transcript.

Student Conduct Record

A student has a student conduct record if: (1) they accept responsibility or are found responsible for a violation of the Code of Responsibility, the Honor Code, or the Sexual Misconduct Policy (and such finding is not overturned on appeal); or (2) they are suspended or dismissed from the college, regardless of whether they agreed to accept the sanction through a mutual resolution conference.

Student Interaction Record

All other records maintained by the Dean of Students Office are student interaction records. These include but are not limited to: CARE Referrals, Residence Life Policy cases, and reports of information that do not result in a formal complaint or investigation.

Student Accessibility

Students have the right to physically review their own student records in the presence of a designated college official and during regular business hours by appointment. Students are not entitled to review records that contain personally identifiable information of others. Therefore, if a request is approved, records will be redacted (e.g., crossed-out or blacked-out) in compliance with FERPA and general protections of privacy.

Requests to access and review records must be submitted in writing by emailing deanofstudents@davidson.edu. The Dean of Students Office may comply with the request within a reasonable amount of time, not to exceed 45 days after receipt of the request. Students will be notified of the date, time, and location of their appointment and are required to present appropriate identification and verification before reviewing their record. At no time will original records be removed from the office. The Dean of Students Office will not accept requests over the phone and will only communicate with students through their Davidson email address.

Reporting of Student Records

Internal Disclosure

Student records are kept confidential and are not disclosed to college employees outside of the Dean of Students Office except as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations. Exceptions include but are not limited to:

1. The Dean of Students Office may share student records with Davidson College employees or contractors who need access to the information to fulfill their college-related responsibilities, in compliance with the FERPA provision that allows disclosure of student records to school officials with a legitimate educational interest.

2. The Dean of Students Office may share information from a student's conduct record upon receiving a request from a college employee and written consent from the student. Examples include but are not limited to: study

abroad programs reviewing a student's eligibility for study abroad; scholarship review committees; and departments seeking student employees.

3. Previous student conduct records of the Respondent are made available to the Honor Council (with the exception of the Student Solicitors and the Defense Advisors who are made aware of prior violations of the Honor Code by a Respondent at the notice of the alleged violation), the Code of Responsibility Council, the Sexual Misconduct Hearing Officer at the beginning of the hearing proceedings. This practice allows board members and hearing officers to attempt to fairly fit the sanction to the violation seen in the total context of the student's behavior at Davidson College.

External Disclosure

Student records are kept confidential and are not disclosed to third parties except as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations. Exceptions include but are not limited to:

1. Davidson College will disclose information from a student record to a third party with written authorization of the student. If a student provides written consent for disclosure of a student conduct record to a third party, the following information is subject to disclosure:

    - The Code of Responsibility, Honor Code, or Sexual Misconduct policy for which the student accepted responsibility or was found Responsible;
    - The date of the incident;
    - The date when the student was found responsible for a violation;
    - The method of which the student was found responsible for a violation;
    - Sanction(s) assigned;
    - Sanction(s) completion status; and
    - Whether the student is in good standing with the College.

    Additionally, if a student has a pending disciplinary matter or an active Accountability Plan that has not been completed and provides written consent for disclosure of a student conduct record to a third party, the fact that the student is not currently in good standing with the College will be disclosed.

2. Under the guidelines of FERPA (as amended), the Dean of Students Office does not require student consent to notify parents, legal guardians, or families, when students under the age of 21, are found responsible for violating the college's policies for alcohol and drugs. Students are encouraged to maintain an ongoing, open dialogue with parents and families about their academic progress and personal development. Parental notifications are intended for students and families to have honest conversations about these issues and how their behavior can have an impact on their student's success and experience at Davidson College.

Stop Campus Hazing Act Statement

Davidson College is committed to promoting an environment on campus where all members of our community can learn, work, and live free from physical or psychological injury incurred during recruitment, initiation processes, and participation in a student organization, club, or athletics team.

Therefore, Davidson College prohibits hazing and works to prevent and address all incidents of hazing involving members of the campus community.

In accordance with the Stop Campus Hazing Act, an amendment to the Jeanne Clery Campus Safety Act, Davidson will:

- compile hazing statistics for the Annual Security and Fire Safety Report.
- publish and regularly update a Campus Hazing Transparency report.
- provide hazing prevention awareness programming.

This transparency report will include information about college-recognized student organizations that have been found responsible for violating the Code of Responsibility related to hazing. The information collection will begin on July 1, 2025. Any documented violations prior to this date will not be published.

Periodic Destruction

Student records are maintained (e.g. student interaction records and student conduct records) for a minimum of seven (7) years following the date of the resolution. Student conduct records that do not include suspension or dismissal outcomes are destroyed after seven years. This destruction process occurs on an annual basis in accordance with the summer break on the academic calendar, typically in July. Records with definite or indefinite suspension outcomes and permanent dismissals are maintained indefinitely.

Section 13: Title IX Policy, Procedures and Information for Addressing Sex Discrimination, Sexual Misconduct, Dating and Domestic Violence, and Stalking

https://www.davidson.edu/offices-and-services/dean-students/sexual-misconduct/policy-procedures

Section 14: Residence Life Policies and Procedures

https://www.davidson.edu/offices-and-services/residence-life/policies-and-procedures

Section 15: Patterson Court Community Guidelines

Risk Management Guidelines