

POLICIES

Policies

Adherence to University Policies

All Divinity School students are held to all policies of the University of Chicago and the Divinity School. The Student Manual (<https://studentmanual.uchicago.edu/>) is the official statement of University policies and regulations and expected standards of student conduct that are applicable to all students. Any student conduct, on or off campus, of individuals or groups, that threatens or violates this commitment may become a matter for action within the University's system of student discipline. Students should read and become familiar with the expectations outlined in the Student Manual (<https://studentmanual.uchicago.edu/>).

The University may place a student on an involuntary leave when the area Dean of Students (or designee) determines, after conducting an individualized assessment, that: (1) there is a reasonable basis to believe the student has engaged, or threatened to engage, in conduct that has caused or is likely to cause serious disruption to the learning, extra-curricular and/or living activities of members of the community or others, including by impeding the rightful activities of others; and/or (2) the student is unable to function as a student; and/or (3) the student's continued presence on campus poses a serious threat to the physical safety of any person or property.

Admissions Review System

The Divinity School's Admissions Committees (Masters and Doctoral) have the authority to defer or revoke admissions before matriculation to the School. Admission may be deferred or revoked for fraud, misrepresentation, material omission of fact, dishonesty, violation of University standards in the application for admission, violation of University academic standards, or any other pre-matriculation misconduct.

Generally, the person bringing the allegation of misconduct first will discuss the allegation with the Dean of Students. The Dean of Students will notify the admitted student of the alleged infraction, request a prompt written response to the allegation, and otherwise gather and review germane information. Based on the inquiry, the Dean of Students has the discretion and authority to dismiss the complaint, resolve the complaint administratively, or refer the complaint to the area Admission Review Committee.

If convened, the area Admission Review Committee will examine expeditiously the facts related to the allegation and the response. At its discretion, the area Admission Review Committee may seek additional information from others with knowledge about the alleged misconduct and may ask the admitted student and/or others to answer specific questions or meet with the committee. The area Admission Review Committee will determine the appropriate institutional action and/or discipline, including but not limited to withdrawal of admission, deferral of matriculation, educational or training program, etc. Matriculation may be delayed so that the area Admission Review Committee may complete its investigation and make a decision.

The decision of the area Admission Review Committee is final and unreviewable within the University.

Records Maintenance

A student's education records are defined under the Family Educational Rights and Privacy Act (FERPA) of 1974 as including, subject to the limitations described in the Act, "records, files, documents, and other materials which (1) contain information directly related to a student; and (2) are maintained by an institution or by a party acting for such institution." At the University, a student's education records are often maintained in a number of offices: the Office of the Dean of Students in the student's academic unit, the student's department (if the student is a graduate divisional student), and other offices across campus. A student's official academic record is maintained indefinitely in the Office of the University Registrar. A student's official admissions record is maintained in the Office of Graduate Admissions.

For student records, the Divinity School's retention policy is as follows:

§ Academic Records (transcripts are permanent)- 5 years

§ Discipline Records- 5 years from the last incident, permanent if involves suspension or expulsion

§ Student Affairs- 6 years

§ Disability Accommodation Records- 7 years

Policies governing the maintenance, review, and ultimate disposition of students' education are governed by the University record retention policy. (https://finserv.uchicago.edu/support/policies/2700/2708_records.shtml/) Students' rights to review their educational records are governed by the University Inspection and Review of Education Records (<https://studentmanual.uchicago.edu/administrative-policies/student-education-records-and-directory-information/inspection-and-review-of-education-records/>) policy.

Divinity School Leave of Absence Policy

The Divinity School recognizes that there may be times when students need to interrupt their academic program and pursue a voluntary leave of absence. Students should consult the Dean of Students, who will help them determine whether a voluntary leave of absence is appropriate. All leaves of absence must be approved by the Dean of Students in advance of the student's break in their studies.

Students who are approved for a voluntary leave of absence may qualify for a full or partial tuition refund according to the schedule published by the Office of the Bursar (<https://bursar.uchicago.edu/tuition-and-fees/>).

Availability of student health insurance (U-SHIP) during a leave of absence will be governed by the student health insurance policies at the time the leave is taken. Other University privileges, facilities, and services are not available to students on leaves of absence unless otherwise indicated. Students on a voluntary leave of absence cannot hold work-study or maintain University student employment positions.

Types of Leave

Students may apply for a personal leave of absence for any reason. Students may be approved for a personal leave of absence for up to four consecutive academic quarters.

Students may apply for a medical leave of absence if temporarily unable to continue in their program due to illness or injury. A student may be approved for a medical leave of absence for up to four academic quarters.

A student who becomes a parent during their program may request a one-quarter Parental Relief Leave of Absence to care for the new child, and pregnant students for whom it is medically necessary may request a Parental Relief Leave of Absence during pregnancy. Such leaves may be granted by the Dean of Students. Students are still eligible for University privileges during a Parental Leave of Absence. (For more information, refer to the Graduate Student Parent Policy.)

Students may apply for a military leave of absence to fulfill service in the armed forces. This includes students from countries outside the United States who leave for service in their country's armed forces.

Doctoral students may apply for a curricular leave of absence to pursue another degree program that is integral to their course of study. The appropriateness, relevance, and length of time of the additional degree must be evaluated by the student's faculty advisor and Committee on Degrees through a Minor Petition (see Doctoral Student Handbook for more information.) Students may be approved for a curricular degree leave of absence for up to three years.

Involuntary Leave of Absence

The Dean of Students may withdraw any student in academic residence who does not register as required by the third week of the quarter. In unusual circumstances, the Dean of Students may place a student on an involuntary leave of absence for one quarter if the student has not registered as required by the third week of the quarter.

Leaves of absence do not extend the maximum registration period of 12 years for doctoral students who matriculated in the Ph.D program before Summer 2016. Leaves of absence stop the maximum registration period for doctoral students who matriculated into the Ph.D. program in the Summer 2016 quarter or later.

Leave of Absence status carries no tuition charges and confers no privileges such as registering for courses, accessing the libraries, borrowing money, deferring loans, access to health insurance, or the Student Health and Counseling Service unless the student is on a medical or parental leave of absence. Access to University e-mail accounts is maintained in Leave of Absence status. Students who do not return from the Leave of Absence in the quarter following the approved leave will be withdrawn from the program.

Divinity School Academic Grievance

"The University of Chicago is a community of scholars dedicated to research, academic excellence, and the pursuit and cultivation of learning in an environment where the free and open expression of ideas and critical questions are paramount. Every member of the University- student, faculty, and staff- make a commitment to strive for personal and academic integrity; to treat others with dignity and respect; to honor the rights and property of others; to take responsibility for individual and group behavior; and to act as a responsible citizen in a free academic community." (from the Student Manual (<https://studentmanual.uchicago.edu/>))

The University of Chicago Divinity School is committed to the highest ideals of our academic community. Respect, civility, and professionalism are essential to the Divinity School's mission of advancing the academic study of religion and preparing students for careers in research, teaching, and public religious leadership. All Divinity School academic appointees and staff are responsible for creating and maintaining a learning environment in which every student can maximize their potential. The purpose of this policy is to ensure that Divinity School students have a means and opportunity to resolve complaints alleging abuse of authority.

Policy Basis and Application

This policy establishes a process by which currently enrolled graduate degree-seeking or graduate non-degree visiting students in the Divinity School and those on an approved leave of absence can file a formal grievance alleging abuse of authority by faculty, other academic appointees, postdoctoral researchers, or staff.

The policy also offers options for resolution through informal means and information about offices and individuals who can support students in resolving conflicts or addressing concerns. Informal resolution is available to all students and should be the first recourse for addressing all conflicts, concerns, or complaints. A student concern does not have to involve allegations of abuse of authority for it to be resolved through informal methods. Likewise, complaints that do involve allegations of abuse of authority can often be addressed informally without needing to go through a formal grievance process. Absent exceptional circumstances, the Divinity School requires that students attempt informal resolution before proceeding to file a formal grievance and will support students in these attempts.

In the case where a Divinity student has a potential grievance alleging abuse of authority by someone outside of the Divinity School, students should follow the grievance policy of the Divinity School. In extraordinary circumstances, students may request that a grievance case be handled by the Office of the Provost. If a student wishes to submit a grievance case to the Provost's Office, they must provide supporting rationale for why their case cannot be fairly heard within the Divinity School. Please consult the University Grievance Policy for Graduate Students (<https://studentmanual.uchicago.edu/university-policies/graduate-student-grievance-policy/>) for more information.

Complaints or Disputes about Grades and Academic Evaluations

This policy does not apply to course grades. Faculty have the authority and the responsibility to assess the academic performance of students enrolled in their classes. Only the instructor who gave the course, examination, or evaluation has the authority to change the assessment of the student's performance. Similarly, the evaluation of academic progress and standing in the program is the prerogative of the Divinity School faculty as outlined in the Divinity School Announcements (<http://divinityannouncements.uchicago.edu/>) and Doctoral Student Handbook (<https://divinity.uchicago.edu/our-community/current-students/phd-handbook/>).

Learning how to communicate with instructors and other faculty about confusion or concern around fairness in grading and evaluation is an important skill, and students may respectfully request explanations of grading decisions and feedback about how performance can be improved. If a student feels that a grade has been assigned unfairly or improperly, they should discuss their concerns with the instructor directly, consult with faculty program directors, or bring concerns to and seek advice from the Dean of Students. The Divinity School does not have a formal grade appeal process.

A grade dispute or complaints about other academic evaluations may be evidence in support of a formal grievance but these complaints cannot constitute a formal grievance on their own.

Other Complaints

Allegations of sexual harassment, misconduct, and unlawful discrimination are addressed exclusively under the University's Policy on Harassment, Discrimination, and Sexual Misconduct (<https://studentmanual.uchicago.edu/university-policies/university-of-chicago-policy-on-harassment-discrimination-and-sexual-misconduct/>) and Policy on Title IX Sexual Harassment (<https://titleixpolicy.uchicago.edu/>). More information about these policies and options for reporting and support is available through the Office of Equal Opportunity Programs (<https://equalopportunityprograms.uchicago.edu/>).

Complaints about student conduct involving possible violation of University policies and regulations and other breaches of standards of behavior should always be brought to the attention of the Dean of Students. For more information, please see University Disciplinary Systems (<https://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems/>) and Disciplinary System for Disruptive Conduct (<https://studentmanual.uchicago.edu/student-life-conduct/university-disciplinary-systems/disciplinary-system-for-disruptive-conduct/>).

Allegations of academic fraud (e.g. plagiarism; fabrication or falsification of evidence, data, or results; the suppression of relevant evidence or data; the conscious misrepresentation of sources; the theft of ideas; or the intentional misappropriation of the research work or data of others) should also be brought forward following procedures established in the University's Policy on Academic Fraud (<https://uchicago.app.box.com/s/k48dxzr8ouyqta01gqi58q04yv9hovx/>).

Issues related to the conduct of members of the University of Chicago Police Department should always be directed to the University's Safety & Security Complaint Process (https://safety-security.uchicago.edu/police/contact_the_ucpd/complaint_process/).

Statement of Non-Retaliation

All

members of the community should be able to bring forward conflicts, concerns, and possible grievances in a respectful environment and are expected to do so in good faith. The University of Chicago prohibits retaliation

against any person who exercises any rights or responsibilities under this policy. Any act of retaliation may be a separate violation of this policy.

Time Limit

There is no time limit on filing a grievance, though a grievance may only be filed by a current student or a student on an approved leave of absence. Students are encouraged to file a grievance as soon as is practicable as it maximizes the University's ability to respond promptly and effectively. Delayed reporting often results in the loss of relevant information or documentation, and/or in faded and unreliable memories; it also impairs the University's ability to interview individuals with knowledge of the case, assess information, and, if appropriate, review and resolve complaints.

Abuse of Authority

Abuse of authority is the arbitrary or capricious exercise of authority for purposes inconsistent with the University's educational and research mission. Expression occurring in an academic, educational, or research context is considered a special case and is broadly protected by academic freedom. Such expression will not constitute an abuse of authority unless (in addition to satisfying the above definition) it is targeted at a specific person or persons and serves no bona fide academic purpose.

Identifying abuses of authority can be challenging, and it is important that students with concerns confer with any of the individuals noted in the Informal Resolution section to discuss their unique situations and options for resolution. Some examples of clearly abusive behavior can, however, provide helpful guidelines. That a student receives a lower-than-expected score on an exam, for instance, does not by itself constitute clear evidence of abuse of authority. If a lower-than-expected score appears, though, to have been given in response to extenuating circumstances — if the student had, for example, invariably earned high marks during a time spent assisting the instructor by running personal errands, and then received the lower-than-expected score after informing the instructor that they can no longer render such assistance — it may represent an abuse of authority. To consider a different sort of case, it is not necessarily an abuse of authority for an instructor, contesting a claim made by a student during class, to correct the student in front of the entire class; if this is done belittlingly, however — if the instructor comments, for example, that the student should not have been admitted to the PhD program — it may be an abuse of authority.

Informal Resolution

The Divinity School seeks to maintain a professional learning environment, and a core aspect of professionalism includes learning to resolve disagreements in a collegial and respectful manner. For this reason, all community members are expected to make a good-faith effort to address conflicts or concerns through informal methods, some of which are articulated below. For this reason, all community members are expected to make a good-faith effort to resolve any conflicts directly. Further, before filing a formal grievance under this policy, a student must first demonstrate that they have attempted to resolve the matter informally with the person responsible for the action or decision being grieved, and/or that person's supervisor (or higher administrative authority), or both persons.

Students may solicit counsel from their faculty advisor, program director, and/or Dean of Students to resolve a complaint using an informal process. Students may also bring concerns to the Divinity Student Association (DSA) (<https://dsauchicago.org/>), who can bring student concerns to the Divinity School administrative leadership.

Students may also seek support outside the Divinity School. The following campus resources can assist students with concerns:

- **Student Ombuds Office**
serves as a peer resource to assist in the resolution of conflicts, concerns, and other problems that they may encounter through the course of University life. They provide individual consultation and write reports (<https://ombudsperson.uchicago.edu/annual-reports/>) to the campus community identifying recurring student concerns.
- **The Associate Director for Graduate Student Affairs** (<https://grad.uchicago.edu/academic-support/grievance-policy-and-resources/>) at UChicagoGRAD is an administrator who serves as a campus-wide resource for students on issues around grievance policy and procedures. The Associate Director can meet with students to discuss their unique situations and provide information about options for resolution. The Associate Director also works to provide professional development workshops to improve mentorship and advising relationships and support constructive conversations around student concerns. Email gradgrievance@uchicago.edu for assistance.

Finding Support in Challenging Situations

Any conflict or difficulty in a student's academic life can negatively impact mental health and well-being. In addition to seeking advice and assistance from the offices and individuals above, the Divinity School strongly encourages students to seek support from the following university resources:

- Counselors at Student Wellness (<https://wellness.uchicago.edu/mental-health/>) are available to provide critical support services to students navigating all manner of challenges.
- Sounding Board (<https://grad.uchicago.edu/academic-support/>) is a resource for helping graduate students negotiate work/life balance issues, navigate relationships, and create strategies for having difficult conversations with peers, faculty, and others.
- Students may also find support from the advisers and programs available through the Office of Spiritual Life (<https://spirit.uchicago.edu/resources/>).
- Student Wellness's Health Promotion (<https://wellness.uchicago.edu/healthy-living/>) office provides a range of services and programming to support students in managing stress and leading balanced and healthy lives.

Methods for Approaching Resolution

As students seek out advice and support for approaching conflict and concerns, they should consider the following methods for addressing their situation. This is not a complete list of strategies, rather it can be a starting point in thinking through ways to approach resolution depending on the individual situation and needs of the student.

Shuttle Diplomacy

Faculty program directors and the Dean/Associate Dean of Students can assist in resolution by speaking with the individual or individuals with whom there is conflict. They can convey concerns on the student's behalf and report back about the conversation to the student.

Facilitated Conversation

Students experiencing conflict or any challenging interpersonal situation may benefit from requesting a facilitated conversation. Faculty program directors and the Dean/Associate Dean of Students can arrange a meeting to be attended by both the student and the individual or individuals with whom there is conflict to discuss the source of the conflict and collectively address possible solutions.

Reporting Options

A student may find themselves in a situation where they want to report a complaint or concern but do not wish to have their unique case acted upon. Reports of this kind can be made either directly to the Divinity School or the Office of the Provost. These reports can be used to identify potential instances of abuse or recurrent concerns.

Students wishing to make an informational report to the Divinity School should reach out to the Dean of Students to discuss the concern or complaint. Students should be aware that information about these reports may be shared with the student's department and other university officials without prior consent in the following situations:

- There is a concern about abuse or other possible misconduct that rises to the level of requiring immediate action.
- There is a concern about the student's or another person's health and safety.

Anonymous reports may be made directly to the Office of the Provost through the Abuse of Authority Report Form (https://cm.maxient.com/reportingform.php?UnivofChicago&layout_id=40). Anonymous reports will be reviewed by the Office of the Provost and shared with academic units and other university officials as appropriate.

Formal Resolution Process

While the informal resolution is available for students to address many conflicts and complaints, the formal resolution process is only applicable to instances where there is an allegation of abuse of authority and where attempts at informal resolution have been ineffective.

Timelines are specified for all stages in the formal grievance process.

If necessary, specific deadlines may be extended with notice to the student and respondent[s].

Students wishing to file a formal grievance are required to submit a complaint using this online form. (https://cm.maxient.com/reportingform.php?UnivofChicago&layout_id=42) The Dean (or their designee) will review all provided documentation and determine if:

- The case is appropriate for formal resolution under the grievance policy (i.e., it alleges that an abuse of authority occurred as defined above and is not covered by another policy); and
- The case has not been resolved by informal means.).

The Dean or designee will receive and review the complaint to determine if it meets the above-stated criteria for formal resolution. As part of this initial review, the Dean or designee may request a meeting with the student

to discuss the complaint. At this meeting, the student should be provided with supportive resources that might be applicable and helpful.

The student will receive written notification of whether the case meets the criteria for formal resolution within 30 calendar days of receipt of the formal grievance complaint.

If the Dean decides the complaint is appropriate for resolution, the respondent(s) will be provided with written notice and a copy of the complaint within seven calendar days of the notice to the student.

Grievance Review Committee

If a complaint meets the criteria for formal resolution, the Dean will convene a Grievance Review Committee to consider the case. The Committee is charged with reviewing all information about the case and making a recommendation to the Dean. The Grievance Review Committee will generally consist of three Divinity School faculty members, one Divinity School graduate student, and the Dean of Students of the Divinity School (or their designee). All members of the Committee are expected to operate in good faith and maintain confidentiality, independent judgment, and open-mindedness about the alleged grievance, free from material bias and conflicts of interest, or they should recuse themselves.

The student and respondent(s) will be notified of the composition of the Committee as soon as practicable before the Committee begins its review. Either party may request a substitution if the participation of any individual on the Committee poses a conflict of interest. Such requests must be made to the Dean within two business days of receiving notice of the Committee's convening and composition. Requests must identify with specificity the alleged nature of the conflict of interest. Using reasoned judgment, the Dean will decide whether the alleged conflict is genuine and material and, if so, whether it compels the Committee member's replacement.

The student and respondent(s) will be allowed to provide relevant documentation, provide names of relevant individuals, and meet with the committee or a designated representative of the committee. The Committee may designate a member or members to:

- Interview, as necessary, individuals who may have relevant knowledge.
- Collect materials, as necessary, including relevant documents.

Both the student and respondent(s) may bring a support person of their choice to any meeting conducted as part of the formal grievance process. However, the identity of the support person must be disclosed in advance of the meeting. If the support person is a lawyer, a representative of the University's Office of Legal Counsel may also attend the meeting. The support person does not function as an advocate or participate directly in any way during the meeting. Both the student and respondent(s) are expected to speak for themselves and submit their written statements.

The Committee will apply a preponderance of evidence standard in making its recommendation to the Dean. Namely, the Committee will decide whether, in consideration of all the information before it, it is more likely than not that abuse of authority occurred. If the Committee finds that abuse of authority has occurred, their recommendation will include potential outcomes to appropriately address the policy violation.

The Dean will consider the Committee's recommendations and make a final determination.

Potential Outcomes

Grievance processes and outcomes are intended to create a more respectful and inclusive university environment in which every student has the opportunity to maximize their potential, provide remedies for students in need of support, and facilitate productive conversations about challenging issues. In considering appropriate resolutions to grievance cases, the Divinity School will be guided by the principle that outcomes should focus on addressing harm to the student and preventing its recurrence.

The range of possible outcomes will vary according to the role of the individual found responsible for violating the policy and the severity of the violation. If any individual is found to have abused their authority as defined in this policy, at minimum the Dean and/or other supervisors will meet with the respondent to discuss the finding and expectations regarding future conduct, and a notation regarding the finding and expectations may be made in the personnel record. Other possible outcomes include, but are not limited to, required training, amendments to teaching and advising assignments, removal from leadership positions or committee assignments, ineligibility for annual pay increases, and referral to applicable processes if further action is recommended. Outcomes will be based on the specific nature of the conduct, the particulars of the situation, and a pattern of violations if such exists.

Notification of Outcome

The student and the respondent(s) shall be notified in writing of the Dean's decision no more than 90 calendar days after the case was initially submitted.

Notifications will also provide both parties with information about how to request a review of the outcome by the Office of the Provost under the Graduate Student Grievance Review Process (<https://>

studentmanual.uchicago.edu/university-policies/graduate-student-grievance-policy/graduate-student-grievance-review-process/).

Divinity School Area Disciplinary Process

In all instances, conduct involving possible violation of University policies and regulations and other breaches of standards of behavior expected of a student in the Divinity School should be brought promptly to the attention of the Dean of Students of the Divinity School.

Reports from University Police about student misconduct will routinely be brought to the Dean of Students for possible disciplinary action. Furthermore, the Dean of students may investigate and recommend disciplinary action based on reports from third parties of arrests, citations, or other conduct from external parties that come to the attention of the Dean of Students.

Such violation and breaches of standards include but are not limited to: plagiarism, cheating on examinations, falsifications of documents or records, theft, vandalism, violation of computing policies, violation of the alcohol and other drug policy, physical or verbal abuse which threatens or endangers the health or safety of others, violation of an administrative department's regulations, failure to comply with directives of University officials including the University Police, and violation of the terms of imposed disciplinary sanctions.

Generally, the person bringing the allegation of misconduct by a Divinity School first will discuss the allegation with the Dean of Students of the Divinity School (or their designee). The Dean of Students (or designee) will notify the accused student of the complaint via e-mail and, to the extent possible (based on the available facts), provide the student with a brief description of the reported behavior, the related policy and the name of the complainant. From the date of the e-mail, the respondent will generally have up to 5 business days to schedule a meeting with the Dean of Students (or designee) to discuss the reported behavior and the options for resolution.

The Dean of Students (or designee) will simultaneously conduct an inquiry into the facts, which may include but is not limited to interviews and obtaining written statements from pertinent other people. Based on the inquiry the Dean of Students has the discretion and authority to dismiss the complaint, or to (a) resolve the complaint informally with the parties, (b) to resolve the complaint administratively (without a hearing), or (c) to refer the complaint to the Dean of the Divinity School with a recommendation to convene an Area Disciplinary Committee.

Informal Resolution

If the area Dean of Students resolves an allegation of misconduct informally, the area Dean of Students may give the respondent an official warning and suspend specific student rights and privileges for a designated period of time. A copy of the written notice warning the respondent that they are violating or have violated University policies or regulations will be placed in the student's educational record and retained according to the retention policies delineated above (see the section on "Record Maintenance"). If the Dean of Students later finds that the student has engaged in additional misconduct, the Area Disciplinary Committee may be informed of the earlier warning. If the Area Disciplinary Committee is informed of the earlier warning the Committee must consider it in determining further sanctions.

Administrative Resolution

In situations where an individual student has acknowledged responsibility for misconduct and the most likely outcome for that misconduct would be a sanction of warning or disciplinary probation if the Area Disciplinary Committee were to be convened, the Dean of Students (or designee) may offer to resolve the allegation of misconduct administratively without referral to an Area Disciplinary Committee. In such matters, the Dean of Students can propose the sanction of an official warning or place the student on disciplinary probation for a specified period of time (e.g., a quarter, a year, for the duration of the student's enrollment, etc.). The student will be given the option to accept or reject this offer for resolution in writing. If the student rejects this offer for resolution, then the Dean of Students may refer the complaint to the Dean of the Divinity School with a recommendation to convene an Area Disciplinary Committee. If the student accepts the Dean of Students' offer for administrative resolution, the decision becomes final and unreviewable within the University, with one exception: If the Dean of Students later receives new information that materially changes their evaluation of the case, then the Dean of Students may withdraw the administrative resolution and refer the complaint to the Dean of the Divinity School with a recommendation to convene an Area Disciplinary Committee. If the Dean of Students later finds that the student has engaged in additional misconduct, the Area Disciplinary Committee may be informed of this resolution. If the Area Disciplinary Committee is informed of this resolution, the Committee must consider it in determining further sanctions.

Area Disciplinary Committee Resolution

If the Dean of Students refers the case to the Dean of the Divinity School with a recommendation to convene an Area Disciplinary Committee and the Dean decides that an Area Disciplinary Committee is to be convened, the Dean of Students will send written notification to the respondent and complainant (if applicable). The Dean of Students will ask the complainant to submit in writing the allegation as well as any available documentation

supporting the allegation. The Dean of Students will subsequently inform the respondent of the allegation, including the date, time and place of the alleged policy violation and, as applicable, a list of individuals allegedly involved in and/or affected by the student's actions; additionally, the Dean of Students will provide a copy of the Divinity School's disciplinary procedures and ask the student to prepare a written response to the accusation and provide any relevant exonerating materials. The respondent is expected to provide this written response within 5 business days. If there were witnesses to the alleged misconduct, the Dean of Students may ask pertinent witnesses to come before the disciplinary committee to answer questions and/or may ask witnesses to submit a written statement.

A complainant should make every effort to include in the complaint all germane facts known at that time and provide all available supporting materials. Normally, once a disciplinary committee is convened, the complaint will not be revised to include new or different allegations or supporting materials.

However, once a disciplinary committee is convened, the Dean of Students may decline to investigate, or recommend that the same disciplinary committee or another disciplinary committee should decide new or different allegations based on facts that were known or should have been known to the complainant at the time of the initial complaint, or that were discovered in the course of the investigation.

When a respondent makes a counter-complaint against a complainant, the Dean of Students may investigate the respondent's complaint at or about the same time the Dean of Students investigates the complainant's original complaint. The Dean of Students may decline to recommend that a disciplinary committee hear either complaint or both of the complaints. The Dean of Students also may recommend that both complaints be simultaneously heard by a single disciplinary committee or heard separately by the same or different disciplinary committees.

Pending the Divinity School Disciplinary Committee proceedings, the Dean of Students may impose an interim suspension or any other interim measure to ensure the safety and well-being of others or to ensure the respondent's own safety and well-being. The Dean of Students has the authority to inform the University Registrar not to release the academic record of the respondent's pending the outcome of the disciplinary proceedings.

Area Disciplinary Committee Procedures for Allegations of Misconduct by an Individual

The Dean of the Divinity School (or their designee) will appoint the members of the Divinity School Area Disciplinary Committee. All members of the Disciplinary Committee are expected to maintain independent judgment and open-mindedness about the alleged misconduct. The Disciplinary Committee consists minimally of three faculty members, one student, the Dean of Students of the Divinity School (or their designee), and a representative of Campus and Student Life. The latter two attend the Disciplinary Committee meeting in a non-voting, advisory capacity. The Area Disciplinary Committee may have as many as two student members of the Divinity School. Three faculty members, the Dean of Students (or their designee), and a representative of the Office of Campus and Student Life constitute a quorum. The Disciplinary Committee will meet as soon as practicable.

When a Divinity School Disciplinary Committee is convened, the respondent will be informed in writing of the alleged misconduct and the date, time, and place of the Divinity School Disciplinary Committee proceedings. The Divinity School Disciplinary Committee may convene before meeting to discuss procedural matters. If the respondent has been accused of misconduct before, the Dean of Students of the Divinity School may inform the Area Disciplinary Committee of the previous accusation, of pertinent information related to the previous accusation, and of any disciplinary action. In advance of the meeting, the respondent will be provided with a copy of all the written material furnished to the Disciplinary Committee. The respondent has 5 business days to submit an optional response statement (including any additional exonerating material beyond that already provided to the Area Disciplinary Committee).

The Disciplinary Committee will seek to reach a complete and fair understanding of the facts of the incident at issue. The chair of the Disciplinary Committee reminds all present that disciplinary proceedings are distinctly different from the legal-judicial processes of the general society; that the relation of collegiality and trust that binds all members of the University community entails an obligation of candor on the part of anyone involved in a disciplinary proceeding; that disciplinary proceedings and their outcome are to remain confidential. The chair then restates the allegation into which the Area Disciplinary Committee is inquiring to determine what may have happened and whether sanctions are to be imposed. The respondent may be asked to provide opening and closing statements in response to the allegation before the Area Disciplinary Committee and provide answers to the committee members' questions. If the proceedings involve multiple students accused of participation in the same misconduct, the respondents will each be heard separately and not in the presence of the other accused students. The Disciplinary Committee may also ask or summon the complainant and others to appear before the Committee to answer questions of the Disciplinary Committee. During the proceedings, if the Disciplinary Committee hears other individuals, the respondent may choose to be present when those individuals are heard. Only the Disciplinary Committee may ask questions of the respondent and others who appear before the Committee. If the respondent refuses to appear before the Area Disciplinary Committee, the Disciplinary Committee shall proceed without the respondent.

At the completion of the inquiry, all present who are not members of the Disciplinary Committee will be asked to leave while the Committee members deliberate on the allegation and inquiry, possible sanctions, and implications of those sanctions, and come to a decision.

The Disciplinary Committee decides, by majority vote and in consideration of all of the information before it, whether it is more likely than not that the respondent's conduct violated University policies and regulations, or breached standards of behavior expected of University students.

Disciplinary sanctions available to the Area Disciplinary Committee are set forth in the sections below.

When the Area Disciplinary Committee reaches its decision, the Dean of Students will inform the respondent as soon as practicable and will subsequently send a formal hearing outcome letter in which both the decision and the request for review process are delineated. The action of the Disciplinary Committee is reported to Campus and Student Life. Decisions of disciplinary suspension will be recorded on the student's transcript and will read "Not permitted to register from [Date] to [Date], [Name and Title of the Dean of Students in the University], [Date]." In cases of expulsion the notation will read "Permanently not permitted to register effective [Date], [Name and Title of the Dean of Students in the University], [Date]." Other offices (e.g., Housing and Residence Life, University Registrar, etc.) are to be notified if the action taken by the Disciplinary Committee affects those offices. Where appropriate, and as permitted by law, the Dean of Students may disclose allegations of misconduct and the outcomes of disciplinary proceedings to third-parties, including to external organizations.

A written record of the disciplinary incident will be kept by the Office of the Dean of Students as part of the student's educational record with a copy furnished to Campus and Student Life. This record should include all materials provided to the Disciplinary Committee, a copy of the outcome letter sent to the respondent, a statement of the main findings which were relevant to the final outcome of the disciplinary proceedings and to the sanctions imposed, as well as any considerations of the possible implications of the sanctions. This record will be maintained according to the retention policies for student records (see the section above on "Record Maintenance").

If the Disciplinary Committee imposes a sanction, the respondent may submit a request for the Area Disciplinary Committee's decision to be reviewed. Request for Review procedures are set forth in the Review Process section.

Support Person

The respondent may bring one person of their choice to required meetings with the Dean of Students (or designee) or have them attend and provide support to the respondent during phone calls or other interactions related to the investigation and adjudication of the incident. This support person can also accompany the respondent to the proceedings and be present during the hearing. The support person may confer quietly with the respondent during the proceedings and offer advice and other support during breaks. The support person can also assist with the review and preparation of materials, although authorship of statements should be the respondent's alone. The support person may not speak for the respondent during the proceedings and is not allowed to direct questions to the complainant, witnesses or Committee members.

The respondent should inform the Dean of Students at least 3 business days before the Area Disciplinary Committee is to meet if a support person will be attending the proceedings. If the person providing support is a lawyer, a representative of the University's Office of Legal Counsel also will attend the proceedings.

Sanctions for Misconduct of Individual Students

Sanctions delineated here are imposed on individual students for misconduct whether the misconduct involved only the student or the student as part of a group. The Dean of Students who resolves a case administratively, or the Disciplinary Committee, may combine different sanctions in a given decision. A Review Board may make use of all the alternative forms of sanctions.

Warning

The area Dean of Students who resolves an incident administratively, or the Area Disciplinary Committee, may give the respondent an official warning. A copy of the written notice warning the student that they have violated University policies or regulations will be placed in the student's educational record. This record will be maintained according to the retention policies for student records (see "Record Maintenance").

If the Dean of Students later finds that the student has engaged in additional misconduct, the Disciplinary Committee may be informed of the earlier warning and the circumstances related to the warning. If the Disciplinary Committee is informed of the earlier warning, the Disciplinary Committee must consider it in determining further sanctions.

Disciplinary Probation

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may place the accused student on disciplinary probation for a specified period of time (e.g. a quarter, a year, for the duration of the student's enrollment, etc.). The Disciplinary Committee may stipulate whether the disciplinary probation status will be noted on the official transcript and for how long. A student on disciplinary probation is

not considered to be a student in good disciplinary standing at the University for the period of the disciplinary probation status. The Dean of Students who resolves a case formally or the Area Disciplinary Committee may specifically stipulate which, if any, of the normal rights and privileges enjoyed by students will be withheld during the period of disciplinary probation.

Loss of Privileges

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may suspend specific student rights and privileges for a designated period of time.

Discretionary Sanctions

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may assign the student specific academic work, community service for a specific number of hours, or other appropriate discretionary assignments to be completed by a specific date, or impose restitution or fines.

Disciplinary Suspension

Only the Area Disciplinary Committee may impose a disciplinary suspension. During the period of suspension, the student is barred from all University property, absent written permission from the Dean of Students, and is prohibited from exercising any rights and privileges of a student in the University. Unless the Disciplinary Committee specifically states otherwise in its decision, at the expiration of the period of suspension the student may resume active status as a student without any action on their part other than what would be required of any student who has, for a comparable period, interrupted their residence in the University for any other reason. However, a student under suspension who has been charged with another offense may not resume active status as a student until final action has been taken on such charge by the Dean of Students or the Disciplinary Committee. The minimum length of a suspension is one full academic quarter.

Disciplinary Expulsion

Only the Disciplinary Committee may expel a student. A student who has been expelled is permanently excluded from all current and future academic programs. A student who has been expelled is barred from all University property, absent written permission from the Dean of Students in the University, and automatically forfeits all rights and privileges as a student in the University and any degrees not actually conferred at the time of the expulsion.

Revocation of the Degree

The Disciplinary Committee may recommend revocation of the degree for misconduct that occurred before the degree was awarded.

Allegation of Misconduct by a Group (Not Sexual Harassment, Sexual Assault, or a Sex Offense)

If the Dean of Students receives a complaint alleging misconduct of a student group, the Area Disciplinary procedures will be invoked with the following clarifications and modifications. Misconduct of a student as a member of a group may have consequences for the individual student, for the group, as well as for the group leadership. Any member or members of a group and/or group leadership may also be held accountable for the misconduct if they engaged in the misconduct. Group members and/or leadership may also be held accountable if they:

- § knew about the intended misconduct and failed to take appropriate steps to prevent it;
- § should have anticipated the misconduct and taken appropriate steps to prevent it; or
- § failed to disclose all information relevant to an investigation of misconduct of a group member or guest.

If the Dean of Students is informed of misconduct of a group and believes that the circumstances warrant it, the Dean of Students will arrange for a meeting with the group, the group's leadership, or individual members as soon as practicable. In the meeting, the Dean of Students will inform the student(s) of the alleged misconduct and will discuss the allegation. When a group member or leader has knowledge that the misconduct is attributable to a specific member, members' guest, or guests of the group, the student is expected to promptly identify the group member(s) or guest(s) to the Dean of Students.

The Dean of Students will conduct an inquiry into the facts. The inquiry may include interviews with cognizant other people or obtaining written statements. Based on the inquiry, the Dean of Students has the discretion and authority to dismiss the complaint, resolve the complaint informally with the parties, resolve the complaint administratively, or refer the complaint to the area Academic Dean with a recommendation to convene an Area Disciplinary Committee for the individual group member, more than one group member (including the leaders), and/or for the whole group.

An Area Disciplinary Committee convened to examine the allegation(s) of misconduct involving multiple students should follow, as much as reasonably possible, the procedures outlined for a hearing when an individual student is brought forward. Confidentiality of the individuals (including keeping them from

knowing that others also are accused of misconduct and prohibiting them from colluding in responding to the allegations) should be given high priority.

If in the disciplinary process it becomes clear that hearing the students together would help to reach a complete and fair understanding of the facts, the respondents may be informed that other students are involved in the same alleged misconduct. The Dean of Students will ask each student if they agree to appear before the committee in the presence of the other student(s). If all the respondents agree, they will be informed of the identity of the other students and asked to appear before the disciplinary committee to speak in the presence of the other accused students.

If a respondent declines the opportunity to appear before the Area Disciplinary Committee in the presence of other accused students, the Area Disciplinary Committee will hear that student separately. The committee will meet as a group with those respondents who have agreed to be heard in the presence of the other students.

When students are heard in the presence of each other, they are obligated to maintain the confidentiality of the proceeding and must not communicate about the proceeding with others or each other outside of the committee hearing.

Sanctions for Misconduct of a Student Group

Sanctions delineated here are imposed on a student group. The Dean of Students who resolves a case administratively, or the Disciplinary Committee, may combine different sanctions in a given decision. A Review Board may make use of all the alternative forms of sanction.

As previously noted, every student bears responsibility for their misconduct, regardless of whether the misconduct occurred in a group setting or as a member of a group. Misconduct by individual members of a group may also become a matter for disciplinary action and sanctions against the individuals.

Warning

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may give the group an official warning. A copy of the written notice warning the group that it has violated University policies or regulations will be forwarded to Campus and Student Life and the Center for Leadership and Involvement.

If the Dean of Students later finds that the group has engaged in additional misconduct, the Disciplinary Committee may be informed of the earlier warning and the circumstances related to the warning. If the Disciplinary Committee is informed of the earlier warning, the Area Disciplinary Committee must consider it in determining further sanctions.

Disciplinary Probation

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may place the group on disciplinary probation, during which time the group continues to enjoy all the rights and privileges of a group except as the Area Disciplinary Committee may specifically stipulate.

If, during the period of disciplinary probation, a Dean of Students finds that the group has engaged in additional misconduct, the Disciplinary Committee will be informed of the group's probationary status and the circumstances related to the group's probationary status. The Disciplinary Committee must consider the probation in determining further sanction.

Loss of Privileges

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may suspend specific group rights and privileges for a designated period of time. Such loss of privileges may include but is not limited to loss of University funding, suspension or revocation of the privilege to apply for University funding, suspension or revocation of the privilege to use University space or facilities, suspension or revocation of the privilege to sponsor, co-sponsor and/or participate in any social event or other activity, and the suspension or revocation of the privilege to raise funds or recruit new members for the group.

Discretionary Sanctions

The Dean of Students who resolves an incident administratively, or the Disciplinary Committee, may assign the group specific academic work, community service for a specific number of hours, or other appropriate discretionary assignments to be completed by a specific date, reporting to local and national organizations of the misconduct, or impose restitution or fines.

Disciplinary Suspension

Only the Disciplinary Committee may impose a disciplinary suspension of Recognized Student Organization status. During the period of suspension, the group is prohibited from exercising any rights and privileges of a Recognized Student Organization in the University. Unless the Disciplinary Committee specifically states otherwise in its decision, at the expiration of the period of suspension the group may resume active status as a Recognized Student Organization without any action on the part of the group. However, a

group under suspension that has been charged with another misconduct violation may not resume active status as a Recognized Student Organization until final action has been taken on such charge by the Dean of Students or the Disciplinary Committee. The minimum length of a suspension is one full academic quarter.

Disciplinary Withdrawal

Only the Disciplinary Committee may permanently withdraw Recognized Student Organization status. A group whose Recognized Student Organization status has been withdrawn automatically forfeits all rights and privileges as a Recognized Student Organization at the University.

Area Disciplinary Systems Review Process

If a student found responsible for violating one or more University policies wishes to request a review of the decision, the student must make a request in writing to the Dean of Students in the University (or designee) not more than fifteen days following the date on which the Area Disciplinary Committee's decision is formally communicated to the student in writing. The student must submit the request for review and any supporting material in writing; the Review Board will consider only a request for review and/or supporting materials prepared and/or submitted by the disciplined student, i.e., the Review Board will not consider materials prepared or arguments advanced by other parties (e.g., an attorney). At the written request of the disciplined student, the student may be granted an additional fifteen days to submit those materials. Extension requests must be submitted to the Dean of Students in the University (or designee) not more than fifteen days following the date on which the Area Disciplinary Committee's decision is formally communicated in writing. Further extensions of time will not be considered (nor will "supplemental" submissions of supporting materials). The only legitimate grounds for review of a decision made by an Area Disciplinary Committee are: (1) that prescribed procedures were not followed, and (2) that new and material information unavailable to the Area Disciplinary Committee bears significantly in the student's favor.

Requests for review should clearly state the basis for the request (i.e., that prescribed procedures were not followed and/or that new and material information is newly available) and include in the submission materials that directly support the respondent's claim(s). Character references should not be submitted and will not be considered by a Review Board.

The Dean of Students in the University (or designee) will evaluate the request for review to determine whether it meets the above-stated criteria for convening a Review Board. Key to this evaluation is whether the claims presented in the request for review individually or collectively were more likely than not to have had a bearing on the Area Disciplinary Committee's findings on whether the respondent violated one or more University policies.

Area Disciplinary System Review Board

If a request for review meets one or more of the permitted grounds for review (i.e., prescribed procedures were not followed and/or new and material information is submitted that was unavailable to the Area Disciplinary Committee and bears significantly in the student's favor), a Review Board will be promptly constituted by the Dean of Students in the University (or designee). The three-person Review Board ordinarily consists of the Dean of Students in the University (or designee), one member of the faculty of the student's academic area who serves as chair, and one student member of the student's academic area. The faculty and student members are both appointed by the Dean of Students in the University (or designee) and neither shall be a member of the Area Disciplinary Committee that rendered the decision under review. All members of the Review Board must be able to maintain independent judgment and discharge their obligations in a fair-minded fashion, free from material bias and conflicts of interest, or they should recuse themselves. As soon as practicable before the hearing, the Dean of Students in the University (or designee) will notify the respondent of the names and academic affiliation of Review Board members. The respondent may request a replacement for any member of the Review Board on the grounds that such member has a genuine and material conflict of interest. Such requests must be made to the Dean of Students in the University (or designee) within 2 business days of receiving notice of the identities of the Review Board members. Requests must identify with specificity the alleged nature of the conflict of interest. Using reasoned judgment, the Dean of Students in the University (or designee) will decide whether the alleged conflict is genuine and material and, if so, whether it compels the Review Board member's replacement.

In making a decision, the Review Board does not conduct a new disciplinary proceeding and normally does not interview witnesses or seek additional information from the student seeking review or witnesses, although the Review Board has the authority to do so and may seek additional information regarding the proceeding from Campus and Student Life or the Dean of Students of the unit in which the matter originated. The Review Board, acting on the basis of the entire record, may sustain, reduce, increase, strike or otherwise modify the sanctions imposed if it determines that prescribed procedures were not followed or, if it is satisfied in its reasoned judgment that the new and material information not available to the Area Disciplinary Committee more likely than not would have resulted in a different decision, it may require the quorum of the original area Disciplinary Committee to reconvene and consider the new information in the proceedings. The Review Board's decision is final and non-reviewable.

The Dean of Students in the University (or designee) will promptly communicate the Review Board's decision in writing to the requesting student.

