

PACIFIC LUTHERAN UNIVERSITY
Student Conduct Procedures
2011-2012

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I. INTRODUCTION

The student conduct system is part of the university's commitment to holistic student development. It is the university's purpose to assist students in

- (1) developing a personal set of values and ethics;
- (2) managing emotions;
- (3) making decisions and following through on commitments;
- (4) becoming independent;
- (5) recognizing interdependence; and
- (6) accepting the consequences of personal actions and decisions.

There are times when incidents of reported misconduct may warrant a review by members of the university community. Conduct proceedings are neither an end in themselves nor the primary means of developing responsible student conduct. Student development is more likely to take place through education and example than through disciplinary measures. Nonetheless, there will be occasions when the university will assert its disciplinary authority for the safety and well-being of the university community.

The Student Conduct System seeks to provide a fair and equitable process for reviewing and responding to incidents. In addressing disciplinary concerns, PLU's Student Conduct System supports the concept of community review and implements this concept through "Review Meetings." This means that situations that violate university policies, rules, regulations, and standards will be reviewed by students, staff, and faculty members drawn from within the PLU community. In

addition, the university may also contact parents or guardians when students are referred to the Student Conduct System and/or notify parents or guardians of outcomes and/or imposed sanctions.

The PLU Student Conduct System Procedures have been developed with the goal that all students involved in any disciplinary matter are treated with fairness and in a manner consistent with other students. Review Meetings give all parties the opportunity to identify concerns, explain perceptions, explore behavior, and hear suggestions. The emphasis is placed on student behavior and the relationship of behavior to commitments and responsibilities inherent in accepting membership into the university community.

Inherent in the Student Conduct System is an element of flexibility that enables the university to address core issues of behavior. Since each student is an individual, and no two incidents are alike, each incident will be handled individually. PLU reserves the right to modify procedures and sanctions in individual cases and with individual students when, in PLU's sole discretion, such modification is in the best interest of the university community. Each person may not receive the same sanction for a similar policy violation, but each sanction given will be within a general framework of consistency and fairness.

II. ADMINISTRATION OF THE STUDENT CONDUCT SYSTEM

The Vice President for Student Life and Dean of Students has delegated the administrative responsibility for the Student Conduct System to the Associate Director for Student Conduct, who is responsible for the effective day-to-day management and operation of the System. The Associate Director for Student Conduct coordinates training for Review Boards, Review Officers, and Review Board Advisors; provides information and consultation to students, staff, and faculty; assigns Review Officers or Review Boards for each review process; coordinates and schedules Review Meetings; maintains Student Conduct records; serves as a Review Officer and as Advisor to the University Review Board.

III. INCIDENT REPORTS

A. How Incident Reports May be Generated

Students, as members of the community, have the right to address issues that may be incongruent with university policies, rules and regulations. Employees of the university have the responsibility to support the policies, rules and regulations of PLU. Therefore, when a student's conduct appears to be in violation of university policies, rules or regulations, any student, staff, or faculty member may submit an Incident Report.

Rules and regulations developed by the university to maintain a safe and orderly environment may be found in the following locations (without limitation): [Code of Conduct](#), [Course Catalog](#), [PLU Master Housing and Meal Agreement](#), [PLU Student Athlete Handbook](#), and the [PLU Parking Regulations](#). Each resource can be found on the PLU website. Incident Report forms are available online at www.plu.edu/conduct/documents-forms. Please contact the Associate Director for Student Conduct if you have questions about completing an Incident Report or about the Student Conduct Process in general.

B. Process for Submission of Incident Reports

1. A written description of the observed misconduct should be submitted on an [Incident Report](#) form to the Associate Director for Student Conduct (University Center, Room 161) within 72-hours of the incident (excluding weekends and holidays or extenuating

circumstances). Incident Reports submitted after this timeframe will be assessed by the Associate Director for Student Conduct, who will determine in his/her sole discretion whether the Incident Report can and should be reviewed and proceedings begun.

2. The Associate Director for Student Conduct reviews the Incident Report, investigates ambiguities when they exist, and determines the type of Review Meeting most appropriate to the situation. This determination is usually based upon, but not limited to, the nature of the incident, the student's prior Student Conduct history, and any existing sanctions against the student.
3. The Associate Director for Student Conduct schedules the Incident Report for review by the appropriate Review Board or Review Officer(s).
4. The Associate Director for Student Conduct informs the person(s) involved that her/his name appears on an Incident Report. This is accomplished by sending a copy of the Incident Report and Review Meeting Notification through PLU email, on campus mail, U.S. Mail, or by other means.

C. Student Acceptance of Responsibility

Students referred to the Student Conduct System have the opportunity to accept responsibility for certain policy violation(s) without further review if the following conditions are satisfied:

1. The student has not previously been found responsible for violating the policy indicated.
2. Associate Director for Student Conduct, in consultation with the Resident Director, if applicable, decides that self-determination of responsibility is appropriate.

Conduct violations that may be eligible for Student Acceptance of Responsibility include, but are not limited to, [Alcoholic Beverages](#), [Building Security](#), [Computer and Network Use](#), [Fire Safety](#), [Guests on Campus and at PLU Events](#), [Noise](#), [Pets in the Workplace](#), [Smoking](#), and [Visitation and Guests in the Residence Halls](#).

When appropriate, students will receive notice of the option to accept responsibility instead of Notification of a Review Meeting. The student must respond to the Associate Director for Student Conduct in writing within the timeframe set out in the notice, typically 72-hours, to select which of the following two options s/he wishes to pursue:

1. Accept responsibility and the sanction(s) indicated in the correspondence; or
2. Request a Review Meeting with a Conduct Body.

If the student chooses Option 1, s/he must complete the sanction by the due date indicated on the initial correspondence. If the student chooses Option 2, the Associate Director for Student Conduct will assign the incident for review with an appropriate Conduct Body. If the student does not respond by the given deadline, the Associate Director for Student Conduct will assign the incident for review with an appropriate Conduct Body.

IV. STUDENT RIGHTS AND RESPONSIBILITIES

The student conduct process is intended to provide that all students (whether making a complaint or responding to it) are treated in a manner which is fundamentally fair in accordance with the procedures developed by the university. Both the complaining student ("Complainant") and responding student ("Respondent") are entitled to the following:

A. Notification of Review Meeting

Written notice of the date, time and place for the meeting and a written copy of the Incident Report being reviewed will be given to the student. This notice may be sent to the student's PLU email account, through campus mail, certified U.S. mail, or available to be picked up by the student at least 48-hours, excluding weekends and holidays, prior to the scheduled meeting. The student(s) may agree to shorter notice. (See [Section XII – Special Provisions](#) for exceptions to this Notice provision)

Students whose names appear on an Incident Report (Complainants, Respondents, and Witnesses) are required to attend the Review Meeting, unless prior arrangements have been made with the Associate Director for Student Conduct at least 24-hours before the meeting. The Associate Director for Student Conduct determines the appropriateness of the request and whether to reschedule the meeting. Conflicts with class schedules are considered when scheduling Review Meetings; however, there may be circumstances that require students to miss a class in order to attend a meeting. Students who fail to attend a Review Meeting without approval may be found responsible for [Disrupting University Community](#) and sanctioned (in addition to any other conduct violations for which the student may be found responsible).

PLU reserves the right to impose interim sanctions prior to the Review Meeting if in PLU's sole discretion they are warranted for the safety and well-being of the university community. (See [Section XII - Special Provisions](#))

B. Disclosure of Review Documents

Students must submit all written information they want considered by Review Officers prior to the start of the Review Meeting, except that written materials offered in strict rebuttal of information offered during the Review Meeting may be received and considered, when in the sole discretion of the Review Officers, such consideration is necessary to maintain fairness. Each student will have the opportunity to review each document before the meeting if that is reasonably possible under the circumstances, as determined by the Associate Director for Student Conduct in his or her sole discretion and subject to disclosure restrictions imposed by law, and if not, then at the time of the meeting. A student may request a copy of each document from the Associate Director for Student Conduct. Requests will be considered in light of [FERPA](#) requirements.

C. An Orderly Meeting

Students are entitled to an orderly meeting to review and discuss the Incident Report submitted. In special circumstances as determined by the Associate Director for Student Conduct in his/her sole discretion, meetings may be conducted via phone conference or other electronic means.

D. Witnesses

Witnesses with firsthand and relevant information about the incident may be asked to participate in the Review Meeting. (See [Section VII - subsection C](#) for additional information on witnesses.)

E. To Speak on His or Her Own Behalf

Students may present his or her own account as to what happened regarding the incident in question. In circumstances where safety may be a concern, as determined by the Associate Director for Student Conduct in his/her sole discretion, any student, regardless of his/her role in the Review Meeting, may be required to attend via phone conference or other electronic means.

F. Support Person

The Complainant and the Respondent in an incident that includes [Sexual Misconduct](#) or [Physical Assault](#) may have a support person present during the Review Meeting process. Students may select one support person per conduct process and this support person must be a member of the PLU community, may not be a family member, and may not be a lawyer. A support person who accompanies a student is present for emotional support only and may not speak on the student's behalf. The student and the support person may confer at reasonable times as determined in the sole discretion of the Review Officers. A student involved in another type of incident may have a support person (same characteristics as noted above) only upon the approval of the Associate Director for Student Conduct. Such a student should submit a typewritten petition to the Associate Director for Student Conduct within 48-hours of the scheduled Review Meeting. If the student's petition is approved, all students involved in the Review Meeting will be afforded the same opportunity to have a support person present.

G. Fair and Impartial Decision Makers

(See [Section VII - subsection H](#) for additional information on disqualification of board members or Review Officers.)

H. A Written Decision

This document will include a summary of facts, decision(s), and sanction information, if applicable.

I. An Opportunity for Self-Initiated Appeal

(See [Section XI](#) for more information on the Appeal process.)

V. CODE OF ETHICS FOR REVIEW BOARDS AND HEARING OFFICIALS

- A. Review Board members' and Review Officers' behavior shall be free from impropriety.
- B. Review Board members and Review Officers shall honor standards of confidentiality and shall not comment upon or discuss the merits of a pending or past incident except in a direct relation to a Review Meeting.
- C. Review Board members and Review Officers shall not prejudge any incident.
- D. Review Board members and Review Officers shall not be influenced by partisanship, public opinion or consideration of personal popularity or notoriety.
- E. Review Board members and Review Officers shall regularly attend and actively participate in any reviews, orientations, trainings, and scheduled meetings offered.
- F. Review Board members and Review Officers shall reflect the importance and seriousness of a review by conducting it with dignity and a proper sense of decorum.
- G. Review Board members and Review Officers shall resolve disagreements privately and support the majority decision.
- H. Review Board members shall defer to the Chair as the spokesperson for the full board.

VI. REVIEW BOARDS: JURISDICTION AND COMPOSITION

The term "Conduct Body" includes either Review Boards or Review Officers. There are three types of Conduct Bodies, one of which will be assigned to review each Incident Report (unless the student has the option to and does select Student Acceptance of Responsibility). The Conduct Bodies are:

A. *Community Review Board (CRB)*

1. Jurisdiction: CRBs may review incidents involving alleged first or second time violations of conduct policies as deemed appropriate by the Associate Director for Student Conduct.
2. Composition: Each CRB is comprised of one Residence Hall Council Executive appointed by the Residence Hall Association, one Residential Life student staff member, one ASPLU (Associated Students of Pacific Lutheran University) Student Senator, two students appointed by the ASPLU President, and one non-voting Advisor representing the Division of Student Life (must be a designated Review Officer). Each CRB shall determine which student member will serve as Chair and as Vice Chair for the semester.
3. Quorum: Three members, including the Chair or Vice Chair, and the Advisor constitute a quorum.
4. Procedures: (Reference [Section VII - Review Procedures](#)) Proceedings of the CRB will be audio recorded for reference in case of appeal.
5. Sanction Authority: (Reference [Section IX - Sanctions](#)) CRBs may impose all sanctions except Suspension or Expulsion. CRBs may refer any case to another Conduct Body.
6. Appeals: (Reference [Section XI - Appeals](#))

B. *University Review Board (URB)*

1. Jurisdiction: The University Review Board may review incidents involving alleged violations of the following policies: [Illegal Drugs](#); [Physical Assault](#); [Equal Educational Opportunity](#); [Firearms, Weapons and Explosives](#), [Sexual Misconduct](#) and other violations as determined by the Associate Director for Student Conduct.
2. Composition: The University Review Board membership will be: Two faculty from the membership of the Faculty Campus Life Committee, the elected faculty member of the University Diversity Committee, three students (to include ASPLU Vice President, the Residence Hall Association Vice President, and an ASPLU Senator who lives off campus), and one Student Life representative (must be a designated Review Officer) appointed by the Vice President for Student Life and Dean of Students. The Associate Director for Student Conduct and one Resident Assistant with Additional Duties will serve as advisory members. The URB shall determine which member will serve as Chair for each Review Process.
3. Quorum: Two faculty, one Student Life representative, two voting students, and the Associate Director for Student Conduct (advisory).
4. Procedures: (Reference [Section VII – Review Procedures](#)) Proceedings of the URB will be audio recorded to provide reference in case of appeal.
5. Sanction Authority: (Reference [Section IX - Sanctions](#)) The URB may impose all sanctions except for suspension or expulsion. The URB may recommend suspension or expulsion for a student and refer the case to the Vice President for Student Life and Dean of Students.

6. Appeals: (Reference [Section XI - Appeals](#))

C. Review Officers

Staff or faculty members may serve as Review Officers to review any incident as determined by the Associate Director for Student Conduct. The Vice President for Student Life and Dean of Students appoints the Review Officers at the start of each academic year. Additional Review Officers may be appointed during the year.

Review Officers may review incidents as individuals or in teams. The Associate Director for Student Conduct may attend Review Meetings to serve the Conduct Body in an advisory capacity.

Students may request a meeting with a Review Officer instead of a [CRB](#) or [URB](#). The Associate Director for Student Conduct shall make the assignment to a Review Officer based on the nature of the situation and/or the student's previous conduct history.

Review Officers may impose all sanctions except for suspension or expulsion, including referral to another Conduct Body.

Review Officers may recommend suspension or expulsion for a student and refer the case to the Vice President for Student Life and Dean of Students. The Vice President for Student Life and Dean of Students, acting as a Review Officer, may impose suspension or expulsion.

Academic Dishonesty Hearing Panel (ADHP)

In addition to the three Conduct Bodies listed above, an *Academic Dishonesty Hearing Panel (ADHP)* reviews cases involving alleged violations of the [Academic Integrity](#) policy. Please see the Academic Integrity policy in the Student Code of Conduct for procedures related to this Review Board.

VII. REVIEW PROCEDURES

The purpose of a Review Meeting is to determine whether a student has failed to follow the standards governing student conduct at Pacific Lutheran University. As educators and as peers, the Conduct Body's responsibilities include:

- (a) reviewing Incident Reports and determining whether, or to what extent, students were involved in the reported misconduct;
- (b) assisting students toward responsible conduct; and
- (c) determining appropriate sanctions when necessary.

Review Meetings are neither formal court trials nor formal administrative hearings. Rather, they are structured educational discussions that focus on the student's behavior in association with the university community. Review Meetings provide an opportunity to identify concerns, to explore and discuss the area of misconduct, to challenge the student's commitment to membership in PLU's educational community, and to make recommendations for change. The following is an overview of Review Meeting guidelines and procedures:

A. Notice of Meeting

The Associate Director for Student Conduct notifies Conduct Body members and students named on an Incident Report of the date, time, and place for the Review Meeting (see [Section IV – subsection A](#)) for detailed information on notification procedures and attendance requirements).

B. Timing of Process

The Review process is designed to meet the need for individual investigation and consideration of each Incident Report, so time frames must necessarily be established with flexibility. Most Review processes are completed within a few business days, and all but the exceptional case is completed within 60 days. Other time estimates are set out in these procedures for context, but they are summarized here. They are general guidelines only, and if missed by PLU, will not keep the Review process from continuing. Once the timing is established for a Review process, students must either comply with the established timeline, or request an extension to a date certain in writing (via email, etc.) and setting forth the reason for needing additional time.

Efforts to process Incident Reports will begin promptly and will be complete as soon as is practicable given considerations around scheduling, investigation, etc.

- Review Meetings are usually scheduled within four business days, but this time can vary depending on requests for extension of time by the students involved, Review Officer schedules, campus exigencies, etc.
- Reasonable efforts will be made to provide documents to be used in the Review Meeting at least 24-hours before it begins, but please see [Section IV – subsection B](#) for additional information on the receipt and use of documents.
- Reasonable efforts will be made to send out determination letters within 72-hours after the close of the Review Meeting.

PLU may, in its sole discretion, shorten or extend any of the timelines set out here or elsewhere in these Procedures. Reasonable efforts will be made to notify students of alteration of timelines.

C. Order of Review Proceedings

1. The Conduct Body reviews the written material prior to the meeting and determines appropriate questions.
2. The Conduct Body gathers information in the following ways:
 - a. The Conduct Body hears from all persons involved in an incident to determine the facts.
 - b. The Conduct Body may ask questions to determine what occurred, why it occurred, how others may perceive it, and whether the behavior fits within the university standards.
 - c. The Conduct Body reviews all written information submitted with regard to the incident.
3. All Review Meetings are audio recorded.

D. Witnesses

1. Witnesses may be requested by the Conduct Body and/or students who are named in the Incident Report. The Conduct Body reserves the right to determine the relevancy of witnesses and excuse them if the information shared is deemed to be unproductive or irrelevant. Conduct Body members may limit witness testimony to the facts of the situation.
2. Witnesses may attend Review Meetings only to hear procedures and to present information. They are excused as soon as their testimony is completed.

3. Conduct Bodies may invite as witnesses, persons who submit Incident Reports or other persons who may have firsthand information about the incident.

4. Any member of a Conduct Body may question the student or the witnesses. All questions must be pertinent to the report and the purposes of the meeting.

5. As a general rule, students alleged to have violated the Student Code of Conduct (responding students) may be present during the Review Meeting when the board or Review Officer is receiving information from witnesses. Certain exceptions to this general rule may occur, however, when in the discretion of the Associate Director for Student Conduct, circumstances warrant. Examples, without limitation, are as follows:

- Complainant or witnesses may be permitted to attend the Review Meeting via electronic means, or may be separated from the Respondent by a screen or other appropriate means.
- Students alleged to have violated the Student Code of Conduct who are alleged to present a threat to the community may be required to attend via alternative means.
- Students who create excessive disruption may be required to attend by alternative means.
- When more than one student alleged to have violated the Student Code of Conduct is involved in the same incident, the Conduct Body may consider each student's involvement separately and exclude the other students from the meeting.

Under any such circumstance, each responding student shall be given the opportunity to review and respond to all information considered at the Review Meeting concerning her/his misconduct.

6. While discussing an incident with one student, the Conduct Body may receive information that may affect another student. In this event, the Conduct Body shall inform the other student and provide the other student with the opportunity to respond before the Conduct Body deliberates. If the information received could result in sanctions under the Conduct Procedures, the Conduct Body may, in their discretion, complete an Incident Report based on the new information, thus beginning the process for the student who is not the subject to the original meeting.

7. During the Review Meeting, the Conduct Body may receive information which may result in further violations to be considered for a student involved in the incident. Further, additional Incident Reports may result from information received during the Review Meeting.

8. After all witnesses have spoken the responding student may make a summary statement. The Conduct Body may limit the summary as to time and content and may terminate it if the Conduct Body believes the summary is not relevant.

E. Lawyers/Legal Counsel

Lawyers/legal counsel are not permitted at Review Meetings or to be involved with any portion of the university process. The university expects that community members possess the skills and resources to manage conduct issues.

F. Complainants Alleging Sexual Misconduct and/or Physical Assault

Complainants alleging [Sexual Misconduct](#) and/or [Physical Assault](#) will be offered the opportunity to be present at all Review Meeting proceedings. Respondents are also offered the opportunity to attend all meetings. If the Complainant and/or the Respondent in such incidents choose not to be present at all proceedings, then both shall be given the opportunity to hear and/or read all information presented during the process. If a student chooses to participate but not attend, arrangements must be made at least 24-hours prior to the Review Meeting time. Complainants of other incidents (i.e. [Concern for Self and Others](#), [Property Damage](#), etc.) may be involved in review proceedings at the discretion of the Conduct Body. The final results of any Student Conduct review dealing with a crime of violence or a non-forcible sex offense will be disclosed to the Complainant, consistent with the Family Education and Privacy Rights Act ("[FERPA](#)").

G. Deliberation and Decision Making

1. The Conduct Body deliberates privately. The Advisor and/or the Associate Director for Student Conduct may be called upon to advise on procedural matters.
2. Deliberations generally take the following form:
 - a. Review of information obtained during Review Meeting.
 - b. Decision reached by majority vote.
 - c. Students who are found responsible for a violation are sanctioned according to the nature of the misconduct and review of their conduct history.

H. Notification of Decision

If the Conduct Body reaches a decision in deliberations immediately after the meeting, the Conduct Body recalls the student(s) and announces the decision accompanied by a brief rationale. A decision becomes official when confirmed in writing to the student.

Those students who do not attend a Review Meeting receive notification of the decision through email, campus mail and/or U.S. mail.

If the Conduct Body cannot reach a decision during the meeting, it will generally render a decision within 72-hours, excluding weekends and holidays, of the conclusion of the meeting. In the event that additional time for review, further investigation and/or deliberation is necessary, the student will be notified via email, or in writing of the revised timeline.

I. Disqualification of Board Members

1. After reviewing the documents related to an incident, any Conduct Body member who has personal knowledge of the situation must share this knowledge with the other members. The members shall discuss the matter and decide by majority vote whether that member should be excluded from the meeting. Whether or not a member knowledgeable of the situation is excluded from the meeting, that member must provide the Complainant and Respondent with all information shared with the Conduct Body.
2. Review Officers who have *prior knowledge of an assigned case must report that knowledge to the Associate Director for Student Conduct*. If that Officer reviews the case, s/he must inform the student(s) of the prior knowledge before the Review Meeting begins.

3. A Respondent or Complainant may, before a Review Meeting begins, request the disqualification of any Conduct Body member who he/she believes to be biased against him/her. The burden of substantiating the charge of bias rests with the student. The final determination is made by the Conduct Body, in consultation, if necessary, with the Associate Director for Student Conduct.

4. If disqualification results in the loss of a quorum, the [CRB](#) or [URB](#) shall postpone the meeting until a quorum can be reconstituted, unless the student agrees to proceed with the Review Meeting.

J. Reconstituting a Quorum

When, because of Board member disqualification, less than a quorum remains, the Review Meeting may continue if the student is willing to proceed. If agreement to continue is not reached, the Review Meeting shall be postponed and the Associate Director for Student Conduct shall reschedule the meeting.

VIII. DECISIONS

A Conduct Body weighs information against the standard of “more likely than not” and may come to one of the following decisions for each alleged violation:

RESPONSIBLE: The student, more likely than not, violated university policy.

NOT RESPONSIBLE: The student, more likely than not, did not violate university policy.

INCONCLUSIVE: There is not sufficient information to reach a decision. If additional information becomes available while the student is enrolled at PLU, then the case may be referred for reconsideration to a Conduct Body. The Associate Director for Student Conduct determines whether the original Conduct Body is reconvened, or if the case is referred to a new Conduct Body.

Conduct Body decisions generally are made through a review of Incident Reports, individual statements (written and oral), and additional review documents, if applicable. A student’s previous conduct history also may be reviewed, where in PLU’s discretion it is deemed relevant.

IX. SANCTIONS

When a student is found Responsible, the Conduct Body will determine what sanction(s), if any, is necessary to:

- Provide an educational experience for the student,
- Assist the student in understanding and accepting the consequences of personal actions and decisions,
- Give the student an opportunity to give back to the community, and
- Uphold the safety of the PLU learning community.

Sanctions depend upon the particular circumstances of each incident and may be imposed singly or in combination, as appropriate for the circumstances. In determining a sanction, the Conduct Body may consider a student's Conduct history at PLU, as well as other information available to it which PLU deems, in its sole discretion, relevant.

Repeated violations of policy may result in a cumulative effect for sanctioning. Thus, continued violations of policy may result in more severe sanctions and may result in the removal of the student from the university.

Good Standing

To be in “Good Standing” with respect to Student Conduct means that a student is not expelled, suspended, on deferred suspension, or on Disciplinary Probation. A student is also not in Good Standing if he/she fails to complete sanctions by the stated due date.

Failure to Complete Sanctions

Students who fail to complete assigned sanctions in the timeline given are not in Good Standing with the university and will be placed on Student Life Hold. Additionally, students who fail to complete sanctions are subject to the imposition of more severe sanctions, up to and including removal from the university. Student Life Hold prohibits students from registering for classes, acquiring transcripts, accessing student accounts and grade reviews. When possible, students will be notified if this action is taken.

Parent/Guardian Notification

The university reserves the right to inform parents or guardians when students are referred to the Student Conduct System and/or notify parents or guardians of outcomes and/or imposed sanctions.

Deferral of Sanctions

If the Conduct Body believes the student will benefit from an alternative course of action, (i.e., referral to the Counseling Center or Health Center) some sanctions may be imposed and then deferred.

If the student fails to follow through with alternative options proposed, or is involved in a new infraction during the deferral period and is found to have engaged in misconduct, the deferral may be removed in PLU’s sole discretion, and the original sanction reinstated. In addition, the sanction for the new misconduct may be more severe than the original sanction.

Overview of Sanctions

The following is a list of the most commonly utilized sanctions. This list is not exhaustive and other sanctions may be imposed if determined by PLU in its sole discretion, to be necessary and appropriate.

1. Warning

A notice in writing to the student that s/he has been found responsible for a policy violation. Students who receive a warning are subject to more severe sanctions if future violations of the policy indicated occur.

2. Letter of Mutual Understanding

This is a means by which a student can confirm understanding of a policy and acknowledge awareness of consequences for future violations.

3. Educational Workshops

Students may be sanctioned to attend an educational session relevant to the violation. Students are responsible for follow-up assignments given at educational presentations. These sanctions may not be deferred. Participation in educational workshops will be at the student's expense.

4. Community Restitution Through Service

A Conduct Body may require students to initiate and complete a supervised and meaningful project on campus or in the community. Results of the project are placed in the student's file. If a paper, survey or poster is required, the Associate Director for Student Conduct may utilize the product for educational programs and/or training. This sanction may not be deferred.

5. Fines/Restitution/Fees

Fines may be imposed when appropriate. Proceeds from all fines will be contributed to a campus health and wellness education fund.

PLU reserves the right to charge students whose behavior involves damage or destruction of university property. Restitution may also be required when an individual's behavior requires university staff or external agencies to perform tasks above and beyond normal work responsibilities. When such restitution is possible, it is expected and required, not as a substitute for, but in addition to, a sanction. PLU will not be responsible for assisting any student in obtaining restitution from any other student or from the university. Fees for classes, assessments, or events assigned as a sanction will be at the student's expense.

6. Removal of Privileges

Certain restrictions may be placed on a student's activities for a specified period of time. Specific restrictions may include, but are not limited to the residence hall (i.e., removal of "loud" stereos or instruments, loss of kitchen privileges, loss of eligibility to participate in hall social activities and exclusion from seeking or holding appointive or elective positions within the residence halls), student employment, and co-curricular involvement (i.e., exclusion from seeking or holding appointive or elective positions in student government or clubs and organizations). This sanction must be stated for a specified period of time and may be deferred.

7. Assessment with Required Recommendations

Consistent with the nature of the violation, a student may be assigned an assessment (i.e., substance use, anger, mental health) to be provided by a state accredited/certified provider. All resulting recommendations from the assessment are required for sanction completion. All costs associated with the assessment and resulting recommendations must be paid at the student's expense.

8. Disciplinary Probation

This indicates that the student's continued enrollment at PLU is conditional for a specified period of time. It requires the student to demonstrate that s/he can act in a manner consistent with the university standards to which s/he agreed when accepted by the university. Students on Disciplinary Probation are not in Good Standing with the university. Disciplinary probation may include restrictions or obligations on the student. If restrictions or obligations are to be included, this information will be included in written communication to the student. Examples of restrictions include, but are not limited to, restricting participation in university activities such as athletics, living on campus, studying away, performing in recognized PLU groups, social events,

and elective or appointive student offices. Examples of obligations include, but are not limited to, informing faculty or other advisors about the Disciplinary Probation status, and requiring attendance at specified meetings, counseling sessions, or assessments at the student's expense. The university, in its sole discretion, will decide what restrictions apply in a given case. Should the student fail to fulfill specified conditions, the student shall be referred for further disciplinary action. This sanction may not be deferred.

9. Suspension

Suspension is the separation of the student from the university for a specified minimum period of time, with conditions imposed for the student's reinstatement to PLU. Suspended students are not in Good Standing with the university and will not return to Good Standing until they have met the conditions of their suspension (see below). The conditions may be imposed by the Conduct Body or the Vice President for Student Life and Dean of Students, and may consist of any requirement it or s/he deem appropriate under the circumstances. The Vice President of Student Life and Dean of Students, at his/her sole discretion, will determine whether the conditions have been met prior to reinstatement (see [Section IX - subsection 10](#)).

Restrictions associated with suspension include:

- The student may not attend classes, use university facilities, attend university events or visit the campus except when engaged in official business approved in writing by designated Student Life staff.
- Students suspended from the university are required to pay all university fees owed for that semester. Refunds for tuition and/or room and meals will not be issued.
- Parents or guardians of students who have been suspended will be notified as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)). A notice of suspension will be placed on the student's official transcript until s/he is reinstated to Good Standing. If a student is not reinstated to Good Standing, or chooses not to seek reinstatement, the notice of the suspension will remain on her/his transcript for three years after the minimum period of time for the suspension has passed.

Only the Vice President for Student Life and Dean of Students or the university President may impose suspension. The Conduct Body may recommend to the Vice President for Student Life and Dean of Students that a student be suspended.

Suspension can be deferred when PLU, in its sole discretion, determines that circumstances in a particular case warrant it. Only the Vice President for Student Life and Dean of Students or the university President may defer suspension. Students on Deferred Suspension are not in Good Standing with the university. Deferred Suspension may include restrictions or obligations on the student. If restrictions or obligations are to be included, this information will be included in written communication to the student. Examples of restrictions include, but are not limited to, restricting participation in university activities such as athletics, living on campus, studying away, performing in recognized PLU groups, social events, and elective or appointive student offices. Examples of obligations include, but are not limited to, informing faculty or other advisors about the Deferred Suspension status, and requiring attendance at specified meetings, counseling sessions, or assessments at the student's expense. The university, in its sole discretion, will decide what restrictions apply in a given case. Failure to fully abide by all conditions of deferral within the timeframes indicated will result in removal of deferred status and immediate implementation of the suspension.

10. Reinstatement from Suspension

When the minimum period of time for suspension has ended and the student has complied with the conditions of his/her reinstatement and completed sanctions accompanying the suspension (if any), s/he must submit a letter to the Vice President for Student Life and Dean of Students requesting reinstatement. This letter must include details of how the student has used her/his time while suspended, reflect upon what s/he has learned and provide evidence that s/he has satisfied the conditions of the suspension.

The Vice President of Student Life and Dean of Students may take any of the following actions (without limitation) in his or her sole discretion:

- Determine whether any conditions imposed at the time of suspension have been met, and identify next steps;
- Extend the suspension because the conditions for reinstatement have not been met;
- Return the student to Good Standing and permit the student to enroll in classes, or
- Permit the student to enroll in class, but place the student on Disciplinary Probation for a stated period of time.

11. Expulsion

Expulsion is the permanent and total withdrawal of the privilege of attending PLU or participating in the PLU community. Expulsion may be recommended as a result of very serious violations or for repeated offenses.

- Expelled students may not visit the university premises under any circumstances.
- Students expelled from the university are required to pay all university fees owed for that semester. Refunds for tuition and/or room and meals will not be issued.
- Parents of students who have been expelled will be notified as allowed by the Family Educational Rights and Privacy Act (FERPA).
- A notice of expulsion will be placed on the student's official transcript indefinitely.

Only the Vice President for Student Life and Dean of Students or the university President may impose expulsion. The Conduct Body may recommend to the Vice President for Student Life and Dean of Students that a student be expelled. This sanction may not be deferred.

12. Deferred Graduation

A Conduct Body may recommend to the Vice President for Student Life and Dean of Students that the graduation date of a student be deferred for a stated period of time. Generally, this is done when a senior student commits a violation for which suspension may be justified, and allows the Conduct Body to postpone the student's eligibility for graduation until after a specified period of time has passed.

13. Permission to Withdraw

A student facing disciplinary action, or with incomplete Student Conduct sanctions, may make a written request to the Vice President for Student Life and Dean of Students for permission to withdraw from the university. Only the Vice President for Student Life and Dean of Students may grant such permission. Refunds for tuition and/or room and meals will not be issued to students withdrawing from the university under these circumstances.

Incidents involving students who withdraw with or without permission prior to the Review Meeting, will be reviewed (without the presence of the student) by a Conduct Body or the

Associate Director for Student Conduct. Notification of decisions and sanctions will be made by PLU email or U.S. mail.

The Vice President for Student Life and Dean of Students may require that students with sanctions complete them prior to withdrawing from the university, or may waive the need for completion. A student granted "permission to withdraw," who wishes to return to the university, must make written application to the Vice President for Student Life and Dean of Students for reinstatement to student status and to good standing. The requirements for this application are the same as those for students seeking reinstatement following suspension. The Student Life Office shall place a notice of withdrawal, with the permission of the Vice President for Student Life and Dean of Students, on the student's official transcript. If not reinstated, this notice shall remain on the transcript for three years after the student withdraws from the university. If reinstated, the notice will be removed from the student's transcript.

Alcoholic Beverages Sanctions

Violations of PLU's [Alcoholic Beverages Policy](#) may occur whether or not a student has been consuming alcohol. Therefore, sanctions for Alcoholic Beverages Policy violations are educational in nature and will challenge and support both students who abstain, and those who choose to drink, to uphold values of safety, legality and neighborliness. The following sanctions will generally apply, however, the university in its sole discretion, may alter or add to the requirements of each sanction.

Students who are present in a room while a policy violation is occurring are responsible per PLU policy. When circumstances are compelling, a Conduct Body may choose not to sanction students who are found responsible for a first alcohol violation. However, the violation remains a part of the student's record.

1. 1st Violation

Required completion of an alcohol education workshop and payment of \$75.00 workshop fee. Required completion of a 2-3 page structured reflection essay and a follow-up meeting with assigned staff to discuss the essay and to develop a plan of action for future success and policy compliance. A Review Officer may assign him/herself to meet with the student as follow-up.

Pending the nature of the incident, the student may be required to complete a substance use assessment and comply fully with any resulting recommendations. This assessment must be administered via a state accredited substance treatment program and will be done at the student's expense.

The Conduct Body may require that parents or guardians of students who have been found responsible for a first alcoholic beverages violation be notified of their son/daughter's behavior. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Alcoholic Beverages Policy in the future.

Students who are found responsible for a future violation, regardless of the nature of their involvement, will be sanctioned as required for a second violation. Additional future violations will be sanctioned at subsequently higher levels.

2. 2nd Violation

Required payment of a \$75 fine and completion of 5-8 hours of community service as recommended by the Conduct Body and a one-to-one meeting with assigned PLU staff member to develop plan of action for future success and policy compliance. A Review Officer may assign him/herself to meet with the student as follow-up.

Parents or guardians of students who have been found responsible for violating the Alcoholic Beverages Policy two times will be notified of their student's behavior pattern. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Alcoholic Beverages Policy in the future.

Pending the nature of the incident, the student may be required to complete a substance use assessment and comply fully with any resulting recommendations. This assessment must be administered via a state accredited substance treatment program and will be done at the student's expense. If an assessment is required, the Conduct Body may choose to waive the \$75 fine.

Pending the nature of the incident, the student may be placed on [Disciplinary Probation](#) and may therefore be ineligible to retain their campus housing, participate in study-away programs, hold elected or appointed student offices and/or participate in athletic or performance groups. Academic advisors of students who are on disciplinary probation may be notified.

3. 3rd Violation

Students who are found responsible for violating PLU's Alcoholic Beverages Policy a third time will be placed on [Disciplinary Probation](#). Probationary status may make a student ineligible to retain their campus housing, and participate in study-away programs, hold elected or appointed student offices and/or participate in athletic or performance groups. Academic advisors of students who are on Disciplinary Probation may be notified.

Required payment of a \$100.00 fine and completion of 12-18 hours of community service as recommended by the Conduct Body and completion of a follow-up activity, recommended by the Conduct Body. Follow-up projects must include a follow-up meeting with assigned PLU staff and may include a follow-up educational project that benefits the PLU community.

Parents or guardians of students who have been found responsible for violating the Alcoholic Beverages Policy three times will be notified of their student's behavior pattern. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Alcoholic Beverages Policy in the future.

Pending the student's prior sanction record, s/he will be required to complete a substance use assessment and comply fully with any resulting recommendations. This assessment must be administered via a state accredited substance treatment program and will be done at the student's expense. If an assessment is required, then the Conduct Body may waive the \$100 fine.

4. 4th Violation

A student who violates PLU's Alcoholic Beverages Policy a fourth time demonstrates either a blatant disregard for PLU's policies and/or behaviors that raise concern for her/his personal well-

being. Therefore, the Conduct Body will recommend [suspension](#) from the university for a minimum of one semester for any student who violates PLU's Alcoholic Beverages Policy a fourth time. The suspension may be deferred. If deferral is recommended, the Conduct Body may impose additional sanctions as appropriate.

Parents or guardians of students who have been found responsible for violating the Alcoholic Beverages Policy four times will be notified of their student's behavior pattern. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Alcoholic Beverages Policy in the future.

5. Alcohol Emergencies

PLU expects students to seek help for friends who need medical attention regardless of the circumstances. The university is concerned about the safety and well-being of students who require emergency medical attention and/or are transported to the hospital due to alcohol misuse. Such students will meet with a PLU administrator and may be offered a written alternative course of action to the Student Conduct process, (i.e., referral to the Counseling Center or Health Center). If the student fails to follow through recommendations made by the PLU administrator, or is involved in an additional incident, the matter will be formally referred to Student Conduct. All documentation related to emergency medical attention and/or hospital transportation will be included in the student's conduct file.

Illegal Drugs Sanctions

The following sanctions will generally apply, however, the university in its sole discretion, may alter or add to the requirements of each sanction.

1. 1st Violation

Required completion of a drug education workshop and payment of \$75.00 workshop fee. Required completion of a 2-3 page structured reflection essay and a follow-up meeting with assigned staff to discuss the essay and to develop a plan of action for future success and policy compliance. A Review Officer may assign him/herself to meet with the student as follow-up.

Pending the nature of the incident, the student may be required to complete a substance use assessment and comply fully with any resulting recommendations. This assessment must be administered via a state accredited substance treatment program and will be done at the student's expense.

Parents or guardians of students who have been found responsible for violating the [Illegal Drugs Policy](#) will be notified of their student's behavior. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Illegal Drugs Policy in the future.

2. 2nd Violation

The student will be required to complete a substance use assessment and comply fully with any resulting recommendations. This assessment must be administered via a state accredited substance treatment program and will be done at the student's expense. Following the assessment, the student will meet one-to-one with an assigned PLU staff member to develop a

plan of action for future success and policy compliance. A Review Officer may assign him/herself to meet with the student as follow-up.

Students who are found responsible for violating PLU's Illegal Drugs Policy a second time will be placed on [Disciplinary Probation](#). Probationary status may make a student ineligible to retain their campus housing, participate in study-away programs, hold elected or appointed student offices and/or participate in athletic or performance groups. Academic advisors of students who are on disciplinary probation may be notified.

Parents or guardians of students who have been found responsible for violating the Illegal Drugs Policy a second time will again be notified of their student's behavior pattern. Such notification will take place as allowed by the Family Educational Rights and Privacy Act ([FERPA](#)) and will include possible sanctions that will be imposed if the student violates the Illegal Drugs Policy in the future.

3. 3rd Violation

A student who violates PLU's Illegal Drugs Policy a third time demonstrates either a blatant disregard for PLU's policies and/or behaviors that raise concern for her/his personal well-being and/or the university community. Therefore, the Conduct Body will recommend [suspension](#) from the university for a minimum of one semester for any student who violates PLU's Illegal Drugs Policy a third time. The suspension may be deferred. If deferral is recommended, the Conduct Body may impose additional sanctions as appropriate.

X. CONDUCT RECORDS

All Student Conduct Review Meetings are closed to the public and the proceedings are to remain confidential to protect the privacy of the individuals involved. Review Meetings may be recorded (audio or video) by the Conduct Body for its use and that of the Appeal Officer. Students are not permitted to make such recordings and are also not permitted to bring personal cell phones or other devices that could be used for recordings of the review meetings. Review Meeting recordings may not be copied or released and are destroyed after the appeal period for the incident has ended.

The [Student Involvement and Leadership Office](#) maintains individual student conduct records for three years after the student graduates or for seven years after the student leaves Pacific Lutheran University. Records of students who have been suspended or expelled from the university may be kept for an indefinite period of time.

XI. APPEALS

Students in the conduct system have the opportunity for self-initiated appeal. The appeal process may only be initiated by a student who has been found in violation of a policy, rule, regulation or standard, except that both Complainants and Respondents may appeal a determination involving the [Sexual Misconduct Policy](#), as permitted by federal law. Students may appeal a decision once.

A. An Appeal Is Not a Re-Hearing

New information concerning the incident itself is not considered. If the student presents new information that was unobtainable at the time of the original review, the Associate Director for Student Conduct shall ask the Conduct Body to reconsider the incident. Decisions regarding appeals are made based upon the record of the original case and the information contained in the written appeal (see *subsection C.2.*, below)

B. Grounds for Appeal

Grounds for appeal are limited to four categories:

1. Procedural error that substantially impacted the outcome of the review process,
2. Bias unknown at the beginning of the Review Meeting that substantially impacted the outcome of the review process,
3. New information, previously unavailable, that would substantially impact the outcome of the review process, and/or
4. Severity of sanction.

The appeal process may be initiated by any student who has been formally informed of the review process outcome.

C. Appeals Process

1. The student completes an [Appeal Form](#) and submits it to the Associate Director for Student Conduct by the deadline indicated on her/his written decision, typically 72-hours.
2. The Appeal Form shall include:
 - a. The appeal date,
 - b. The grounds for the appeal,
 - c. A detailed rationale supporting the grounds for appeal, and
 - d. The signature(s) of the person(s) filing the appeal.
3. The Associate Director for Student Conduct reviews the written Appeal Form to assure that it contains appropriate grounds and sufficient detail to allow the appellate body to make a decision. If the appeal is improperly drafted or is insufficiently detailed, the Associate Director for Student Conduct informs the petitioner and s/he must submit an amended Appeal Form within 24-hours of the Associate Director for Student Conduct's notice.
4. In considering an appeal, the appellate body must make a decision solely upon review of the written material and the record of the case.
5. The original sanction imposed by a Conduct Body may be deferred while a student is involved in the appeal process.

D. Possible Appeal Outcomes

1. The appellate body may refer an appealed case for reconsideration in light of certain factors to the Conduct Body that rendered the decision being appealed.
2. The appellate body may alter the decision and/or the sanction(s).
3. The appellate body may uphold the decision and/or the sanction. If the original sanction(s) was deferred while the student was involved in the appeal process, a new deadline may be established for the original sanction(s) as deemed appropriate by the appellate body.

E. Levels of Appeal

Generally, the Associate Director for Student Conduct assigns an appeal based on which Conduct Body (or Review Officer) conducted the original Review Meeting. The usual routes an appeal may

take are outlined below. However, the Associate Director for Student Conduct may assign appeals at his/her sole discretion.

1. Community Review Board (CRB) decisions may be appealed to the Associate Director for Student Conduct or her/his designee.
2. Review Officer decisions may be appealed to the Associate Director for Student Conduct, Assistant Dean of Campus Life or the Dean of Student Development.
3. University Review Board (URB) decisions are appealed to the Vice President for Student Life and Dean of Students.
4. Appeals involving sanctions of Suspension or Expulsion are directed to the University President.

XII. SPECIAL PROVISIONS

A. End of Term

Incidents reported during the last 15 working days of each semester, as well as January and Summer terms, conduct bodies may consider Incident Reports within 24-hours of the meeting notice. Incident reports not reviewed in meetings before the end of the term will be reviewed (without the presence of the student(s) named on the report) by a Review Officer or a panel of Student Life representatives advised by the Associate Director for Student Conduct. Notification of decisions and sanctions will be sent by mail and/or email.

B. Summer/January Term

The standard provision for Conduct Body reviews are followed as much as reasonably possible with the available personnel. The Associate Director for Student Conduct may ask board members and Review Officers appointed or elected for the prior academic term to continue. The Vice President for Student Life and Dean of Students shall appoint any additional student members required and the university Provost shall appoint any faculty members required.

C. Special Procedures

At her/his discretion, the Vice President for Student Life and Dean of Students may immediately review emergencies or unusual circumstances in which student conduct interferes seriously with the rights of others, with the normal ongoing work and activities of the university, or poses possible danger to the health, safety, and welfare of that individual or other people or property. In such special situations, the Vice President for Student Life and Dean of Students may issue a temporary decision and temporary sanction to stabilize the situation, and prevent further disruption or harm. This may involve steps up to and including, the immediate removal of students from the campus and community, without limitation.

As soon as is practical thereafter, the allegations against the student will be heard by the [URB](#) or a team of Review Officers at a special meeting called by the Vice President for Student Life and Dean of Students. At such a Review Meeting, the student will be accorded the rights set out in [Section IV](#) of these procedures, except that the timelines set out in [Section IV – Subsection A](#) and for the entire Student Conduct process may vary.