Student Code of Conduct

Purpose of the Handbook

Mitchell College is a national leader in learning engagement within a student-centered community that maximizes each student’s ability to succeed. The College’s handbook enables all students to live and learn in an environment which promotes academic achievement by setting core principles, rules and values. The Office of the Vice President for Student Affairs/Dean of Students serves as the primary administrator of student conduct and has the responsibility of holding students accountable for the Mitchell College Code of Conduct. All students who are enrolled at Mitchell College agree to adhere to these policies and procedures.

Code of Conduct Introduction

The Code of Conduct is a set of behavioral standards that students and members of the community are expected to abide by and may be held accountable for maintaining. The Code of Conduct promotes Mitchell College’s mission statement by setting forth policies which enable each student to maximize his or her ability to succeed in a student-centered environment. These policies put an emphasis on allowing each student the right to learn in an environment which promotes their success, education, safety, respect, diversity and growth.

Students are subject to Mitchell College policies and procedures in addition to all federal and state laws while enrolled at the College. In addition, the College reserves the right to update or change any material listed in the Code, including policies and procedures, at any time. Students would be notified of such changes and responsible for following all policies and procedures.

Commonly Used Terms and Definitions

Advocate: Any student who has a conduct hearing has the right to have an advocate present. An advocate is a member of the Mitchell College faculty or staff who is not an attorney. An advocate acts as an unbiased resource for a student and helps clarify questions or statements and provides advice to a student at a hearing. An advocate does not participate in a conduct hearing except to speak directly to a student.

Appeal: All students have the right to request an appeal of a decision of a conduct hearing. An appeal is a request for a review of the case by a different hearing officer to ensure the conduct process was followed properly and appropriate sanctions were applied.

Disciplinary Probation: A form of sanction. While on disciplinary probation, students are expected to conduct themselves in an appropriate manner following the Code of Conduct. Students that violate additional policies in the Code of Conduct while on disciplinary probation should expect more severe sanctions, possibly resulting in his/her suspension or expulsion from the College.

Dismissal: A form of sanction. A dismissal results in a permanent separation from the College. Notation of dismissal would be recorded on the student’s academic transcript.

Due Process: a grounds for appeal if not followed. Due process is the College’s responsibility to follow the Conduct Process as described in the Code of Conduct. If not followed, it is a grounds for an appeal of a hearing officer’s decision.

Hearing: Often referred to as a conduct hearing. A hearing is a student’s opportunity to meet with a hearing officer or the College’s Conduct Board and to discuss the Code of Conduct violation(s) the student is alleged to have violated.
**Hearing Officer:** Hearing officers are usually professional Student Affairs staff members. Hearing officers oversee a case and determine the policy violations students incur for alleged violations of the Code of Conduct. Hearing officers will then schedule a conduct hearing with the student and review all information. After the hearing takes place the hearing officer will make a decision and notify the student.

**Interim Suspension:** Interim suspension is when a student is separated from the college in all regards until more information can be collected and a conduct hearing can be held.

**Letter of Warning:** Documented letter which warns a violation of the College’s Code of Conduct has occurred. Failure to comply with said letter may result in documentation and/or sanctioning.

Plea- responsible or not responsible. At a hearing, each student accepts responsibility or does not accept responsibility for each alleged policy violation assessed. A hearing officer also finds a student responsible or not responsible for each policy violation. The hearing officer’s finding supercedes the student’s plea of responsible or not responsible.

**Restitution:** Often known as a fine or act of service. Restitution is a form of sanction which covers the cost associated with the damages or administration/facilities cost of an action which a student(s) is found responsible or admits responsibility for. Restitution may also involve physical service related to the property damaged.

**Sanction:** A sanction is the consequence assigned by a hearing officer. It is a disciplinary action which occurs when a student is found to be responsible for breaking the College’s Code of Conduct.

**Suspension:** A form of sanction which results in the student’s separation from the College in all capacity for a period of time.

**Student Rights and Responsibilities**

**Purpose:**

The College expects students to behave as mature, responsible adults. The Code of Conduct has been constructed to serve as a basis of expectations for students and a method of holding students accountable for College policies. The Code of Conduct creates a framework for Mitchell College campus community members to live, learn, and work; simultaneously it provides students’ rights and responsibilities as engaged members of this community.

**Student Rights:**

- Rules, regulations, student rights and responsibilities apply to all students.
- Students at Mitchell College have the right to an academic and social environment conducive to learning where reasonable accommodations and services are provided and issues of health, safety, and civility are addressed. At the same time, students share responsibility for creating and maintaining such an environment.
- Students have the right to protection against improper disclosure. Each semester, a student has the opportunity to complete a form designating whether entities outside campus can have access to his/her personal information. Access to this information will not be allowed if a student chooses or without the student’s consent, except where permitted or required by the Family Educational Rights and Privacy Act of 1974. The FERPA policy can be found and completed on the Mitchell College website.
• Students at Mitchell College have the right to express their views, individually or collectively, on issues of institutional policy and on matters of general interest to the student body. Such expression should be articulated in a peaceful, respectful way and students engaged in it must still follow the rules as stated in the Code of Conduct.
• Students committing policy violations have the right to participate in a conduct process as outlined in the Code of Conduct. If a student violates College policy and must go through the conduct hearing process, he or she is entitled to know the specific policies that are being assessed as stated in the Code of Conduct. If a student is found responsible for any policy violations, he or she has the right to appeal the decision as stated in the Code of Conduct as well.

Community Standards and Policies

Students are responsible for upholding College policies on and off campus as well as at Mitchell College sponsored events. Please note that students are subject to and responsible for following Mitchell College policies and procedures in addition to federal and state laws while enrolled as students here. Students may be adjudicated for Mitchell College policy violations that occur off campus, at the discretion of the Vice President for Student Affairs, or his designee. The violations below are separated into the following categories: Personal Conduct, Sexual Misconduct, Conduct Process Conduct, Dishonesty, and Physical/Emotional Health and General Safety.

Violations of the following conduct outlined below in addition to violations of federal and state laws will constitute violations of the Community Standards and will be subject to action and sanctions as outlined in the Conduct Hearing Process. Conduct that violates this Code of Conduct includes but is not limited to:

1. Personal Conduct
   a. Verbal assault or threats to harm another individual by physical force or violence
   b. Physical assault or the threat of physical harm to another individual
   c. Use of inappropriate language in public areas
   d. Endangering or threatening the health and safety of oneself or another individual
   e. Conduct that causes disruption or is a risk to any member of the community
   f. Assisting or encouraging another individual to engage in a violation of College policy
   g. Conduct that is in direct conflict with values and expectations as stated in the Student Handbook and Code of Conduct, and therefore may call into question a student’s ability to remain a member of the Mitchell College community
   h. Participation in the disruption or process of College activities including but not limited to living on campus and driving and parking policies
   i. Attempted theft, theft, damage, or vandalism to property of the College or others
   j. Unauthorized form of gambling
   k. Failure to abide by guest policies
   l. Unauthorized possession, duplication, or use of keys to any College premises
   m. Failure to abide by College Internet Network Use Policy
   n. Unauthorized solicitation of business or event; unauthorized posting or distribution of flyers, bulletins, or posters
   o. Indecent conduct including but not limited to public urination/defecation, public sexual contact, streaking, or stripping

2. Dishonesty
   a. Filing a false incident report or making a false statement to a College or a public official
   b. Interfering or failure to comply with the request of college officials or law enforcement, fire or other public official acting in their official duty
   c. Any inappropriate in person or technological communication with a College official including but not limited to verbal harassment or swearing
d. Acts of dishonesty including but not limited to providing false information to a College staff or faculty member, misrepresenting oneself as another, alteration or misuse of College records or official identification

3. Physical /Emotional Health and General Safety

a. Any action that threatens, endangers or subjects another person to physical harm, or incites a person by provocation
b. Any discriminatory action that might exclude a person from participation in or denies a person the benefits of College programs, including bullying or hazing, or otherwise subjects a person to discrimination
c. Weapons, including but not limited to BB rifle/guns, air soft or pellet gun paraphernalia, martial arts implements, knives or bombs as stated in CT state law
d. Starting a fire, false report of fire, fireworks, failure to evacuate, tampering with, damaging or removing fire safety equipment or creating a fire hazard that endangers others
e. Trespassing or unauthorized entry or attempted entry to or use of College premises
f. Devices or behavior used in a manner to invade another individual’s privacy

4. Sexual Misconduct or Assault

a. Sexual harassment
b. Non consensual sexual intercourse, or attempting to commit the act
c. Non consensual sexual contact, or attempting to commit the act
d. Domestic violence

5. Conduct Process

a. Abuse of Code of Conduct procedures, including but not limited to the investigation of complaints, Student Conduct Hearing and appeals process
b. Attempting to discourage or prohibit an individual’s participation in the conduct process
c. Failure to abide by Residence Life policies and procedures or the Housing Contract
d. Failure to comply with any College policy or procedure
e. Failure to comply with sanction(s) imposed under the Code of Conduct

This listing of policy violations is in no way conclusive. Being a Mitchell College student comes with the responsibility of being a member of a community. Behaviors that are disruptive or harmful to others’ academic and social experiences, hurtful to any member of the college community, or are not consistent with Mitchell College’s mission shall also constitute a violation of college policy.

Sexual Violence

The College defines sexual misconduct as actual or attempted sexual assault, rape, inappropriate sexual acts, non-consensual sexual behavior and sexual harassment. Sexual misconduct also includes non-consensual intercourse, sexual touching, exhibitionism, or sexual language of a threatening nature, committed by physical force, coercion or threat, actual or implied by a person(s) known or unknown the victim. Non-consensual activity includes but is not limited to situations when the victim is:
Is unable to consent because she/he is mentally incapacitated
Is fearful of harm
Is unconscious or otherwise physically helpless due to drug or alcohol consumption

The College defines domestic violence, or intimate partner violence, as physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from sexual assault, sexual assault in a spousal or cohabitating relationship, and domestic violence and third degree stalking.

Mitchell College has a memorandum of understanding with the Southeastern Connecticut Sexual Assault and Crisis Center. If you need assistance or support and think you or another individual may be a victim of sexual violence, SACCEC can be contacted at (860-442-0604). The 24 hour hotline number is 1-888-999-5545.

Consistent with Connecticut state law, Mitchell College utilizes affirmative consent standards to affirm consent.

**Sexual Violence on Campus:**

Sexual violence includes sexual acts against another individual’s will or without consent and extends to sexual misconduct or assault and domestic violence. Please note that Mitchell College follows Connecticut Sexual Violence laws and will notify local authorities of sexual misconduct when the victim chooses to involve the local authorities pursuant to state law [PA 12-78—sHB 5031](#). A victim of sexual violence has the ability to involve the legal system in this process and can seek to obtain a protective order, apply for a temporary restraining order, or seek enforcement of an existing order. Court issued orders will be enforced at Mitchell College. Victims are also encouraged to immediately file a report with Campus Safety but do not have to involve Campus Safety. In such cases when the victim chooses not to involve Campus Safety, the Campus Safety office will be informed that a sexual assault took place on campus but the individuals involved will not be identified. Victims of rape and sexual assault are strongly encouraged to seek medical and emotional assistance. Counseling resources are available with counselors in the department of Health and Wellness. Questions and concerns can be posed to the Sexual Assault Crisis Center, a 24-hour hotline, at 860-437-7766; please ask for the College counselor. A Residence Life professional staff member will authorize a room switch as necessary; other departments and offices on campus will also be contacted to minimize daily future social and academic contact between the victim and the accused.

Incidents where the victim pursues College conduct action will be handled expeditiously. Victims can request disciplinary proceedings begin promptly as long as all of the investigative paperwork is complete. At a conduct hearing, both the victim and the accused may have College advocates present and may be able to present evidence and witnesses. Prior to a conduct hearing, the Vice President of Student Affairs or designee may request to meet with witnesses for an interview. When possible, a conduct decision will be given no later than one business day after the hearing concludes. Identities of students involved will remain confidential, except as necessary to carry out a conduct hearing or unless otherwise permitted by state or federal law. If a student is more likely than not responsible for sexual violence and found responsible for committing it, he or she will receive a sanction. The following are possible sanctions:

**Sanctions**

Sanctions may be cumulative and include the following:

1. Written Reprimand – Documented warning that a violation of the Code of Conduct occurred.
2. Restitution or Fine – Financial accountability or monetary fine assessed to cover administrative costs or damages.
3. Community Restitution – Service project(s) completed for the good of the community.
4. Educational Intervention – Online and physical classes meant to address issues such as drug and alcohol abuse, as well as other classes as needed.
5. Parent Consultation- Parent/guardian may be contacted when a student’s behavior causes alarm, serious disruption, or is a health or safety concern.
6. Disciplinary Probation – Disciplinary probation with the loss of certain rights for a specified period of time. Students on disciplinary probation may face more severe sanctions if they are found responsible for further code of conduct violations.
7. Restricted Suspension – Separation from the college in all regards except designated academic classes. Students can be banned from certain areas of campus.
8. Interim/Temporary Suspension – Separation from the college in all regards for a specified period of time.
9. Termination of Residency – Loss of on-campus housing, without refund, and/or dining privileges, permanently or for a specified period of time.
10. Stayed Suspension – A full suspension that will not go into effect pending the completion of specified sanctions. Students receiving a stayed suspension will still have all of the full benefits of being a Mitchell College student; however, any further violation of College policy will result in the suspension immediately going into effect.
11. Full Suspension – Separation from the College in all regards for a specified period of time without refund of tuition and fees and no option of completing course work for the current semester or term. Notation may be made on the student’s academic transcript.
12. Dismissal- permanent removal from the College. Notation will be made on a student’s transcript.
13. Other sanctions as deemed appropriate by the hearing officer.

The hearing officer for this incident will notify the victim of the conduct hearing outcome.

Please contact the following offices with questions about sexual violence or policies related to it: Health and Wellness, Residence Life and Judicial Affairs, Campus Safety, the Vice President of Student Affairs, and the Title IX Coordinator.

**Alcohol & Drug Policies**

1. Consumption or possession of alcoholic beverages by students or guests less than 21 years of age is not permitted.
2. Use or possession of any illegal drug or drug paraphernalia is not permitted.
3. Individuals who engage in any behavior that threatens the health and safety of another individuals, themselves, or property is subject to disciplinary action.
4. Students or guests under the age of 21 may not purchase, possess, consume or offer alcoholic beverages at a Mitchell College sponsored event.
5. Alcohol without liquid (AWOL) including generators or vaporizers, or other equipment that encourages heavy alcohol consumption is prohibited.
6. Distribution of illegal drugs is prohibited.
7. Engaging in drinking games and other behaviors designed for the purpose of becoming intoxicated through the abusive use of alcohol (e.g., funnels, kegs or alcohol related games) is strictly prohibited.
8. Open containers and/or consumption of alcohol in public areas (bathrooms, hallways, lounges, outside of buildings, etc.) are prohibited.
9. Possession of alcohol is not permitted in the first-year residence halls or in Thames Academy.
10. Purchasing, serving, or furnishing alcohol for or to a minor is prohibited and punishable by both Mitchell College and Connecticut State Law.
11. Attempts to coerce or subtly coerce persons to drink or abuse alcohol.
12. Mitchell College prohibits the illegal possession and/or professionally unsupervised use or distribution of all prescription drugs, hallucinogenic drugs, habit forming and controlled substances, including marijuana pursuant to state law.
13. Intoxicated students who are disorderly or disrespectful to College staff, or who fail to comply with a College official’s directives, are subject to disciplinary action.
14. Of age students’ possession of an amount of alcohol over the stated allowable limit is not permitted.
When there are students living in a room where one roommate is at least 21 years of age and the other roommate is not, the roommate who is at least 21 years of age is permitted to possess the allowable amount of alcohol in the room. In no circumstance, is the roommate who is at least 21 years of age permitted to share or consume alcohol with or in the presence of an underage roommate. Room guests who are at least 21 years of age are permitted to consume alcohol in such room with the roommate who is at least 21 years of age provided the underage roommate is not present.

Guests of Mitchell College students who are over the age of 21 are permitted to drink alcohol on campus with a Mitchell College host. Mitchell College hosts must be at least 21 years of age. A host must accompany his/her guest(s) at all times. Mitchell College guests who violate the alcohol policy may be asked to leave campus. Guests in violation of Mitchell College policies may also be banned from the campus by Residence Life or Campus Safety staff until further notice. See Residence Life Policies and Procedures for more information about students and guests.

In the state of Connecticut, marijuana is now permitted to be used for medical purposes, pursuant to state law. Colleges are exempt from this law; the possession or use of marijuana for medical or recreational purposes is not permitted on college or university campuses in the state. See statute for additional information on the use of medical marijuana.

**Students found in violation of the above policies will be subject to Residence Life, Campus Safety, and/or local law enforcement intervention. Illegal substances including alcohol found in the process of addressing policy violations will be confiscated. Violation of alcohol rules and regulations (illegal use or misuse) will be handled through the student conduct system and will result in sanctions that may include fines, mandatory participation in alcohol education classes, community work projects, probations, and/or house or college suspensions or dismissal.**

**Mitchell College Substance-Abuse Related Sanctions**

The following sanctions are guidelines for violations of the Conduct Code regarding the alcohol and drug policy. The Office of Residence Life reserves the discretion to determine appropriate sanctions for any infraction of the Code of Conduct. The sanctions may be cumulative and assessed at the discretion of the hearing officer. If a student’s disciplinary record is clear for one academic year, a new violation may be treated as a first offense. Sanctions may be tailored to specific situations. The following list is not exhaustive; sanctions may be enhanced based on a past disciplinary record and/or the severity of behavior or the impact upon the community. Sanctions include but are not limited to the completion of an online alcohol and/or marijuana online course, an alcohol and drug workshop, residence hall probation, campus/community alcohol and drug programming, counseling, parent involvement, and suspension from the residence halls or Mitchell College.

Students 21 years of age and older will be required to sign a contract for responsible alcohol consumption. Please see your Residence Hall Director for more information.

**Good Samaritan Policy**

Mitchell College is committed to the safety, welfare and health of all students. Students are encouraged to make responsible choices for themselves and for other community members.

In cases of an emergency involving intoxication, alcohol poisoning, or drug-related medical issues, Mitchell College encourages students to seek medical assistance for themselves and/or others.

Contacting emergency personnel in these situations will fall under the Mitchell College Good Samaritan Policy.

This includes:
An individual student voluntarily contacts emergency medical assistance for themselves related to alcohol or drug use.
An individual student voluntarily contacts emergency medical assistance on behalf of another person related to alcohol or drug use.

In all cases in which the Mitchell College Good Samaritan Policy applies, all students involved in an incident, including the good Samaritan(s) who made the contact and the student(s) experiencing the emergency, will meet a member of the Office of Residence Life. At the meeting, the incident will be reviewed and an appropriate response determined. This may include the following:

Mandated counseling session(s)
Substance abuse education and/or evaluation
Participation in an education group or class
Educational assignment(s)

The students involved will not receive formal student conduct action, regardless of conduct history, provided the student completes all meetings and conditions. If a student fails to attend their scheduled meeting or fails to complete the required outcomes of the meeting they will be referred to the Student Conduct Process for Failure to Comply.

The Mitchell College Good Samaritan Policy does not excuse or protect students who repeatedly violate the College’s Code of Conduct and its use will be limited in the number of times any one student can report endangering behavior before being subject to the Student Conduct Process. The Campus Safety and Residence Life Staffs are expected to follow its processes and procedures for any situation whether or not the Mitchell College Good Samaritan policy may be applicable to the situation.

The Good Samaritan Policy does not apply to students experiencing alcohol or drug related emergencies that are found by a College Official. The Good Samaritan Policy will not be used in incidents involving any alleged violation of the Mitchell College Code of Conduct concerning sexual misconduct, physical abuse or harassment, distribution of controlled substances, or property damage or any other case where the College may be mandated to report to law enforcement. For students under the age of 18, the Good Samaritan policy may not apply. Due to federal and state laws, parental notice may need to be made when students under the age of 18 are involved in incidents involving alcohol.

**Conduct Process and Procedures**

All members of the Mitchell college community have the responsibility to uphold the social standards of conduct set forth in the Code of Conduct. Each member of this community has the right to file a complaint when he or she believes these standards have been violated. Whenever possible, however, it is recommended that conflicts between or among individuals be resolved informally (with the help of a mediator if necessary). One should address an issue or attempt to resolve a conflict by dealing directly with the person(s) involved. When this is not possible, one may rely on the procedures that have been established to adjudicate alleged violations of Mitchell College’s Code of Conduct.

To adjudicate violations of the Code of Conduct, conduct hearings are held. Appropriate sanctions may be applied when violations of the College’s community standards have been demonstrated. Students have the right to appeal a sanction imposed upon them.

A summary of the conduct process appears below.

**Documentation of Conduct Code Violations**
In most cases, the Residence Life staff (Resident Assistants and Residence Directors) will address and document violations of the Mitchell College Code of Conduct that occur in the residence halls. These reports are submitted to the Office of Residence Life for review to determine if policy violations have taken place and a conduct hearing should be scheduled. Violations occurring outside the residence halls are usually addressed and documented by Campus Safety officers who share their report with the Office of Residence Life. The Director of Campus Life (or his/her designate) will decide whether to hear the case and then refer it to a hearing officer, a conduct board, or the Vice President for Student Affairs.

Investigation of Conduct Code Violations

The Vice President for Student Affairs/Dean of Students or his/her designee will review all alleged violations reported to his/her office. In addition, he or she must provide verbal authorization before any student’s residence hall room or personal property is inspected during an investigation. The object or information sought and the location to be inspected will be documented as well as the student(s) involved. If possible, students will be notified of an inspection.

Conduct Hearings

Upon conclusion of the investigation the Vice President for Student Affairs/Dean of Students (or his/her designee) will appoint a Hearing Officer and notify the student involved, in writing, of the date, time, and location of the conduct hearing. Students are entitled to 48 hours’ notice in writing prior to a hearing. Students must sign a conduct hearing notice; when a student refuses to sign for this paperwork, he or she is still responsible for its contents and still expected to appear at a conduct hearing. Conduct hearings will be conducted in a manner which provides appropriate due process and attempts to ensure confidentiality. All hearings are closed to the public and legal counsel may not be present. At the conduct hearing the student will be have the opportunity to: (a) Review any report of the alleged violation; and (b) Ask questions regarding his/her rights and responsibilities.

Any documented incident may be escalated to a conduct hearing. Hearings will be conducted in an expeditious fashion; however, there may be occasions when a hearing for a matter cannot be held as promptly as possible.

All hearings are closed to the public and legal counsel may not be present. Any student appearing for a conduct hearing has the right to have the assistance of one advocate who can be a Mitchell College faculty member, administrator or student of his/her choice, provided that individual is not legal counsel. Mitchell College Campus Safety officers are not eligible to serve as advocates since they serve in an investigative role at the College which may present a conflict to potential involvement in the conduct hearing process as an advocate. At a conduct hearing, the student will be allowed the opportunity to describe the situation in question and the alleged violation. The student may bring witnesses to the hearing with the prior approval by the Vice President for Student Affairs (or his/her designee). The student will be made aware of the content and source of any evidence presented and will be given the opportunity to rebut such evidence. The hearing officer may request the testimony of appropriate Mitchell College students, faculty and staff or other individuals.

After a student reviews the policy violations he or she has been assessed, the student will be required to enter a plea of responsible or not responsible for each alleged violation. If the student enters a plea of responsible, the Hearing Officer will discuss the charges and discuss appropriate sanction(s). If the student enters a plea of not responsible, but there is enough evidence to hold the student responsible, the Hearing Officer will determine whether to apply sanctions at the conclusion of the conduct hearing. A hearing officer can find a student responsible for policy violations even if a student does not plea responsible. In these circumstances, a hearing officer's decision and sanctions applied are standing and a student can appeal this decision.
If a student fails to appear at any hearing, the hearing officer(s) assigned to adjudicate the case will make a determination regarding the alleged violation and will impose appropriate sanctions, provided the student has received proper notice of the hearing.

Conduct hearings that would normally occur at or near the end of the semester may be conducted between semesters or at the start of the following semester. Hearings that might occur during a college recess period may be conducted during the recess period or immediately following the recess period.

At the discretion of the Vice President of Student Affairs, or his/her designee, a conduct board will be convened to adjudicate policy violations. Typically, conduct boards are convened to make a decision for serious violations of College policy. The College Conduct Board is composed of six members and includes two students, two members of the college faculty, and two members of the college administration, one of whom is the Vice President for Student Affairs or designate who serves as the non-voting facilitator. He or she votes only if the board cannot reach a decision. Each member is provided the necessary training to function fairly and systematically in the role of a board member. A quorum of three voting members is required and a majority vote of those present is needed to resolve a case. If the board is unable to come to a majority vote, the facilitator will determine the decision. A member of the board who has a personal interest in a case will not participate in the conduct hearing. In such instances, the facilitator may request an alternate member to serve on the board.

**Burden of Proof**

The burden of proof lies with the College in any case brought before the Vice President of Student Affairs/Dean of Students or designate, or the conduct board. The facts must be proven to be *more likely so than not* to meet the burden of proof. More likely so than not means that after all of the incident reports, witness statements, and other information has been reviewed, it must be more than likely that a student is responsible for the policy violations assessed. After all relevant information is gathered, the Vice President for Student Affairs/Dean of Students (or his/her designee) or the conduct board will determine whether the student is responsible or not responsible for the alleged violation of the Code. In the event that the student is found responsible, then an appropriate sanction(s) will be imposed.

**Notification of Decision**

The hearing officer(s) will notify the student of the decision in writing within ten (10) business days of the conduct hearing. Please note that, in rare and serious cases, and in accordance with Family Education Rights and Privacy Act (FERPA), the Vice President for Student Affairs/Dean of Students will notify Mitchell College faculty and staff of the decision.

**Sanctions**

Sanctions may be cumulative and include the following:

1. Written Reprimand – Documented warning that a violation of the Code of Conduct occurred.
2. Restitution or Fine – Financial accountability or monetary fine assessed to cover administrative costs or damages.
3. Community Restitution – Service project(s) completed for the good of the community.
4. Educational Intervention – Online and physical classes meant to address issues such as drug and alcohol abuse, as well as other classes as needed.
5. Parent Consultation- Parent/guardian may be contacted when a student’s behavior causes alarm, serious disruption, or is a health or safety concern.
6. Disciplinary Probation – Disciplinary probation with the loss of certain rights for a specified period of time. Students on disciplinary probation may face more severe sanctions if they are found responsible for further code of conduct violations.
7. Restricted Suspension – Separation from the college in all regards except designated academic
classes. Students can be banned from certain areas of campus.
8. Interim/Temporary Suspension – Separation from the college in all regards for a specified period of time.
9. Termination of Residency – Loss of on-campus housing, without refund, and/or dining privileges, permanently or for a specified period of time.
10. Stayed Suspension – A full suspension that will not go into effect pending the completion of specified sanctions. Students receiving a stayed suspension will still have all of the full benefits of being a Mitchell College student; however, any further violation of College policy will result in the suspension immediately going into effect.
11. Full Suspension – Separation from the College in all regards for a specified period of time without refund of tuition and fees and no option of completing course work for the current semester or term. Notation may be made on the student’s academic transcript.
12. Dismissal- permanent removal from the College. Notation will be made on a student’s transcript.
13. Other sanctions as deemed appropriate by the hearing officer.

Incomplete sanctions or sanctions in which a student does not comply will result in a fine, loss of housing privileges such as housing selection, and further conduct sanctions or a combination of any one of these things.

The Vice President, in consultation with the Director of Campus Life or designee has the right to immediately separate a student from the college or residence halls if his or her actions cause a risk and serve as a disruption to the Mitchell College campus community. Immediate removal from the residence halls is an interim suspension. The student retains the right to appeal such a decision. However, removal from campus will be enforced during the appeal process. A student who has a warrant out for his or her arrest or an open court case cannot appeal a decision.

Mitchell College reserves the right to contact law enforcement or request their involvement in any incident or case. Even though the College requests law enforcement involvement, the College reserves the right to make a decision independent of any law enforcement investigation. The College may also defer a conduct decision pending the outcome of a police investigation.

**Appeals**

All students have the right to request an appeal for each case that is heard by a hearing officer including the Vice President for Student Affairs/Dean of Students (or his/her designee), or the College Conduct Board. In either case, the student must submit an appeal in writing to the Office of the Vice President of Student Affairs/Dean of Students with four (4) business days after the student receives the decision. The student must state, in the request for appeal, the grounds for appeal, which include only the following:

1. Failure to follow due process
2. Availability of new evidence
3. Severity of sanction

In the event that due process has not been followed, the Office of Residence Life reserves the right to not proceed with a conduct hearing. The Vice President for Student Affairs/Dean of Students will review a request for appeal and decide if an appeals hearing would be held or not. The Vice President for Student Affairs/Dean of Students will notify a student in writing with the status of an appeal. If an appeals hearing is granted, the Vice President for Student Affairs/Dean of Students will forward it to an appeals board, another hearing officer, or conduct the hearing him/herself.

Please note that appeals that would normally occur near the end of the semester may be conducted between semesters or at the beginning of the following semester. Appeals that might occur at a College recess period may be conducted during the recess period or immediately following. The College may defer hearing an appeal pending the outcome of a police investigation.
**Grievance:**

A grievance is a formal complaint about a matter which is believed to be unfair or unjust. For grievances which relate to ADA Compliance matters please reference the Student ADA Grievance Policy. The Title IX Coordinator at Mitchell College is Sandra Wirth, E.D. Interim Vice President for Student Affairs/Dean of Students, Mitchell Hall 311, phone 860-701-5197, and email wirth_s@mitchell.edu.

All students at Mitchell College have the right to be treated according to the rules and guidelines set forth by Mitchell College. Any student who feels they have been treated unjustly are entitled to make a formal grievance.

**Grievance Steps:**

1. Student should attempt to resolve any matter in an informal way by addressing the matter with the person who is being grieved. If a student is grieving a Mitchell College policy they should attempt to resolve the matter with the department head of the department responsible for the policy.
2. If unable to reach a resolution, the student may write a letter of grievance to the Dean of Students within fifteen (15) days of the occurrence of the matter which is being grieved unless extenuating circumstances prevent the grievant from doing so. The letter should state the item being grieved, name of grievant, name of the individual(s) or policy being grieved and what actions the grievant has already pursued to try to resolve the matter.
3. The Dean of Student or his/her designee will conduct an investigation into the matter being grieved and determine how best to resolve the matter. The Dean of Students or his/her designee is responsible for the final decision and the implementation of the decision.

For students who have exhausted all institutional grievance procedures, the following state and accrediting agencies are available to handle complaints (note that these agencies will not consider complaints until all institutional grievance procedures have been followed):

**NEASC**
3 Burlington Woods Dr, Ste 100
Burlington, MA 01803
855-886-3272
[cpss.neasc.org](http://cpss.neasc.org)

**Connecticut Office of Higher Education**
61 Woodland St
Hartford, CT 06105
800-842-0229
[www.ctohe.org/studentcomplaints.shtml](http://www.ctohe.org/studentcomplaints.shtml)

**Non-Discrimination Policy:**

It is Mitchell College policy not to discriminate in all operations associated with the College. If a student feels they have been discriminated against they can make a formal grievance through the Mitchell College grievance policy.
Students also have the right to file complaints of discrimination outside of the college. Complaints should be filed within 180 days of the date of the incident, unless the individual is granted extended time by the agency the complaint is being filed with.

**Connecticut Office of Civil Rights**  
Telephone: (617) 289-0111  
Email: OCR.Boston@ed.gov

**National Office**  
Telephone: (877) 521-2172  
Email: OCR@ed.gov

**Disciplinary Records**  
Disciplinary records are maintained on file for a period of four (4) years. Disciplinary action may be noted on the student’s academic transcript only when a student is fully suspended or dismissed from the college.