Directed Study for the Master’s Essay
The master’s essay, required by some departments/programs, must present evidence of the student’s ability to present a well-organized report on a topic of significance in the field. The writing of this essay is under the supervision of one member of the student’s principal department/program, and must be approved by an additional member designated by the chair of the department or by the program director for interdisciplinary programs.

Comprehensive Examination
Most Plan B programs of study require a comprehensive examination in the field of specialization. It may be written, oral, or both, and is conducted by at least two faculty members.

Students failing the general examination may be allowed to take another examination during the following semester but not later than one year after the original examination. More than one repetition of the examination is not permitted.

Standards of Conduct for Graduate Students

The University as a Community
The University of Rochester is dedicated to providing educational opportunities for its students and to transmitting and advancing knowledge. The tradition of the University as a sanctuary of academic freedom and a center of informed discussion is an honored one. It is committed to the protection of intellectual freedoms and rights: of professors to teach; of scholars to study; of students to learn; and of all to express their views.

The University of Rochester is pluralistic and values diversity. Members of the community must respect the rights of the individuals and diverse groups that constitute the University. It is essential that the University remain supportive of democratic and lawful procedure, dedicated to a rational approach to resolving disagreement, and free from discrimination, violence, threats, and intimidation.

Students are expected to abide by the rules of the University and to conduct themselves in accordance with accepted standards of good citizenship, honesty, and propriety, and with proper regard for the rights of others. Students must also obey federal, state, and local laws as would any good citizen. Furthermore, their responsibilities as students, scholars, researchers, and in many cases teachers and emerging professionals, often make special demands for the highest ethical standards.

The maintenance of harmonious community standards requires that behavior that interferes with or threatens the welfare of others or the University community be prevented. Ignorance of these standards will not be considered a valid excuse or defense. Student participation in any unlawful or other potentially serious violations of University policy may lead to suspension or expulsion from the University.

Basic Rights and Expectations of Students

Accused of Misconduct
Students who choose to attend the University of Rochester should understand that they have certain fundamental rights and that they have committed themselves to adhering to academic and social standards essential to the well-being of the community. Any student charged with misconduct will be treated in accordance with the basic standards of fundamental fairness, which include timely notification of charges, fair and impartial hearings, and the right of appeal. Students are expected to respond in a timely fashion to any and all written or verbal communication, including but not limited to voice mail, electronic mail, letters, and other forms of correspondence. Failure to check for these forms of communication does not relieve students of their responsibility to reply.

A significant goal of campus judiciary proceedings is to promote the welfare of the student, making the student aware of community standards, and discouraging the student from engaging in behavior that negatively impacts the University community. Another significant goal is to protect the University community’s collective interests and deter potential offenders.

There are important technical differences between campus and criminal judicial proceedings. The University of Rochester, in contrast to the state, does not have fully empowered police or investigative units, does not have legal counsel in preparing or presenting cases, and has limited capabilities in comparison with the state to subpoena witnesses or punish them for perjury. It would not be in either the University’s or the student’s best interest to attempt to incorporate these features in the campus judicial system. Indeed, a formal and adversarial procedure might have the effect of suppressing information that, in the interest of a student’s long-term development, is best to bring out.

University Procedures and the Public Law
The University is not a sanctuary from public law and does not promote or condone unlawful behavior. The University cooperates with law enforcement authorities in a manner consistent with its legal duties and the interests of the University community.

Students under prosecution for violation of public law may also be subject to University judicial proceedings, which are independent of those under public law. The University may take prompt action under its own procedures regardless of whether the public officials have disposed of the case or what disposition they make.

Students may be subject to the University conduct system for allegations of unlawful conduct that occur on University property or that occur off campus if such off-campus conduct is associated with a University activity or raises considerable concerns that the individual or group poses a threat to the safety or welfare of the University community.

Any student accused of misconduct will be treated in accordance with standards of fundamental fairness as explained on pages 43–44.

Jurisdiction and Responsibility for Academic and Nonacademic Misconduct
A complaint against a graduate student should be forwarded to the appropriate associate dean of graduate studies within that student’s school, who determines whether the complaint should be treated as an academic or a nonacademic matter. Academic matters will be referred to the appropriate associate dean, as
explained on pages 36–38. Nonacademic matters will be referred to the judicial officer, who will consult with the associate dean before going forward with any complaint against a graduate student that he or she receives from any source other than the associate dean.

There is not always a clear distinction between academic and nonacademic misconduct. The fundamental criterion for deciding whether a matter is academic or nonacademic is whether the student was acting in a scholarly or professional capacity. When the incident involves a student acting in his or her role as a student, teaching assistant, or expert in his or her discipline, then the matter is an academic matter. When the incident involves a student acting in an individual independent of these roles, then the matter is nonacademic. The available hearing procedures are not intended to be mutually exclusive; it is possible that a student could be subject to both academic and nonacademic discipline for the same misconduct.

Jurisdiction over cases of academic misconduct involving graduate students has been delegated to the individual department hearing panels who, in consultation with the associate dean of graduate studies, make findings and submit recommendations to the University dean of graduate studies. Details of this process are provided below.

In cases of nonacademic misconduct, authority to hold students accountable through the conduct system (which the University considers to be any person or group who is or was in attendance during an academic period in which misconduct occurred or between academic periods for continuing students) is vested in the president of the University by the University bylaws. This authority has been delegated through the dean of the college and dean of students to the judicial officer in the Office of the Dean of Students of the College (“the judicial officer”) for all nonacademic misconduct involving graduate students with a further delegation to conduct teams/officers.

These conduct teams/officers determine whether an alleged violation of the standards of the University community occurred by the preponderance of the evidence. If the team/officer finds that a violation did occur, it further determines the response which is most likely to benefit both the individual student and the larger University community. As the University official responsible for student conduct, the judicial officer receives the recommendation of these conduct teams/officers on behalf of the University, accepts or modifies the recommendation, and formally implements University action.

Discretionary responsibility for handling extreme cases, where such action is essential for maintaining the orderly processes of the University, is retained by the president or a delegate. The University also retains the right to interim suspend, ban, or otherwise constrain students if they pose a perceived threat to themselves or to the University community, including threats to their own physical or emotional safety and well being, the preservation of University property, or safety and order on University premises. Interim suspension, removal from housing, or other temporary restrictions may be imposed before, during, or after a hearing and any appeal process.

Other officers and agents of the University may promulgate rules and regulations applicable to students in particular situations independent of these procedures and guidelines. These officers and agents shall report serious violations of such rules and regulations to the judicial officer.

**Definition of Academic Misconduct**

The fundamental criterion for deciding whether a matter is academic or nonacademic is whether the student was acting in a scholarly or professional capacity. When misconduct involves a student acting in his or her role as a student, including activities as a research or teaching assistant, or expert in his or her discipline, then the matter is an academic matter.

**Academic Honesty Policy**

The University of Rochester considers academic honesty to be a central responsibility of all students. Suspected infractions of University policies will be treated with the utmost seriousness. Suspected graduate academic misconduct will be reported to the department chair and associate dean of graduate studies.

Plagiarism is a pervasive form of academic dishonesty. This is the use, whether deliberate or unintentional, of an idea or phrase from another source without proper acknowledgment of that source. The risk of plagiarism can be avoided in written work by clearly indicating, either in footnotes or in the paper itself, the source of any other major or unique idea which the student could not or did not arrive at on his or her own. Sources must be given regardless of whether the material is quoted directly or paraphrased. Another form of plagiarism is copying or obtaining information from another student. Submission of written work, such as laboratory reports, computer programs, or papers, which has been copied from the work of other students, with or without their knowledge and consent, is also plagiarism. In brief, any act that represents someone else’s work as one’s own is an academically dishonest act.

A second example of academic dishonesty relates to misuse of library materials. Any act that maliciously hinders the use of or access to library materials is academically dishonest and falls under the terms of this policy. The removal of pages from books or journals disadvantages others in the academic community. Similarly, the removal of books from the libraries without formally checking out the items, the intentional hiding of materials, or the refusal to return reserve readings to the library is dishonest and harmful to the community.

There are several other forms of academic dishonesty including, for example, obtaining an examination prior to its administration or using unauthorized aids during an examination. It is also academically dishonest to assist someone else in an act of academic dishonesty. Fraud, misrepresentation, forgery, falsifying documents, records, or identification cards, and fabricating or altering research data are other forms of academic misconduct.

A student remains responsible for the academic honesty of work submitted to the University as part of the requirements for the completion of a degree (or any other coursework taken at the University) even after the work is accepted, the degree is granted, or the student is no longer matriculated at the University of Rochester.

Ignorance of these standards is not considered a valid excuse or defense.
If alleged academic misconduct involves sponsored research, threatens the integrity of the scientific method, or compromises the creation of new knowledge, the matter will be referred to and will follow the procedures outlined in the Policy on Misconduct, Scholarship, and Research in the Faculty Handbook.

Associate dean receives report of potential academic misconduct; reviews material and/or meets with those involved.

- Case dismissed
- Informal or administrative resolution

Associate dean determines matter should be treated as academic misconduct.

- Refers charges to student’s department

Department Hearing Panel conducts hearing, makes findings, presents recommendation to the dean or director who submits them along with his or her recommendation to the University dean of graduate studies.

University dean of graduate studies issues decision and, if appropriate, a sanction.

- Student/Victim appeals decision to the provost

  - Decision accepted
  - Decision modified
  - Decision upheld
Judicial Process for Academic Misconduct

As indicated in the diagram on page 37, charges of academic misconduct are referred to the student’s department by the associate dean. In a school without departments, these matters will be handled by the school. Each department, interdisciplinary program, or school will have a written policy on file with the associate dean to deal with these matters and a designated group called the Department Hearing Panel (Committee on Academic Integrity at Eastman) to hear the charge. The department may utilize one of several mechanisms for hearing charges of academic misconduct. These may include a panel that consists of (1) the usual faculty group that deals with graduate student business, (2) the entire faculty of the department, or (3) a committee appointed by the department chair specifically for the purpose of hearing the academic misconduct charge. A department’s written policy may also call for graduate student representation on the panel.

The Department Hearing Panel, in consultation with the associate dean and in accordance with the standards set forth in the section Fundamental Fairness above (to the extent appropriate to the circumstances—with the associate dean functioning as the “judicial officer” and the Department Hearing Panel as the “hearing team”) conducts a hearing, makes findings, and presents a recommendation to the appropriate dean or director. The dean or director then reviews the findings and recommendation, and submits them along with his or her recommendation to the University dean of graduate studies, who issues the final decision and sanction. An appeal may be made to the provost within seven days of the decision and will follow, to the extent feasible, the procedures set forth in the section Appeals below.

If either the department chair or the associate dean believes that the alleged misconduct in any way involves sponsored research (including federal training grants), threatens the integrity of the scientific method, or compromises the creation of new knowledge (including original art, scholarship, and research), the matter will be referred to and will follow the procedures outlined in the Policy on Misconduct in Scholarship and Research in the Faculty Handbook.

Definition of Nonacademic Misconduct

Students should conduct themselves in a way that reflects respect for the standards of our community; this includes obeying federal, state, and local laws as well as the guidelines listed below. Not knowing and understanding these standards is not a defense or valid excuse.

While this list is not intended to be exhaustive, some examples of how students might violate University standards and regulations follow:

1. Fraud, misrepresentation, forgery, falsifying documents, records or identification cards, fabricating research data, and plagiarism given to or received by a University official acting within the scope of his or her duties. This includes providing incomplete information regarding an investigation into alleged policy infractions.

2. Unlawful or improper use, manufacture, sale, distribution, or possession of alcohol as defined by University Alcohol and Other Drugs Policy.

3. Unlawful use, manufacture, sale, distribution, or possession of drugs, narcotics, controlled substances, and/or the paraphernalia* associated with such as defined by University Alcohol and Other Drugs Policy.

4. Possession, distribution, or use of items presenting an imminent or potential threat to the safety and well-being of others, including but not limited to the following:
   - weapons of any type (firearms, bb or pellet guns, knives, bows and arrows, stun guns, paintball guns, and the like),† combustible materials such as gasoline or propane tanks
   - candles, incense, or other open flame or burning substances
   - operation or tampering with fire safety apparatus for any purpose other than their intended and proper use

5. Disorderly conduct including
   - fighting, threats, assault, attempted assault, harassment, or other actual or attempted conduct which threatens the health or safety of yourself or another, or
   - noise violations or other actions which could reasonably be expected to compromise the unhindered pursuit of the University’s educational mission.

6. Obstruction, disruption, or noncooperation with a disciplinary hearing process, including perjury, and the failure to comply with an imposed response.

7. Failure to comply with any reasonable request of a University official acting within the scope of his or her duties.

8. Actual or attempted
   - theft to the property of the University or others, and/or
   - damage to the property of the University or others.

9. Unauthorized use or misuse of or entry into property or facilities
   - obstruction of or dangerous interference with the free flow of traffic on campus
   - leading or inciting the disruption of day-to-day activities of others on campus
   - misuse of University computers and computer systems and copyright infringement violations (see Computer Use Policies).

* Hookahs are frequently associated with drug use and are not permitted on campus without approval from the Center for Student Conflict Management. Students wishing to obtain approval must bring the hookah to 510 Wilson Commons during regular business hours. If approved, the student will be given a certificate, which must accompany the hookah at all times. Any unregistered hookahs are subject to confiscation by University Security and/or the University Fire Marshal’s Office. Students possessing unregistered hookahs will be documented.
† If a weapon is discovered, Security staff will confiscate it and turn the item over to the appropriate law enforcement agency. In cases where the term “weapon” is subject to interpretation, students are expected to comply fully with University Security staff directives. Possession of weapons may result in arrest and suspension and/or expulsion from the University.
10. Hazing, which may include actions taken or situations created which have the potential to produce mental or physical harm, discomfort, embarrassment, harassment, or ridicule to a reasonable person.

11. Sexual harassment, racial harassment, or any other form of illegal discrimination. This includes any form of unwanted sexual contact, including sexual assault. "Unwanted" means against a person's wishes or without consent, including those instances in which the individual is unable to give consent because of unconsciousness, sleep, impairment, or intoxication due to alcohol or other drugs. (See University Policy on Harassment and Discrimination and additional information regarding Sexual Assault below.)

12. Failure to consider community expectations and to demonstrate proper regard for the academic and personal rights of others. This includes complicity. The absence of active participation in misconduct is often an insufficient response to violations of the code of conduct. Students are expected to take an active role in disengaging themselves from all acts of misconduct and are expected to report serious acts of misconduct to appropriate authorities. Failure to do so can be considered acts of complicity and may result in that student's facing the same charges as active participants.

13. Any violation of the University's policies, rules, or regulations.

Additional Information on Certain Forms of Nonacademic Misconduct

Equal Opportunity Statement

This policy affirms the University of Rochester's commitment to non-discrimination, equal opportunity, and affirmative action in admissions, employment, and access to and treatment in University programs and activities, in accordance with federal, state, and local laws and regulations. (Titles VI and VII of the Civil Rights Act of 1964, as amended; Executive Order 11246, as amended by Executive Order 11375; Revised Order No. 4; the Equal Pay Act of 1963, as amended; the Rehabilitation Act of 1973, as amended; the Vietnam Era Veterans Readjustment Assistance Act of 1974; Titles VII and VIII of the Public Health Service Act; Title IX of the Education Amendments of 1972; the Americans With Disabilities Act (ADA) of 1990, and all applicable laws and ordinances of the State of New York, the City of Rochester, or other applicable regional government.)

The success of the University of Rochester depends on an environment that fosters vigorous thought and intellectual creativity. It requires an atmosphere in which diverse ideas can be expressed and discussed. The University of Rochester seeks to provide a setting that respects the contributions of all the individuals comprising its community, that encourages intellectual and personal development, and that promotes the free exchange of ideas.

To help establish and perpetuate an inclusive and open environment, all members of the University community are expected to support the University's Equal Opportunity Statement:

The University of Rochester values diversity and is committed to equal opportunity for persons regardless of age, color, disability, ethnicity, gender identity or expression, genetic information, marital status, military/veteran status, national origin, race, religion/creed, sex, sexual orientation, or any other status protected by law. Further, the University complies with all applicable non-discrimination laws in the administration of its policies, admissions, employment, and access to and treatment in University programs and activities.

Questions on compliance with the Equal Opportunity Statement should be directed to the particular school or department and/or to the University's Equal Opportunity Coordinator, Kathleen Sweetland, University of Rochester, P.O. Box 270039, Rochester, NY 14627-0039. Phone: (585) 275-9125 — See HR Policy 100 The Equal Opportunity Coordinator also serves as the coordinator for grievances concerning claims of discrimination arising under Section 504 of the Rehabilitation Act of 1973, and Titles VI and IX of the Civil Rights Act of 1964.

Policy Against Discrimination and Harassment

Any behavior, including verbal or physical conduct, that constitutes unlawful discrimination against or harassment of any student, faculty, or staff member of the University community, based on protected class (e.g., race, gender, religion), is prohibited.

Retaliation is prohibited in any form against a person because he or she complained about conduct reasonably believed to be discrimination or harassment.

The University's full policy on Discrimination and Harassment can be found in the Human Resources Policies and Procedures, # 106, available on the web at www.rochester.edu/working/hr/policies/ or in hard copy from the Office of Human Resources. The policy, which applies to all faculty, staff, and students, also describes the procedures available to address complaints of harassment and discrimination.

The Center for Student Conflict Management, (585) 275-4085, is responsible for handling campus conduct procedures dealing with the adjudication of incidents involving sexual assault and sexual harassment by students. (See www.rochester.edu/intercessor/assault/ for more information.)

What Is Sexual Assault?

Sexual assault refers to sexual contact without consent. Forms of sexual assault include rape, sexual abuse, attempted rape, and unwanted sexual touch. Sexual assault may, but need not, refer to sexual penetration, which includes vaginal intercourse, oral sex, or anal penetration. Sexual assault also includes conduct that involves any unwanted touching or fondling of the genitals or breasts of the victim. Date or acquaintance rape is sexual assault.

The University works to ensure that consistent supportive care of rape and sexual assault survivors is provided. Depending on the needs and the wishes of the survivor of the incident, a variety of on-campus supportive services can be put into place. If a survivor would prefer to work with off-campus agencies, assistance will be provided to make those contacts.

In all cases the safety and well-being of the survivor will determine what action will be taken. Survivors who have been physically injured can be referred to Strong Memorial Hospital
Emergency Department or to the University Health Service depending on the severity of the injury. A University Security escort can be provided for those who need such assistance.

Whenever a survivor wishes to report an incident to University Security, an investigator will be notified. If an individual has not yet made a decision to file a report with University Security, but has concern about potential danger to themselves or to others, that person can be assisted in completing an anonymous proxy report that will allow University Security to be aware of some of the details of an incident without revealing the identity of the survivor. This practice allows University Security to protect the survivor and the rest of the campus community while allowing the survivor to determine whether and when she or he wishes to file a formal complaint.

If You Have Been Sexually Assaulted
The following resources can help you attend to your safety and medical and emotional needs.
- Rape Crisis Service at (585) 546-2777
- University Security at (585) 275-3333
- Rochester Police Department or the Monroe County Sheriff’s Office at 911
- University Counseling Center at (585) 275-3113
- University Intercessor at (585) 275-9125
- Rape Crisis Service at (585) 546-2777
- University Counseling Center at (585) 275-3113
- University Intercessor at (585) 275-9125
- University Security at (585) 275-3333
- University’s Email Use Policy
- University’s Acceptable Use Policy
- University’s Information Technology Policy

Please consider reporting the incident by contacting
- Rochester Police Department or the Monroe County Sheriff’s Office at 911
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085
- The Center for Student Conflict Management at (585) 275-4085

If the incident is reported to University Security, the Center for Student Conflict Management will
- contact you to schedule an appointment. During this appointment they will discuss
  - if a possible violation of the Standards of Student Conduct has occurred
  - whether additional safety measures may be taken, such as issuing a temporary Active Avoidance Order, locating alternative housing arrangements, or removing the alleged perpetrator from campus pending the outcome of the conduct process.
  - whether or not an administrative hearing is required.
- ask you to schedule a time to speak with the University Intercessor to talk about your options and to insure that you are connected with the appropriate campus and community resources.
- contact the alleged perpetrator to inform the student of the report and to determine whether a responsible option is appropriate.

Incident Involving a Non-Student
The University will help and support you if the perpetrator is a non-student. Please follow the first and second steps of this document in regards to taking care of your needs and reporting the incident.

If you have questions about reporting sexual assault or the conduct process, please contact: Center for Student Conflict Management at (585) 275-4085 or the University Intercessor at (585) 275-9125.

Misuse of Information Technology Resources
Information technology resources at the University of Rochester are designed to support the missions of the University, notably the creation and dissemination of new knowledge, by protecting the University’s resources, reputation, legal position, and ability to conduct its operations.

The right to use computing and telecommunications resources can be revoked if misused or abused. Activities and products must be consistent with the University’s academic ethics, including guidelines on computer security, prohibition of racial and sexual harassment, academic misconduct, nondiscrimination, confidentiality of records, appropriate use of computing facilities, as well as federal and state computer crimes statutes. Violations include, but are not limited to, commercial activities not approved by the University; use of information technology resources to harass or to create, store, or transmit libelous or obscene materials; copyright and licensing infractions; and infringement on rights of personal privacy.

All students should review and adhere to the following University policies:
- University’s Information Technology Policy
- University’s Acceptable Use Policy
- University’s Email Use Policy.

These policies can be found on the University IT website at www.rochester.edu/it/policy/.

File Sharing
Sharing copyrighted works without the copyright owner’s permission is illegal and a violation of University IT policy. Copyrighted works may include songs, films, television shows, video games and other software, and other original creative works. If the University receives a complaint against you from the Recording Industry Association of America (RIAA), the Motion Picture Association of America (MPAA), or other copyright holding associations, you will be notified by email. For each complaint filed against you, you will face escalating consequences:
- First complaint: You will receive a warning from University IT and an informal letter of warning from the Dean of Students Office.
Nonacademic Misconduct

Judicial officer receives a report of alleged misconduct

Judicial officer meets with persons involved

Case dismissed

Judicial officer charges student with policy violation(s)

Informal or administrative resolution

Student accepts responsibility for policy violation(s)

Student requests conduct hearing

Hearing

Conduct officers/teams submit recommendation to judicial officer

Decision of judicial officer communicated to student and victim, if any

Student/Victim appeals decision to appropriate dean/director

Decision accepted

Decision modified

Decision upheld
- **Second complaint:** You will have your RESNET and wireless network access suspended; there will be official disciplinary action from the Office of the Dean of Students including a $150 fine.

University action may also include, but may not be limited to:

- Termination of user privileges
- Disciplinary probation
- Community restitution
- Suspension or expulsion from the University of Rochester

To learn more about the implications of illegal file sharing and to learn about options for legal downloading, please visit the University IT website for Copyright and File Sharing at www.rochester.edu/it/security/yourself/file-sharing.html#Policy.

### Misuse of University Letterhead

When an individual or group uses a University letterhead, or employs the phrase “University of Rochester” in a specially invented letterhead, there is the implication that the communication has the sanction of the University. Such letterheads are sometimes used inappropriately in letters or other documents to pursue a personal goal or for social or political purposes that are not the direct responsibility of the University. In these cases, such a letterhead should not be used, however worthy the cause and despite the fact that University members may be part or all of the membership of a group.

If there is any doubt about the appropriate use of a University letterhead, the provost or the president should be consulted.

### Conduct Process for Nonacademic Misconduct

All complaints against graduate students should be forwarded to the appropriate associate dean of graduate studies within that student’s school who determines whether the complaint should be treated as an academic or a nonacademic matter. Academic matters will be referred to the appropriate associate dean of graduate studies within that student’s school who determines whether the complaint should be treated as an academic or a nonacademic matter. Academic matters will be referred to the appropriate associate dean, as explained on pages 36–38. Nonacademic matters will be referred to the judicial officer or his or her designee appointed by the judicial officer—typically the judicial officer, the assistant director in the Center for Student Conflict Management, the director of Residential Life, an associate director of Residential Life, or a designee appointed by the judicial officer—may conduct disciplinary hearings without a board or council. Administrative conduct officers are authorized to issue the full range of University responses.

### Conduct Officers/Bodies

There are three different conduct bodies available for resolving alleged violations of the standards of the University community by graduate students. They are as follows:

- **Residential Life Staff:** Residential Life Area Coordinators, Assistant Directors, and Associate Directors resolve, whenever possible, alleged violations of policies by residents from their respective living areas. They are authorized to issue the full range of responses up to, but not including, suspension from the University and expulsion.

- **Administrative Conduct Officer:** An Administrative Conduct Officer—typically the judicial officer, the assistant director in the Center for Student Conflict Management, the director of Residential Life, an associate director of Residential Life, or a designee appointed by the judicial officer—may conduct disciplinary hearings without a board or council. Administrative conduct officers are authorized to issue the full range of University responses.

### Order of Conduct Process

- **Initial Meeting(s):** When a student is reported to have engaged in behavior that may be detrimental to the University community, a conduct officer will reach out to the student and schedule an initial meeting. During this meeting the student will have the opportunity to read the report and share his or her perspective about what happened.

- Typically, during this meeting the conduct officer will work with the student to determine whether or not the student accepts responsibility for the possible policy violation. If the student accepts responsibility, the matter can be resolved at that time. If a student needs to participate in a formal conduct hearing, a pre-hearing conference meeting can be scheduled.

Students who participated in conduct hearings to determine whether or not a policy was violated are called “respondents.”

- **Pre-Hearing Conference Meeting:** During a pre-hearing conference meeting, the conduct officer meets with the respondent(s) and discusses the hearing process as outlined in the fundamental fairness section of this document on page 43.

- **Hearing:** The purpose of a formal hearing is to determine the truth about a respondent’s alleged misconduct. Through an objective and fair process guided by the fundamental fairness standards on page 43, a conduct officer or body (a) determines, based on the information gathered from all involved parties, whether or not a violation occurred and (b) recommends a response to the judicial officer if the respondent is found responsible.

- **Post-Hearing Meeting:** After the hearing the judicial officer or his or her designee will communicate with the respondent to discuss the outcome of the hearing and share information about how to submit an appeal if one is warranted.

### Conduct Process for Nonacademic Misconduct

All complaints against graduate students should be forwarded to the appropriate associate dean of graduate studies within that student’s school who determines whether the complaint should be treated as an academic or a nonacademic matter. Academic matters will be referred to the appropriate associate dean, as explained on pages 36–38. Nonacademic matters will be referred to the judicial officer or his or her designee appointed by the judicial officer—typically the judicial officer, the assistant director in the Center for Student Conflict Management, the director of Residential Life, an associate director of Residential Life, or a designee appointed by the judicial officer—may conduct disciplinary hearings without a board or council. Administrative conduct officers are authorized to issue the full range of University responses.
• **Administrative Hearing Board:** The administrative hearing board is normally chaired by a designee of the judicial officer but may be chaired by the judicial officer him/herself, and consists of three faculty or staff members of the University community. This hearing board is authorized to issue the full range of University responses. Hearing board members are selected by the judicial officer based on the needs for fairness, objectivity, and balance in the resolution process. For alleged incidents of sexual assault, sexual harassment, racial harassment, and other illegal discrimination, hearing board members who have been specially trained to process such matters in a sensitive and appropriate manner are chosen.

Within a hearing, there are two decisions a team must reach. It must find whether there has been a violation of the University’s policies, rules, or procedures and if so, recommend an appropriate response. The purpose of the hearing team is to learn, to the best of its ability, the truth from all parties involved. The hearing team is not to assume the role of either prosecution or defense. The team treats both the accused and those providing testimony against the accused in the same manner.

**Fundamental Fairness in All Disciplinary Hearings**

A student will not be subject to official action for nonacademic misconduct unless

A. The student has had a conduct hearing OR
B. The student has waived the right to a hearing through a responsible option OR
C. The judicial officer has taken interim action (interim response pending a hearing) OR
D. Discretionary responsibility for resolving the matter has been retained by the president or a delegate.

The fundamental fairness points outlined below apply to all students who will participate in a hearing to determine whether they have violated the standards of our community. In many cases, the University is the only identifiable victim of an alleged offense, however, when the judicial officer identifies another student as a victim, they are also afforded the rights outlined below.

**Fundamental fairness for disciplinary hearings at the University consists of the following standards:**

1. All charges must be in writing and presented to the respondent and victim at the time of notification of the hearing.
2. Charges shall be reasonably specific as to the nature, time, and place of the alleged infraction.
3. The respondent and victim shall be informed of his or her rights in his or her preliminary meeting with the judicial officer.
4. The respondent and victim shall be afforded two (2) days to indicate a preference for which kind of hearing he or she wishes to have. This two-day limit shall also be the term during which offers for a Responsible Option, if offered, shall be valid. Final determination of hearing type shall be made by the judicial officer.
5. The respondent and victim shall be afforded at least seven days’ notice of the hearing in writing.
6. Hearings are normally scheduled within 14 business days after the hearing forum has been selected; however, the judicial officer may extend time lines to accommodate the academic calendar or other extenuating circumstances.
7. The respondent and victim may indicate a preference for an open or closed hearing. (open hearings can be attended by members of the University community, and information about the incident and hearing can be made available to members of the University community). In the absence of an indicated preference, hearings are closed. Final determination of whether a hearing will be an open or closed hearing shall be made by the judicial officer.
8. The respondent and victim shall have the right to be accompanied by an advisor who may confer with and assist the accused but may not speak for him or her as an advocate. The advisor must be a member of the University community who is not an attorney. Names of recommended advisors who are well informed about disciplinary procedures are available from the Center for Student Conflict Management. Respondents and victims are strongly encouraged to choose an advisor knowledgeable in the conduct process. In cases involving allegations of sexual assault or harassment, advisors may not be undergraduate students.
9. Hearings are recorded. A recording of the hearing will be available in the event of an appeal, but remains the property of the University.
10. The respondent and victim shall have the opportunity to answer accusations and to submit the testimony of material witnesses on his or her own behalf. Witness statements, security reports, residential life incident reports, and documentation—scheduled with the judicial officer and respondent—shall be acceptable as documentation submitted to a board. All other documentation is subject to review by the judicial officer prior to the time of the hearing.
11. All evidence and testimony, including the relevant security reports, the text of statements made by the respondent and victim prior to the hearing and used at the hearing, and any physical evidence shall be presented in the presence of the respondent and the victim; however, legal rules of evidence shall not apply.
12. Relevant reports, documents, and other evidence may be reviewed by the respondent and victim in the Center for Student Conflict Management prior to the hearing. Copies of any such material may not, however, leave the office.
13. The respondent and victim shall have the opportunity to indirectly question (through the hearing teams/officers) all witnesses present during the hearing. This does not necessarily include the right to confront witnesses in person.
14. The respondent and victim shall be given an opportunity to make statements which will become part of the case record to be reviewed by the judicial officer and by any dean or director considering an appeal.
15. The respondent and victim will participate in separate hearing rooms (connected electronically) unless otherwise requested in order to allow full participation of the parties.

16. Respondents and victims should be aware of the fact that they may be required to refrain from speaking publicly about the outcome of judicial cases due to laws and University policies. In the event that such is necessary, the respondent and victim will be informed by the judicial officer.

17. The respondent, victim, and all other participants are expected to cooperate during the hearing and be truthful in their testimony and responses to questions. A respondent or victim may choose to refrain from providing testimony or answering questions; however, he or she may not then provide a statement on his or her behalf. Depending on all the information presented, a respondent who refuses to give testimony or answer questions may nonetheless be found responsible by the hearing officer of body.

18. The conduct board/officers shall determine by a majority vote whether it is more likely than not (i.e., by a preponderance of the evidence) that the respondent violated a University policy, rule, or regulation.

19. The findings and recommendations of the conduct board/officers will be forwarded to the judicial officer. In the event the judicial officer does not accept the findings or recommendation of the conduct board/officers, he or she may request further consultation and review by the conduct board/officers or may make a different finding or recommendation if warranted by the evidence presented at the hearing. The judicial officer will notify the respondent and victim of the outcome, unless prohibited by law.

20. The respondent and victim have the right to appeal a final decision in a nonacademic case to the appropriate dean/director and in an academic case to the provost.

21. The judicial officer has discretion to modify, expand, or clarify these standards and any other aspect of the disciplinary process, depending on the circumstances.

**Responses to Misconduct**

Creating a space that allows members of the University community to live and work in a safe and respectable environment is an important component of the conduct process. A major goal of the conduct process in particular and the University in general is to teach why something is wrong as well as to prevent its repetition. This goal is often difficult to carry out, but an effort is made to create a response that will best educate the student or group involved.

**Common Responses**

This list is by no means inclusive of all options open to conduct officers and boards in creating appropriate responses for individual offenses.

- **Disciplinary Warning**, including an official letter of reprimand to the student stating that his or her behavior is in violation of University policy and may not recur.
- **Community Restitution**, which may require individuals or groups to write a letter of apology, participate in a designated service project, or give an identified community (on or off campus) a number of service hours to be completed within a specified time period. When appropriate, the individual or group may be required to devise its own community restitution plan to be approved by the judicial officer or his or her designee.
- **Counseling Intervention**, which may be recommended, and in some cases required, when behavior indicates that the counseling may be beneficial to the student. Specific circumstances will determine an appropriate mental health service referral, which may include drug, alcohol, and other educational workshops. Such mandated interventions may be at the student’s cost.
- **Financial Restitution**, which may require individuals or groups to restore or replace within a specified time, property which has been damaged, defaced, lost, or stolen.
- **Revocation or Restriction of Privileges**, for the use of designated University facilities or programs.
- **Disciplinary Probation**, which normally consists of an official notice that further violation of University policy will result in serious consideration being given that the individual or group not be permitted to continue as a student or group at the University of Rochester. This is a serious warning which serves as a check on the student’s or group’s future behavior. Once a student or group is on probation, any further disciplinary action will be more severe. Probation is given for a period of time and can limit the activities or privileges of a student or group. For example, students on probation are not able to join a fraternity or sorority nor are they permitted to study abroad.

Student groups that are placed on probation may be placed in one of two probationary categories:

- **Social Probation**: A group on social probation is not permitted to hold functions/gatherings where alcohol is present.
- **Formal Disciplinary Probation**: A group on formal disciplinary probation is not permitted to hold any functions or gatherings, including those gatherings that only involve its members.

- **Suspension from University Housing**, which involves revocation of the privilege of living in University housing for a certain period of time. Students or groups who have their housing contracts or leases terminated for disciplinary reasons are not entitled to a reimbursement.
- **Suspension**, which generally involves the revocation of the privilege of attending the University and using its facilities for at least one full year. Upon the conclusion of the term of the suspension, students need to request readmission to the University and may be required to meet additional conditions for re-entry.
- **Expulsion**, which means the student is permanently separated from the University. He or she may not apply for readmission to any program.

Other common responses may include alteration of housing selection privileges; research assignments; project, program, and presentation requirements; revocation of other University...
privileges (e.g., access to computer systems, dining venues, sports and recreation facilities); mandated follow-up meetings with University officials; mandated supervised study hours.

Once a response is issued, it is the responsibility of the student to ensure that the response is completed in a timely fashion. Failure to complete an assigned response will result in an additional charge and will be handled administratively by the judicial officer or his or her designee. Students failing to complete conduct responses normally have their student accounts placed on hold (making them unable to register for classes or receive transcripts) until such response is completed.

**Appeals**

**Grounds for Appeal**

An appeal is intended to provide an opportunity to consider any previously overlooked, exceptional, or unfair circumstances pertinent to the case. It is not intended to be a rehearing of the events presented at the original hearing. The only grounds on which an appeal can be made are

1. the response was not appropriate
2. new information exists that was not available at the time of the hearing and this information is sufficient to alter the decision or
3. an error occurred during the process that is substantive enough to alter the decision.

**Process of Appeal**

An appeal must be made in writing to the appropriate dean/director (for nonacademic cases) or to the provost (for academic cases) within seven days of the date of the letter officially stating the original decision.

The name and contact information for the appropriate dean/director to whom the appeal should be submitted will be included in the decision letter. The letter must state the grounds on which an appeal is made and what the student believes supports an appeal on those grounds. The dean/director or provost may review material from the original hearing before considering an appeal. The dean/director or provost may consult with anyone he or she feels is pertinent to, or would be helpful in determining, the appeal.

**Effect of Appeal**

The student appealing will receive a written decision from the dean/director or provost. On appeals, the dean/director or provost may modify the decision, or the case may be referred back to a board for a new hearing. At the discretion of the dean/director or provost and upon the recommendation of the judicial officer, where appropriate, all or some of the responses may be suspended pending the final decision.

**Conduct Records**

Student records, including files from disciplinary cases maintained by the University, are treated with appropriate confidentiality, in accordance with the University policy on student records and relevant legal standards. Academic transcripts issued during periods of suspension or expulsion will be accompanied by a letter from the registrar indicating that the student is currently suspended or expelled from the University for conduct reasons. University staff who have knowledge of action taken against a student for misconduct may on occasion be asked to respond to inquiries regarding the student’s involvement in disciplinary action. In accordance with the confidentiality of such records, the University officer may only reveal such information with the authorization of the student, except when required by law or when the University officer perceives a significant risk to the safety or well-being of that student or others. Conduct files are normally destroyed seven years after the student’s separation from the University. However, certain University officials may indefinitely retain records in other appropriate circumstances.