



Student Code of Conduct

Note: Students are accountable for the information contained in this Student Code of Conduct as electronically published at www.mansfield.edu. The Code of Conduct is a companion to the University Catalog, which contains academic policies, financial information, and other policies. The University reserves the right to change or modify the contents listed herein as necessary and will provide appropriate notice to students in such instances via campus email. Mansfield University email should be checked on a regular basis for updates regarding this document.

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Welcome to Mansfield University!

Thank you for selecting Mansfield University as your University of choice. On behalf of the staff of the Student Affairs Division, it is our pleasure to welcome you to Mansfield. Our goal is to promote student development by creating a supportive environment challenging you to lifelong learning both in the classroom and beyond. While we know that the academic environment is a key component to your education, the experiences and skills you acquire outside the classroom at Mansfield will help prepare you to be a responsible community member and will benefit you the rest of your life.

The Student Code of Conduct is a guide to the standards of conduct required for a learning community in which members pursue their goals and contribute meaningfully to that community. This code provides only the broadest of behavioral guidelines that students are responsible for knowing. Other policies applicable to students can be found on the Mansfield University website <http://www.mansfield.edu/policies-procedures/>. You are specifically directed to review the Sexual Discrimination and Misconduct Policy <http://www.mansfield.edu/hr/title-ix/> on the Mansfield University (Title IX) Website. Above all, behavior should be guided by the core values of the Mansfield Creed as set forth by the student body, class of 1912: “**Character as the essential, Scholarship as the means, Culture as the enrichment, and Service as the end of all worthy endeavors.**” <https://www.mansfield.edu/mansfield-creed/index.cfm>

The policies included here and published on Mansfield University’s website supersede all previous Student Codes of Conduct. Read the contents and become familiar with the information; students are responsible for knowing this material. For more information contact the Dean of Students at 570.662.4932.

The Dean of Students has designated the Community Conduct Officer as the principal administrator of this document and as the Chief Conduct Officer. Students with questions or comments about these policies should consult with the Chief Conduct Officer, William Kluge, at 326 Alumni Hall or by phone at 570.662.4936.

We look forward to accompanying you on your journey.

Best of luck with your studies!

The Student Affairs Team

Student Code of Conduct

Introduction

The University has established this Student Code of Conduct to ensure the safety and welfare of the Mansfield University community. Students admitted to the University agree to adhere to the rules and policies set forth in this Code. Students voluntarily assume the obligation to fulfill the responsibilities set forth here and to bear personal responsibility for their actions. The University has developed other policies, procedures, and standards which endeavor to protect the rights of each member of the university community which are found at <http://www.mansfield.edu/policies-procedures/> and <http://www.mansfield.edu/hr/title-ix/>

The Mansfield University President had assigned responsibility for the implementation of the Student Code of Conduct to the Dean of Students or his or her designee. The student conduct process in this Code is different and separate from criminal and civil court proceedings.

Mansfield University is committed to providing a safe and secure educational, residential and employment environment, free from discrimination and harassment, including discrimination based on sex. Sexual discrimination encompasses all forms of sexual misconduct: sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, sexual exploitation, stalking and any sexual activity conducted without consent. Accordingly, Mansfield University will not tolerate any form of sexual misconduct and provides this policy to ensure its employees, students, and other members of the University community are not subjected to sexual discrimination in any form. **“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”**

For information regarding civil rights or grievance procedures and for inquiries concerning the application of Title IX and its implementing regulations, contact The University Title IX Coordinator, JoEllen Lindner, Interim Vice President, G26 South Hall, Mansfield University, Mansfield, PA 16933, Phone: 570.662.4342, Email: jlindner@mansfield.edu. Additionally, inquiries concerning Title IX and its implementing regulations can be made to the U.S. Department of Education, Office of Civil Rights, Lyndon Baines Johnson Department of Education Building, 400 Maryland Avenue SW, Washington DC 20202-1100, Phone: 800.421.3481, Fax:202.453.6012, TDD: 800.877.8339.

This Student Code of Conduct is intended to be consistent with other University policies. Every effort will be made to enforce the Code in a manner that is consistent with such policies. To the extent there is an irreconcilable difference between this Code and a University policy, the policy with the most recent publishing date will control.

Expectations of Students

Students are expected to:

- be accountable for information contained in the University Course Catalog <http://catalog.mansfield.edu/>, Student Code of Conduct, and any other policies relating to student responsibilities.
- be respectful of the rights of others.
- comply with reasonable verbal and written directions of University officials.
- respect others' freedom to teach and freedom to learn.
- recognize that your actions and behavior reflect not only upon you, but on the University community as well.

Our Goals:

1. Educate students, faculty and staff on issues related to student conduct, responsibilities, and behavioral expectations in the Student Code of Conduct.
2. Protect the rights of students and the University community.
3. Provide fair and impartial processes for students charged with violating the Student Code of Conduct.
4. Educate students who have violated the Student Code of Conduct by assigning purposeful sanctions that foster learning, ethical development, and personal integrity.
5. Encourage respect for members of the University community.

Desired Outcomes Through the Conduct Process:

1. Students involved in the student conduct process will demonstrate knowledge of the Student Code of Conduct and the rights of others.
2. Students involved in the student conduct process will be able to identify their rights as students.
3. Students involved in the student conduct process will be able to analyze their responsibilities as University community members.
4. Students involved in the student conduct process will demonstrate a greater awareness of their own developing identity.
5. Students found in violation of the Student Code of Conduct will demonstrate insight into their abilities for ethical decision-making.
6. Students found in violation of the Student Code of Conduct will be able to predict consequences for their future actions.

7. Students found in violation of the Student Code of Conduct will demonstrate a change in their behaviors.

Communication and Correspondence

The Office of Community Conduct sends all official correspondence through email utilizing students' Mansfield University issued email address. This is the primary and official form of communication, and students are expected to check their University email on a daily basis. Any and all consequences resulting from a failure to regularly check email are the responsibility of the individual.

Definitions

Administrative Conduct Hearing Process — A process in which the facts of an alleged violation of the Code are presented to a Chief Conduct Officer, or designee, who will determine if a violation(s) took place and what sanction(s) are appropriate.

Advisor — A person of an involved party's choice who may consult and interact privately with the party during the hearing process. The advisor cannot actively participate in the hearing unless asked a specific question by a factfinder within the proceeding. A witness in a hearing cannot serve as an advisor.

Complainant — An individual who makes an allegation against another student of a violation of the Student Code of Conduct.

Chief Conduct Officer — A professional staff member trained to determine if a violation of the Student Code of Conduct has occurred. The Chief Conduct Officer receives training on diversity, student development theory, and due process. Any action required to be performed under this Code by the Chief Conduct Officer may be performed by his or her designee.

Consensual — Any act or pattern of behavior between two parties that is conducted with consent.

Consent- Words or actions that demonstrate an affirmative, unambiguous, knowing and voluntary agreement to engage in activity. Consent must be informed and freely given. Someone who is incapacitated as a result of alcohol or other drug consumption (voluntarily or involuntarily), or who is unconscious, unaware or otherwise helpless, is incapable of giving consent. More information on, and further definition of, consent to sexual activity is set forth in the Sexual Discrimination and Misconduct Policy- Title IX Policy and Complaint Procedures <http://www.mansfield.edu/hr/title-ix/>

Parties — A person or people forming one side in an agreement or dispute. Both the person lodging a complaint and the person about whom the complaint is made are considered to be parties.

Preponderance of Evidence — A standard of proof in which evidence is presented that is sufficient to make a reasonable person believe that a fact sought to be proved is more likely true than not.

Prohibited conduct — Any behavior that is inconsistent with the standards of the University community encompassed in the Student Code of Conduct.

Reasonable Person — A hypothetical person in society who exercises average care, skill, and judgment in conduct and who serves as a comparative standard for determining a preponderance of the evidence.

Respondent — A Student who has allegedly violated the Mansfield University Student Code of Conduct.

Sanction — An outcome imposed for the violation of the Student Code of Conduct. Generally, sanctions are educational in nature and intended to modify the student's behavior and build an awareness of personal responsibility and community standards. Sanctions are applied in a fair, consistent and progressive manner in accordance with the severity of the conduct violation and the conduct history of the respondent.

Student — Any person who is seeking admission to the University through the formal University application process, has been admitted to the University, or who is enrolled in a credit or non-credit course at Mansfield University.

Student Conduct Hearing Board Process — A process in which the facts of an alleged violation of the Code are presented to a Student Conduct Hearing Board which will determine if a violation(s) took place and what sanction(s) are appropriate.

Student Conduct Hearing Board Member — Any person or board member authorized by the University to determine whether a student has violated the Student Code of Conduct.

University community member — Any person associated with Mansfield University through enrollment in classes, employment or participation in University programs.

Jurisdiction

The Student Code of Conduct shall apply to any conduct occurring on any and all land owned or leased by the University, as well as to any conduct occurring any location where a student is engaged in a University-related activity. The Student Code of Conduct may also apply to conduct occurring off-campus, when the administration determines that the off-campus conduct affects a substantial interest of Mansfield University. The Student Code of Conduct shall apply to activities of University teams traveling to events off campus, recognized clubs/organizations, any student or University sponsored group engaging in an event or activity on or off campus; on or off campus internships; on or off campus community service, and study abroad.

Students will be responsible for their conduct from the time of application for admission until the award of a degree. This code also applies to behavior that is a violation of local, state, or federal laws and any behavior that may have, or has had, an adverse impact upon the University community.

All complaints alleging a violation of this Code are subject to student disciplinary procedures. Any student who is found to have committed an act of misconduct may be disciplined in accordance with the rules of this code. If a student is suspected of violating a state or federal criminal law, the incident may be reported to the Mansfield University Police Department or appropriate law enforcement agency. Civil or criminal proceedings, including those of the Mansfield University Police Department, may occur simultaneously with code of conduct charges.

Mansfield University reserves the right to initiate conduct proceedings without a formal allegation by the victim or witnesses of alleged misconduct.

University Organizations

If a University organization is charged with a violation of University policy, such charges shall be brought against the appropriate officer of that organization who shall respond as the representative of the organization. Additional members of the organization may be charged to respond as additional representatives of the organization following the procedures in this Code.

Sanctions on University Organizations

If an organization is found to be in violation of University policy, sanctions may be levied against the organization itself or upon individual members of the organization. Sanctions against an organization may include loss of University recognition (<http://www.mansfield.edu/student-organizations/organizations-clubs.cfm>), the loss of the privilege to use University facilities, and prohibitions regarding the use of the Mansfield University name, likeness or visual identity in any way. Such restrictions or prohibitions may be permanent or for a specified probationary period.

Student Code of Conduct Prohibited Behaviors

The following acts of misconduct are prohibited:

1. Violations of the Rights of Others

- 1.1 Physical assault or abuse, verbal abuse, threats, intimidation, coercion or conduct that injures, threatens or endangers the health and safety of any person.
- 1.2 Any act, display, or communication that constitutes sexual discrimination or sexual misconduct as defined and as prohibited in the **Sexual Discrimination and Misconduct Policy-Title IX Policy and Complaint Procedures**, <http://www.mansfield.edu/hr/title-ix/>, which includes:
 - a. harassment
 - b. sexual assault (non-consensual sexual contact or intercourse)
 - c. domestic violence
 - d. dating violence
 - e. sexual exploitation
 - f. stalking
 - g. retaliation
 - h. intimidation
- 1.3 Harassment.
 - a. Any act, display, or communication that would cause a reasonable person to fear for his or her personal safety. This includes, but is not limited to, physical coercion or restraint;
 - b. Any act, display, or communication that causes substantial injury or distress to the person or persons to whom it is specifically directed that results in the individual being deprived of educational activities or opportunities; or
 - c. Any attempt to repeatedly make contact with a person when asked to stop. This includes, but is not limited to, intentionally following another person in or about a public place or places.
- 1.4 Retaliation against another person for filing a complaint, cooperating as a witness in an investigation or relating to a proceeding under this Code. Retaliation under this section shall include but is not limited to:
 - a. Physical harm or threats of harm;
 - b. threats of negatively impacting social status or reputation in the campus community;
 - c. threats to reveal confidential information or any other threat that would cause a reasonable person to disengage in their cooperation in a proceeding;
 - d. Exhibiting threatening, intimidating, or harassing conduct toward any party or witness involved; or
 - e. Causing damage to his or her property whether with the intent of influencing outcomes or for retaliation.

1.5 Disorderly Conduct.

- a. Knowingly threatens, challenges another to fight, or engages in fighting or in violent behavior, other than in self-defense.
- b. Makes unreasonable noise:
 1. In a public place with the intent to disturb others or in reckless disregard of the peace and privacy of others; or
 2. In a private place with the intent to disturb others or in reckless disregard of the peace and privacy of others after having been informed that the loud noise is disturbing others not in the same place.
- c. Knowingly looks or peeps into an enclosed area for the purpose of observing another person who has a reasonable expectation of privacy therein.
- d. Knowingly engages in lewd or indecent conduct, including but not limited to public nudity, public urination, and making obscene gestures, telephone calls or messages.
- e. Knowingly or recklessly creates a hazardous or physically offensive condition for others.

2. Violations of Health, Welfare and Safety

It shall be a violation of this Policy if an individual, group or entity engages in the following behavior:

- 2.1 Disruption of, or interference with, any University activity, including teaching, administration, or other public service functions, or other authorized non-University activities, whether the act occurs on or off campus. This section is not intended to address matters more appropriately handled under existing academic policies.
- 2.2 Violation of any University policy, local, state or federal law. Expressly included in this expectation are any state, regional or local emergency orders or declarations, mandatory policies or mandatory health advisory requirements, as well as any emergency declarations of the University President.
- 2.3 Alcohol Violations.
 - a. Public intoxication or the use, possession, sale, barter, exchange, gift, or distribution of alcoholic beverages except as expressly permitted by law or University policy. Constructive possession is defined as the presence of alcoholic beverages in an area of one's control such as a residence hall room in which the student is assigned or a vehicle that is owned, operated or controlled by that individual;
 - b. Underage use or possession of alcoholic beverages to include the purchase or attempt to purchase alcohol by a minor;
 - c. Intentionally or knowingly furnishing alcohol to an individual who is less than 21 years of age;
 - d. Driving under the influence of alcoholic beverages as defined by Pennsylvania statute, code or regulation; or
 - e. Knowingly being in the presence of unauthorized, underage or otherwise unlawful use, possession, or distribution of alcoholic beverages.

2.4 Controlled Substance Violations.

- a. Use, possession, purchase or attempted purchase, manufacturing, or distribution of narcotic or other controlled substances, or drug paraphernalia, except as expressly permitted by law. Constructive possession is defined as the presence of contraband in an area of one's control such as a residence hall room in which the student is assigned or a vehicle that is owned, operated or controlled by that individual;

Note: Possession of medical marijuana certification is not a valid defense if the violation occurred on Mansfield University properties due to compliance requirements with federal regulations.

- b. Sale or attempted sale, delivery or attempted delivery, or transport of any illegal drugs or controlled substances except as expressly permitted by law;
- c. Driving under the influence of a controlled substance as defined by Pennsylvania statute, code or regulation;
- d. Drugging another person's food or drink, or by any other means, without their knowledge or consent; or
- e. Knowingly being in the presence of unauthorized or unlawful use, possession, or distribution of illicit drugs or controlled substances.

2.5 Unauthorized use, alteration or in any way tampering with fire equipment, safety devices or safety equipment.

2.6 Any action that causes or attempts to cause a fire or explosion, including bomb threats, or any intentionally false reporting of a fire, or the failure to leave University buildings during a fire alarm.

2.7 Hazing - Engaging in activities by any individual or organization as prohibited by the Anti-hazing Law of Pennsylvania, as well as by Mansfield University's Anti-Hazing Policy, which defines hazing as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education.

2.8 Use, possession, or carrying of firearms (including, but not limited to, pistols, rifles, shotguns, or ammunition), incendiary devices, smoke devices, dangerous knives, explosives or other dangerous weapons while on University owned or controlled property, or at University sponsored or supervised activities, except by University and other police officers and other persons specifically authorized by the University.

2.9 Creation of any health or safety hazards on the grounds of Mansfield University or the surrounding community.

3. Violations of the Operation of the University

3.1 Attempted or actual theft of, or damage to, property of the University or property of a member of the University community or other personal or public property on or off campus.

- 3.2 Gambling, including unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any name on or off campus.
- 3.3 Violation of traffic rules while on University property.
- 3.4 Failure to comply with the directions of University officials or law enforcement officers acting in the performance of their duties, refusal to present identification when asked, or failure to accurately identify oneself to these persons when requested to do so.
- 3.5 Failure to comply with assigned disciplinary sanctions, including a failure to pay in a timely fashion, any fee, fine, charge, or assessment imposed by the university.
- 3.6 Failure to take responsibility for the actions of one's guest(s). Students are responsible for any violations of any University policy or code of conduct committed by their guest(s).
- 3.7 Multiple and/or repeated Residence Hall Community Standards Violations which have been addressed by University officials constitute a violation of the Student Code of Conduct.
- 3.8 Participation in a campus demonstration or unauthorized assembly that disrupts the normal operations of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled activities in any campus building or area; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
- 3.9 Permitting another to use his or her University identification card, impersonating another, or misrepresenting authorization to act on behalf of another.
- 3.10 Knowingly instituting a false charge against another person. Failure to prove a claim of a violation of a prohibited conduct is not the same as making a false accusation.
- 3.11 Acts of dishonesty, including, but not limited to, the following:
 - a. Furnishing false information to a University official or faculty member;
 - b. Forgery, alteration, or misuse of any University document, record, or instrument of identification; or
 - c. Tampering with the election of any University recognized student organization.
- 3.12 Computer and/or network misuse: Any violation of the Mansfield University Acceptable Use Policy or any established Campus Technologies or other applicable policy. Such violations include, but are not limited to: misuse, abuse, or other illegal activity related to University computers or networks, using computers and/or the network to distribute, download or upload obscene or indecent images or language, harass individuals, or to hinder the universal functions of the university network.
- 3.13 Unauthorized or fraudulent use of the University name, seal, emblem, nickname, or motto.
- 3.14 Unauthorized entry or occupancy of University facilities, including unauthorized possession, duplication, or use of keys to any University facility.

- 3.15 The denial of services or access to activities, or engaging in conduct that constitutes unlawful discrimination based upon an individual's race, sex, religion, age, national origin, gender identity/expression, veteran status, sexual orientation, ancestry, marital status, or disability.
- 3.16 Online harassment by e-mail blogs, web pages, social networking sites, and other modes of electronic communication. Online speech by students not involving University networks or technology is protected free expression except when it is a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals.

Medical Amnesty:

Mansfield University's priority is for the safety and well-being of its students and visitors. The Mansfield Medical Amnesty policy is intended to encourage students to seek emergency medical assistance in situations that are possibly life-threatening due to alcohol or drug use, without fear of conduct violations for alcohol and drug use.

In order for a student to receive medical amnesty, the student seeking assistance must:

- a. Call 911, Police, Emergency Services, or notify Residence Life personnel based on a reasonable belief that someone, including themselves, is in need of immediate medical assistance;
- b. Reasonably believe that they were the first person to make the call or notification;
- c. Provide their own name to 911, Police, Emergency Services, or Residence Life personnel, as well as any additional relevant information;
- d. Remain with the person needing medical assistance until Emergency Medical Service Providers and/or the Police have arrived and released the student from the scene; and
- e. Comply with any post event, non-sanction based educational/counseling objectives issued by the Office of Community Conduct.

Potential Sanctions for Violations of Prohibited Behaviors

- A. **Restitution:** A written directive to replace, repair or make specific compensation for property of the University or member of the University community which was destroyed, damaged, misused or lost.
- B. **Educational Sanctions:** Educational sanctions typically include one or more of the following: completion of on-line educational modules, work assignments, essays, community service, behavioral contract, administrative referral, and other related educational assignments. Educational sanctions are designed to promote self-awareness of behavior, awareness of appropriate/inappropriate behavior, awareness of institutional expectations, and to educate the student in the specific area of their violation.
- C. **Disciplinary Warning:** Formal Warnings emphasize to the student that further violations would result in progressive sanctioning. A student receiving a Formal Warning shall continue to exercise the rights and privileges of a student in good standing.
- D. **Disciplinary Probation:** Conduct Probation serves as a warning to students that they are not in good standing with Mansfield University. Further violations of the Code of Conduct could result in suspension or dismissal. A limitation is placed upon selected privileges for a specified period of time. During the probationary period, a student may be excluded from

utilizing campus facilities, denied program funding, have a hold placed on their records, excluded from participation in co-curricular activities, and may not participate in any University sponsored events. Additional stipulations that are consistent with the nature of the offense shall also be imposed. A violation of disciplinary probation may lead to suspension or dismissal.

- E. **Deferred Housing Status:** This action signifies that a student is no longer in good standing with the University's residential living program. The student is also advised that any subsequent violation of the Student Code of Conduct may result in the student's involuntary relocation or removal from University housing for a designated period of time.
- F. **Loss of Housing:** The student is informed in writing that, as a result of the sanction imposed, they are involuntarily and permanently removed from University owned or affiliated student housing. Access to University housing including visitation is prohibited unless specifically approved by the Office of the Dean of Students. Removal from University housing means that the student must properly check out of their room in accordance with existing University procedures within the time constraints established by the hearing officer. In accordance with Residence Life policy, in such instances there will be no refund of housing fees.
- G. **Facility Suspension:** The student no longer has the privilege of entering or using a particular facility or building for a specified period of time or until a specific condition is met.
- H. **Facility Expulsion:** Facility Expulsion entailed the permanent loss of privileges to use a building or facility for an unlimited period of time.
- I. **Loss of Privileges:** Loss of Privileges entails denial of specified privileges for a designated period of time.
- J. **Removal from Class:** The student is barred from attending a particular class or may be reassigned to a different section of the same class. Details will be coordinated between the Chief Conduct Officer or designee and the appropriate academic dean and faculty member.
- K. **Revocation of Admission:** The student loses their admitted status to Mansfield University. The sanction and all appropriate information will be added to the students file.
- L. **Suspension:** The termination of a student's right to register or attend classes for a period of one (1) to three (3) semesters, after which the student may return following completed sanctions, documentation, and review as set forth in Readmission Process below. A violation the restrictions imposed during a suspension may lead to further discipline including dismissal. Suspended students may not be present on University property, or at University sponsored events during the suspension period.
- M. **Dismissal:** Dismissal entails the termination of a student's enrollment with Mansfield University. Dismissed students are prohibited from re-enrolling, being present on University property, or at University sponsored events unless permitted in writing by the Vice-President of Student Affairs and Enrollment Management.
- N. **Counseling Referral:** Though not a formal sanction, a student may be referred to Counseling Services for an evaluation or counselling session(s). The right to privacy and confidentiality remains with the student other than the Office of Community Conduct's authority to confirm attendance and completion.
- O. **Fines:** In certain instances, the Office of the President and/or the President's Cabinet may set policy authorizing and requiring fines for specifically identified violations.

Academic Integrity

Alleged violations of Academic Integrity are not addressed within the Code of Conduct and rather shall be processed according to the Academic Integrity Policy as established by the Office of the Provost <https://www.mansfield.edu/academic-affairs/faculty-resources/upload/Mansfield-University-Process-for-Reporting-Academic-Integrity-Violations-Rev-3-09.pdf>.

Violations of academic integrity standards include

- a. Plagiarism, the inclusion of someone else's words, ideas, or data as one's own work.
- b. Fabrication, the use of invented information or the falsification of research, information, citations, or other findings.
- c. Cheating, an act or an attempted act of deception by which a student seeks to misrepresent his/her mastery of the information or skills being assessed, including the use of a proxy in taking an examination, or using purchased papers or other materials.
- d. Academic misconduct, including but not limited to unauthorized collaboration, tampering with grades; acquiring or distributing any part of a test that has not yet been administered.
- e. Disrupting or interfering with the ability of others to complete academic assignments.
- f. Facilitating academic dishonesty by helping or attempting to help another to commit an act of academic dishonesty.
- g. Breach of standards of professional ethics in degree program(s).

Student Conduct: General Reporting, Complaint and Hearing Procedures

Violations of the Student Code of Conduct will be handled in accordance with the procedures described herein:

1. Any person or entity, including University departments or officials, student groups, community members and students may submit information regarding an alleged violation of the Student Code of Conduct to be reviewed by the Office of Community Conduct. Incident reports may be submitted anonymously, and each report will be investigated based on the extent of the information provided. Anonymous incident reports may alert the University to an existing problem, but such reports may not provide sufficient information to allow the University to initiate disciplinary action. The Office of Community Conduct reviews all information and manages the process of alleged violations under the Code of Conduct. Incidents may be reported through the following link: https://cm.maxient.com/reportingform.php?MansfieldUniv&layout_id=0
2. While there is no limitation as to when a complaint may be filed regarding a violation of the Student Code of Conduct, the ability of the Office of Community Conduct to conduct a full and proper investigation may be hampered in cases of delayed reporting. In such instances, Conduct personnel may have to make a determination as to whether

proceeding with a greatly delayed or compromised investigation is in the interests of the integrity of the Campus Judicial Process.

3. All formal complaints will be referred to the Chief Conduct Officer for investigation or possible resolution. If the complaint does not involve sexual discrimination or sexual misconduct, the Chief Conduct Officer or designee will conduct an investigation. The Chief Conduct Officer or designee will endeavor to complete the investigation within twenty (20) calendar days of receiving the complaint, barring extenuating circumstances which will be communicated to the parties.
4. If the complaint involves sexual discrimination or sexual misconduct, it will be referred to the Title IX Coordinator. The Title IX Coordinator or assigned Title IX investigator will complete an investigation within 30 days of receiving the complaint, barring extenuating circumstances which will be communicated to the parties. For more information on the role of the Title IX Coordinator and Title IX investigation go to the Sexual Discrimination and Misconduct Policy-Title IX Policy and Complaint Procedures: <http://www.mansfield.edu/hr/title-ix/>. Once the investigation is completed, the Title IX investigator will forward the investigative report to the parties and to the Chief Conduct Officer. The Chief Conduct Officer will determine if the complaint will go to a Student Conduct Hearing Board. Complaints of sexual discrimination or sexual misconduct may be reported through the following link:
https://cm.maxient.com/reportingform.php?MansfieldUniv&layout_id=9
5. After a complaint has been investigated, the Chief Conduct Officer may:
 - a. Determine that no grounds or insufficient grounds exist to believe that a violation occurred and dismiss the complaint; or
 - b. Determine that grounds exist to believe that a violation occurred and notify the student that an Administrative Conduct Meeting with the Chief Conduct Officer or designee will be held, or that a Student Conduct Hearing Board will be convened for a hearing. If the complaint involves sexual discrimination or sexual misconduct, both parties will receive notice that a Student Conduct Board Hearing will be held.
6. If the Chief Conduct Officer decides that an Administrative Conduct Meeting/Hearing will be held, the student may request a hearing before the Student Conduct Hearing Board. This request must be made at least 48 hours prior to the scheduled Administrative Conduct Board Hearing. The Chief Conduct Officer will review the rationale for the request and will decide whether to grant the request based upon the totality of the circumstances, including, but not limited to, concerns for fairness and due process, the severity of the offense, and prior conduct history.
7. If the Chief Conduct Officer determines that grounds exist to believe that a violation occurred which is to be heard by the Student Conduct Hearing Board, the Chief Conduct Officer will prepare a written summary of the complaint and the violations, and a list of potential witnesses and supporting documentation.

8. Both the Complainant and the Respondent may have one other support person or an attorney present, at their own expense, at the Administrative Conduct Hearing or Student Conduct Board Hearing, but this person's participation is limited to observing the proceeding and advising the student he or she is supporting. The advisor may attend all meetings but does not have the right to speak or participate directly in any aspect of the conduct process. The involved students must speak on their own behalf and communicate directly with the fact finder or adjudicator(s). An advisor's failure to comply with these participation limitations may cause the advisor to be removed from the meeting or proceeding. The advisor cannot actively participate in the hearing unless asked a specific question by the board. A witness in a hearing cannot serve as an advisor. The student must inform the Chief Conduct Officer at least two (2) days prior to the Administrative Conduct Hearing or Student Conduct Board Hearing if a support person or an attorney will be present.
9. In extraordinary circumstances, Mansfield University reserves the right to conduct meetings and hearings virtually. Special procedures and limitations may be in effect in such instances, which will be clearly communicated to all parties in advance, and which will not diminish the rights and due process of any party.
10. During meetings and hearings, procedural modifications such as the use of screens or dividers, and/or the use of remote appearance technologies is authorized at the discretion of the Chief Conduct Officer providing the principles of due process and fundamental fairness can be maintained.
11. A victim or witness who is under the influence of alcohol or drugs at the time of the sexual misconduct incident generally will NOT face disciplinary charges from the University or from the University's Police Services and Safety department for underage drinking or drug use. A student who admits to violating the provisions of the Student Code of Conduct relating to alcohol, drugs and other controlled substances in the course of reporting an incident as a victim of sexual misconduct will not be charged for those violations. Limited amnesty may also be given, at the sole discretion of the Chief Conduct Officer, to students admitting to other violations in these circumstances. The University reserves the right to follow up on such admissions in an informal manner.
12. Allegations of faculty and staff misconduct should be reported to Human Resources or the Title IX Coordinator based upon the nature of the allegation.

Group Misconduct Allegations

Reported incidents alleging group misconduct often require a preliminary investigation to determine the nature of the misconduct as well as those involved. It may be appropriate to conduct initial fact-finding interviews with individual complainants, witnesses and accused students in order to determine whether a formal investigation and or hearing process is warranted.

Due to the unique nature of these investigations, it may be necessary to utilize alternative investigative methods to ensure the integrity of the investigation. Such methods may include group

meetings or a series of individual interviews, with procedures which best preserve confidentiality in order to encourage full disclosure, prevent retaliatory behavior and prevent collusion. These procedures may include the collection of cell phones or other technology to prevent interpersonal communication during a group meeting, but those items are not subject to search without student permission or warrant.

During a group investigation, group members will be notified of the following conditions, as necessary:

- a. Refrain from communication or behavior that could be considered retaliatory in nature, which in itself is a violation of the Student Code of Conduct. Examples include, but are not limited to, sending intimidating or harassing texts, calls or emails; sending messages through other people; and making intimidating or harassing comments on social media.
- b. Keep all information related to the incident as private as possible. In order to protect the privacy of all parties, only speak with University officials who are facilitating the investigation.
- c. Although participation in the investigation may be optional, future membership in the group may be assessed on the student member's cooperation.
- d. Continued group recognition by the University may be impacted by a lack of cooperation by the group or by individual members.

Should a determination be made that grounds exist to believe a violation of the Student Code of Conduct occurred, any official notifications regarding meetings or hearings will be made to the identified leader(s) and advisor(s) of the involved group or organization. If a determination is made that any violation(s) were made by specific individuals and were not of a group nature or dynamic, only the students directly involved will be notified.

Administrative Conduct Meeting

When the Chief Conduct Officer has reviewed an allegation of misconduct and has determined that there are sufficient grounds to substantiate a violation of the Student Code of Conduct, the matter will be assigned to an adjudicator. For incidents that do not involve allegations of sexual misconduct, the matter may be adjudicated by the Chief Conduct Officer, or by Residence Life staff in the case of some first time and minor offenses.

As the first step in the conduct process, a preliminary meeting will be held to meet with the accused student or group to review reported details, address questions about process, and discuss their personal level of responsibility. In addition, the accused student will have the opportunity to accept responsibility for the alleged violation(s). Students will be apprised of the expected range of sanctions possible for the listed violations. If the student accepts responsibility and the sanctions for the Student Code of Conduct violation(s), no formal hearing will occur.

The general process relating to preliminary meetings is as follows:

1. The respondent(s) will be sent via campus e-mail a notice which includes the following:
 - a. The date, time and location of the Administrative Conduct Preliminary Meeting. The student will be given reasonable advance notice* (typically three to five

days) of when the hearing will be conducted to allow the student(s) to prepare a defense.

- b. Summary of the complaint and violations notifying the student of the alleged acts of misconduct including the approximate time, date and place of occurrence and the rule(s) of conduct alleged violated by the student(s) or group.
- c. Website link to the Student Code of Conduct.

** Incidents occurring at or near the end of any semester will be adjudicated within a time frame deemed reasonable by the Office of Community Conduct given the totality of the circumstances.*

2. At the meeting, the respondent(s) will be given the following options:
 - a. Waive their right to a hearing, accept responsibility for the violation(s), and accept the outcome (sanctions) from the hearing officer, or
 - b. Request a formal hearing to challenge the information presented.
3. Should a respondent fail to appear for a scheduled preliminary meeting, the hearing officer may review the information available, determine responsibility, assign sanctions, and resolve the case “in absentia.” It is the responsibility of the respondent to provide justification for the failure to appear within 24 hours of the scheduled time of the meeting. The resolution will be held in abeyance for that time, but the acceptance of any explanation of the absence lies with the assigned hearing officer and is final.

The scheduling of any administrative conduct meetings and hearings is at the discretion of the hearing officer and the Officer of Community Conduct, though it is expected that reasonable efforts will be made to schedule a time outside of the student’s class schedule.

Administrative Conduct Hearing Process

1. Administrative Conduct Hearings may be overseen by Residence Life staff for first time and minor offenses. The Chief Conduct Officer will hear all other violations except those involving Sexual Discrimination or Sexual Misconduct, which will go before a Student Conduct Hearing Board.
2. The Respondent will be sent via campus e-mail a notice which includes the following:
 - a. The date, time and location of the Administrative Conduct Hearing. The student will be given reasonable advance notice (typically three to five days) of when the hearing will be conducted to allow the student to prepare a defense.
 - b. Summary of the complaint and violations notifying the student of the alleged acts of misconduct including the approximate time, date and place of occurrence and the rule(s) of conduct alleged violated by the student.
 - c. Tentative list of potential witnesses, should there be any.
 - d. Website link to the Student Code of Conduct.
4. At the Administrative Conduct Hearing, the student will be asked to respond to the complaint and will have the opportunity to submit written, physical and testimonial evidence and conduct reasonable questioning of witnesses of both parties.

5. If the student does not appear for the Administrative Conduct Hearing, the Chief Conduct Officer may make a decision based on the information gathered during the investigation in the student's absence.
6. Following the Administrative Conduct Hearing, the Chief Conduct Officer will decide whether the actions of the student constituted a violation the Student Code of Conduct. The decision will be based on a preponderance of the evidence standard.
7. If the Chief Conduct Officer determines that the student violated the Student Code of Conduct, he or she will also determine a sanction, up to and including dismissal.

Student Conduct Hearing Board Policy

The University has established a Student Conduct Hearing Board. Each Hearing Board consists of 3 faculty or staff members, and the Hearing Board Chair, who manages the hearing and does not vote in any findings decisions. The Hearing Board Chair for student conduct matters not involving allegations of sexual misconduct shall be the Dean of Students/Title IX Coordinator or designee, and the Chief Conduct Officer presents the case. In cases involving allegations of sexual misconduct, the Chief Conduct Officer shall serve as Hearing Board Chair while the Dean of Students/Title IX Coordinator presents. The Hearing Board members are selected by the Chief Conduct Officer.

A member of the Hearing Board must withdraw from any procedure if he or she has a conflict of interest at any time. Either party may present just cause why a member of the Hearing Board should be withdrawn because of a conflict of interest. The Chief Conduct Officer will determine if a conflict of interest is present. If the conflict involves the Chief conduct Officer, Dean of Students will make the determination.

The Hearing Board will be allowed to request written, physical and testimonial evidence it deems necessary to make a fair and just decision. The board may decide by majority vote to recess the hearing in order to obtain such evidence.

The chairperson of the Student Conduct Hearing Board shall be responsible for maintaining order and decorum during the hearing.

Any person who interrupts the proceedings of the Board, and any person who refuses to comply with a reasonable order of the board may at the request of the chairperson, be removed from the hearing room and may face conduct violation charges.

Meetings of the hearing board shall be closed to the public.

The hearing will be recorded, and the recording will remain the property of the University, in the possession of the Office of Community Conduct. If the respondent does not appear for the hearing, the Student Conduct Hearing Board may receive written, physical and testimonial evidence and conduct reasonable questioning of witnesses and a verbal summary by the Chief Conduct Officer of the complaint and violations.

The access of the respondent and the complainant to information about the other may be limited by the Family Educational Rights and Privacy Act (FERPA), 20 USC 1232g or other laws relating to confidentiality or privacy, and in some cases, these procedures may be adjusted to comply with such laws.

At the conclusion of the hearing the Student Conduct Hearing Board will decide, by majority vote, outside the presence of the student and any non-members, whether the student violated the Student Code of Conduct. The decision will be based on a preponderance of the evidence standard. The Hearing Board Chairperson/Chief Conduct Officer does not vote during deliberation.

The Chief Conduct Officer will provide information to the Hearing Board about any prior determinations of violation of the Student Code of Conduct by the student only after the Hearing Board has come to a determination for the sole purpose of determining the appropriate disciplinary penalty, not to establish if a violation occurred.

If the Student Conduct Hearing Board determines that the student violated the Student Code of Conduct, it will also determine a sanction, up to and including dismissal. The decision of the Student Conduct Hearing Board will be logged, and the Chief Conduct Officer will review and document the decision. While Student Conduct Hearing Board's determination that a violation occurred is a final decision, the Chief Conduct Officer and/or Dean of Students may modify the sanction(s) imposed in order to be in compliance with procedural justice. The Chief Conduct Officer will deliver a copy of the written determination with sanctions via campus email to the respondent and to the Vice President for Student Affairs and Enrollment Management.

Student Conduct Hearing Board Process (except in cases involving Sexual Discrimination or Sexual Misconduct)

1. The Chief Conduct Officer will schedule a date and time for the hearing, taking into consideration the class schedules of the parties and the availability of potential witnesses and Hearing Board members. Barring extenuating circumstances, which will be communicated to the parties, the hearing will take place within twenty-five (25) days following the referral of the complaint to the Chief Conduct Officer.
2. The student will be sent via campus e-mail a notice which includes the following:
 - a. The date, time and location of the Conduct Hearing. The student will be given reasonable advance notice of when the hearing will be conducted to allow the student to prepare a defense.
 - b. Summary of the complaint and violations notifying the student of the alleged acts of misconduct including the time, date and place of occurrence and the rule(s) of conduct allegedly violated by the student.
 - c. Tentative list of potential witnesses.
 - d. Web site link to the Student Code of Conduct.

3. The Chief Conduct Officer will make arrangements with the respondent for the presentation of witnesses and information at the hearing. The Chief Conduct Officer and the respondent will have the opportunity to submit written, physical and testimonial evidence and conduct reasonable questioning of witnesses through the Hearing Board Chair. Witness statements may be submitted if witnesses are not available. Witness statements or other hearsay shall not be used as the sole evidence to establish any fact necessary to establish if a violation has occurred.
4. The Hearing Board members will be permitted to question each witness, and to inspect all documents and other information. Both the Chief Conduct Officer and the respondent may make closing statements.

Additional Procedures in Cases of Sexual Discrimination or Sexual Misconduct

If the complaint relates to conduct involving alleged sexual discrimination or sexual misconduct, the following additional procedures apply:

1. The complainant and respondent will both be contacted by the Mansfield University Title IX Coordinator, Deputy Coordinator or another designated Title IX investigator to conduct an investigation. Both parties will have the opportunity to be interviewed and to supply witnesses to be interviewed in the investigation as well as written and physical evidence.
2. Upon completion of the Title IX investigation, a determination will be made by the Title IX Coordinator consistent with current Title IX guidelines as to whether the matter should be brought before a Hearing Board. If decided in the affirmative, the Chief Conduct Officer will review the Title IX investigation. The complainant and the respondent will both be informed if the Chief Conduct Officer determines that no grounds or insufficient grounds exist to believe that a violation occurred and dismisses the complaint.
3. The complainant and respondent will both be informed if a Student Conduct Hearing Board is scheduled for the student against whom the complaint has been made and both may attend the hearing. Both parties will be sent via campus e-mail a notice which includes the following:
 - a. The date, time and location of the Student Conduct Board Hearing. The students will be given reasonable advance notice of when the hearing will be conducted to allow the student to prepare for the hearing.
 - b. Summary of the complaint and violations notifying the students of the alleged acts of misconduct including the time, date and place of occurrence and the rule(s) of conduct alleged violated by the responding student.
 - c. Tentative list of potential witnesses.
 - d. Web site link to the Student Code of Conduct and the Sexual Discrimination and Misconduct- Title IX Policy and Complaint Procedures.

4. Both the complainant and respondent will be informed that he or she may have one other support person or an attorney present at the hearing, this support person's participation is limited to observing the proceeding and advising the student he or she is supporting. The students must inform the Chief Conduct Officer at least two business days prior to the hearing if a support person or an attorney will be present.
5. If the complainant or respondent believes that there are witnesses in addition to those listed in the tentative list of potential witnesses provided by the Chief Conduct Officer, who should testify at the hearing, he or she must notify the Chief Conduct Officer in writing of the identity of those witnesses and the expected nature of their testimony. Both parties may request to review copies of all written evidence that the Chief Conduct Officer has which may be presented at the hearing. If either party has additional written evidence that he or she desires to be presented at the hearing, he or she must provide copies to the Chief Conduct Officer. Any notice regarding witnesses or copies of written evidence must be provided to the Chief Conduct Officer at least five business days prior to the scheduled date of the hearing.
6. The report of the investigation completed by the Title IX Coordinator, Title IX Deputy or other designated Title IX Investigator may be presented by the Title IX Coordinator or his/her designee at the Student Conduct Board Hearing to the Hearing Board. This report or other hearsay shall not be used as the sole evidence to establish any fact necessary to establish if a violation has occurred.
7. If the complainant or respondent are witnesses at the hearing, the students will not be permitted to directly question or cross-examine one another. If one of the parties wants to present questions to the other party, he or she must write the questions down and ask the Chair of the Student Conduct Hearing Board to ask them. The decision of whether to ask any questions shall be made by the Chair.
8. A determination will be issued within 60 days after the University was made aware of the complaint, barring extenuating circumstances, which will be communicated to both parties.
9. The complainant and the respondent will simultaneously be sent notice of the decision of the Student Conduct Hearing Board in writing. This notice will include the determination and in the case of the complainant the sanctions that concern the complainant, as well as the process for appeal.
10. Appeal process:
 - a. Both the respondent and the complainant have the right to appeal the decision and sanction of the Student Conduct Hearing Board.
 - b. Both students have the opportunity to provide a written statement setting forth why the decision or sanction should or should not be upheld.
 - c. Appeals shall be in accordance with the same time periods, procedures, and grounds for appeal set forth below.
 - d. Notice of the results of the appeal will be provided to both parties.

Additional information about Title IX investigations and related topics can be found in the Sexual Discrimination and Misconduct Policy- Title IX Policy and Complaint Procedures (<http://www.mansfield.edu/hr/title-ix/>)

Appeal Process

Should a party choose to appeal the decision of the Student Conduct Administrative Hearing or the Student Conduct Hearing Board, the following process applies:

1. The respondent and, in a case involving sexual discrimination or sexual misconduct either the complainant or respondent, must deliver a written letter of appeal to the Chief Conduct Officer. The letter of appeal must set forth why the student(s) believes the decision or sanction should be overturned or modified, based on one or more of the grounds set forth below. The letter of appeal must be emailed, postmarked or hand delivered within ten (10) days after the decision of the Student Conduct Hearing Board or the Student Conduct Administrative Hearing results were delivered to the student via email.
2. Appeals are limited to the following grounds:
 - a. Whether the decision is in accordance with the facts presented.
 - b. Whether the decision was reached through a procedure in accordance with the Student Code of Conduct, or whether there were procedural irregularities that affected the outcome.
 - c. Whether the sanction is appropriate for the conduct violation.
 - d. Whether new information or evidence not considered at the time of the Administrative Conduct Hearing or Student Conduct Board Hearing has become available which could affect the outcome.
 - e. Whether any personnel involved in the decision-making process had a conflict of interest or bias which affected the outcome of the matter.
3. The appeal will be reviewed as follows:
 - a. If the original case was adjudicated by a Residence Director, the appeal will be reviewed by the Chief Conduct Officer.
 - b. If the original case was adjudicated by the Chief Conduct Officer, any appeal will be reviewed by the Dean of Students.
 - c. If the matter was adjudicated by Conduct Hearing Board, the appeal is reviewed by the Vice President for Student Affairs and Enrollment Management.
4. After review of the appeal, a determination will be made to:
 - a. uphold the decision;
 - b. alter the decision and/or sanction that has been imposed;
 - c. return the matter to the Office of Community Conduct for re-adjudication; or
 - d. overrule the decision and dismiss the case.

The appeal process grants a wide latitude to investigate any matter under appeal. The reviewer may request additional information and may have any documents submitted reviewed by third parties (e.g. University Health Services, University Legal Counsel, Counseling and Psychological Services, etc.) as part of the investigation process.

Appeal decisions will be rendered within ten (10) working days, unless justifiable circumstances make adherence to this time frame infeasible, in which case notification will be provided to that effect. The appeal decision is final.

Interim and Supportive Measures

Interim and supportive measures will be provided to students when appropriate through the Office of Community Conduct and the Office of the Dean of Students, who will work cooperatively with other University departments to:

- a. issue appropriate “no-contact” orders or otherwise place limitations on contact between parties.
- b. provide housing reassignments to parties as necessary and appropriate.
- c. allow for classroom reassignment for involved parties when necessary to limit contact, or allow class withdrawal without penalty.
- d. provide access to medical, counseling or academic resources within the resources of the University.
- e. provide safety escorts or make reasonable adjustments to parking and transportation.

Additional information regarding interim and supportive measures is available in the Sexual Discrimination and Misconduct Policy- Title IX Policy and Complaint Procedures (<http://www.mansfield.edu/hr/title-ix/>).

Interim Suspension or Interim Removals

The Chief Conduct Officer, as designated by the Dean of Students, may approve the following interim measures without a formal hearing:

1. An interim suspension from the University. A student who is notified of an interim suspension must immediately leave University property. The student may not return to campus or participate in any University programs or activities during the interim suspension period without the express written permission of the Chief Conduct Officer.
2. An interim removal from University housing. A student who is notified of an interim removal from University housing must immediately move from on-campus housing to an off-campus location. The student will be prohibited from entering any campus residence hall or apartment during the interim removal period. The student may attend classes and University activities.
3. An interim removal from a University course. A student who is notified of an interim removal from a course will not be permitted to attend the course during the interim removal period but may attend his or her other courses.

The above interim measures may only be imposed when it has been determined that the student’s continued presence constitutes an immediate threat of harm to the student, other students, University personnel or to University property.

All interim suspension or removal decisions require a hearing by the Student Conduct Hearing Board within 10 business days following the notice of the interim suspension or removal, unless extenuating circumstances warrant an extension which will be communicated to the student. If an extension occurs, the hearing shall be held at the earliest possible date. The purpose of the hearing is to review the interim suspension or removal. The Board will determine if the student’s continued presence constitutes an immediate threat of harm to the student, other

students, University personnel or to University property. If in the Board's opinion the interim suspension or removal was not warranted the student will be reinstated immediately. The reversal of an interim decision shall not be construed as finding a student "not in violation" of alleged violations of the conduct code. The hearing on the interim suspension will also not address the underlying misconduct

A hearing will be scheduled with different members of the Student Conduct Hearing Board to make a determination on the underlying violation and to determine if a respondent is "in violation" or "not in violation" of specific charges according to the Student Conduct Hearing Board Process outlined above.

Readmission Process

Following a suspension, students may make a written request for readmission to Mansfield University to the Chief Conduct Officer. Completion of all sanction requirements must be documented in the written request. The Vice President for Student Affairs and Enrollment Management, the Dean of Students and the Chief Conduct Officer will review the request and meet with the student. If readmission is approved, a readmission plan will be made and the student will be notified by email or US mail.

Failure to Appear

If a student fails to appear for a scheduled Administrative Conduct Hearing or an appearance before the Student Conduct Hearing Board, the case may be decided in the student's absence and sanctions may be imposed. The Chief Conduct Officer or Student Conduct Hearing Board will consider the facts presented when making their decision. The fact of the student's absence will not be a factor in the determination. The Chief Conduct Officer will notify the student of the decision in writing. If the student is found in violation of the Student Code of Conduct the student must comply with any sanctions despite the fact that they did not appear. If a sanction is applied, the sanction must be completed by the student in the allotted time or a hold will be placed on the student's academic record. A student may appeal this decision by following the Appeals Process on Page 16.

Failure to Complete a Required Sanction

Failure to complete a required sanction is a serious offense and an additional violation of the Student Code of Conduct. Such a violation will usually result in more serious sanctions being imposed, following a hearing. Students failing to complete sanctions by the required deadlines may be suspended or dismissed from the University. No student who has been dismissed from Mansfield University may enroll again as a student.

Disciplinary Hold on Student Record

Within two weeks of a student's failure to complete a sanction, a hold will be placed on the student's records, and on any pre-registration that the student might have conducted. Thus, it is very important for the student to complete sanctions on time and avoid a hold being placed on his or her academic records or registration. A hold on a student's admission, registration, transcript access or financial aid is not an independent penalty, but may be utilized by the University to obtain the student's compliance with a sanction which has been imposed, or other action which has been taken, under the Student Code of Conduct.

Privacy

Disciplinary matters will be confidential to the extent required by law. The University will make every effort to maintain privacy in disciplinary matters. There may be times when the identity of parties involved in an incident must be revealed to others. All people involved with a disciplinary matter should treat the matter as private and use discretion and respect for the rights and concerns of all involved. See the Sexual Discrimination and Misconduct Policy for additional information about confidential resources. <http://www.mansfield.edu/hr/title-ix/>.

Disciplinary Records

All students' disciplinary records are kept in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 (the "Buckley Amendment"), 20 U.S.C. § 1232g. In accordance with these provisions, all disciplinary files are confidential and may only be accessed by the student, parents of dependent students (as defined by the Internal Revenue Service), by a person or agency possessing a waiver signed by the student waiving his/ her right to this protection and meeting the requirements for valid waivers under the "Buckley Amendment," or otherwise as required by law. This includes compliance with lawfully issued subpoenas and court orders. In such instances, Mansfield University will provide notification to the student of any requests and subsequent compliance.

Mansfield University maintains disciplinary records of students. These records are maintained by the Office of Community Conduct, separate from the student's official academic records. The University shall retain discipline records for seven years after incident providing they were in good standing with the University. Records involving expulsions are kept indefinitely. The University reserves the right to keep any records for a longer period of time. All records related to student group conduct will be kept in the student group's official file indefinitely and the group outcomes may be shared or published at the University's discretion.

Students have the right to file complaints with the U.S. Department of Education Family Policy Compliance office about their records as set forth in Mansfield University's Access to Student Records Policy, dated May 15, 2018, <https://www.mansfield.edu/policies-procedures/upload/Access-to-Student-Records-Policy-2.pdf>. Questions regarding privacy and confidentiality issues should be addressed to the Registrar's office.

Retaliation

Mansfield University prohibits retaliation against any University community member for filing a report, testifying, reporting or assisting or participating in any investigation of a complaint or allegation of misconduct under this Code. Any retaliatory behavior should be reported immediately to the Office of Community Conduct, the Dean of Students or the Human Resources Department. Any person, including third parties, who violates this retaliation policy, will be subject to discipline, up to and including termination if they are an employee, and/or expulsion if they are a student.

Code of Conduct Revisions and Updates

On occasion, it becomes necessary to revise or update portions of the Student Code of Conduct. In those instances, any changes are reviewed by the Dean of Students and the Vice President for Student Affairs and Enrollment Management, subject to final approval by the Mansfield University Office of the President. Notification of any changes made during the academic year are made to all students via email. It is the responsibility of students to review the Code at the start of each academic year for revisions and updates.