

Rights and Responsibilities



2019 - 2020

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Introduction

The vibrant, dynamic, and diverse Brandeis University community and its compact and complex campus necessitate that safeguards be provided to ensure all members of the community the freedom to explore the resources we enjoy and to express ourselves appropriately. In protection of these freedoms, the University must establish certain standards of personal and interpersonal conduct. The University may apply sanctions or take other appropriate action when the conduct of individuals interferes with the freedom to teach and learn, the safety and health of persons in the community, the maintenance or protection of property, the maintenance of necessary records, the provision of living accommodations and other services, or the sponsoring of non-classroom activities, such as lectures, concerts, athletic events, and social functions.

All students enrolled in any undergraduate, graduate, or advanced academic course or program, on our campus or via Internet-based programs or courses, are considered members of the University community, and are therefore responsible for meeting all of the standards in this code. Behavior that takes place on University property, at University events, and behavior occurring off-campus may result in University staff responding through the Student Conduct process. Resident students and nearby commuters are also citizens of the City of Waltham or of another municipality within the Commonwealth of Massachusetts, or community—and as citizens, students are responsible to the community of which they are a part. The University neither substitutes for nor interferes with regular legal processes, but at the same time holds students accountable to the academic community. Therefore, the involvement of a student in a legal proceeding in a civil or criminal court does not free the student from being held responsible for their conduct in a University proceeding. If a student allegedly violates expectations in both jurisdictions, the University will proceed with its internal review according to its own timetable.

The policies and procedures that follow are set forth in writing in order to give all students a general notice of community standards. A student who decides to study at another institution, whether domestically or abroad, while remaining enrolled at Brandeis—either as an undergraduate, graduate, or continuing education student, and including Internet-based distance learners—must adhere to Brandeis policies, including but not limited to those set forth in this code. Students who violate campus or community standards may face conduct action at Brandeis and/or at their host institution.

The University reserves broad latitude in defining and interpreting standards of behavior, and in construing the policies and procedures set forth below. The University routinely updates these policies and procedures, and updates will be posted online and distributed to all enrolled students via campus email. The most recent version of these policies and procedures, inclusive of any updates, will be applied to any new issues that arise, and it is the responsibility of all students to be aware of any updates.

Community Standards of Behavior

Terms and Definitions

The following terms and definitions are operative in all sections of “Rights and Responsibilities.” Some sections contain additional terms that are specific to their topic.

Administrative Agreement: An Administrative Agreement is a “contract” resulting from a process between a student who has accepted responsibility and a Hearing Officer that establishes sanctions that are mutually agreed to. The sanctions will be decided with the purpose of educating the individual as to why the documented behavior was inappropriate. It should also mitigate any negative impact of the behavior, as well as protect the community.

Administrative Decision: For cases that are handled within the Student Conduct Process (SCP), students may choose to have their case heard by a single Hearing Officer. The Hearing Officer will listen to the information provided by the student, may call additional witnesses, and will render a decision of “responsible” or “not responsible.” The student may appeal this decision by following the appeals process.

Advisor: Any person who serves as a passive support person to an initiating party or responding party during an official meeting that is part of a formal adjudication process. The criteria for the selection of an Advisor and their role within the process differs between a Student Conduct Process (SCP) and the Office of Equal Opportunity (OEO) Resolution Process. Information regarding advisors for the Student Conduct Process is detailed within this document. Relevant information for the OEO Resolution Process can be found on the OEO website www.brandeis.edu/oeo. Though Advisors are a potentially important source of support and guidance, an Advisor’s participation is not required for either party’s progression through the adjudication process. An Advisor may not also serve as a witness.

Amnesty: Amnesty may be granted to students who report behaviors that may violate described in University policies. This means that reporting students may not be subjected to conduct action for minor code infractions discovered as a result of contacting University officials or support staff (see also “Medical Amnesty Policy” under section 5.). The CSAO or designee reserves the right to take action to protect the health and safety of individuals and the community (see Section 21).

Area Coordinator: A staff member in the Department of Community Living with responsibility for overseeing a residence hall area on campus.

Assistant Dean of Student Affairs: Oversees the Department of Community Living (see above) and Orientation, including all staff within the departments. This staff member also co-chairs the University’s Care Team.

Brandeis Community Member: Any individual with an active status as a faculty member, staff member, or student. Students who are inactive for any reason are not community members for purposes of “Rights and Responsibilities.” Faculty and staff members on involuntary leave and alumni are not community members within the scope of “Rights and Responsibilities” unless they hold another active affiliation.

Brandeis Police Report: An official report to the University’s Department of Public

Safety and University Police about the behavior of a student or another person. A Brandeis Police Report does not automatically initiate a formal adjudication process.

Business Days: Days on which the University's business operation is active, as indicated by the Office of Human Resources. Floating holidays (e.g. Indigenous People's Day and Patriot's Day) are considered business days.

Calendar Days: All days on the calendar, including weekends, holidays, recesses, class days, and business days.

Chief Student Affairs Officer (CSAO): The CSAO oversees the staff members responsible for implementation of the policies and procedures found in "Rights and Responsibilities," including formal and informal adjudication processes. Whenever the position of CSAO is referenced in "Rights and Responsibilities," it also includes any designee(s). The CSAO is designated by the President of the University. The current Chief Student Affairs Officer is the Vice Provost for Student Affairs (VPSA), who may also serve, or designate a staff member to serve, in the role of CSAO for any given case as circumstances require.

Choice of Action Form: In response to a Community Standards Report (CSR), the responding party uses the Choice of Action Form to formally accept or deny responsibility for each alleged policy violation contained in the CSR.

Class Days: Days on which the University Registrar has indicated that classes are in session. Final exam periods and Senior Week are also included as class days. University holidays (during which classes are suspended) and recesses are excluded from class days.

Community Standards Report (CSR): An official report to the University's Department of Student Rights and Community Standards about the behavior of a student or another person outside of issues of discrimination, harassment and sexual misconduct. A CSR may be submitted by a person who self-identifies or by a person who wishes to remain anonymous. A CSR is required to initiate a formal adjudication process with DSRCS, though a CSR does not automatically initiate a formal adjudication process. The reporter must first self-identify and choose to initiate a formal adjudication process. Upon choosing to initiate a formal adjudication process, the reporter becomes an initiating party. The CSR will be shown, in its entirety, to the responding party. The Community Standards Report is a web-based form located at <http://www.brandeis.edu/studentaffairs/srcs/reporting.html>. Reports regarding issues of discrimination, harassment and/or sexual misconduct can be reported to the Office of Equal Opportunity (OEO).

Dean of Students (DOS): An administrative staff member who has the responsibility for the quality of undergraduate and graduate student life outside the classroom.

Dean of Students Office (DOSO): Comprised of staff responsible for many of the day-to-day operations of student life outside of the classroom.

Department of Community Living (DCL): Charged with the supervision of Brandeis residential housing and communities, the Department of Community Living staff works to establish a quality living environment, facilitate strong leadership development of community members, and foster the development of the individual.

Department of Facility Services: The Department of Facilities Services is responsible for the maintenance of all buildings and grounds on the Brandeis campus including, but not limited to, building repairs and maintenance, snow removal and sidewalk salting and sanding, maintenance of door locks, and custodial maintenance.

Department of Student Activities: With responsibility for overseeing a wide-array of events and programs throughout the year, the Department of Student Activities is committed to enhancing the student experience outside the classroom; supporting university-recognized clubs and organizations; and encouraging creative learning and leadership development.

Department of Student Rights and Community Standards (DSRCS): The department that oversees the Student Conduct Process. The CSAO designates a staff member to serve as the Hearing Officer overseeing each case, or delegates to a member of the Dean of Students Office the authority to designate a Hearing Officer for any given case as circumstances require.

Disclosure: Any verbal or written description of a student's behavior made in good faith by means other than a Brandeis Police Report or Community Standards Report. Emailed or posted correspondence is a disclosure. A disclosure cannot initiate a formal adjudication process unless a CSR is subsequently filed.

Division of Student Affairs: Overseen by the Chief Student Affairs Officer (CSAO), the Division of Student Affairs includes a collection of departments focused on supporting all aspects of student success, health and development as well as the engagement of the broader Brandeis community. Offices within Student Affairs include but may not be limited to Department of Community Living, Dean of Students Office, Orientation, Hiatt Career Center, Brandeis Counseling Center, Health Center, Hillel, Student Activities, Prevention, Advocacy and Resource Center, Student Rights and Community Standards, Department of Community Service.

Exclusion to Privacy Rights for Court Order/Subpoena: Any records or other information retained by the University can be subject to production by court order.

Faculty: Any person currently employed by Brandeis University who instructs a course that is listed on an official transcript or who is listed in the Faculty Guide.

Formal Adjudication: An internal University adjudication process through DSRCS that requires that a CSR has been submitted by a reporter who wishes to serve as a willing initiating party. The result of formal adjudication may include sanctions and/or protective measures if the responding party is found responsible for one or more violations of "Rights and Responsibilities." The Student Conduct Process (SCP) and University Sanctions as described within R&R are examples of formal adjudications. Issues of discrimination, harassment and sexual misconduct are addressed through the OEO Resolution Process.

Hearing Officer: The staff member assigned to adjudicate an alleged violation of "Rights and Responsibilities," including, but not limited to, a Student Rights and Community Standards staff member, a Dean of Students Office staff member, an Area Coordinator.

Initiating Party: A person who experienced the alleged conduct that was submitted through a Community Standards Report and then made the choice to initiate a formal adjudication process. Only Brandeis community members (Brandeis students, staff, and faculty) may serve as initiating party in a Student Conduct Process. Please see the Policy Against Discrimination, Harassment and Sexual Misconduct for information regarding who can be an initiating party in the OEO Resolution Process.

Interim Measures: Immediate measures that may be taken after a report has been

protect the initiating party. **Note:** Interim measures may be immediate and put in place before the formal filing of a Community Standards Report (CSR). Such measures may include, but are not limited to, No Contact Orders, relocation of residence hall room, or restricting the responding party's movements on campus. An individual may be subject to interim measures pending the outcome of any investigation or formal adjudication process, including: removal from certain roles or positions, University Actions and restrictions (see Section 21), or Emergency Suspension (see section 21.2.). In all cases, the DOS Office reserves the right to maintain, amend, add, or remove one or more interim measures at any time as deemed appropriate.

No Contact Order (NCO): NCOs state that a student is restricted from contact with a named individual(s) through verbal, physical or electronic means or via third parties. It is understood that the nature of the Brandeis University environment does not mean that the parties to an NCO will not see each other on campus, but rather, reasonable compliance is expected and any unnecessary contact must be avoided. Further, it puts written guidelines in place to prohibit contact. Typically under an NCO it is the responsibility of whichever party arrived to the space last to immediately remove themselves from the situation and take means to separate. Incidental contact, however, will not be considered a violation. Incidental contact may include unintentionally passing on campus or unexpectedly seeing the other party in an on-campus building. With incidental contact, it is typically the responsibility of the last party to arrive to remove themselves from the situation. A No Contact Order is not a sanction or a conduct outcome. It is a protective measure meant to focus on the safety of the initiating party and/or the campus community. NCOs are administered by the Dean of Students Office (DOSO) in accordance with Section 21. Any alleged violations of an NCO should be reported to the DOSO and will receive appropriate response, which may include University Action such as restriction from events or locations.

Records: Data, in whatever medium (digital, handwritten, typed, etc.), that are retained in a student's conduct history file or other official student record. CSRs, Choice of Action Forms, Hearing Reports, Incident Reports, and relevant OEO documentation (as references in the Policy Against Discrimination, Harassment and Sexual Misconduct) are a few examples of records. At the discretion of the appropriate administrator of the relevant portion of a student record, data, including process information, notes, and correspondence relating to any particular case, may not be included as a record.

Report: An official University disclosure document that describes the behavior of a student or another person. Reports include Brandeis Police Reports and Community Standards Reports. Emailed or posted correspondence is not a report.

Reporter: Any person who has filed a Community Standards Report in good faith that includes the filer's identity. Anonymous persons are not reporters.

Responding Party: Any Brandeis student who has been accused of an alleged policy

violation of “Rights and Responsibilities” by an initiating party in a formal adjudication process.

Restorative Justice (RJ): Restorative Justice “is a philosophical approach that embraces the reparation of harm, healing of trauma, reconciliation of interpersonal conflict, reduction of social inequality, and reintegration of people who have been marginalized and outcast.” Central to RJ is collaborative decision making that includes community members such as those who have been harmed and those who have caused harm along with others impacted by the harm. RJ depends upon the willingness of both parties to freely choose to participate and in those who have caused harm acknowledging responsibility for the harm they caused to others and to the best of their ability to repair the harm they caused to harmed parties and the community.

Sanction: When a student is found responsible for one or more policy violations in a formal adjudication process, sanctions (and/or protective measures) may be among the determined outcomes.

Office of Equal Opportunity (OEO) Resolution Process: An informal and formal adjudication process to addresses allegations of discrimination, harassment and sexual misconduct. For more information regarding the OEO Resolution Process, please see the Policy Against Discrimination, Harassment and Sexual Misconduct.

Staff: Any person who is employed by Brandeis University. Staff may include faculty or employed students. The term “administrator” is incorporated into this definition. Sub- contracted individuals are also typically incorporated into this definition.

Student: Any person enrolled in any (undergraduate or graduate) academic program or course at Brandeis University, including Brandeis-sponsored distance or Internet-based courses, up to and including the student’s commencement day, or the last day of evaluation for non-degree students.

Student Accessibility and Support (SAS): Brandeis welcomes students with mobility, visual, hearing, medical, psychological, learning, and other disabilities. Students with disabilities access individual, strategic support as well as accommodations through the office of Student Accessibility and Support. Processes at Universities differ from that for K-12, SAS can assist you in navigating this.

Student Conduct Board (SCB): An entity that formally adjudicates students in the Student Conduct Process (SCP). The SCB shall hear cases of alleged policy violations of “Rights and Responsibilities,” that are referred to it by the DSRCS, except for allegations of harassment, discrimination, or sexual misconduct.

Student Conduct Process (SCP): A formal adjudication process that addresses alleged policy violations of “Rights and Responsibilities,” except for allegations of harassment, discrimination, or sexual misconduct. The SCP is detailed in section 18.

Title IX Coordinator: The University’s Title IX Coordinator oversees compliance with all aspects of the University’s compliance with Title IX. The Director of the Office of Equal Opportunity (OEO) serves as Brandeis’ Title IX Coordinator

OEO Investigator: An assigned Investigator who oversees inquiries and investigations into allegations of discrimination, harassment or sexual misconduct.

University: Brandeis University, as represented by the relevant administrative

authority. The University is the primary authority in all conduct matters, including the Student Conduct Process and the OEO Resolution Process.

University Appeals Board (UAB): The UAB hears appeals of decisions resulting from an SCB or OEO Resolution Process, as well as appeals of decisions of any ad hoc board formed at the discretion of the CSAO or designee.

University Official: Any faculty or staff person acting on behalf of the University.

University Restrictions: Measures that may be taken as a result of an investigation to protect the initiating party as well as the community. Such measures may include, but are not limited to, No Contact Orders, relocation of residence hall room, or restricting the responding party's movements on, or access to, campus. In order to request a change to a University Restriction, a student must meet with a member of the Dean of Students Office Staff. See Section 21 for additional details.

Section 1. Personal Identification and Representation

1.1. Honest Self-Representation: The climate of life in the academic community must be one of honesty, acceptance of responsibility, and willingness to represent clearly and accurately oneself, one's own work (including academic assignments — see section 4.), and one's activities. A student is expected to respect the following standards:

1.2. True, Complete Information: Furnish correct, truthful, and complete information to University officials, committees, examiners, and boards.

1.3. Preservation of Evidence: Preserve and maintain information so as not to deny its presentation to University officials, committees, examiners, or boards.

1.4. Appearance before Officials: Appear before a University official, committee, examiner, or board when properly notified to appear if you are a principal party to a report.

1.5. Preservation of Records: Preserve the integrity, legitimacy, and accuracy of all records, documents, writings, and identifications, inclusive of all media types, used or maintained by the University so as to avoid injury, fraud, or misrepresentation.

1.6. Self-Identification: Self-identify with a photo Identification Card when requested by an authorized University official. The official must, in turn, provide identification if the student requests it. Students are expected to carry identification on their person at all times.

1.7. Identification Cards: Utilize the University Identification Card exclusively for the student's own use in obtaining University services and privileges. A student may obtain an Identification Card at the Campus Card Office at the beginning of the student's first academic year:

<http://www.brandeis.edu/services/campuscard/index.html>.

A student's Identification Card and its applications are not transferable. Lost cards can be reported online through the Campus Card Office website by clicking on the appropriate link. This will disable your card and protect your meal plan accounts and access. If you find your card before you have a chance to replace it, you can use the same steps to reactivate your card. Damaged cards will be replaced free of charge, but there is a fee to replace a lost card. The student must turn in the damaged card to the Campus Card Office, located in Kutz Hall. Students must not be in possession of more than one Brandeis identification card at any given time.

1.8. Proper Identification: The use of any identification that is not your own is strictly prohibited.

1.9. Proper Entitlement to Privileges: Seek and/or access or obtain only those University privileges, services, facilities, or activities (check cashing, student elections, athletic events, group examinations, registration, library, campus technologies, etc.) to which the student is properly entitled.

1.10. Encouragement of Others to Violate Policy: Refrain from encouraging, enticing, influencing, assisting, or enlisting another student to violate any of the University standards or policies listed in this code or in other official University documents.

1.11. Official Correspondence via Brandeis Email: Maintain currency with the use of the University-issued email account. This account is the University's primary means of communicating information and important requests regarding updates, policies, procedures, and events. Students will be responsible for emailed notices and instructions and should take care to forward their Brandeis email to a preferred account if another account is preferred.

Section 2. Respect for the Health, Safety, and Rights of the Community

All members of the community share responsibility for protecting and maintaining community health and safety and the rights of other persons. Concentrated housing, varied activities, and the needs of community members for freedom to pursue their respective educational and co-curricular tasks and to complete job-related responsibilities free from hazards and unreasonable intrusions, require the cooperation of all in maintaining appropriate standards of respect. In furtherance of these goals, students must abide by the following:

2.1. Compliance with Instructions of Officials: Students are expected to comply with instructions of University officials, investigators, committees, or boards. Students are also expected to comply with instructions of those responding on campus in an official capacity. Examples of University officials may include but are not limited to Public Safety, DCL Staff, Dean of Students Office, CARE team, BEMCO, Fire Department, Waltham Police Department, and OEO.

2.2. Compliance with Adjudicative Decisions: Comply with the final decision of the Student Conduct Board, the SCP, the outcome from an OEO Resolution Process, or the University Appeals Board and with any Administrative Action or University

Action.

2.3. Obstruction of University Functions: Recognize and allow for the legitimate functions of the University. Obstructing or disrupting teaching, research, or administrative, public service, disciplinary, or other authorized University functions is unacceptable.

2.4. Threats against Public Safety: Refrain from initiating a false fire alarm or issuing any type of threat, actions which are strictly prohibited. Use safety equipment and/or initiate safety procedures (including, but not limited to, fire equipment, fire alarms, fire drills, and exit lights) only when necessary (see section 8. and see also section 9.15.).

2.5. Weapons: Do not possess or use, on University property, firearms (including blank pistols and replicas, bb guns, and pellet guns), explosives, knives (of any length), fireworks, nun-chucks, paintball guns, airsoft guns, or other articles or substances usable as weapons or designed to function as a weapon. All such items are prohibited at Brandeis.

2.6. Loudspeakers: Obtain clearance from the Department of Student Activities for the use of loudspeakers or other sound amplification equipment at outdoor events.

2.7. Host Responsibility for Guests: Assume responsibility for the actions of a guest, damage or injuries caused by a guest, and costs incurred for services related to hosting a guest on campus. The University reserves the right to impose requirements related to safety or security concerns arising from a visit by a guest, and to assess the host for the cost of meeting those requirements (see sections 9.6. and 9.10.). All guests must be accompanied by their host at all times.

2.8. Compliance with Official University Policies in Other Publications: Comply with the regulations enumerated in other official University publications and documents (e.g., library policies, computer use policies, Dining Services policies, Residence Halls and Meal Plan License requirements, traffic and parking policies, and financial aid policies).

2.9. Electronic Devices and Privacy: Refrain from using computers, cellular phones, tablets, cameras, or other electronic devices in any manner that invades or causes disruption to another individual's privacy in a classroom, library, or other campus facility or at any campus event. This includes misuse of computer and/or cellular devices with photographic, audio or video recording or streaming, or text messaging capability (see sections 10.2., 10.3., and 16.1.). The recording of another person, in situations where there is a reasonable expectation of privacy, by any technological means without the subject's consent, including offline or via Internet-connected devices, will be considered a violation of this section and may also be a violation of sections 3.1 and 3.3.a. Public spaces in general are not areas in which privacy can be reasonably expected. This policy is not intended to prohibit commonly-accepted journalistic practice as defined by the AP/SPJ/NYT for Brandeis students, but to protect reasonable expectations of privacy. This policy is not intended to restrict the work of student journalists to cover open, public events on campus. A public event is defined as an event held either in a public and open space on campus or to which a general announcement has been made or a general invitation has been extended.

2.10. Respect for the Integrity and Personal Rights of Others: (*Note: Due to the seriousness of any accusations regarding these policies, any students accused of being involved in incidents of this kind may be placed on campus restrictions or emergency suspension pending the outcome of an investigation or conduct process.*) Refrain from any behavior toward members of our Brandeis community, including students, faculty, staff, and guests, that:

2.10.a. intimidates.

2.10.b. threatens.

2.10.c. harasses.

2.10.d. bullies. Bullying includes any electronic, written, verbal, or physical act or a series of acts intended to cause physical or emotional harm to another community member or group of community members.

2.10.e. physically harms or is considered unwanted physical contact (for example: hitting, pushing, or physical altercations, or engaging in violence of any kind).

2.10.f. invades personal privacy.

2.10.g. endangers the health, safety, or welfare of any other person on or off campus.

2.10.h. Discrimination, harassment or sexual misconduct as discussed in Section 3 and the Policy Against Discrimination, Harassment and Sexual Misconduct

2.11. Hazing: Hazing is an activity imposed on someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person physically or emotionally, regardless of the person's desire or willingness to participate. Examples of hazing common across student groups include: forced alcohol consumption; isolation; sleep deprivation; sex acts; and humiliating or painful "initiation" ordeals involving humiliation or discipline (see Appendix A for related Massachusetts law)

2.12. Retaliation: Retaliation against anyone who makes a good faith report or complaint regarding a violation of policy, or who in any way participates in an inquiry or investigation of policies is strictly prohibited. Retaliatory conduct is when another party, who knows of that activity, takes an adverse action against the person engaged in it; and when the adverse action was caused or motivated by the protected activity. Retaliation against the peer group, family, or associates of a reporter (third parties) is also prohibited, regardless of whether or not those individuals have participated in an adjudicative process. Examples of retaliatory action may include, but are not limited to: coercion, threats, or intimidation, or any other discriminating behavior against the individual who filed the complaint. Retaliation is an offense separate from the complaint of a violation of University policy and will be considered independently from the merits of the underlying matter. The Community Standards Report (CSR) is the official reporting mechanism for all allegations of retaliation. The University takes concerns of retaliation seriously and as a result findings of responsibility may result

up to dismissal from the University.

2.13 Drones: The recreational use of drones on or above University property, including inside University buildings, is prohibited. The indoor use of drones in teaching and research is permitted with appropriate training, supervision, and notification of building administrators. However, outdoor teaching or research uses of drones require the permission of the Federal Aviation Administration and the Brandeis Police Department.

2.14 Hoverboards: The storage and use of lithium-ion powered skateboards, often called hoverboards, is strictly prohibited on all university-owned property.

2.15 Animals on Campus: Refrain from bringing any dog or other animal onto the campus without a leash or other proper restraint. Students are prohibited from allowing any animal to enter any campus building including, but not limited to dining service buildings, campus centers, libraries, or residence halls (see section 9.4.), unless that animal is a service or assistance animal. Student emotional support animals may be allowed on campus only after approval by SAS in collaboration with the Department of Community Living.

Section 3. Harassment, Discrimination, Sexual Misconduct

Brandeis University is committed to and strives to create an educational and work environment free of discrimination, harassment and sexual misconduct. Brandeis prohibits discrimination and on the basis of race, color, national origin/ethnicity, sex, pregnancy, sexual orientation, gender identity/expression, including transgender identity, religion, disability, age, genetics, active military or veteran status and any other characteristics protected under applicable federal or Massachusetts law, known as "*Protected Categories.*" Brandeis also prohibits sexual misconduct which can include sexual assault, sexual exploitation, stalking, and relationship violence (including dating and domestic violence). For more information regarding Brandeis' Policy Against Discrimination, Harassment and Sexual Misconduct, please visit the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oEO).

Brandeis also has a policy regarding Consensual Romantic or Sexual Relationships between Faculty, Staff and Students which prohibits University employees from having relationships with undergraduate students. Employees are also prohibited from having relationships with graduate students or other employees over whom they exercise authority. For more information regarding this policy, please visit

<https://www.brandeis.edu/humanresources/policies/> or see Appendix I of R&R.

When it is alleged that a member of the Brandeis community has engaged in discrimination, harassment or sexual misconduct, the OEO Resolution Process is the process that would be used to determine whether policy has been violated. The OEO Resolution Process can be found in the Policy Against Discrimination, Harassment and Sexual Misconduct and is incorporated into this document by reference. The Resolution Process contains informal and formal resolution options. For more information about the OEO Resolution Process, please visit the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oEO).

Definitions

Consent

Consent is an affirmative, voluntary, knowing, and continuous agreement to engage in a specific form of sexual activity. Consent must be obtained before engaging in any sexual activity. Consent may be communicated verbally or physically so long as those words or actions create clear, mutually understandable permission regarding the conditions of sexual activity. Consent is an active and affirmative process. It is the responsibility of the person who wants to engage in sexual activity and/or who maybe initiating that sexual activity, to make sure that they have received consent from any other person(s) involved. If an individual is not sure if they have received consent, they have an obligation to seek additional clarification. Consent must be received for each individual sexual act that a person wishes to engage in with another person(s). Consent may not be inferred from silence or lack of resistance to sexual advances, or from prior consensual sexual contact. Relationship status is immaterial to the issue of consent. Consent may be withdrawn at any time, and consent to one sexual activity does not imply consent to any subsequent sexual activity. For more information regarding the definition of consent, please see the Brandeis' Policy Against Discrimination, Harassment and Sexual Misconduct, which can be found on the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oeo).

Incapacity

Incapacity is a state in which someone cannot make a decision because they lack the ability to fully understand what is happening. When incapacitated, an individual moves from being simply drunk or under the influence of drugs to being physically and/or mentally debilitated due to their drug or alcohol consumption. Individuals can also be incapacitated because they are unconscious or asleep. A person who is incapacitated cannot consent even if they appear to be a willing participant. An individual who is intoxicated may be able to consent to sexual activity. However, when an individual passes from intoxication to a state of incapacitation, they no longer have the ability to give consent. For more information regarding the definition of incapacity, please see the Brandeis' Policy Against Discrimination, Harassment and Sexual Misconduct, which can be found on the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oeo).

Force

The use of force to cause or make someone engage in sexual activity they would not have otherwise agreed to, or did not want to engage in, is by definition non-consensual. Force is not limited to physical violence, but also includes threats, intimidation, abuse of power, coercion, or any combination of these behaviors. The presence of force during sexual activity can negate indications of consent. For more information regarding the definition of force, please see the Brandeis' Policy Against Discrimination, Harassment and Sexual Misconduct, which can be found on the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oeo).

Prohibited Conduct

Below is a summary of the Prohibited Conduct found in the Policy Against Discrimination, Harassment and Sexual Misconduct. For more information about these categories of conduct, please see the full policy on the webpage for the Office of Equal Opportunity (OEO) (www.brandeis.edu/oeo)

3.0 Discrimination: Discrimination occurs when someone (or a group) is treated unfairly, less favorably and/or deprived access, benefits or opportunities in education or employment based on membership in a Protected Category. Protected Categories include

race, color, national origin/ethnicity, sex (which includes pregnancy), sexual orientation, gender identity/expression, including transgender identity, religion, disability, age, genetics, active military or veteran status and any other characteristics protected under applicable federal or state law. When individuals are excluded from participation, are treated differently, or are otherwise adversely affected in a term or condition of their employment, education, living environment or participation in a University program or activity based on their membership in one of these Protected Categories, it constitutes discrimination.

3.1 Harassment: Harassment occurs when there is unwelcome or unwanted verbal or physical conduct directed at an individual based on their membership in a Protected Category. Protected Categories include race, color, national origin/ethnicity, sex (which includes pregnancy), sexual orientation, gender identity/expression, including transgender identity, religion, disability, age, genetics, active military or veteran status and any other characteristics protected under applicable federal or Massachusetts law. Harassment can include offensive conduct that can be physical, verbal and visual in nature. Harassment can include things such as jokes, slurs, epithets, name-calling, threats, intimidation, ridicule, mockery, insults, put-downs, unwanted touching, offensive objects or pictures, or other conduct that may be humiliating or that interferes with a person's education or work environment. Typically single, isolated incidents (unless extremely serious) will not be enough to rise to the level of harassment. The conduct is harassment when it is severe or pervasive and begins to interfere with an individual's education or work environment or their participation in University programs or activities by creating an intimidating, hostile or offensive environment.

3.2 Sexual Misconduct – Sexual Assault:

3.2.a Non-Consensual Sexual Contact: Any intentional sexual touching, however slight, by a person upon or to another person(s), without consent or upon an individual who is incapacitated or otherwise incapable of giving consent. Sexual contact includes, but is not limited to: touching of a person's intimate parts, such as genitalia, groin, breast, buttocks, mouth, and/or clothing covering those parts; touching a person with one's own intimate parts; making a person touch you or another; or any intentional bodily contact in a sexual manner, even if that contact does not involve intimate body parts. It is non-consensual contact when this contact occurs with the absence of consent or upon someone who is incapacitated.

3.2.b Forced Sexual Contact: Any intentional sexual touching, however slight, by a person upon another person(s), committed against the will of another or by force. Sexual contact includes but is not limited to: touching of another person's private parts, such as genitalia, groin, breast, buttocks, mouth, and/or clothing covering those parts; touching a person with one's own intimate parts; making a person touch you or another; or any intentional bodily contact in a sexual manner, even if that contact does not involve intimate body parts. Force is not limited to physical violence but also includes threats, intimidation, abuse of power, coercion, or any combination of those behaviors

3.2.c Non-Consensual Sexual Intercourse: Any sexual intercourse or penetration (anal, oral or vaginal), however slight, with any object or body part, by a person upon or to another person(s), without consent or upon a person who is incapacitated or otherwise unable to consent. Sexual intercourse includes (but is not limited to): penetration (oral, anal or vaginal), however slight with any object or body part, including (but not limited to) fingers, tongue and/or penis; or making someone penetrate another person(s). This includes but is not limited to penetration of a

bodily opening or cavity and performing/receiving oral copulation (vaginal, anal or penile). It is non-consensual sexual intercourse when this contact occurs with the absence of consent or upon someone who is incapacitated.

3.2.d Forced Sexual Intercourse: Sexual intercourse or penetration (anal, oral or vaginal), however slight, with any object or body part, by a person upon another person(s), committed against the will of another or by force. Sexual intercourse or penetration includes (but is not limited to): penetration (oral, anal or vaginal) with any object or body part, including (but not limited to) fingers, tongue and/or penis, or making someone penetrate another person(s). This includes but is not limited to penetration of a bodily opening or cavity and performing/receiving oral copulation (vaginal, anal or penile). Force is not limited to physical violence, and also includes threats, intimidation, abuse of power, coercion, or any combination of those behaviors (as defined below).

3.3 Sexual Misconduct – Sexual Exploitation: Sexual exploitation occurs when a person(s) takes non-consensual or abusive sexual advantage of another, for any purpose. Sexual exploitation can take many forms, including those noted below, but is not limited to just the behaviors listed here. Other forms of sexual exploitation can occur beyond the categories listed here, as determined by the Office of Equal Opportunity on a case by case basis.

3.3.a Photographing/ Recording Sexual Activity/ Nudity and Sharing Photographs/ Recordings of Sexual Activity/ Nudity: Sexual Exploitation occurs when someone photographs or otherwise records someone (via audio, video or any other medium) involved in sexual activity, or in any state of undress, without their consent. Even if a person consented to the sexual activity or being in a state of undress, photographing or recording someone without consent goes beyond the boundary of that original consent. The act of sharing or disseminating photographs or recordings of someone involved in sexual activity or in a state of undress, without their consent, also constitutes sexual exploitation. Even if the images were taken with consent, it is a violation of this Policy to share those photographs or recordings without first obtaining the consent of all person(s) involved. Anyone in possession of the photographs or recordings and who is sharing those images without consent is responsible for sexual exploitation, regardless of whether that individual was the person who originally took the photographs or recording. It is a violation of the Policy to share those photographs or recordings by digitally forwarding them, posting copies of the images or otherwise sharing, or by simply showing someone else those images without relinquishing possession.

3.3.b Voyeurism: The act of intentionally observing, spying on or listening to a person(s) involved in sexual activity or in any state of undress, without their consent. Voyeurism also occurs when an individual allows others to observe sexual activity or someone in any state of undress without the consent of all the person(s) involved.

3.3.c Indecent Exposure: Exposing one's intimate parts, such as genitalia, groin, breast and/or buttocks to someone without their consent. This behavior is the deliberate showing of intimate parts of the body and may, but does not necessarily have to, include a sexual act. Engaging in sexual activity in public, witnessed by a non-consenting person(s), is also a form of indecent exposure.

3.4 Sexual Misconduct - Stalking: A persistent, unwanted or unwelcome, and repeated course of conduct that would cause a reasonable person to become fearful for their safety or the safety of another, or to suffer substantial emotional distress. Substantial emotional distress means mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling. Anyone can be stalked, regardless of sex or gender. A stalker can be a stranger, an intimate partner or former partner, classmate, roommate, a teacher, professor, coworker, or any acquaintance. An individual can be stalked for several days or many years. Stalking can happen in person, or over an electronic medium such as the internet, social media, blogs, text messages or other similar means.

3.5 Sexual Misconduct - Relationship Violence (Dating/Domestic): Any instance of violence or abuse—verbal, physical, emotional or psychological—that occurs between those who are in or who have been in a dating, domestic or other intimate partner relationship with each other. Verbal abuse is the use of language, often in the form of insults, name-calling, and criticism, designed to mock, shame, embarrass, harass, control or humiliate the other partner, which is objectively offensive and severe, persistent, or pervasive. Physical violence or abuse occurs when one intentionally or recklessly causes bodily harm, attempts to cause another bodily harm, or puts another in fear of imminent bodily harm. Emotional and psychological abuse involves a pattern or climate of dominating or controlling behavior, which can involve some type of power imbalance. The abuser’s behavior is often intended to terrorize, intimidate, isolate, control or exclude a partner, through behaviors such as relentless denigration and disparagement, threatening to harm a beloved pet or destroy sentimental possession(s), as well as financial and economic abuse and blackmail.

Note: Refer to section 2.12 to review the University’s policy on Retaliation.

Section 4. Maintenance of Academic Integrity

Academic Integrity: Every member of the University community is expected to maintain the highest standards of academic integrity. A student shall not submit work that is falsified or is not the result of the student’s own effort. Infringement of academic honesty by a student subjects that student to serious penalties, which may include failure on the assignment, failure in the course, suspension from the University, or other sanctions (see section 20.). A student who is in doubt regarding standards of academic honesty as they apply to a specific course or assignment should consult the faculty member responsible for that course or assignment before submitting the work. Students may not drop or withdraw from a course while an allegation of academic dishonesty is pending. Instructors may require students to submit work to turnitin.com (plagiarism detection software).

4.1. Original Content: A student’s name on any written exercise (such as an examination, report, thesis, theme, notebook, laboratory report, or computer program) or provided in association with an oral presentation constitutes a representation that the work is the result of that student’s own thought and study. Any such work shall be stated in the student’s own words and produced without the assistance of others, except where quotation marks, references, or footnotes accurately acknowledge the use of sources, including sources found on the Internet. Selling copies of exams, reports, or information relating to a course is not permitted. Sharing exams, exam or quiz questions and answers, or other materials produced

from a previous course, for use other than for study assistance in connection with a current course, may be considered an infringement of academic integrity. Access to and/or use of instructor versions of books or course materials without prior approval from the instructor may be considered a violation of this section.

4.2. Exams and Testing: Talking during an examination or possession or use of unauthorized materials or equipment, including but not limited to notes, cell phones, or calculators, during an examination constitutes an infringement of academic honesty. Attempting to receive credit for work not originally submitted also constitutes an infringement of academic honesty. Accepting assistance from others with or without their knowledge constitutes an infringement of academic honesty. All policies regarding examinations apply to take-home and open-book examinations.

4.3. Collaboration/Facilitation: In some instances, a student may be authorized by a faculty member to work jointly with another student or with other students in solving problems or completing projects. Students may not collaborate on assignments, however, without explicit permission from the instructor. To provide one's own work to assist another student in satisfying a course requirement, either knowingly or through negligence, constitutes an infringement of academic honesty. Assistance from personnel associated with University-sanctioned tutoring services is acceptable.

4.4. Multiple Submissions: Unless permission is received in advance from the faculty member in charge of the course, a student may not submit, in identical or similar form, work for one course that has been used to fulfill any academic requirement associated with another course at Brandeis or any other institution. A student who perceives the possibility of overlapping assignments in his or her courses should consult with the appropriate faculty members before presuming that a single effort will fulfill the requirements of both courses.

4.5. Academic Requirements and Research Integrity: As members of an academic community, it is important that students are aligning with all academic and research requirements. Students are responsible for aligning with these expectations as detailed in R&R as well as any additional publications.

Examples of these publications are inclusive of but not limited to:
Responsible Conduct of Research

<https://sites.google.com/a/brandeis.edu/responsible-conduct-of-research/home?pli=1>

Academic Status and Regulations for GSAS students

<https://www.brandeis.edu/gsas/current/academic-status-and-regulations.html>

Section 5. Responsible Use of Tobacco, Alcohol, and Other Drugs

Community Response to Substance Use: The University's commitment to promoting the health and safety of all members of the Brandeis community, combined with its obligation to uphold local, state, and federal laws, requires clear policies on the possession and use of tobacco, alcohol, marijuana, and other drugs. Members of the community who sponsor or host programs assume responsibility for compliance with

the policies outlined below, and are required to be familiar with guidelines for event sponsorship.

Brandeis University recognizes that abuse of tobacco, alcohol, and other drugs may present conditions that require professional counseling, assistance, or treatment. If any member of the community is concerned about their relationship with substances, the counseling center is available to provide on-campus services and/or referrals to community resources. The alcohol and drug counselor is located in the Brandeis Counseling Center (781-736-3730). Assessments and counseling are available for students who want to learn more about their own use of substances, reduce or eliminate their use, or discuss concerns about a friend's or family member's use. Substance abuse counseling is a free service and is confidential. For information contact the Brandeis Counseling Center or check the website:

<http://www.brandeis.edu/counseling>

If you are looking for information or education on alcohol and other drugs, including safety strategies and guidance on how to support peers please contact the Health and Wellness Promotion Office (HAWP) at hawp@brandeis.edu.

Note: We recognize the historical and ongoing effects of privilege and marginalization reflected in the term marijuana. For the purposes of R&R aligning with legal guidelines, the term marijuana will be used throughout this document and is intended to include; cannabis and all products derived from the cannabis plant.

Medical Amnesty Policy: Brandeis University is committed to the health and wellness of our students. Therefore, medical amnesty is provided to students who are involved in or who report emergencies. The policy of medical amnesty is in effect to ensure that those individuals who require assistance for themselves or a friend and who may have consumed excessive alcohol or drugs will turn to the appropriate personnel to seek emergency medical assistance without fear of reprisal for doing so.

Students who seek emergency medical attention for themselves or someone else related to consumption of alcohol or drugs may not be charged with violations of the "Rights and Responsibilities" related to that consumption (specifically those violations defined under the alcohol and/or drug codes), provided that the student subsequently complies in all respects with any recommended educational intervention and/or behavioral assessment. Failure to comply with this intervention/assessment may result in charges being filed with the Department of Student Rights and Community Standards. Additionally, students will be held accountable for any other violations of "Rights and Responsibilities" related to the incident (including but not limited to endangering the health or safety of others, fire safety/emergency violations, failure to comply as noted above, and vandalism).

This policy provides amnesty only with respect to violations of Brandeis University's Student Conduct Codes. It does not grant amnesty in connection with the criminal or civil consequences of violations of federal, state, or local law. This policy is also not intended to shield or protect those students who repeatedly violate "Rights and Responsibilities." In cases where repeated violations occur, the University reserves the right to initiate conduct action on a case-by-case basis, regardless of the manner in which the incident was reported. Additionally, the University reserves the right to adjudicate any case in which the violations are considered especially egregious. Call the Brandeis Department of Public Safety in an emergency. They can dispatch the

Brandeis Emergency Medical Corps (BEMCo) or ambulance services. University Police officers will respond along with BEMCo as safety-conscious first responders. Reach them at 781-736-3333 in an emergency.

5.1. Smoking: All Brandeis campus buildings are completely smoke-free. Cigarettes and other smokeable products, including cigars, pipes, electronic cigarettes and vaporizers, present clear health risks to members of the community, both to users and to those experiencing second-hand smoke. Use of any smokeable product is prohibited in all University buildings (including the residence halls), in outside areas adjacent to the entrances of University buildings (within 30 feet), and in University vehicles. Members of the community who choose to smoke are expected to dispose of these materials in proper receptacles and without risking harm to the campus environment. Those who use any smokeable product must show respect for the community and are expected to comply with reasonable requests from other members of the community regarding their exposure to second-hand smoke. Students found responsible for smoking in a campus building may be assessed a fine of up to \$150.00 per involved student. Fines may escalate with multiple offenses.

Alcohol Use: Brandeis University upholds and supports local, state, and federal laws with regard to alcoholic beverages. Students of legal drinking age may choose to drink within stated campus guidelines, and in accordance with procedures for event sponsorship. *Brandeis students are reminded that they are responsible for the conduct of their guests.*

The University Mail Services will not accept deliveries from common carriers that contain alcohol. If Mail Services receives a package with alcohol, the package will be returned to the sender.

The following general policies apply:

5.2. Underage Possession/Consumption: No student under the legal drinking age of 21 is allowed to possess or consume alcoholic beverages. Under 21 year olds are not permitted to be in the presence of alcohol consumption and/or use unless at an approved University event or an approved registered event through the Department of Community Living.

5.3. Provision to Minors: In compliance with the laws of the Commonwealth of Massachusetts, members of the University and its agents may not serve or provide alcoholic beverages to any student or other individual younger than the legal drinking age of 21 (see section 1.9.). Presence of an individual under the legal drinking age is not permitted in locations where there is use of alcohol, unless at an approved University event or an approved registered event through the Department of Community Living. Over 21 year-olds may be held responsible for provision to minors if individuals under the legal drinking age are present where alcohol is being consumed.

5.4. Provision at Public Events: Alcoholic beverages may not be provided at any public event on University property at which there are underage individuals, unless there is advance approval by University officials and reasonable precautions are taken to ensure that alcohol is served only to those of legal drinking age. Individuals dispensing alcohol assume serious liability if alcohol is served to anyone who is not of legal drinking age or anyone who is of age but is intoxicated. Alcohol should not be served at any time to individuals who are, or appear to be, intoxicated.

5.5. Responsibilities of Sponsors: The sponsor of a public event is responsible for providing food and non-alcoholic beverages at any venue where alcohol is served. Sponsors should consult with the Event Support Meeting (which includes representatives from the Department of Student Activities, the Department of Public Safety, and Conference and Events Services) to plan any event at which alcohol will be Served; to ensure that the event complies with campus policies and the laws of the Commonwealth of Massachusetts. Information regarding the Event Support Meeting can be found at:

<https://www.brandeis.edu/studentlife/activities/club-support/event-support.html>.

Sponsors of events bear full responsibility and liability for adherence to these policies. For information, check with the Department of Student Activities website:

www.brandeis.edu/studentaffairs/activities.

5.6. Liquor Licenses: In compliance with local laws, alcoholic beverages may not be sold or served at any function requiring an admission charge without a valid liquor license for that event (see section 5.4. regarding alcohol at campus events). The University's liquor license covers The Stein, The Faculty Club, Sherman Function Hall, Levin Ballroom, and Alumni Lounge, and events in these facilities may include alcohol if properly arranged through Conference and Events Services. In all other facilities, the sale of alcoholic beverages is prohibited without a temporary liquor license from the City of Waltham.

Alcohol in the Residence Halls: Brandeis students living in the residence halls share responsibility for upholding community standards (see section 9. for additional guidelines regarding the residence halls). The following policies regarding alcohol apply specifically to the residence halls:

5.7. Dry Quads: No alcohol is permitted in private residence hall rooms nor in any public space in first-year or sophomore areas (including Skyline North, East Quad, Massell Quad, North Quad, 567 South Street, The Village's A-House and select floors of B House, sophomore apartments in Charles River, and Rosenthal Quad). In all other areas, use of alcoholic beverages must comply with the requirements set forth in this section. Underage students should be aware that possession of empty alcohol containers may be considered alcohol possession.

5.8. Public Areas: Alcoholic beverages may not be consumed in any public area (inside or outside of the residence halls), unless the area is part of an authorized event (see sections 5.4., 5.8.) held in conformance with University regulations regarding events at which alcohol is served or present.

5.9. Event Registration: Any student or group of students wishing to sponsor a party or event with alcohol in the residence halls must request permission for the event from the Area Coordinator responsible for that area by submitting an Event Registration Form (see the Department of Community Living website, www.brandeis.edu/studentaffairs/dcl at least two business days before the event is to take place. The sponsor of the event is responsible for providing food and non-alcoholic beverages at any event where alcohol is served. Such gatherings may require additional approval from the Department of Public Safety. Events/gatherings must end no later than 1:00 a.m. on Saturday and Sunday mornings, and no later than

11:00 p.m. Sunday through Thursday. Residents sponsoring events assume responsibility for the actions of their guests. *Approval of a gathering does not constitute permission to violate any University policies.* Failure to comply with the regulations set forth in the event registration policy may result in the immediate discontinuation of the event and/or conduct action. Events in the residence halls are approved at the discretion of the Department of Community Living. (see Appendix F for Event Registration Process).

5.10. Mass Consumption: Large volumes of alcoholic beverages are not permitted in residence halls. Mass consumption vessels such as, but not limited to, kegs, beer balls, case(s) of liquor and bottles of liquor larger than 750 ml are prohibited. Items such as, but not limited to, funnels and luges that are used with the intention of indulging in excessive consumption are also prohibited.

5.11. Age Verification for Purchase or Consumption of Alcohol on Campus: Beer and wine are available for sale to students of legal drinking age at some University events and at The Stein and The Faculty Club. One of the following pieces of identification is required for students, and their guests: a valid, original driver's license; a valid passport; a valid, original Massachusetts Liquor Identification Card; or a valid Massachusetts State Identification Card and in addition to a current and valid Brandeis Identification Card for Brandeis students.

5.12. Drugs and Other Substances; Drug Paraphernalia: Although Massachusetts law now permits adults aged 21 or older to possess and consume marijuana under certain circumstances, federal law prohibits the growth, possession, use, or distribution of marijuana or drug paraphernalia, including for medical purposes, on Brandeis University property or as part of a Brandeis activity. A student is expected and required to observe all federal prohibition regarding the growth, manufacture, distribution, dispensation, possession, sale, or use of any illegal narcotic or drug paraphernalia. Nonmedical use of prescription medication is also prohibited. The use of illegal substances while a student at Brandeis University is prohibited. A student may be held responsible for their use whether on campus or off, if it is brought to the attention of a staff member. The smell of marijuana, when combined with other evidence, may be sufficient evidence to support a violation of this policy. Drug paraphernalia may be confiscated.

Section 6. Care of University and Personal Property

6.1. Respect for Brandeis Property: Respect, maintain, and preserve University grounds, academic and administrative buildings, residence halls, dining facilities, and associated structures, as well as faculty, staff and other students' personal property.

6.2. Posted Notices: Posters, banners, handbills, or notices may be displayed only on spaces designated for that purpose, such as bulletin boards. Postings in campus buildings require the stamped approval of the Department of Student Activities. Postings in the residence halls require the approval of the Department of Community Living (see 9.8.). Placement of posters, handbills, notices, and the like on trees, lawns, sidewalks, statues, motor vehicles, permanent University signage, emergency blue light phones, stairwells, windows, fire suppression equipment, or fire exterior doors is prohibited. Postings that violate other policy sections, including but not limited to, Policy Against Discrimination, Harassment and Sexual Misconduct, and disruption of scheduled speakers or events, section 7.6, will not be approved and may be removed.

All postings must have a group or sponsor identified. Failure to do so may result in removal of the posted material. If you are seeking to post in relation to a campus protest and/or demonstration in an approved location, please reach out to the Dean of Students Office to discuss prior approval.

6.2.a. Appropriate Posting Materials: Students are expected to use only appropriate posting materials that will not cause damage (see section 9.8. and/or the Department of Student Activities with regard to non-residential spaces).

6.2.b. Chalking: Students who engage in chalking must observe the distinction between advertising events and vandalism. Only sidewalks—which does *not* include patios and steps to a building—may be chalked. Chalking on buildings and on personal or University property (e.g., buildings, cars, bus shelters, signs) is not permitted. Chalking is also not permitted in areas where it cannot be washed away by rainfall. The Department of Student Activities reserves the right to authorize the removal of chalked messages if they are considered inappropriate, use profane illustrations or language, or are not in a permitted area.

6.3. Respect for Personal Property: Respect, maintain, and care for property belonging to others. Vandalism, littering, theft or attempted theft of, destruction of or damage to, and unauthorized possession or inappropriate use of property (including intellectual property) belonging to the University, a member of the University community, or any other individual or entity is unacceptable. This section also applies to the grounds, and to personal and public property that surrounds the campus.

6.4. Library Materials: Respect, maintain, and care for library materials and other academic materials or equipment. Destruction, mutilation, or defacement of or tampering with any of the above is unacceptable.

6.5. Appropriate Access to Property: Observe University guidelines and policies regarding access to or occupancy or use of University property and facilities and the University’s name, seal, or logo (see sections 9., 12., and 15.). Storage closets and utility rooms in any University building, and the roof areas of any University building, may not be accessed by students without explicit permission.

6.6. Appropriate Hours and Areas of Access: Access University buildings and facilities during posted hours and in authorized areas only (see section 9.14.n.).

6.7. Respect for Campus Flora and Fauna: Respect and preserve the plant and animal life found on the campus. Mistreatment of animals, trees, or plantings is unacceptable.

Section 7. Campus Protests and Demonstrations

Protests and Demonstrations — Time, Place, and Manner: The University community is one of inquiry and persuasion. The University has a responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it. A member of the University community may protest, rally, or demonstrate, provided such protests or

demonstrations do not disrupt University operations or obstruct physical movement to, from, or within any place on the campus, including University property located off the main campus. Though the campus must be open to the free exchange of ideas, the University may limit the time, place, and manner of demonstrations. All members of the community are expected to conduct dialogues with dignity and courtesy. Students must allow other community members freedom of movement on campus, along with the freedom to engage in the performance of their duties and the pursuit of their educational activities (see section 12.). Public Safety may review and address any safety concerns occurring during a protest or demonstration. Please review Appendix H. Principles of Free Speech and Freedom of Expression.

Academic Freedom: Brandeis University adheres to the principles and traditions of academic freedom, and recognizes that these freedoms must be in balance with the rights of others, including the right of individuals not to be subjected to discrimination or harassment. It is understood that the principles of academic freedom permit topics of all types to be part of courses, lectures, and other academic pursuits. Materials that are used or displayed in an educational setting should be related to educational purposes.

7.1. Advance Notice: The DOSO must, with as much notice as possible, be notified in writing in advance of any planned demonstrations, and may instruct organizers regarding the guidelines for such activity. In asking groups and individuals to seek prior approval for schedule and location, the University's goal is not to restrict free speech or peaceable assembly. Rather, it is to give the University the opportunity to provide space that accommodates the reasonable needs of both the University community and those engaged in acts of speech or protest. See section 6.2 to review the University's posting policies.

7.2. Interference with University Functions: A protest, rally, or demonstration must not interfere with the missions, processes, procedures, or functions of the University (see section 2.3.). Therefore, protesters must allow the staff and faculty of the University to engage in the performance of their duties, and students to pursue their educational activities. Impeding or restricting these activities by making noise, by blocking entrances to or exits from University facilities, or by coercion, intimidation, or threats or use of violence is unacceptable (see section 2.4.). Proper means of egress must be maintained at all times.

7.3. Use of Public Space for Demonstrations: An activity that is neither disruptive nor obstructive is permitted in public areas of campus buildings only during those hours when the building in question is normally open. An activity that is neither disruptive nor obstructive is permitted in outdoor areas of the campus. Placement on University property of structures or displays requires permission of the DOS.

7.4. Occupancy Limits: The number of persons who may be safely accommodated in any area where demonstrations occur shall be determined by the Waltham Deputy Chief for Fire Prevention. Occupancy information is available from the Department of Public Safety and Conference and Events Services.

7.5. Official Order to Vacate: Students are expected and required to vacate an area or facility of the University when directed to do so by an authorized official of the University (see section 2.1.).

7.6. Disruption of scheduled speakers or events: Brandeis maintains a high tolerance for protest, but disruptions that prevent a planned event from continuing are not permissible. Students who disrupt in a way that interferes with the ability of an event to continue as planned will be warned and then asked to leave. If such disruptions do not cease, Brandeis students who do not comply with requests to leave face disciplinary consequences.

Note: Some language in this policy was originally crafted and published by Princeton University.

Section 8. Fire and Life Safety

Safety Vigilance: The safety of all community members and guests is of the highest importance at Brandeis. University facilities are designed and equipped with mechanisms, apparatuses, and features intended to suppress smoke and fire. These physical safeguards must be respected and protected to ensure their proper function. Students and their guests are expected to be aware of, and immediately report, behavior that could increase the risk of danger to life or safety.

8.1. Combustion of Property: Refrain from behavior that leads to the intentional or unintentional combustion of personal, communal, or University property.

8.2. Fire Alarms: Students are expected to vacate a building during a fire alarm, whether during a drill or in an actual emergency. When an alarm sounds, all individuals must vacate the building (see sections 2.1. and 7.4.). Students may not return until instructed to do so by a University official. Periodic, unannounced fire drills will be conducted in the residence halls during the academic year. Students who set off a fire alarm due to negligence and/or tampering with the equipment may be billed for the fees associated with resetting the alarm.

8.3. Cooking Equipment: With the exception of microwave ovens, cooking equipment of any kind is not allowed in individual student rooms or lounges. This includes hot plates, toaster ovens, indoor grills, hot pots, immersion heaters, or any item with open coils.

8.4. Candles and Incense: Candles and incense are prohibited in the residence halls. Students wishing to light candles for religious reasons must register their intention with the Department of Community Living. Religious candles must be handled according to the document "Safety Procedures for Lighting Religious Candles," available at the Department of Community Living website. Decorative and/or scented candles are permitted if the wicks are removed. Students found responsible for candles or incense may be assessed a fine of up to \$150.00 per involved student. Fines may escalate with multiple offenses.

8.5. Tampering with Safety Equipment: Tampering with fire or safety equipment, including the covering or removal of smoke detectors, creates a significant threat to everyone in the building and is strictly prohibited, as is hanging items from sprinkler pipes and heads. Students found responsible for covering, removing, or tampering with smoke detectors may be assessed a fine of up to \$150.00 per involved student per occurrence, in addition to being subject to Residence Probation or other actions, including temporary or permanent removal from University-owned housing.

A parent or guardian of a student who repeats the offense may be contacted. The student's account may be assessed \$150.00 for each additional infraction. Students who set off a fire alarm due to negligence and/or tampering with the equipment may be billed for the fees associated with resetting the alarm.

8.6. Unapproved Items/Appliances: These items can generally produce enough heat to start a fire if used improperly, or sources of fuel in case of fire. Some examples include: Air conditioners, space heaters, oversized appliances. Students found responsible for unapproved items may be assessed a fine of up to \$150 per involved student. A complete list of unapproved items/appliances can be found on the DCL website at <https://www.brandeis.edu/dcl/housing-on-campus/prohibited-items.html>.

Section 9. Living in the Residence Halls

Respectful Community: The Department of Community Living strives to create a comfortable and educational living community for all students. Each student is expected to behave in a manner that respects and considers the rights of others in the University community. The exercise of one person's rights must not infringe upon the exercise of another's rights in the ordinary course of daily living. Policies and procedures relating to residence halls are contained in previous sections of this publication, in the Residence Halls and Meal Plan License, and in other publications issued by the University.

These policies and procedures carry the force of University regulations (see section 2.9.). All students are expected to comply with these policies and procedures, as well as with those listed below. Students are reminded that multiple-occupancy rooms, as well as shared apartments and suites, create shared responsibility for residential behaviors. The Department of Community Living values regular and close interaction with residents so as to maximize communication about circumstances that could affect the quality of life in the residence halls.

9.1. Room Vacancies and Room Transfers: Any changes to a student's room assignment must be processed through the Department of Community Living. Requests are available on the Department of Community Living website:

<http://www.brandeis.edu/dcl>

Room transfers and changes are not performed during the first two weeks of classes. The Department of Community Living may assign a new occupant to any vacancy as required. Any conduct, including deception or harassment, designed to dissuade potential residents or roommates are unacceptable. A student should only occupy the space they have been assigned by the Department of Community Living. Consult with the Department of Community Living or an Area Coordinator for information on these policies.

Any conduct that is disruptive to the room transfers/changes process may constitute additional violations of "Rights and Responsibilities."

9.2. Involuntary Reassignment of Housing: The Department of Community Living reserves the right to reassign students to other locations, or to remove them outright from University housing. The decision to reassign will be made by the Area

Coordinator, in consultation with the Assistant Dean of Student Affairs. If a student is reassigned or removed outright pursuant to a pending referral to the Department of Student Rights and Community Standards, the procedures outlined in section 18. shall begin within 10 class days after the reassignment or removal.

It is recommended that the move happen within four business days, of notification of the decision to reassign or remove a student or as deemed appropriate by the Area Coordinator.

9.3. Key, Lock, and Door Security: Keys for all residence halls, suite doors, and individual room doors are distributed by the Community Living staff. Any lost key must be reported to the Department of Community Living immediately. If the key is not located within 24 hours, the Department of Community Living may change the lock and bill the responsible student for the cost of the lock change. (Additional charges may apply for suite door and entrance door keys.) Failure to return keys when vacating an assignment will result in a lock change and the appropriate charge(s) to the student. For the safety of all residents, keys to the residence halls may not be duplicated or distributed to others. Locks must not be tampered with in any way, or the responsible students may be subject to financial charges and other sanctions. For safety and security reasons, entrance doors to the residence halls and fire doors must not be “propped” or left open. For the safety and security of the community, do not permit unknown persons to enter the building via “tailgating” (entering behind someone who is holding the door open).

9.4. Lockouts: Students are expected to carry their room keys with them at all times. If a student is locked out of their room, the student may go to the Department of Community Living in Usdan between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, and temporarily check out a loaner key after presenting proper identification (see section 1.6.). On holidays and weekends and after 5:00 p.m. on weekdays, the Department of Public Safety in Stoneman will unlock student rooms upon presentation of proper identification. Facilities personnel are instructed not to open locked doors for students. Multiple lockouts may result in financial penalties.

9.5. Right of Entry: The University reserves the right to inspect rooms and perform maintenance at reasonable times, and to enter rooms at any time in case of emergency, in response to a complaint of disturbance or when there is reason to believe that a violation of University policy is occurring within the room (see sections 16.2. and 16.3.) University personnel may enter a room after knocking and identifying themselves. Residents are not permitted to change or add private locks or security devices to their rooms or to any part of the building.

9.6. Room and Common Area Accountability: The assigned residents of a given residence hall will be held accountable for any inappropriate behavior that occurs within the hall, or any damages resulting from such behavior. Each student is responsible for any damages caused by the student and/or the student’s guests. When damage can be attributed to the responsible person(s), the cost of repair or replacement is billed to the individual(s) involved (see section 9.). Common-area furniture may not be moved to individual rooms.

When damage occurs in a student’s room, corridor, or apartment but cannot be attributed to a specific party, the costs may be billed in equal parts to all residents of that area. Each student is responsible for completing and returning Room Condition Reports to the appropriate Area Coordinator at the beginning of the year (or when

occupying a new assignment). To avoid being billed upon termination of the Residence Halls and Meal Plan License, all rooms and corridors must be left clean, neat, and in order.

For student safety, the main entrances of residence halls remain locked at all times. Propping or tampering with residence halls doors is prohibited. Students must refrain from utilizing any window as a point of entrance or exit except in case of fire or danger to one's life.

9.7. Room and Furniture Alterations: All University-supplied furnishings must remain in students' rooms, suites, and apartments unless their relocation is approved by the Department of Community Living. Additional furniture must meet all fire codes and be approved by the Department of Community Living before being allowed into the residence halls. Any student seeking reasonable physical alterations to their room or furniture must request permission from the Department of Community Living. Community Living may consult with the Health Center, Disabilities Services and Support, or the Department of Facilities Management before permission is granted.

9.8. Distribution of Postings: If a student or campus organization wishes to distribute fliers, posters, etc., in the residence halls, the materials must be delivered to the Department of Community Living for distribution by staff (see section 6.2.). Students may not post on behalf of non-Brandeis advertisers; off-campus individuals and entities seeking to advertise to the Brandeis community must have sponsorship by a University department. Contact the Department of Community Living for information about the posting policy for residential spaces.

9.9. Storage: The University does not provide additional storage space or facilities outside of a student's residence hall room (with the exception of limited storage space for international students). See Department of Community Living staff and/or your Area Coordinator for information on these policies.

9.10. Visitors and Guests: Visitors and guests are permitted in the residence halls, provided that consideration is given to the rights of all licensees. Should a roommate, suitemate, or apartment mate have an objection to any guest's proposed visit to a multiple-occupancy assignment, those objections must first be mediated before the guest may be welcomed. Any student whose guest remains within the residence hall for more than three consecutive days must notify the Area Coordinator responsible for that area. Permission to host guests may be curtailed during sensitive community periods, such as Orientation and exams. Public spaces are reserved for use by all residents, and therefore may not be used to accommodate overnight guests. Residents assume responsibility for the actions of their guests, and hosts may be found responsible for their guests' behavior (see section 2.7.). Guests must be escorted by their host at all times.

9.11. Noise: Quiet Hours are established for all residence halls. During the school week (Sunday night through Friday morning), Quiet Hours begin at 11:00 p.m. and conclude at 8:00 a.m. On weekends, Quiet Hours are as follows: 1:00 a.m. Saturday through 10:00 a.m. Saturday, and 1:00 a.m. Sunday through 10:00 a.m. Sunday. During these times, a student should be able to study, read, relax, or sleep in their room without being disturbed by noise from other residents, guests, or members of the community. At all other times, residents are expected to be respectful of others with regard to noise. Quiet Hours remain in effect during all times of year, regardless of holidays, vacations, or recesses. A professional Student Affairs staff member may

extend Quiet Hours for an approved purpose, and Quiet Hours will be extended during reading periods and final exam periods. Students in violation of Quiet Hours may be required to meet with a staff member within 24 hours.

9.12. Solicitation in the Halls: Because residence halls are living communities, students living on campus should be free from the pressures of door-to-door solicitations, sales, or distribution by any member of the community or any other individual or on behalf of any business or organization. All salespersons or solicitors must have explicit permission from the Department of Community Living or from another Student Affairs department. Students may not use their rooms for the purpose of operating a business (see section 14.).

9.13. Video Cassettes, DVDs, Digital Mass Storage Devices, Streamed Content, and Other Media: In compliance with copyright laws, video cassettes, DVDs, and other media intended for private use may be shown in public areas within the residence halls only if no admission is charged, the event is not widely advertised, and no University funds (including student fees) are used to rent or purchase films (see section 10.4.).

9.14. Pets: For the health and safety of all residents, fish are the only pets permitted in the residence halls. Fish tanks may have a maximum capacity of ten gallons of water (see section 2.7. regarding exceptions for guide, assistance, and service animals). No other animals are permitted in the residence halls for any period of time.

9.15. Residential Safety Restrictions: Students must comply with safety and security guidelines. Some personal items and actions may be considered unsafe and may be restricted or prohibited. To protect the safety of all residents, expectations around items permitted/not permitted in the residence halls will apply to all persons residing in or visiting residence halls: An up to date and detailed list of these items and expectations can be found here:

<https://www.brandeis.edu/dcl/housing-on-campus/prohibited-items.html>

Please note that the presence of some items listed may additionally be considered a violation of section 8. Fire and Life Safety and have a fine associated with it. Some examples of these items are: Oversized appliances, Air Conditioners, Space Heaters, Kitchen appliances used in bedrooms

9.16. Confiscation Policy: Items found to be in violation of these policies may be confiscated and may be returned to the owner with the agreement of the Area Coordinator. Alcohol bottles used as decorations will be disposed of.

Section 10. Library and Technology Services

Applicability of LTS Policies: Technology use policies apply to all University computer resources and information systems, to all University library resources, and to all telecommunications resources at Brandeis.

The library and technology resources managed by LTS are intended to support learning, teaching, and scholarship. It is the responsibility of all community members to be informed about the policies and procedures that govern use of these services.

Policies governing use of information technology at Brandeis can be found at

<http://lts.brandeis.edu/about/policies>.

In addition, a description of all LTS services and resources is available at

<http://lts.brandeis.edu>.

10.1. LTS Authorized Use: Students must not use passwords, passphrases, or Identification Cards or accounts other than their own. Students may not release another community member's personal information. Students are also expected to refrain from gaining access to restricted resources or restricted portions of systems to which they have not been given access.

10.2. LTS Appropriate Use: The University may establish "reasonable use" policies that recognize that resources are finite and therefore subject to regulation or limitation (i.e., bandwidth). Students agree to follow established procedures for using and protecting library and technology resources, including managing passwords and passphrases, and for maintaining the physical and electronic integrity of networks, systems, software, equipment, and accounts. In particular, students must not send unsolicited bulk communications (spam), use disproportionate amounts of network resources, conduct unauthorized network scans or probes, capture or intercept other users' private communications, or introduce malicious programs into the system.

10.3. Electronic Access and Privacy: Students must respect the privacy of all members of the academic community. Students should understand that their computer files, telephone records, etc., may be subject to access by employees of the University for a number of legitimate reasons: for example, to assist state or federal authorities in an investigation; to conduct an internal Brandeis investigation in relation to violation(s) of policy, to access data in files of personnel for whom they are responsible; or to maintain a system or website (see section 16.2.).

10.4. Digital Civility: When using computing or telephone resources, students must not hide their identity for malicious purposes or assume the identity of another. Students must not harass (cyber-bully) others by using computer or telephone resources to make unwelcome contact. Material that is explicitly sexual or offensive may not be displayed, consistent with the Brandeis University Policy Statement on Non-Discrimination and Harassment (see section 3.).

10.5. Copyright: Library and Technology Services copyright policies are designed to respect the rights of copyright holders while providing for the fair use of copyrighted materials by Brandeis students. For information about copyright policies, see the Web page Copyright Policies, located at

<https://www.brandeis.edu/library/about/policies/copyright.html>

Students are expected to comply with all local, state, and federal laws, including laws on copyright and other intellectual property laws. Use of some electronic resources is governed by license agreements restricting the Brandeis community's access to them. It is the responsibility of all community members to ensure that they employ these resources only for individual, educational, and noncommercial purposes.

Section 11. Campus Dining Services

General Dining Services Guidelines: Students are expected to comply with requests of University staff, and to present a proper Identification Card when obtaining meals in the dining halls (see section 1.6.). To maintain health standards required by law, dogs and other animals other than guide and service animals are not allowed into the dining halls, and no one may enter a dining area with bare feet or bare chest. All reusable food service utensils and equipment are for use in dining areas only, and may not be removed for personal use. The Department of Dining Services is in the Usdan Student Center; further information is available online at

<http://brandeis.sodexomyway.net>.

Section 12. Use of Campus Facilities

12.0 Facilities Use — Time, Place, and Manner: University facilities are available for activities consistent with the University's educational, social, and cultural goals. The University does not impose prior restraints upon the subject matter or point of view expressed by any person or group using its facilities. Its facilities, however, may not be used for activities contrary to federal, state, or local laws, activities conflicting with University regulations or policies, or activities that may create an undue risk or harm to persons and/or property. The University requires reasonable advance notice for the use of facilities and reserves the right to determine the time, place, and manner of any event (see Section 7).

12.1. Priority of Activities: The priority of activities to take place in any facility is influenced by the relevance of the activity to the University's goals, the timing of the request to use the facility, and the kinds of functions for which the facility is ordinarily used.

12.2. Advance Notice for Space Reservation: The University requires 10 days' advance notice for the reservation of space, unless waived by the Department of Conference and Event Services. The University reserves the right to withhold its approval of any requested use of a facility, to establish financial charges for any use, and to require a security deposit or impose other such requirements, including but not limited to security personnel and equipment. Such charges and other requirements will be implemented based upon a review of the event plans by the Department of Conference and Event Services.

12.3. Event Safety Requirements: The requirements for safety and security at the event will be based upon a timely review by the Director of Public Safety. This review will be based upon such factors as the possibility of criminal acts, the risk of harm to persons or property, and the need for crowd control. Requirements may be appealed to the Vice President for Operations, who will make the final decision.

12.4. Program Conclusion Time: Programs held on campus and open to the campus community must end by 2:00 a.m. unless the venue for the program (e.g., a

residence hall) has a prior condition requiring an earlier ending time. Exceptions to this standard limit may be made, for specific purposes, by the Department of Student Activities after consultation with the Department of Public Safety.

12.5. Event Sponsor Liability: The person or group requesting the use of a facility is responsible for harm to persons or property resulting from the use of the facility, and indemnifies the University from any and all liability for injury to any person attending an event in a University facility or for any damage or loss of personal property occurring on the University campus resulting from the use of the facility. The University reserves the right to charge the sponsor or host for the costs of providing any extraordinary services.

12.6. Event Sponsor Responsibilities: Facilities must be used for the purposes stated in the request application. The person signing the “Conference and Event Services Reservation Form” will be held responsible for all matters related to the activity. The person or organization requesting University facilities or services shall be responsible for all expenses associated with the event. Sponsors must be able to prove that adequate financial resources are available to meet all anticipated costs, including any non-Brandeis contractual obligations associated with the event.

12.7. Non-Brandeis Speakers: Any event request involving a speaker who is not a member of the Brandeis community (student, faculty, or staff) must indicate the name of the speaker(s) on the Conference and Event Services Reservation Form when it is submitted. Any change in the speaker(s) requires notification and a re-filing of the form. The person or the organization (sponsor) requesting the facilities will be held responsible for the actions of the non-Brandeis speaker or guest. In addition, the host is responsible for any direct costs related to providing safety or meeting security requirements.

12.8. Reservation Eligibility: In accordance with the above, University facilities may be reserved by a member of the faculty, a member of the administrative staff, an authorized officer of an undergraduate or graduate student organization recognized by the appropriate student governing authority, or any other person or group who, in accordance with these regulations, receives permission from the Department of Student Activities. Off-campus groups seeking space for programming directed toward members of the University community must receive approval from a relevant University department.

12.9. Sponsor’s Obligations with Respect to All University Policies: Approval of a requested use of a facility does not relieve the applicant or sponsor from satisfying any and all additional requirements set forth in other sections of “Rights and Responsibilities” or as part of other University policies or guidelines (see section 2.8.).

12.10. Games of Chance: The University supports all federal, state, and local laws related to illegal gambling, betting, and bookmaking or other games of chance. Any activities in which gambling may occur must receive approval from the Department of Student Activities prior to the event.

Section 13. Parking and Traffic

Parking and Traffic Regulations: The parking and traffic regulations of the

University are available at the Department of Public Safety, which also issues campus parking permits. These regulations apply to any person in the Brandeis community operating a motor vehicle, and carry the force of University regulations (see section 2.9.). The Parking and Traffic Regulations may also be found at

<http://www.brandeis.edu/publicsafety/parking/regulations.html>.

13.1. Improper or Reckless Operation of a Motor Vehicle: The improper or reckless operation of a motor vehicle on campus poses a major threat to safety and carries with it the possibility of legal action and/or campus disciplinary proceedings (including the possible loss of driving/parking privileges).

13.2. Authorized Roadways and Parking Areas: Operate a bicycle, motorcycle, or automobile, or any other manual or powered vehicle, safely, and only on established, authorized roadways and parking areas.

13.3. Parking Appeals Committee: The Department of Public Safety authorizes a Parking Appeals Committee to hear appeals of parking and traffic violations. An SCP may adjudicate cases involving the behavior of students involved in traffic incidents but does not hear appeals of the actual traffic violations.

13.4. Certification to Drive a Brandeis-Owned Vehicle: Any student seeking to operate a University-owned motor vehicle must first be certified by the Department of Public Safety.

Section 14. Commercial Enterprises

14.1. Personal Income-Generating Activity: Brandeis University seeks to empower, with realistic support, students who undertake entrepreneurial endeavors. Permission is required for personal income-generating activity that uses University property, including (but not limited to) student and campus centers, lobbies, cafeterias, residence hall rooms, campus phone and data lines, Internet servers, and student mailboxes. Such permission, when granted, is for designated areas within the University and is subject to the restrictions imposed by the approving officials. General solicitation, especially in such areas as classrooms, lounges, and cafeterias, is not permitted. Use of the Brandeis name in connection with any such activity also requires authorization. A guide to the request/approval process can be found at

<https://www.brandeis.edu/student-activities/index.html>

14.1a. Entrepreneurial Access to Brandeis Services and Facilities: Any student who uses University property to sell a product or provide a service for a fee, or who represents a for-profit entity that uses University property, shall be considered to be involved in a commercial enterprise, and is therefore required to follow the same procedures as outside companies wishing to access Brandeis services and facilities. All plans for personal income-generating activity on the part of individual students or groups of students and involving University property must be approved by the Department of Student Activities. A guide to the request/approval process can be found at

<https://www.brandeis.edu/student-activities/index.html>

14.1b. Fundraising: Students must comply with safety guidelines and as a University we must ensure we are aligning with our contractual obligations with campus partners and vendors. Some items and/or processes and actions may be considered unsafe and may be restricted or prohibited. To protect the health and safety of community members, expectations around fundraising will apply to all students.

An up to date and detailed guide to fundraising can be found at

<https://www.brandeis.edu/student-activities/index.html>

Section 15. Conduct Affecting the Name and Tax-Exempt Status of the University

15.1. Use of Brandeis' Name in Political or Official Capacities: A member of the Brandeis community shall not speak or act in the name of the University in a political campaign on behalf of a candidate for public office. Any person speaking for the University in an official capacity should make it clear when expressing an individual opinion that said opinion is not stating a University position.

15.2. Use of the Brandeis Name and Seal: The name or seal of Brandeis University shall not be used for political purposes on any letters or other written material or in any electronic media.

15.3. Use of Official Titles: In political activity, the University title of a member of the faculty, staff, or student body may be used for identification purposes only, and should be accompanied by a statement that the person is speaking individually and not as a representative of the University.

15.4. Unauthorized Political Use: Unauthorized use of University facilities, equipment, or supplies for commercial, political, or other non-University-related purposes is strictly prohibited.

15.5. Unauthorized Use of Tax Exemption and Postal Permit Information: Unauthorized use of the University's tax-exempt numbers or postal permit is prohibited.

15.6. Guidelines Concerning Use of University Facilities, Name, Seal, or Logo: On March 13, 1947, the Secretary of State of the Commonwealth of Massachusetts officially recognized and gave legal validity to the action of the Board of Trustees of Middlesex University in voting to change the name of that institution from the Trustees of Middlesex University to Brandeis University. Student organizations recognized by the Student Union Senate or Graduate Student Association (or otherwise recognized by the Division of Student Affairs) may use the name of the University and its seal or logo for purposes of identifying the organization.

15.7. Use of Facilities by Recognized Organizations: Student organizations recognized by the Student Union Senate or Graduate Student Association (or otherwise recognized by the Division of Student Affairs) may use University facilities for meetings, programs, events, or other activities subject to the standards and

policies published elsewhere in this code (see section 12.).

Section 16. Protection of Privacy

16.1. Unauthorized Entry: The privacy of every individual in living accommodations and/or offices must be respected. Malicious or unauthorized entry into rooms, offices, personal files, electronic files (see sections 10.3. and 16.3.) and drawers or locked spaces, such as lockers, is prohibited.

16.2. Brandeis-Owned or -Operated Space Search Authorization: Except in circumstances as outlined in section 9.5. authorized entry for the purpose of searching a Brandeis-owned or -operated student-maintained room or space requires advance permission from the CSAO or designee. Each statement of permission to enter shall clearly set forth the purpose and objectives of the search, and shall specify the office(s), room(s), or spaces(s) to be entered. The search shall be limited to the purpose(s), objective(s), and location(s) set forth in the statement of permission. The University official making the search shall show the statement of permission to the occupant at the time of entry or, in the occupant's absence, shall leave a copy of the statement in the room(s), office(s), or space(s) entered. The entire location set forth in the statement of permission will be searched to ensure no violations are present. Immediately upon conclusion of the search, the official shall prepare and give to or leave for the occupant(s) a receipt for any property seized.

16.3. Health and Safety Inspections: Student residence hall rooms are inspected by members of the Community Living staff periodically during the academic year to evaluate the safety, security, and health conditions of the rooms and to check for illegal possession of University-owned property. These inspections will be conducted by floor, by section of building, or by building. Public notification of such inspections will be provided at least 24 hours in advance and will specify an estimated date and time of the inspection for a given area. For example, "Inspections in East Quad will take place between November 3rd and November 18th, between the hours of 6 p.m. and 9 p.m." A student's presence in a room is not required for the inspection to take place (see section 9.4.).

16.4. Student Records: The federal Family Educational Rights and Privacy Act of 1974 (FERPA) gives each enrolled student at Brandeis certain rights, including the right of access to the student's educational records, the right to request amendment of those records where the student believes a record is inaccurate or misleading, and the right to add a statement presenting the student's view if the records are not amended. A detailed statement of the rights and responsibilities of a student under the Act, the location of all records pertaining to a student, and the procedures for requesting access are contained in the Brandeis University Education Records Policy, which is available from the University Registrar and at

<http://www.brandeis.edu/registrar/bulletin/EducRecordsPolicy.html>.

Brandeis is required by law to provide statistics and narrative data about certain confidential information; personally identifiable information will be removed from such communications whenever possible.

Note: Any records or other evidence retained by the University may be subject to

production by court order.

Section 17. Identifying Concerning Behavior and Initial Procedures

Student Conduct Processes: The Student Conduct Process and the Office of Equal Opportunity Resolution Process

Applicability: Formal and informal adjudication in support of a student (that is, any person enrolled in any academic program or course at Brandeis University, including Brandeis-sponsored distance or Internet-based courses, up to and including the student's commencement day, or the last day of evaluation for non-degree students) may be implemented through the report of an alleged policy violation or concerning behavior to the Department of Student Rights and Community Standards (DSRCS). Reported behaviors will be vetted to determine whether the Student Conduct Process (SCP), the OEO Resolution Process, or the Dean of Students (DOS) Office will be the appropriate mechanism or venue for response.

Behavioral Intervention — The Care Team: Brandeis convenes a team of professionals to receive reports of concerning behavior and to make deliberate decisions about appropriate, individualized courses of action for supporting students of concern. The team may make referrals to a student conduct process, to a health or wellness resource, or to any other care provider so as to maximize the student's well-being and/or academic and social success. A Care Team Case Manager oversees the day-to-day functioning of the University Care Team.

Reporting: When infractions of University standards and policies are alleged, reports regarding that conduct should be submitted to the DSRCS by the reporter in a timely manner through a Community Standards Report (CSR). A CSR must be submitted in order to be able to initiate a formal adjudication process through the Student Conduct Process (SCP). Any person may submit a CSR, and all CSRs will be reviewed and acted upon appropriately. However, only Brandeis community members (Brandeis students, staff, and faculty) may serve as an initiating party in a SCP. The CSR will be shared in its entirety with the responding party(s). The CSR is a web-based form located at <http://www.brandeis.edu/studentaffairs/srcs/reporting.html>. When the alleged violations involve discrimination, harassment or sexual misconduct, that conduct may be reported directly to the Office of Equal Opportunity with or without a CSR. Brandeis community members (Brandeis students, staff, and faculty), former community members and in some cases non-affiliated parties may serve as an initiating party in an OEO Resolution Process. Please see the Policy Against Discrimination, Harassment and Sexual Misconduct for additional information regarding jurisdiction in the OEO Resolution Process.

Note: Any records or other evidence retained by the University may be subject to production by court order.

Initial Pre-Process Procedures:

Two formal conduct processes adjudicate different portions of the code. The SCP adjudicates alleged violations of academic integrity and various other social policy violations unrelated to Harassment, discrimination, harassment or sexual misconduct. The OEO Resolution Process adjudicates allegations of discrimination, harassment

and sexual misconduct as outlined in Section 3. University Actions (section 21.) may be taken to address behavior anywhere that aggrieves a person who is not a member of the Brandeis community.

Under the SCP, subsequent to the receipt of a CSR, the available facts shall be gathered from the reporter, and a careful evaluation of these facts shall be made. If there is sufficient information to believe that a violation may have occurred, the case may be forwarded to a formal adjudication process. The formal adjudication processes include the Student Conduct Process (SCP) and University Actions and Sanctions (section 21.). The CSAO or designee may appoint, as needed, ad hoc conduct boards in addition to the boards described in section 18.

The OEO Resolution Process will follow the procedures found in the Policy Against Discrimination, Harassment and Sexual Misconduct which is incorporated here by reference. That policy can be found on the OEO website. (www.brandeis.edu/oeo)

Interim and Protective Measures are taken by the DOS Office as needed.

Privacy Policy: Brandeis considers student privacy to be of high importance. Adjudication processes provide participants with the opportunity to disclose sensitive, private, or otherwise protected information so as to enable the comprehensive consideration of factors that may influence findings. The Privacy policy exists to balance the University's need to gather necessary information with its interest in protecting all participants in any conduct process from privacy violations.

Any Brandeis student who is involved in any informal or formal adjudication process (Informal Investigation, Restorative Justice, SCP, OEO Resolution Process, or University Sanctions), as a principal party or as a witness or Advisor, is required to respect the privacy of any person about whom information is learned during the process.

All information discussed or provided in a conduct process is considered private and therefore not shareable beyond a small number of people who may need to know it. "Need to know" means that the relationship between the student and the recipient of the information is familial, legal, or medical (the last referring to licensed physiological or psychological professionals, including the Prevention Advocacy and Resource Center). In addition, the student's Advisor in a conduct process or members of the DOS Office or other senior administrators, including the Title IX Coordinator, are individuals with whom participants may discuss private information. The parties are also not restricted from discussing and sharing information obtained with any person serving as a witness for them in the conduct process.

Failure to adhere to this policy may subject the student participant to disciplinary action. Failure of people to whom information is disclosed to maintain privacy may also subject the Brandeis student participant, and any other Brandeis student discloser, to disciplinary action.

The policy extends to documents (paper or electronic) and other information related to a conduct process. This policy is in no way intended to prevent any person from discussing the personal experiences that led to the initiation of the conduct process. For example, an aggrieved person (initiating party) is not prevented from discussing facts, or personal opinions about those facts, as the student came to know them prior to initiating a conduct process. Only new information about those facts that is learned

in a conduct process is not shareable.

This policy is not intended to discourage a Brandeis student from seeking advice regarding or redress from oversight or judicial entities external to Brandeis.

The University exercises careful discretion in sharing private information internally with professionals whose expertise or job function relates to the adjudication, or to the support of participants. Additionally, the University may share private information with other institutions in which a student participant is enrolled. Whenever private information is shared, it will be as minimal or redacted as possible in order to balance the need for sharing with the interest of maximizing privacy.

Brandeis is required by law to provide statistics and narrative information about certain private information. Personally identifiable information will be removed from such communications whenever possible.

Questions about this policy should be directed to the CSAO or to the Office of Equal Opportunity.

Section 18. Procedural Standards in the Student Conduct Process

The Student Conduct Process (SCP): The Student Conduct Process is the formal conduct process that utilizes a preponderance-of-the-evidence standard to adjudicate most allegations related to “Rights and Responsibilities” that describe on-campus behavior. Issues of discrimination, harassment and sexual misconduct as discussed in Section 3 will be addressed by the OEO Resolution Process which can be found on the website for the Office of Equal Opportunity in the Policy Against Discrimination, Harassment and Sexual Misconduct (that process is incorporated herein by reference). The DOS Office, pursuant to section 21 typically adjudicates off-campus behavior.

If you have a disability and feel you will need an accommodation during this process, please immediately contact the office of Student Accessibility Support at 781-736-3470 or access@brandeis.edu. All requests for accommodations must be made in writing via email. Please notify your hearing officer in writing of any approved accommodations regarding this process within two (2) business days in advance of any meetings.

Student Rights

Brandeis University students have the right to:

- a) To have access to a statement of the most recent regulations (“Rights and Responsibilities”) published by the University and to receive a copy of those regulations upon request. The University will make reasonable efforts to make its policies known to students, faculty, and staff.
- b) To be presumed not responsible until decided otherwise.
- c) To admit responsibility for any or all of the alleged policy violations.
- d) Participate in a Resolution Process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard as outlined in

University policies and procedures.

- e) To request a reasonable delay of a hearing due to academic or extenuating circumstances.
- f) To be advised in writing of all alleged policy violations, as initiated in a notification of University proceedings letter that may be emailed via campus email.
- g) To submit a written account relating to the alleged policy violations.
- h) To request an administrative agreement option to resolve the matter, when appropriate in the Student Conduct Process.
- i) To speak on one's own behalf, including written and oral statements and physical exhibits, and to have material witnesses speak at a hearing.
- j) To decline to provide information at a hearing
- k) To be accompanied by an Advisor at all phases of a hearing. See OEO Policy for additional details pertaining to OEO Resolution Process.
- l) To receive a timely notification in writing of the outcome via campus email.
- m) To an appeal of the outcome, as outlined in the appeals process.
- n) To be assured of confidentiality, whenever possible, in accordance with the terms of the federal Family Educational Rights and Privacy Act.
- o) After a final decision has been made, and all appeals have been exhausted, to be free from subsequent hearings and/or sanctions for the same specific incident of alleged misconduct (except in cases where alleged policy violations of intentional omission or ambiguity of information or dishonesty, related to the initial hearing, are being reviewed).
- p) Have disclosures of discrimination, harassment and sexual misconduct, including sexual assault, sexual exploitation, stalking, and relationship violence treated seriously by the University
- q) Seek support services such as housing changes, academic support, or counseling services as applicable.
- r) Notify law enforcement of the incident and seek their involvement if applicable. They also have the option to decline to involve law enforcement.

Procedures for Resolving Allegations

Notification:

A student will be notified of allegations via campus email. Such notification will list the alleged policy violations in an official notification of University proceeding letter. The letter will also include instructions on how to schedule a meeting with the Hearing Officer. A responding party will also receive a copy of their rights as well as a copy of the flow chart describing the process, which is found in Appendix E of this document.

Group Process:

In accordance with Rights & Responsibilities and related University policies, individual students as well as Recognized Student Organizations (including but not limited to clubs, teams, societies), and their officers/leadership, may be held collectively responsible when violations of University policies occur. Officers, leaders and members of Student Club/Organizations are expected to know and abide by all University policies for Student Clubs/Organizations and students in general. The conduct process for Student Clubs/Organizations mirrors the process for individual students, with some nuances. Notification of process will be sent to the group's

President and/or leadership. Representatives of the group (no more than two) will progress through the Student Conduct Process as detailed below. For the purposes of Section 18, all references to “student” may be utilized in reference to the group representative(s).

Note: This would not preclude the University from moving forward with a formal process for individuals involved in the group process.

Conduct Conference:

During this meeting, a student will be provided the opportunity to discuss the allegations, review their options for resolution, and select one of those options using the Choice of Action Form. Alternative options for resolution may be offered and explored at the discretion of the Hearing Officer. Students can waive the right to this meeting and move forward to one of the options for resolution via email.

Any student who does not respond to a request to meet will have their case forwarded to an administrative hearing. Any student who does not complete the Choice of Action Form within the specified timeline may have their case forwarded to an administrative hearing.

Options for Resolution

Administrative Agreement

During the Conduct Conference, a student and their Hearing Officer may engage in a conversation to discuss responsibility and appropriate sanctions for the alleged violations. During this meeting, the Hearing Officer may withdraw any alleged policy violation deemed to be without basis.

A student can choose to engage in this option via email, rather than at an in-person meeting.

In cases where a student does not accept responsibility, the alleged policy violation will proceed to an administrative hearing.

Hearing Options

Administrative Hearing: This option provides the opportunity to have a single person determine responsibility and sanctions for all allegations.

If a student fails to attend their Administrative Hearing, the hearing officer may render a decision based on the information available. The responding party will then forfeit their right to appeal the decision and/or sanctions imposed by the hearing officer.

Procedures for Administrative Hearings: As soon as reasonably possible, the responding party shall meet with the Hearing Officer to discuss the full circumstances of the alleged policy violation(s); under the Administrative Hearing option, this is the only opportunity to present information. During an administrative hearing process, the Hearing Officer may meet with witnesses, including the person who wrote the Community Standards Report, without the presence of the responding party. The Department of Student Rights and Community Standards (DSRCS) shall notify the responding party in writing of the decision, confirming the action taken and the reasons for the decision.

Student Conduct Board (SCB) Hearing: This option provides the opportunity for a student to have their case heard before a panel of students, faculty, and staff. The hearing will determine both responsibility and sanctions, if deemed necessary.

Procedures for SCP Hearings before the Student Conduct Board (SCB): A hearing shall be held as soon as practicable from the date the responding party chooses an SCB hearing. All hearings will be closed, meaning that only official participants may be present in the hearing room. Notice of the hearing date shall be delivered to the responding party in person, or to the responding party's Brandeis email account or the responding party's home address, at least 48 hours in advance of the hearing.

The Hearing Administrator: An administrator from the DSRCS or another Student Affairs professional shall serve as the Hearing Administrator. The non-voting role of the Hearing Administrator is to ensure appropriate execution of the hearing as prescribed in section 18. Responsibilities of the Hearing Administrator also include: (a) advising the Board regarding the requirements and provisions of the Student Conduct Process (SCP); (b) providing information relevant to procedures or sanctions; (c) providing continuity in Board operations and procedures; (d) facilitating the implementation of conduct procedures at all levels of the SCP; (e) acting as a liaison between Boards and the University community; and (f) assisting the Board in fulfilling its educational responsibilities. The Hearing Administrator shall be available prior to the hearing at the request of the initiating party and responding party to provide information regarding the alleged violation and relevant procedural matters. To provide adequate notice to all parties, names of any Advisors and/or witnesses will be submitted by the initiating party and the responding party to the DSRCS at least 24 hours prior to the hearing. The Hearing Administrator may share the names of witnesses and Advisors with the responding party and initiating party prior to the hearing.

Outside Contact: The responding party and initiating party and their Advisors are prohibited from confronting or questioning witnesses or any other parties regarding the case prior to the hearing.

Conflicts of Interest: Student Conduct Board members may be informed of the initiating party's and responding party's names and of all alleged policy violation(s) prior to a hearing so as to avoid conflicts of interest. Any SCB members may accordingly recuse themselves, and either party to the case may request the Board to disqualify a member if the party can satisfy the remaining members of the SCB that there is sufficient cause for disqualification. An alternate member may take the place of the disqualified member, or the responding party and initiating party may agree to proceed without the prescribed minimum voting composition of the Board.

Advisors: The University recognizes that going through the SCP can be stressful for all involved. To help support the involved parties, both the initiating party and the responding party are permitted to have one advisor of their choice present for related meetings prior to, and after the hearing. An advisor must be a Brandeis community member who may provide passive assistance. A support person/advisor does not join in any of the conversations that are the subject of that meeting, but instead provides support to the initiating party/responding party solely through their

presence. A support person/advisor is not allowed to speak on behalf of a party or communicate with the initiating party/responding party during those meetings, other than to offer emotional support. If at any point a support person/advisor becomes disruptive or is otherwise unable to comport themselves within the parameters of the support person/advisor role, they will be asked to leave the meeting. Witnesses are not allowed an advisor nor can they act as an advisor within the SCP. In exceptional circumstances, the Hearing Administrator, in consultation with the SCB chairperson, may allow active participation by an Advisor during a hearing. The lack of availability of any particular Advisor will not be considered a legitimate reason to reschedule or delay a hearing. To avoid even the appearance of undue influence, the administrator who advises the boards, members of the SCB, and members of the University Appeals Board is not eligible to serve as Advisors for the responding party or reporting party. An Advisor may not also serve as a witness.

Neither party shall be permitted to employ professional legal counsel or other persons from outside the University community to present a case before the SCB or to advise the student during a hearing or related meeting. However, an attorney may serve as a passive advisor when coexisting criminal charges are pending resulting from the same incident being adjudicated by the SCB. (See DSRCS staff for details.)

Attendance: The responding party and the initiating party must be present at the hearing. In the event that a hearing is being conducted via live video or audio, the participants must be available via the agreed-on means at the time designated.

Witnesses: The responding party and initiating party may present information and introduce witnesses during the hearing, with the passive assistance of the student's Advisor. Witnesses are those who were present during the incident in question and/or have information directly related to the incident in question or that is relevant to the resolution of this process. Please note that character witnesses are not considered relevant to this process. It is the responsibility of the initiating party and the responding party to notify their witnesses and Advisor regarding the time, date, and

location of the hearing. Additional (unlisted) witnesses may be considered at the discretion of the chairperson of the Board during the Full Hearing. Witnesses must be available when called by the chairperson, or their statement may be disallowed. Any expenses incurred by a witness in order to participate will be the responsibility of the witness. **Note:** Any records or other evidence retained by the University may be subject to production by court order.

Truth and Admissibility: All persons giving information or statements are obligated to be truthful. The SCB shall rule on the admissibility of information and of any witness statements. Unduly repetitious or irrelevant information or witness statement may be excluded. Rules of procedure and evidence applicable in civil or criminal cases in court do not apply.

Information: The responding party and the initiating party shall have the right to view and question all information and reports presented to the Board during the hearing. The Hearing Administrator retains the discretion

not to share certain records due to confidentiality concerns, in accordance with applicable law. The responding party and the initiating party shall have the right to question all witnesses appearing before the Board, but only at the hearing. **Note:** Any records or other information retained by the University may be subject to production by court order.

Written Statement: Written statements from absentee witnesses may be received by the SCB. Proof of authorship of such statement must be provided via certification by a notary public. Inaccessibility of a notary public must be brought to the attention of the Hearing Officer prior to the hearing. Written statement(s) sent from the author's Brandeis UNET account will be considered authentic with respect to authorship and, therefore, is not subject to certification by a notary public. **Note:** Any records or other evidence retained by the University may be subject to production by court order.

Standard of Evaluation: Preponderance of the evidence standard - whether the facts presented support a finding that it is more likely than not that Brandeis University policy was violated.

Findings: The SCB shall make one of the following decisions upon completion of a Full Hearing: (a) a finding of "not responsible"; (b) a finding of "responsible" (based on preponderance of the evidence) and, in the case of a finding of responsibility in a Full Hearing or at the conclusion of a Sanction Hearing, the recommendation of a sanction; or (c) continuance of the case to obtain additional information or for further consideration. Decisions shall be based solely upon information and statements introduced at the hearing. All decisions shall be made by majority vote. The chairperson shall vote only to break a tie.

Hearing Report: A written Hearing Report, comprised of a summary of evidence presented at the hearing and the decision rendered by the SCB, shall be made by the Hearing Administrator. Hearing Reports will be retained by the DSRCs for seven years from the date on which this record was written, after which it will be destroyed, unless the student is involved in further conduct action. When there are multiple incidents and associated conduct records, all records will be maintained for seven years from the date on which the most recent incident is closed by the SCP, after which the records will be destroyed (except in extraordinary cases as defined by the DOS Office). Access to such records is governed by the University Records Policy (see section 16.4.). Brandeis is required by law to provide statistics and narrative information about certain confidential information. Personally identifiable information will be removed from such communications whenever possible. **Note:** Any records or other evidence retained by the University may be subject to production by court order.

Rescheduled Hearing: The responding party and initiating party shall each have the right to a rescheduled hearing if either fails to attend the originally scheduled hearing through no fault of their own, as determined by the Hearing Administrator. If the Hearing Administrator concludes that the failure to attend was the fault of the responding party, the responding party shall be deemed to have accepted responsibility, and the case will be referred for Administrative Action. If a hearing is rescheduled, it will take

place after proper notification. If the responding party fails to attend the rescheduled hearing, the responding party shall be deemed to have accepted responsibility, and the case will be referred for Administrative Action.

Failure to Attend: If the responding party fails to attend a scheduled meeting with the DSRCS after having chosen Administrative Action, the administrator may complete the process in the responding party's absence and send notification in writing of the decision. The responding party shall have the right to one rescheduled meeting if they fail to attend the originally scheduled meeting through no fault of their own, as determined by the DSRCS. *If a responding party fails to attend a rescheduled meeting, they will forfeit their right to an appeal.* The Hearing Officer may defer (place on hold) conduct action at any stage of the process for a period not to exceed 90 class days if the responding party is unable to participate owing to their withdrawal, leave of absence, documented illness, or incapacity, or if deferral is agreed upon with the consent of the initiating party and/or with the consent of the DSRCS and the responding party. Pending alleged violations may be discontinued thereafter depending upon the conduct of the responding party. **Note:** When students withdraw or transfer from the University during an active conduct proceeding, the Dean's Certification will note that the student withdrew during a pending conduct process. *The decision to withdraw from the University is one that any student should make in consultation with advisors, family, guardians, Academic Services, or other trusted administrators or faculty.*

Conduct Record: A record of the conduct process (Administrative Agreement, Student Conduct Board Hearing, or Administrative Hearing), comprised of a summary of the evidence presented and the decision rendered, shall be made by the administrator. Such records are confidential and shall be retained by the DSRCS for 7 years from the date on which this record was written, after which it will be destroyed, unless the student is involved in further conduct action. When there are multiple incidents and associated conduct records, all records will be maintained for seven years from the date on which the most recent incident is closed by the SCP, after which the records will be destroyed (except in extraordinary cases as defined by the DOS). Access to such records is governed by the University Records Policy (see section 16.4.). Brandeis is required by law to provide statistics and narrative information about certain confidential

information. Personally identifiable information will be removed from such communications whenever possible. **Note:** Any records or other evidence retained by the University may be subject to production by court order.

Appeals Procedures for Conduct Processes: Following approval or modification of the sanction(s) by the DOS Office or the DSRCS, the responding party shall have the right to submit an appeals request to the DSRCS or designee concerning the decision of a board or Hearing Officer. Such appeals requests shall be based only on specific evidence, presented in writing, of:

- 1. Procedural Error: The responding party alleges that (i) the procedural requirements of SCP were not followed and (ii) that deviation from the process had an adverse impact on the outcome of the complaint against the responding party.
- 2. New Information: The responding party alleges that, subsequent to the issuing of the final outcome, new information became available which could have

impacted the outcome of the complaint. The responding party must: (i) present the new information; (ii) show why it was unavailable prior to the final outcome; and (iii) show that the new information could have altered the outcome of the complaint. If new information is presented, the UAB has the option to ask DSRCs to re-engage the Student Conduct Process.

Appeals shall not be based upon, or granted due to, dissatisfaction with an imposed sanction. Appeals are not a new fact-finding process. Appeals requests must be filed within five business days of delivery of the conduct action to the student in person, or to the student's home address or Brandeis email address. If the University Appeals Board determines that a written request for appeal has merit, it shall hold an appeals hearing to consider the appeal. Upon completion of the appeals hearing, the Appeals Board may uphold the original decision and sanction(s) imposed, find the responding party not responsible, or increase or decrease the sanction(s). **Note:** Appeals procedures will be addressed in the final outcome letter to the responding party.

Continuance: Responding party students who obtain information at their SCP Full Hearing that might lead to new evidence shall ask for a continuance of the case at that time, rather than wait to raise the matter for the first time as the basis for an appeals request.

Section 19. Composition of Boards

19.1. The Student Conduct Board (SCB): The SCB shall hear cases of alleged policy violations of community standards of behavior or University policies referred to it by the DSRCs, with the exception of cases related to discrimination, harassment and sexual misconduct as outlined in Section 3, which are addressed through the OEO Resolution Process. SCB hearing procedures are enumerated in section 18.

19.2. Voting Panel Compositions: In hearing cases of alleged violations of policy on academic integrity (see section 4.), a Student Conduct Board voting panel of two students and two faculty must be present; at hearings for alleged violations of all other standards or policies, a voting panel of three students and one faculty member or staff member must be present. The voting requirements in this section may be waived by joint consent of the SCB, the initiating party, and the responding party.

19.3. Faculty and Staff Members of the SCB: A pool of faculty members and staff members shall serve on the Board. Faculty members may be appointed by the Dean of their Academic School or may volunteer for appointment at the discretion of Dean of Students Office or designee. Staff members are appointed by the CSAO or designee. The term of appointment for faculty and staff members shall be two years and is renewable.

19.4. SCB Student Member Selection: Students shall be selected annually by a process open to all continuing students, both undergraduate and graduate. The Board is formed and to comprise a representative cross-section of Brandeis students, to the extent possible given those who apply.

19.5. SCB Chairperson Selection: The SCB shall be chaired by students, rotating at each hearing.

19.6. SCB Member Removal: A member of the SCB may be removed by the DSRCs if the member is determined to be responsible for behavior that conflicts with the high standards of citizenship, confidentiality, and cooperation that the SCB represents.

19.7. The University Appeals Board: The University Appeals Board (UAB) shall hear appeals of decisions of the SCB, an Administrative Hearing, the OEO Resolution Process, and any ad hoc board formed at the discretion of the CSAO or designee. For appeals of SCB decisions, an administrator from the Division of Student Affairs, designated by the CSAO or designee, will serve as UAB Administrator of the UAB. For appeals of the OEO Resolution Process, the Office of Equal Opportunity will designate a UAB Administrator.

19.8. UAB Composition: For appeals of SCB decisions, the University Appeals Board shall be comprised of three voting members (one full-time student and two members of the faculty and/or staff appointed by the CSAO or designee.) For appeals of OEO Resolution Process decisions, the UAB's composition will consist of faculty and/or staff appointed by the Office of Equal Opportunity.

19.9. UAB Selection: Faculty and/or staff will be appointed by the CSAO or designee. Students will be selected from the Student Conduct Board. For appeals of OEO Resolution Process decisions, the UAB's composition will consist of three voting members, of the faculty and/or staff who will serve as UAB members;(students will not serve).

19.10. UAB Member Removal: A member of the UAB may be removed by the DOS in consultation with the chairperson, if the member is determined to be responsible for behavior that conflicts with the high standards of citizenship, confidentiality, and cooperation that the UAB represents.

UAB Administrators: In an appeal from the SCP, the UAB shall have an administrator from the Division of Student Affairs, designated by the DOS, serving as a UAB Administrator in all stages of the UAB deliberations. Responsibilities of the UAB Hearing Administrator shall include: (a) advising the UAB regarding the requirements and provisions of the University's SCP; (b) providing information relevant to procedures or sanctions; (c) providing continuity in UAB operations and procedures; (d) facilitating the implementation of conduct procedures at all levels of the SCP; (e) acting as a liaison between boards and the University community; and (f) assisting the UAB in fulfilling its educational responsibilities. In an appeal from the OEO Resolution Process, the UAB Administrator will be the Title IX Coordinator (or their designee).

Section 20. Range of Conduct Actions and Sanctions

20.1. Purpose of Actions and Sanctions: A variety of actions may be taken as a consequence of being found responsible for a violation of community standards. When determining these actions, all facets of the situation, including but not limited to the seriousness of the offense, prior history of violations, impact of the offense on others, the student's class year, and information regarding intent, may be considered. Because the purpose of University conduct processes and decisions is to uphold and promote community standards, a learning component is also part of the sanctioning process whenever appropriate.

Group Sanctioning: Sanctioning as a result of a group process will happen in conjunction with the hearing officer and the appropriate department including but not limited to (Department of Student Activities; Athletics, Recreation, and Physical Education; and/or the Dean of Students Office.). Depending on the factors listed above, sanction may include probation or suspension of group activities for a specified period of time in addition to educational sanctions.

Note: Findings of responsibility for Academic Integrity violations may be communicated with a student's academic program/department and may have additional impact on a student's ability to continue in an academic program.

Educational Sanctions may include, but are not limited to:

- Failure in a course or on an assignment; reduction of a grade
- Workshops on note-taking, proper citation, or writing a research paper
- Training (in, e.g., conflict resolution)
- Education on ethical decision-making
- Education on alcohol and drug abuse
- Restitution for damages
- Counseling/assessments
- Family notification

University Restrictions: Measures that may be taken as a result of an investigation to protect the initiating party as well as the community. Such measures may include, but are not limited to, No Contact Orders, relocation of residence hall room, or restricting the responding party's movements on, or access to, campus. In order to request a change to a University Restriction, a student must meet with a member of the Dean of Students Office Staff. See section 21 for additional details.

20.2. Other Sanction Options: Educational Sanctions may be imposed in combination with other disciplinary action and may include a required completion date. Failure to complete any educational component, as with any other sanction, may result in further conduct action (see section 2.2.), including:

20.2.a. No Further Action: In cases where the student is found responsible and the discussion with the administrator or the hearing before the Board or administrator is regarded as sufficient in and of itself, further action may not be deemed necessary. The finding of responsibility, however, is noted in the student's record in the DSRCS.

20.2.b. Disciplinary Warning: The student may be warned in writing of the possible consequences of continuing inappropriate behavior. Additional conditions may be applied as appropriate.

20.2.c. Residence Probation: A student who is placed on Residence Probation is not in good standing with the relevant living unit for a specified period of time, and conditions may be placed on the student's actions. The status of Residence Probation reminds the student that the infraction has become part of a student conduct record and that repetition of similar or other unacceptable behavior may be cause for removal from the residence halls. The Department of Community Living will be notified of students who are placed on Residence Probation, and this may impact the student's

participation in the housing lottery process.

20.2.d. Removal from Living Unit: This action precludes the student's continued residence either in a particular living unit or in any campus living unit. Such action would normally be taken after one serious violation or repeated violations related to the living unit environment, and is exercised in conjunction with the Department of Community Living.

20.2.e. Loss of University Privileges: A student may be denied certain University privileges, including but not limited to early arrival on campus, extended stays in the residence halls, participation in campus activities or athletics, participation in a study abroad program for academic credit, representing the University in competition or in other official capacities, campus employment, and campus leadership opportunities. Loss of such privileges extends over a specific period of time, and is designed to reflect a specific community concern about the student's behavior.

20.2.f. Disciplinary Probation: A student who is placed on Disciplinary Probation is permitted to remain enrolled at the University, often under certain stated conditions depending upon the nature of the violation and the potential learning value of such conditions. The probation usually extends over a stated period, during which it is clearly understood that any such student is subject to further disciplinary actions, including suspension or dismissal, if they violate the terms of the probation or in any way fail to conduct themselves as a responsible member of the University community. Disciplinary Probation is a final warning to the student to help them reevaluate their behavior.

20.2.g. Suspension: Suspension is an involuntary separation of the student from the institution; it differs from dismissal (see section 20.1.h.) in that it defines conditions under which return will be possible. Suspension may extend for a semester or until a designated date. While a suspension is in effect, degrees or certificates will not be issued and credit will not be granted for courses taken elsewhere. Following the suspension period, return to Brandeis requires initial approval of the CSAO or designee and then approval by the Committee on Academic Standing regarding academic suitability for readmission.

20.2.h. Dismissal: A permanent, involuntary separation of the student from the institution.

Note: Parents/guardians may be notified when a student changes their status at the University either by voluntarily withdrawing or by being required to withdraw through the resolution of a formal adjudication process

20.3. Deferral of Sanction: Any sanction can be deferred for a designated period of time with the understanding that no further violation of policy can occur during this time, or the original sanction will be enacted immediately.

Section 21. University Actions and Sanctions

Brandeis University is a small, but complex, community that believes in self-care and

caring for others. Given the rigor of academic programs and the numerous co-curricular and extracurricular activities in which students engage, the existence of behavioral concerns between and amongst community members is natural. The provisions of this section describe the authorities and responsibilities of the Chief Student Affairs Officer (CSAO) or designee to intervene in cases of urgent or serious student behavior and provide constructive response to it.

21.1. University Action: Whenever the University has reason to believe that a student's conduct or behavior may disrupt the safety or well-being of another University community member (student, faculty, staff, or guest), or may prevent the student of concern from acceptably rendering a University service, the University may take any action that it believes to be appropriate and reasonable under the circumstances. This may include, but is not limited to, notification of the student's parent or guardian; removal of the student from a residence hall, or restriction from specific buildings; suspension of the student from a campus leadership position; suspending the student from class or changing the student's class schedule; removal from a job or athletic team; or other action deemed necessary to remove or minimize the threat or disruption.

The CSAO or designee is the only person authorized to grant permission to a student who wishes to return to classes and/or residence halls after any such removal.

In the event the University takes university action, the University shall notify the student of the action taken and the basis for the action. Within three business days of notification, the student shall have an opportunity to speak with the Dean of Students Office regarding the status of the action taken. After that meeting, the individual has the option to request a modification of the University Action. Any request for modification must be submitted in writing within 48 hours of that meeting, on the appropriate form, which can be obtained from the Dean of Students Office (DOSO). An individual may submit a written request for modification to DOSO asking to either (1) have the University Action lifted or (2) have the University Action modified. If an individual fails to meet with DOSO within 10 business days of the issuance of the University Action, the opportunity to request a modification will close, and The CSAO or designee shall then decide, at their discretion, to reinstate or restore the student's privileges (or not), to consider further action under this procedure, or to take additional reasonable and appropriate steps.

With their request for modification, the individual should submit a brief written explanation regarding with the University action should be lifted or modified. The request for modification may include any supporting documentation that the person believes is relevant. Please note that any information submitted in support of a request for modification will be made available to the Investigator of the Resolution Process and/or the hearing administrator. The request for modification will be decided within three (3) business days from the receipt of the submission. The request for modification is a paper-based process and will be decided through consideration of the written submission and any other available information about the alleged conduct. The individual will be notified in writing about the decision on their request for modification. Once the request for modification has been decided, there is not further opportunity to contest the issuance of University Action. However, the University reserves the right to modify or remove a University Action at any time as it deems necessary and/or appropriate

21.2. Emergency Suspension: Pending final action in response to a violation of University

regulations, the status of a student shall not be altered, or the student's right to be present on the campus and to attend classes suspended, except to (1) ensure the physical and emotional health, safety, or well-being of members of the Brandeis community; (2) prevent the disruption of, or interference with, the normal operations of the University or any investigation; and/or (3) when such a restriction is deemed necessary by the University. The decision to separate a student from the campus under these conditions shall be made by the CSAO or designee.

21.3. Inde nite Suspension: In the event the CSAO or designee learns that a Brandeis student has been charged with or convicted of a crime, the CSAO or designee may immediately remove the student from campus housing, restrict the student's access to the campus, and/or indefinitely suspend the student from the University pending the final outcome of a criminal proceeding. In making this decision, the CSAO or designee must consider the nature of the crime and the risk to the safety or well-being of the University community. A student suspended under this authority may request a meeting with the CSAO or designee. The final decision on continuation of the suspension shall be made by the CSAO or designee. The procedural standards set forth in section 18 do not apply to indefinite suspensions.

21.4. University Sanctions (Formal Adjudication for Off-Campus Incidents and Non-Brandeis Reporters): Brandeis University expects students to conduct themselves at all times as good citizens and good neighbors, in a manner that is consistent with federal, state, and local laws and ordinances. Off-campus student behavior that aggrieves any person, or on-campus student behavior that aggrieves someone who is not a Brandeis community member, which in the judgment of the CSAO or designee constitutes behavior that is inconsistent with these standards and adversely affects the University community, may result in sanctions and/or University Restrictions up to and including dismissal. A Brandeis student disciplined under this authority may request a meeting with the CSAO or designee, and with the SCB or the Outcomes Administrator. The SCB or Outcome Administrator shall advise the CSAO or designee on the appropriateness of the sanction(s) imposed. The final decision shall be made by the CSAO or designee. The procedural standards set forth in section 18 do not apply to off-campus behavior or university sanctions.

21.5. Medical and Emotional Emergencies: Whenever a student's conduct results in the intervention of the Brandeis Health Center, the Brandeis Psychological Counseling Center, or a non-Brandeis medical or psychological health care provider in order to prevent, or address the possibility of, a student's doing harm to themselves or others, or to address a student's severe emotional or psychological distress, the CSAO or designee will establish an emergency protocol for that student. Any student who receives treatment from a non-Brandeis medical or psychological health care provider under these circumstances must contact the CSAO or designee upon release from the health care facility.

The CSAO or designee shall notify the student in writing of the emergency protocol and the basis for it. Within three business days of notification, the student shall have an opportunity to speak with the CSAO or designee, to discuss the protocol and to provide information, including documentation by a health care provider, in order to contest the action(s) taken. The CSAO or designee shall then decide, at their discretion, to reinstate or restore the student's privileges (or not), to consider further action under this procedure, or to take additional reasonable and appropriate steps.

During the period beginning with the emergency intervention and continuing until

the conveyance of explicit written permission by the CSAO or designee to resume campus functions, a student subject to an emergency protocol is not permitted to access any campus property or facilities, attend any classes or any University events. No exceptions will be made for examinations or for other time-sensitive student activities or academic obligations. Failure to comply with this protocol may result in referral to the SCP as defined in this document (see sections 2.1. and 2.2.).

21.6. Study Abroad: Any student who is found responsible for violations of any University policy may not be allowed to participate in study abroad for academic credit.

If a finding of responsibility occurs while a student is studying abroad, the student's study abroad program will be notified in writing of the finding. Brandeis and/or the student's study abroad program reserve the right to terminate the student from the program without the granting of academic credit and/or a financial refund.

21.7. No Contact Order (NCO): NCOs state that a student is restricted from contact with a named individual(s) through verbal, physical or electronic means or via third parties. It is understood that the nature of the Brandeis University environment does not mean that the parties to an NCO will not see each other on campus, but rather, reasonable compliance is expected and any unnecessary contact must be avoided. Further, it puts written guidelines in place to prohibit contact. Typically under an NCO it is the responsibility of whichever party arrived to the space last to immediately remove themselves from the situation and take means to separate. Incidental contact, however, will not be considered a violation. Incidental contact may include unintentionally passing on campus or unexpectedly seeing the other party in an on-campus building. With incidental contact, it is typically the responsibility of the last party to arrive to remove themselves from the situation. A No Contact Order is not a sanction or a conduct outcome. It is a protective measure meant to focus on the safety of the initiating party and/or the campus community. NCOs are administered by the Dean of Students Office (DOSO). Any alleged violations of an NCO should be reported to the DOSO and will receive appropriate response, which may include University Action such as restriction from events or locations.

Appendices

Appendix A

Massachusetts Act Prohibiting the Practice of Hazing

(Chapter 269 of the Massachusetts General Laws)

Section 17: Whoever is principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections 18 and 19, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to themselves or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Section 19: Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the

provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

Appendix B

University Policy on Fraternities and Sororities

On May 28, 1988, the Board of Trustees of Brandeis University unanimously approved the following resolution: The Board of Trustees reaffirms University policy of recognizing only those student organizations which are open to all students on the basis of competency or interests. Exclusive or secret societies are inconsistent with the principles of openness to which the University is committed. Therefore, social fraternities and sororities, in particular, are neither recognized nor permitted to hold activities on campus or use University facilities.

Appendix C

Related Publications

The following publications or statements of guidelines are referenced in the University regulations. The policies and procedures stated therein carry the force of University regulations. They may be obtained at the locations indicated below:

Brandeis University Education Records Policy; Office of the University Registrar, Kutz Hall 124.
www.brandeis.edu/registrar/bulletin/EducRecordsPolicy.html

Equal Employment Opportunity; Office of Human Resources, Bernstein-Marcus, Second Floor.
<http://www.brandeis.edu/humanresources/>

Student Activities Polices (Posting, Alcohol at Student Events); Department of Student Activities, Shapiro Campus Center, Second Floor.
www.brandeis.edu/studentaffairs/activities/forms.html

Graduate Student Housing Policies; Office of Graduate Student Affairs, Kutz Hall, First Floor.

www.brandeis.edu/gradstudent/housing/index.html

Library Policies; Feldberg Library.

<http://lts.brandeis.edu/>

Parking and Traffic Regulations; Department of Public Safety Parking and Traffic), Stoneman 109.

www.brandeis.edu/publicsafety/parking/regulations.html

Policy Against Discrimination, Harassment and Sexual Misconduct

Office of Equal Opportunity

www.brandeis.edu/oeo

Residence Halls and Meal Plan License;, Department of Community Living, Usdan Student Center, Room 032.

Room Reservation Procedures; Student Group Request Form, Department of Conference and Event Services, Kutz Hall 9.

www.brandeis.edu/ces/communityevents/documents/studentform.pdf

Safety Procedures for Lighting Candles; Department of Community Living, Usdan Student Center, Room 032.

www.brandeis.edu/studentaffairs/dcl/forms/pdf/Candle_registration.pdf

Dining Services Meal Plans; Department of Dining Services, Kutz Hall 9.

<http://brandeis.sodexomyway.net/>

Student Phones, Computers, Printers, and TV; Department of Library and Information Technology Services, Feldberg 20.

lts.brandeis.edu/techhelp/hardware/index.html

University Computer Policy; Department of Library and Technology Services, Feldberg 112.

lts.brandeis.edu/about/policies/computingpolicies.html

Leadership Handbook; Department of Student Activities.

<http://www.brandeis.edu/studentlife/activities/leadership/index.html>

Appendix D

Confidential Resources for Students

Brandeis University provides numerous confidential resources for students. When you speak with a confidential resources, you are not notifying Brandeis of the conduct. These confidential resources can provide you with support, can connect you with other support resources and can provide you with information about what options may be available to you if you wanted to address the conduct. There are also confidential resources available off campus.

Confidential On-Campus Resources

Brandeis PARC: Prevention, Advocacy & Resource Center Usdan G108

781-736-3370 (24/7 hotline)

781-736-3371 (office line) parc@brandeis.edu Education, empowerment, and support by professional staff and/or peers, with focus on helping those impacted by sexual assault, dating/domestic violence, or stalking to decide what they want to do next

Ombuds Office 781-736-2265

brandeisombuds@brandeis.edu

<https://www.brandeis.edu/ombuds/index.html>

Confidential, independent, impartial, and informal source to anyone with a present or past affiliation to the Brandeis Community for off the record difficult discussions and self empowered outcomes, promoting safe and fair processes

Brandeis Counseling Center

781-736-3730 (office line)

781-736-3785 (after hours urgent care) Brandeis.edu/studentaffairs/counseling Advice; individual counseling

The Center for Spiritual Life

781-736-3570

<https://www.brandeis.edu/spiritual-life/> Advice; spiritual direction and support

Brandeis Health Center

781-736-3677

brandeis.edu/studentaffairs/health

Screening, treatment and follow-up care for sexually transmitted infections; emergency contraception

Confidential Off-Campus Resources

Asian Task Force Against Domestic Violence

617-338-2355

Available 24/7; multilingual

The Network/La Red

617-742-4911

**Beth Israel Deaconess Medical Center,
Center for Violence Prevention
and Recovery**

617-667-8141

bidmc.org/violenceprevention

**Rape, Abuse & Incest
National Network (RAINN)**

800-656-HOPE

**Boston Alliance of Gay, Lesbian, Bisexual
and Transgender Youth (BAGLY)**

617-227-4313

www.bagly.org

REACH – Beyond Domestic Violence

800-899-4000

Boston Area Rape Crisis Center Hotline

800-841-8371

**Massachusetts Office for Victims
Assistance**

(844) 878-MOVA (6682)

**Case Myrna - SafeLink Domestic Violence
Hotline**

877-785-2020

Available 24/7; multilingual

Victim Rights Law Center

617-399-6720, ext. 19

Appendix E Reporting Resources for Students

REPORTING AN INCIDENT

Students have numerous places where they can report conduct concerns they may have.

Dean of Students Office

781-736-3600
brandeis.edu/studentaffairs/deansoffice
Coordinates campus resources to support survivors in reporting processes

Student Rights and Community Standards

781-736-5070
brandeis.edu/studentaffairs/srcs
Provides information and initiates the Student Conduct Process

University Police (available 24/7)

University Police
Emergency
781-736-3333
Business 781-736-5000
brandeis.edu/publicsafety
Reporting incidents; filing protective order assistance with filing a report with Waltham Police

Office of Equal Opportunity

781-736-4806
oeo@brandeis.edu
Addresses issues of discrimination, harassment and sexual misconduct. Can help connect students with support resources. Can provide them with information regarding what options may be available if they were interested in addressing the conduct.

Waltham Police

781-893-370

Department of Community Living

781-736-5060
brandeis.edu/dcl
Area Coordinators and Community Advisors support residential students, provide referrals to resources and assist with housing interim/protective measures

COMMUNITY STANDARDS REPORT

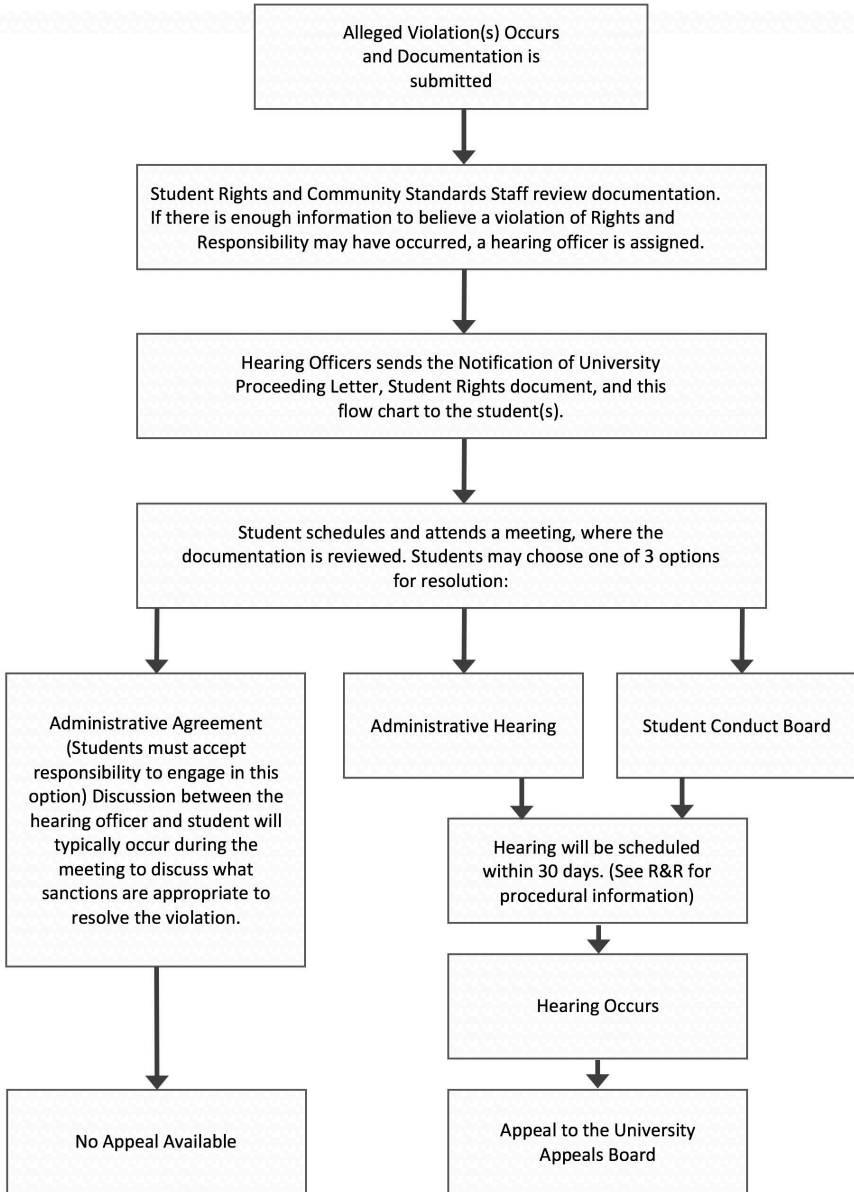
Students have the right to file a report with the Brandeis Department of Student Rights and Community Standards. This report is called a Community Standards Report (CSR). Students also have the right to file a report with Brandeis Police (Public Safety) or with the police department of the local jurisdiction in which the incident occurred. You also have the right to decide **NOT** to file this report (now or ever).

Find the CSR at

<https://www.brandeis.edu/student-rights-community-standards/report-it.html>

Appendix F
Student Conduct Process Flow Chart
Department of Student Rights and Community Standards

Student Conduct Process



Appendix G

Department of Community Living, Event Registration Guidelines

The following outlines what a registered event is, how to request a registered event, and the responsibilities of the primary host and alcohol beverage server. The Department of Community Living reserves the right to update these guidelines at any given time. Depending on campus community need, the Department of Community Living can modify the guidelines for specific campus areas at any given time.

Defining a Registered Event

- A registered event can be defined as a gathering of students in one residential space that consist of more than double plus one the assigned room occupancy.
- Students gathering in residential areas in large groups (more than double plus one the occupancy of the room or suite) can be viewed as having an unregistered party and can be documented.

How to Request Approval for a Registered Event

- The request form for a registered event can be found on the DCL website. Students must submit their request form at least two business days prior to their desired event. For example, for an event to take place on Friday, Saturday or Sunday, the request form must be submitted by Wednesday.
- Registered events are considered to be a privilege for residential students. Students or whole residential areas can lose the privilege to register events due student conduct concerns or campus safety. DCL reserves the right to suspend the event registration process at any given time.

Responsibilities of the Primary Host

- Must be the person to complete the event registration request form and to meet with a DCL professional staff member to receive the event registration permit along with the ABS.
- Has to live in the room or suite that is hosting the event and needs to be present for the entire duration of the event. Must be of legal drinking age for events including alcohol.
- Oversee the guests coming to the registered event and ensuring no more than 25-30 guests at a time.
- Will ensure guests do not leave registered event with open containers and do not gather in large groups inside or outside residential areas.

Responsibilities of the Alcohol Beverage Server

- Must be a current Brandeis student of legal drinking age. The ABS cannot be the same person as the primary host.

- Has to meet with a DCL professional staff member to receive the event registration permit along with the primary host.
- Will ensure there is healthy food and water ratio to alcohol present that is easily accessible for guests at registered events. Must end the alcohol drink service a half hour prior to the event ending.
- Will consult educational alcohol pouring chart provided by DCL prior to mixing drinks.

General Information for Registered Events

- The registration permit must be posted on the exterior door from the start time of the registered event and taken down after the event ends.
- Common container items are prohibited at any time in the residence halls. Common containers include, but are not limited to, funnels, kegs, beer balls, coolers of mixed drinks, “punch bowls,” etc. Any mixed drinks should be made in front of the consumer of the beverage.
- No handles of hard liquor can be present at registered events.
- Guests are strongly discouraged from bringing their own alcohol to registered events.
- Only 25-30 guests to be allowed at any given time in suites with common areas (including the occupants).
- The primary host and/or ABS will contact campus emergency services to assist with those in medical need or unruly guests.

Additional Information:

Relevant Rights and Responsibilities Excerpts:

Brandeis University upholds and supports local, state, and federal laws with regard to alcoholic beverages. Students of legal drinking age may choose to drink within stated campus guidelines, and in accordance with procedures for event sponsorship. Brandeis students are reminded that they are responsible for the conduct of their guests.

Section – 5.2 Underage Possession/Consumption: No student under the legal drinking age of 21 is allowed to possess or consume alcoholic beverages. Under 21 year olds are not permitted to be in the presence of alcohol consumption and/or use unless at an approved University event or an approved registered event through the Department of Community Living.

Section – 5.9. Event Registration: Any student or group of students wishing to sponsor a party or event with alcohol in the residence halls must request permission for the event from the Area Coordinator responsible for that area by submitting an Event.

Registration Form: www.brandeis.edu/studentaffairs/dcl at least two business days before the event is to take place. The sponsor of the event is responsible for providing

food and non- alcoholic beverages at any event where alcohol is served. Such gatherings may require additional approval from the Department of Public Safety. Events/gatherings must end no later than 1:00 a.m. on Saturday and Sunday mornings, and no later than 11:00 p.m. Sunday through Thursday. Residents sponsoring events assume responsibility of their guests. Approval of a gathering does not constitute permission to violate any University policies.

Section – 5.11 Age Verification for Purchase or Consumption of Alcohol on Campus: Beer and wine are available for sale to students of legal drinking age at some University events and at The Stein and The Faculty Club. One of the following pieces of identification is required for students, and their guests: a valid, original driver’s license; a valid passport; a valid, original Massachusetts Liquor Identification Card; or a valid Massachusetts State Identification Card and in addition to a current and valid Brandeis Identification Card for Brandeis students.

Section – 9.11 Noise: Quiet Hours are established for all residence halls. During the school week (Sunday night through Friday morning), Quiet Hours begin at 11:00 p.m. and conclude at 8:00 a.m. On weekends, Quiet Hours are as follows: 1:00 a.m. Saturday through 10:00 a.m. Saturday, and 1:00 a.m. Sunday through 10:00 a.m. on Sunday. During these times a student should be able to study, read, relax or sleep in the room without being disturbed by noise by other residents, guests or members of the community. At all other times, residents are expected to be respectful of others with regard to noise. Quiet Hours remain in effect during all times of year, regardless of holidays, vacations or recesses. A professional Student Affairs staff member may extend Quiet Hours for an approved purpose or during reading periods and final exam periods.

Appendix H

Principles of Free Speech and Free Expression

1. Maximizing Free Speech in a Diverse Community

All members of Brandeis should be able to put forth ideas for consideration, engagement, and criticism by others, as such exchanges are core to the mission of institutions of higher learning. We explicitly connect free speech concerns with our desire for a diverse, inclusive community. Free expression, including the arts, implies the free exchange of ideas — talking and listening. We endorse as a principle for action Louis Brandeis' remark: "If there be a time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence." The university has a responsibility to encourage the airing of the widest range of political and scholarly opinions and to prevent attempts to shut down conversations, no matter what their topic.

2. Developing Skills to Engage in Difficult Conversations

The Brandeis community rightly prides itself on debating difficult issues vigorously. To introduce prior restraint by attempting to define realms of prohibited speech would be for the administration to produce a chilling effect upon speech and exchange of views on campus. Reaching our fullest potential in this regard will entail an ongoing educational process, a curriculum that exposes students and the entire community to various viewpoints, and a long institutional memory about how free expression operates and has operated at Brandeis. All this will require the intellectual courage to risk discomfort for the sake of greater understanding.

3. Sharing Responsibility

All members of the Brandeis community bear the moral responsibility for their actions and the impact those actions have on the community. Open-minded disagreement can be a marker of respect, the sort of response for which we strive. We should embrace civility, but in the larger sense: an issue can be engaged with emotion, and even a raised voice, if the humanity of all involved is respected. We should work toward a campus life that promotes the expression of a diverse set of intellectual, political, cultural, and social outlooks. The university's commitment to freedom of expression is an essential part of the ethical and intellectual imperative to strive for diversity and inclusion on campus. The university must find ways to engage the whole community about each person's responsibility to foster a just and inclusive campus culture so that all can participate fully in the intellectual and social life of the university.

4. Rejecting Physical Violence

Peaceful protest is fully appropriate to an environment of vigorous discussion and debate, but physical violence of any kind or the prevention of speech is unacceptable. Once violence is normalized as an ingredient of free expression, it sets the pattern, ending rather than supporting free expression.

5. Distinguishing between Invited Speakers and University Honorees

Brandeis should provide space for campus organizations of all sorts, including invitations to outside speakers: such openness does not constitute a university endorsement of the organizations or the speakers. However, there are certain circumstances, especially the granting of honorary degrees, in which an invitation issued by the university does constitute an endorsement of some major aspect of their life or work. A protest against the university for making a disfavored choice for a prestigious honor is not, in itself, an attack on free speech.

6. Institutional Restrictions

The freedom to debate and discuss ideas does not mean that individuals may say whatever they wish, wherever they wish, or however they wish. In narrowly-defined circumstances, the university may restrict expression, as for example, that violates the law, that falsely

defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the university.

Adopted by the Brandeis Board of Trustees, September 2018

Appendix I

Consensual Relationship Policy

Applicability

This policy applies to all faculty and staff employees of Brandeis University. This policy applies to consensual romantic, dating, and sexual relationships between employees (faculty and staff) and students; and employees with other employees. This policy does not replace or limit university policies on prohibited discrimination, harassment, and retaliation or other policies that may be triggered by conduct or relationships covered in this policy.

Student-to-student relations are governed by the student handbook, *Rights and Responsibilities*, which can be found on the website of the Department of Student Rights and Community Standards.

Introduction

Brandeis University is committed to maintaining a fair and professional academic, work, and athletic environment in which members of the faculty and staff carry out their responsibilities in a way that is both respectful to those over whom they have authority and conducive to the development of a just and flourishing academic community. A sexual or romantic relationship between a faculty or a staff member and a person with whom they have professional responsibility (i.e., as a teacher, advisor, evaluator, or supervisor) is inherently problematic. With professional responsibility comes power. It is incumbent on faculty and staff members not to abuse, or seem to abuse, the power with which they are entrusted. In order to avoid potential conflicts of interest, favoritism, exploitation, harassment or breaches of professional standards, the university prohibits romantic or sexual relationships even when consensual where there is supervision, direction or control between the parties.

Policy Statement on Consensual Relationships Between Employees and Undergraduate Students

No employee* shall pursue, have, or maintain a Consensual Relationship with any currently enrolled undergraduate student including relationships that occur when the University is not in session or when a student is on leave. If a change in employment or academic circumstances causes an employee in a pre-existing marriage or Consensual Relationship to come into conflict with this policy (see examples in the next paragraph), this is required to be immediately disclosed to the relevant Dean or VP for Human Resources who will initiate a Management Plan consistent with this policy.

Examples of circumstances that may arise include:

- an employee is in a Consensual Relationship with someone who applies for and becomes accepted as an undergraduate student
- an undergraduate student is in a Consensual Relationship with someone who becomes an employee (e.g., graduate teaching assistant, faculty, or staff position) at Brandeis

If circumstances same or similar to the above are disclosed immediately, there will not be a finding of policy violation. While such Consensual Relationships are normally prohibited by this policy, a Management Plan will be pursued rather than requiring the dissolution of the relationship. The Dean or VP for Human Resources may take measures to prevent the deprivation of educational or employment opportunities for the undergraduate student, and will have the authority, in consultation with the Office of Equal Opportunity, to make reasonable exceptions to normal academic rules and policies as

warranted by the circumstances.

*Except as set forth below, graduate student and undergraduate student employees are exempt from this specific policy section. Consensual Relationships between undergraduate students and other undergraduate students, including undergraduate student employees, are neither discouraged nor prohibited unless a party to the relationship Exercises Authority as defined elsewhere in this policy. Consensual Relationships between graduate students, including graduate student employees, and other students, including undergraduate students are neither discouraged nor prohibited unless there is an Instructor relationship or a party Exercises Authority as defined elsewhere in this policy.

Definitions (For purposes of this policy)

- Consensual Relationships – includes any intimate, romantic, dating, or sexual relationship, or sexual conduct, to which both parties have given consent.
- Instructor – any faculty member (regardless of rank or permanent or visiting status), post-doctoral fellow or associate who supervises or evaluates students. Student teaching assistants and teaching fellows are also considered to be “Instructors” with respect to students over whom they have academic responsibility.
- Staff Member with supervisory or academic responsibility – any person who is not an Instructor but who has authority over students, including deans of any rank, athletic coaches, advisers and directors of student organizations and residential living, others who advise, mentor or evaluate students; and those who can positively or negatively influence the financial or operating environment of an individual student.
- Employee – anyone—faculty, staff, or student—employed by Brandeis University.
- Exercise(s) Authority – the ability to directly impact another individual’s academic or professional status or their development. Examples include but are not limited to evaluating, providing oversight, assigning work, supervising, academic advising, mentoring, coaching, counseling, providing extracurricular oversight, providing references and/or otherwise participating in or influencing votes or decisions that may reward or penalize.
- Management Plan – a plan to be arranged according to the individual circumstances, with the outcome being to remove any ability of one individual to exercise authority over the other. It could involve assisting one of the individuals to change to a similar position elsewhere in the University, if available, or removing exercise of authority in that instance by having someone else designated as a substitute for supervision, advising, etc.

Policy Statement on Other Relationships

Undergraduate or Graduate Teaching Assistants

An undergraduate or graduate student may be assigned as a teaching assistant for a course which, due to a pre-existing Consensual Relationship, may cause the individuals in the relationship to come into conflict with this policy. Immediate disclosure is required by the individual with the exercise of authority, so that a Management Plan can be implemented such as reassignment of the teaching assistant.

Employee-Graduate Student Relationships Where Exercise of Authority Exists

The pedagogical relationship between an Instructor and a graduate student must be protected from influences or activities that can interfere with learning and fair evaluation. Given the inherent power differential, faculty and staff members might not perform their duties effectively if they become romantically or sexually involved with graduate students for whom they are responsible. Accordingly, no Instructor or staff member shall enter into a Consensual Relationship with a graduate student whom they instruct, evaluate, supervise, advise or over whom the Instructor or staff member is in a position to exercise authority in any way. Similarly, no Instructor or staff member shall exercise authority over a graduate student with whom the Instructor or staff member has had a Consensual Relationship in the past. In the event that marriage or a Consensual Relationship exists such that circumstances would bring an Instructor or staff member into conflict with this policy, the involved Instructor or staff member shall disclose such a relationship immediately to their Dean (if an Instructor) or VP for Human Resources (if a staff member). The Dean or VP for Human Resources will initiate a Management Plan consistent with this policy, including the removal of any exercise of authority between the Instructor or staff member, and the graduate student. The Dean or VP for Human Resources may also take measures to prevent the deprivation of educational or employment opportunities for the graduate student, and will have the authority, in consultation with the Office of Equal Opportunity, to make reasonable exceptions to normal academic rules and policies as warranted by the circumstances.

Faculty, Staff and other Employee Relationships Where Exercise of Authority Exists

No faculty or staff member shall enter into or continue a Consensual Relationship with any employee (faculty or staff) who reports to them (as a direct supervisor or any level of hierarchy) or over whom the faculty or staff member has the authority and/or responsibility to hire, promote, discipline, evaluate, set salary, assign or direct. If marriage or a Consensual Relationship exists such that circumstances would bring an employee into conflict with this policy, the person in power shall report disclose such a relationship to the relevant Dean (if a faculty member) or VP for Human Resources (if a staff member). The Dean (if a faculty member) or VP for Human Resources (if a staff member) shall initiate a Management Plan consistent with this policy, including the removal of any reporting or similar relationship between the faculty or staff member and the employee. The Dean (if a faculty member) or VP for Human Resources (if a staff member) may also take measures to prevent the deprivation of employment opportunities for the subordinate.

Recruitment of Dual Career Couples

This policy is not intended to discourage or reduce the university's key talent strategies, such as the recruitment of couples who are in a pre-existing marriage or Consensual Relationship. Such recruitments may place the individuals into positions where Exercise of Authority potentially exists, wherein a Management Plan would be put into place. This is considered a normal recruitment and management process.

Policy Violation

A violation of this policy may result in disciplinary action, up to and including termination of employment. Cases involving faculty will go to the appropriate Dean and will follow Faculty Handbook procedures in Section VII. Dispute Resolution.

Required Reporting

Although it is recognized that the student or subordinate may be a full and willing participant in a Consensual Relationship, all of the responsibility for reporting violations and adhering to this policy and the consequences for violating it fall upon the person in a position of power or authority, rather than on the student or subordinate. Violations of this policy are referred to the appropriate disciplinary procedure based on the status of the employee in the position of power or authority over the other individual. If the person involved in a possible policy violation is an Instructor, the issue must be brought to the attention of the Dean of the appropriate School. If the person involved is a Staff member, the issue must be brought to the attention of the Vice President for Human Resources.

The Concept of Immediate Disclosure

As with examples noted in this policy, there will be circumstances that occur where individuals could enter into conflict with this policy. If immediate disclosure occurs at or before the beginning of those circumstances, there will generally be no policy violation. If the person involved is an Instructor, disclosure must be brought to the attention of the Dean of the appropriate School; if the person involved is a Staff member, the issue must be brought to the attention of the Vice President for Human Resources.

Questions

If students have concerns or questions about a Consensual Relationship between a student (you or someone else) and an Instructor or Staff member, assistance can be provided for undergraduate students by the Department of Student Rights and Community Standards at 781-736-5070 and for graduate students by the Office of Graduate Student Affairs at 781-736-3546.

If faculty members have concerns or questions, they should consult with their Dean; if staff have questions or concerns, they should consult with their supervisor or Human Resources.

This policy does not create an employment contract or any right to continued employment at Brandeis University. Brandeis University reserves the right to modify, revoke, suspend, terminate and/or change any and all policies and procedures at any time, with or without notice.

Q&A document: <https://www.brandeis.edu/humanresources/policies/consensual.relationships.qa.19.08.20.pdf>

Office of Human Resources

Revised August 2019

Appendix J

Personal and Professional Integrity Pledge

As a student at Brandeis University, I understand that my actions reflect upon me and Brandeis's community of students, families, staff, faculty, alumni, community partners and employers who engage, collaborate with, educate, mentor, and hire students year-round on- and off-campus.

Brandeis is committed to supporting me to create professional and personal goals and connections. I understand I am expected to take ownership of my own goals and actions and to develop positive and mutually respectful relationships with members of the Brandeis community.

I pledge to adhere to the Brandeis University Personal and Professional Integrity Pledge in all on- and off-campus interactions:

Treat everyone with respect and expect the same in return

Keep an open mind at all times, recognizing that we are all life-long learners

Be courteous in all forms of engagement (face-to-face, in writing, by phone)

Ensure that all publicly available content about me (e.g., social media, blogs, emails) appropriately represents me and Brandeis in a respectful, professional manner

Provide accurate information in all forms of professional communication and documentation

Respond appropriately to calls, emails and invitations for meetings, appointments, events, informational discussions, and interviews in a timely manner (knowing standard practice is 24-48 business hours)

Prepare for meetings, events, and interviews to enhance the experience for me and others

Attend and be on time for all individual or group meetings, events, and interviews that I schedule on-campus, off-campus, virtually, or by phone

Learn how to connect with alumni and other professionals to network regularly and appropriately by getting advice and information and not simply asking for a job or internship

Be mindful of other people's time, availability and personal information and express appreciation for their time and support

Be supportive of other Brandeis community members' personal and professional goals

Speak with a staff or faculty member for support if something or someone makes me uncomfortable

Brandeis community members might report observations about my behavior not in line with those stated above with the purpose and hope of educating and supporting me and not doing so to harm or hurt me.

All Brandeis community members can complete (anonymously or not) a report (Community Standards, Sexual Misconduct, I Care, Academic Integrity, Harassment / Discrimination Related Incident) if they are worried about someone or something by going to www.brandeis.edu/reportit.

Brandeis Pledge

I am Brandeis.
We are love, inclusion & trust.
Campus culture,
Expectations,
And Academic Success;
Are embedded in our history;
And defined by the trajectory of our integrity.
Our community members
Are partners in our University journey.
We are;
The future,
Scholars,
Social change,
Each other,
Family.
And Together;
We will,
Impact the world
With the majesty of love
As one,
Brandeis.

Notes



**Brandeis University
Department of Student
Rights and Community
Standards**

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www.brandeis.edu/studentaffairs/srcs