



OFFICE OF STUDENT CONDUCT

LEHIGH UNIVERSITY STUDENT CONDUCT SYSTEM

NOTE: The University Student Conduct System is regularly reviewed and amended. Please consult the Lehigh web site (<http://www.lehigh.edu>) for the most recent conduct information.

Philosophy. Intellectual honesty and mutual respect are not accidental values in a university. They are, for students and professors alike, a presupposition of the pursuit of truth, which brings universities into existence in the first place. It is essential that an academic community uphold these values through rules designed to protect the freedom to teach and learn. The Student Conduct System is one mechanism by which the University endeavors to develop in all students a sense of responsibility to the Lehigh University community. When students fail to act in accord with the rules and regulations of the community, the University must hold them accountable for their actions. The purpose of the Student Conduct System is not solely to punish students for transgressions, but to help them understand and accept their obligations as citizens of this academic community. This University Code of Conduct (the “Code”) has been developed to promote student growth, to provide accused students with fundamental fairness and educate the University community about the meaning of that phrase, to protect the rights of individuals, and to uphold the educational mission of the University.

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ARTICLE I – Definition of Terms

I. Definition of Terms

- A. The term “adjudication” refers to any formal process that does not meet the definition of a “hearing” under the Code of Conduct in which decisions are made regarding disciplinary cases.
- B. The term “Adjudicator” or “Adjudication Panel” refers to a person or a group of people, respectively, authorized by the Conduct Officer to determine whether a student has violated the Code of Conduct based on the information provided by the Conduct Officer without a hearing.
- C. The term “Case Officer” shall refer to any person designated and trained by the Conduct Officer to manage disciplinary conferences and/or assist with hearings before the University Committee on Discipline.
- D. The term “complainant” shall mean an individual who believes they have been subject to a violation of the Code and who makes a report or files a complaint, or the University, if the report or complaint is pursued by the University instead of by the individual who believes they have been subject to a violation of the Code.
- E. The term “Conduct Officer” means the person or persons designated by the Dean of Students to be primarily responsible for the administration of the University Student Conduct System.
- F. The term “Dean of Students” refers to the person employed by Lehigh University to fulfill the duties of that position. Under this Code, the Dean may authorize other members of their staff to perform those duties.
- G. The term “discrimination” is defined as stated in the Lehigh University Policy on Harassment and Non-Discrimination.

- H. The term “Equal Opportunity Compliance Coordinator” or “EOCC” refers to the person employed by Lehigh University to fulfill the duties of that position. Under this Code, the Equal Opportunity Compliance Coordinator, or EOCC, may authorize other University employees to perform those duties.
- I. The term “harassment” is defined as stated in the Lehigh University Policy on Harassment and Non-Discrimination.
- J. The term “hearing” refers to any meeting, disciplinary conference, Dean’s hearing, University Committee on Discipline hearing, or hearing before a subsidiary hearing body in which decisions are made regarding disciplinary cases.
- K. The term “Hearing Officer” or “Hearing Panel” means a person or a group of people, respectively, authorized by the Conduct Officer to determine whether a student has violated the Code of Conduct and to impose sanctions during a hearing.
- L. The term “instructor” means any person hired by the University to conduct classroom activities and/or research.
- M. The term “Lehigh University premises” includes all land, buildings, facilities, and other property owned, used, or controlled by Lehigh University, as well as adjacent streets and sidewalks.
- N. The term “may” is used in the permissive sense.
- O. The term “member of the Lehigh University community” includes any person who is a student, an instructor, faculty member, University official, or any other person employed or contracted by the University. A person’s status in a particular situation shall be determined by the Conduct Officer. For the purposes of this Code of Conduct, a person shall be considered a student when they have been accepted and paid a deposit and they remain a student as long as they have a continuing relationship with the University.
- P. The term “policy” is defined as any written regulation of Lehigh University as found in, but not limited to, the Student Handbook.
- Q. The *preponderance of the evidence* standard means that it is “more likely than not” or there is a greater than 50 percent chance that conduct in violation of this Code has occurred. This standard requires a much lower level of proof than the *beyond a reasonable doubt* standard used for criminal matters.
- R. The term “respondent” or “respondent organization” shall mean an individual or student organization, respectively, against whom a report or complaint is filed.
- S. The term “retaliation” is defined as stated in the Lehigh University Policy on Harassment and Non-Discrimination.
- T. The term “sexual misconduct” is defined in *Article III, Section II, Part C* of this Code of Conduct.
- U. The term “shall” is used in the imperative sense.
- V. The term “student” includes all persons taking or scheduled to take courses at Lehigh University, both full-time and part-time, pursuing undergraduate, graduate, post graduate, or professional studies. Persons who are not enrolled at Lehigh University for a particular term but have a continuing relationship with the University are considered students.
- W. The term “student organization” means any number of persons who are recognized in a formal manner by Lehigh University.
- X. The term “Title IX Coordinator” refers to the person designated by Lehigh University to fulfill the duties of this role. Under this Code, the Title IX Coordinator may authorize other University employees to perform those duties.
- Y. The term “Conduct Investigators” shall refer collectively to the two investigators selected to conduct a formal investigation of a complaint of harassment, discrimination, retaliation or sexual misconduct.
- Z. The term “University” means Lehigh University.
- AA. The term “University housing” refers to any building in which students reside that is owned, operated, used and/or controlled by Lehigh University.
- BB. The term “University official” includes any person employed by Lehigh University, performing assigned administrative or professional duties. This includes student workers including but not limited to residence hall staff.
- CC. Weapons include but are not limited to firearms, edged tools or utensils, clubs or bludgeons, explosives of any type, or any other object used to cause harm or threat of harm.

ARTICLE II – Authority and Jurisdiction and General Provisions

I. Authority

- A. The authority for administering student discipline in accordance with the Student Conduct System is vested by the University Charter in the faculty. The Student Conduct System described in this Code of Conduct has jurisdiction over all Lehigh University students and all student groups and organizations approved by or associated with the University. For the purposes of this Code, a person shall be considered a student when they have been accepted and paid a deposit and they remain a student as long as they have a continuing relationship with the University.
- B. Jurisdiction of the Lehigh University Code of Conduct shall not be limited to conduct that occurs on Lehigh University premises. It will be applicable to any conduct which affects the Lehigh University community as a whole, its individual members, or the pursuit of its objectives.
- C. The Conduct Officer shall develop policies for the administration of this system and procedural rules for the conduct of hearings and adjudications which are consistent with provisions of the Code of Conduct.
- D. Decisions made by a hearing body, the Conduct Officer, a Case Officer, an Adjudicator, or an Adjudication Panel shall be final, pending the normal appeals process defined below.
- E. All individual students who are accused of violating the Code of Conduct fall under the authority of the Student Conduct System, even when those students act as part of a group that is reviewed separately as a corporate entity.
- F. Campus groups and organizations that violate the Code of Conduct fall under the authority of the Student Conduct System, although the rights and the processes they are provided may differ from those afforded to individuals.
- G. Any group or organization may be held accountable for the actions of any of its members if the violation of the Code of Conduct is in any way related to the group or organization. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate but not exhaustive test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals would have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.
- H. All students are expected to read and understand this Code; unfamiliarity with the Code is not grounds for failing to live up to the expectations set forth below.
- I. Because the University has an interest in inappropriate behavior separate from that of the civil authorities, it has the right and responsibility to exercise its jurisdiction and take such action as is appropriate to protect this interest. The University reserves the right to enforce this Code whether or not civil authorities have acted. In those instances where civil authorities have acted, the University may also exercise its jurisdiction. When the University has jurisdiction in a matter subject to this Code, it also has the right to report the matter, whenever appropriate, to civil authorities. In determining whether reporting the matter to civil authorities is appropriate, the University shall consider requests for confidentiality and the circumstances of the case, as explained in more detail in *Article V, Section III, Part G*.
- J. Lehigh University Students are responsible for the actions of their invited guests. Violation of any University Policy by a guest of Lehigh University Student may subject that student to disciplinary action via the Code of Conduct.

- K. This Code will be interpreted and applied, and the Student Conduct System will be administered, in a manner consistent with applicable federal, state and local laws.**

ARTICLE III – Expectations of Conduct

Lehigh University is a community that has expectations of its student members. These expectations and a list of non-inclusive examples of behavior that might breach these expectations are below.

I. Academic Integrity

Lehigh University expects that all students will act in a manner that reflects personal and intellectual honesty.

Proscribed Conduct

- A. Cheating. This includes but is not limited to:
1. The use of any unauthorized assistance in taking quizzes, tests, or examinations.
 - i. The possession at any quiz or examination of any articles which are prohibited will be regarded as evidence of responsibility.
 2. The dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports or homework, solving problems, or carrying out other assignments.
 3. The acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
 4. Any attempt to falsify an assigned grade in an examination, quiz, report, program, grade book, or any other record or document.
 5. The creation and/or submission of falsified data in any experiment, research paper, laboratory assignment, or other assignment.
 6. Collusion occurs when students willfully give or receive unauthorized or unacknowledged assistance. Both parties to the collusion are considered responsible.
- B. Plagiarism. This includes but is not limited to:
1. The direct use or paraphrase, of the work, themes or ideas, of another person without full and clear acknowledgement.
 2. Submitting the work of another as one's own in any assignment (including papers, tests, labs, homework, computer assignments, or any other work that is evaluated by the instructor).

II. Respect for Others

Lehigh University expects that all students will act in a civil manner that reflects maturity, social responsibility, and respect towards others and the Lehigh Community.

Proscribed Conduct

- A. Physical Violence or Making Threats of Physical Violence (including, but not limited to, violence between individuals in a relationship, i.e., “dating or domestic violence”)
- B. Harassment, Discrimination or Retaliation: As defined in the Lehigh University Policy on Harassment and Non-Discrimination.
- C. Sexual Misconduct. Offenses that constitute sexual misconduct include:

1. Sexual assault: Sexual contact that occurs without the explicit consent of each individual involved, including but not limited to, the following conduct:

- (a) Rape – The penetration, no matter how slight, of the vagina or anus with any body part of object, or oral penetration by a sex organ of another person, without the consent of the victim.
- (b) Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- (c) Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- (d) Statutory rape – Sexual intercourse with a person who is under the statutory age of consent.

As used in this Policy, “consent” is defined as a mutual agreement to participate in a specific sexual activity at a specific time. Consent must be clear, knowing, and voluntary. Consent to one kind of sexual activity does not, alone, imply consent to other sexual activities. Consent is required at each new level of sexual activity. Consent must be clearly communicated (for example, by way of mutually understandable words or actions), mutual, non-coercive, and given free of force or the threat of force. A student who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent. A student must be awake and fully conscious in order to give consent. An individual may change their mind and revoke consent at any time by verbal or non-verbal communication. A previous dating or sexual relationship, whether with the respondent or anyone else, cannot imply consent to future sexual acts.

2. Conduct that exploits another individual in a sexual and non-consensual way. This includes, but is not limited to, non-consensual voyeurism, non-consensual recording (audio or visual), non-consensual dissemination of recordings, and allowing others to view sexual activities without the consent of all of the participants.

3. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (a) Fear for the person’s safety or the safety of others; or
- (b) Suffer substantial emotional distress.

As used in this Policy, "course of conduct" shall mean a pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct. The term includes lewd, lascivious, threatening or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one location or jurisdiction, including off-campus locations, may be considered as evidence of a continuing pattern of conduct or a course of conduct.

As used in this section, “emotional distress” shall mean a temporary or permanent state of mental anguish.

4. Dating violence¹: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

(a) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:

- (i) the length of the relationship;
- (ii) the type of relationship; and
- (iii) the frequency of interaction between the persons involved in the relationship.

(b) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(c) Dating violence does not include acts covered under the definition of domestic violence below.

5. Domestic violence²: Violence committed:

- (a) By a current or former spouse or intimate partner of the victim;
- (b) By a person with whom the victim shares a child in common;
- (c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,
- (d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of Pennsylvania; or
- (e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Pennsylvania.

6. Exposure of one's body in an indecent or lewd manner.

7. Sexual activity in public or semi-public spaces.

- D. Hazing. Hazing is any action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Hazing includes but is not limited to any brutality of a physical nature, such as paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity that would subject the individual to physical harm or mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which would adversely affect the mental health or dignity of the individual. Among prohibited activities are forced or coerced activities which create excessive fatigue; cause physical and psychological shocks; involve kidnapping; involve morally questionable quests, treasure hunts, scavenger hunts, or any other such activities; involve publicly wearing apparel that is conspicuous and not normally in good taste; cause students to engage in public stunts and buffoonery, morally degrading or humiliating games and activities, or late night activities which interfere with scholastic activities. Also prohibited are any activities that are in violation of federal, state, or local laws, this Code of Conduct, or accepted standards of good taste or propriety. For purposes of this definition, any activity described in this paragraph upon which the admission into or affiliation with an organization is directly or indirectly conditioned shall be presumed to be "forced or coerced" activity, the willingness of an individual to participate in such activity notwithstanding.
- E. Intentionally or recklessly interfering with the activities sponsored by, affiliated with or participated in by members of the University community, including but not limited to studying, teaching, research, administration, fire prevention, police activities, emergency services, and the activities of student organizations.

¹ "Dating violence" and "domestic violence" are often referred to collectively as "intimate partner violence" or "gender violence."

² "Dating violence" and "domestic violence" are often referred to collectively as "intimate partner violence" or "gender violence."

- F. Other conduct which threatens or endangers the health or safety of any person or group of people. This would include, but is not limited to, the possession or storage of weapons, explosives, fireworks, or other materials that could be harmful to the members of the community or the community as a whole.

III. Respect for Property

Lehigh University expects that its students will treat the property of Lehigh University and the property of others with the same respect that they would ask others to show to them.

Proscribed Conduct

- A. Intentionally or recklessly interfering with the property of another, including taking without permission, destroying, defacing, or damaging the property of another.
- B. The theft of services, such as telephone or computer services, including copyrighted computer programs, and other copyrighted material such as movies and/or music.
- C. Knowingly possessing stolen property.
- D. Entering, occupying, or using without authorization Lehigh premises, facilities, or property.
- E. The theft, mutilation, destruction, defacing, and/or gross disregard of any Lehigh property.
- F. Misuse of Lehigh University laboratory facilities.

IV. Respect for the Lehigh University Community

As members of the Lehigh University Community, students are expected to serve as ethical representatives. They are expected to know and follow the Code of Conduct, and show respect for the faculty, staff, community members and administrative processes that are in place to maintain and support our community standards. Students are expected to hold themselves and others accountable and report violations of the Code of Conduct or other violations to the University.

Proscribed Conduct

- A. Intentionally furnishing false information to a University official, Hearing Panel, or Conduct Officer.
- B. Intentionally or recklessly causing an emergency or dangerous environment.
- C. Intentionally or recklessly initiating or causing to be initiated any false report including but not limited to false reports of fire, explosions, or other emergency or threats thereof.
- D. Forgery, unauthorized alteration or unauthorized use of any University document, record (including computer records), or instrument of identification.
- E. Failure to comply with the reasonable requests of University officials (including law enforcement) while acting in the performance of their duties.
- F. Failure to provide identification when asked by University officials while acting in the performance of their duties.
- G. Failure to complete any sanctions imposed by Lehigh University.
- H. Failure to appear before and cooperate with the University Committee on Discipline, or other Hearing Panels, Hearing Officers or Conduct Officials when called to do so.
- I. Violating any Lehigh University policies, rules, or regulations, including but not limited to, residential living policies (General Provisions for Occupancy) and policies related to the use of the University computer network.
- J. Encouraging or facilitating others in actions that violate the Code of Conduct.
- K. Intentionally or recklessly filing false allegations with the University Conduct System.
- L. Failure to report and/or knowingly being in the presence of violations of the Lehigh University Code of Conduct or other University Policies.

V. Respect for Self

Lehigh University expects that its student members will act in a manner that respects their own health and well-being, especially concerning the use and or abuse of alcohol and drugs.

Proscribed Conduct

- A. The unauthorized or illegal consumption, distribution, or possession of alcohol.
- B. The consumption or distribution of alcohol in a manner detrimental to one's health and safety (or the health and safety of others).
- C. The unauthorized or illegal use, distribution, or possession of any controlled substance or illegal drug.

- D. The possession of drug paraphernalia.
- E. The possession of alcohol paraphernalia that encourages or promotes excess consumption of alcohol (for example, kegs, beer bong, Beirut tables, etc.).
- F. Other conduct which threatens or endangers the health or safety of the individual.

VI. Respect for the Law

Lehigh University expects that its student members will act in accordance with all applicable federal, state, or local laws.

ARTICLE IV – Emergency Situations

I. Emergency authority of the Dean of Students. Because situations may arise that may not be fully covered by this Code, the Dean of Students is granted the authority to exercise the Dean’s good judgment in emergency situations.

II. Temporary rules and regulations. The Dean of Students shall have authority in emergency situations to issue temporary rules and regulations to uphold the behavioral expectations of Lehigh University. The Dean of Students shall report such actions and the reasons for them to the full faculty at its next meeting. Such emergency rules and regulations shall remain in effect until they are withdrawn by the Dean or by action of the faculty.

III. Interim suspension. The Dean of Students shall have the authority in emergency situations to suspend a student’s (or student organization’s) rights to be present on campus, or on other property owned, operated, or controlled by the University prior to a formal hearing/adjudication. This authority may be invoked if the Dean of Students has a reasonable belief that a serious offense may have occurred, and/or that the continued presence of the student on campus may be dangerous to property, to the student involved, or to others. Subject to the emergency nature of the situation and the information available, the Dean of Students shall permit a student to challenge the evidence presented. A formal hearing/adjudication of the matter shall occur at the earliest feasible time.

IV. Interim removal from housing. In instances where there is a reasonable belief that a serious offense has occurred, the Dean of Students or the Dean’s designee may require the immediate removal of the individual or individuals involved from University housing until a formal disciplinary hearing/adjudication occurs.

V. No Contact Order. When harassment, discrimination, sexual misconduct, or retaliation (as those offenses are defined in the University’s Policy on Harassment and Non-Discrimination and the Sexual Misconduct Policy) have been alleged, or when otherwise deemed appropriate under the circumstances, the Dean of Students or the Dean’s designee may issue No Contact Orders to the students involved, whether or not disciplinary action is taken. No Contact Orders may also be issued as an interim measure while alleged violations of the Code of Conduct are investigated and adjudicated. A No Contact Order is used to restrict encounters and communications between individuals. While a No Contact Order in and of itself does not constitute discipline and will not appear on a student’s disciplinary record, refusal to adhere to the order after written or verbal notification of its terms is prohibited and may result in disciplinary action, including disciplinary suspension or expulsion.

ARTICLE V – Harassment, Discrimination, Retaliation, and Sexual Misconduct Violations

I. Application of Article V

This Article, including all policies, principles, and processes contained herein, shall exclusively govern any incident raising concerns of harassment, discrimination, retaliation, or sexual misconduct where a student is identified as a potential respondent. To the extent these policies, principles, and/or processes of Article V conflict with another provision of the Code, this Article shall govern.

II. Overview

Lehigh University is committed to preventing and addressing harassment, discrimination, retaliation, and sexual misconduct in its campus community. The University strives to provide an educational, working, co-curricular, social, and living environment for all students, staff, faculty, trustees, contract workers, and visitors that is free from

harassment and discrimination on the basis of age, color, disability, gender, gender identity or expression, genetic information, marital or familial status, national or ethnic origin, race, religion, sex, sexual orientation, veteran status, or any other characteristic protected by applicable law.³ Such harassment or discrimination is unacceptable behavior and will not be tolerated.

The University takes steps to respond promptly and effectively to allegations of harassment, discrimination, retaliation, and sexual misconduct. The University will promptly investigate such incidents and take appropriate action, including disciplinary action, against individuals found to have violated this Code according to the fundamentally fair processes described herein Article 5 of the Code. Lehigh University will take action reasonably designed to prevent the recurrence of sexual misconduct, and, where appropriate, take steps to remedy its effects.

Lehigh University has designated the following individual to coordinate compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, and Age Discrimination Act of 1975:

Title IX Coordinator
Karen Salvemini
Equal Opportunity Compliance Coordinator
Alumni Memorial Building, Room 302
27 Memorial Drive West
Bethlehem, PA 18015
(610) 758-3535
eocc@lehigh.edu

In the event that the conduct involves the Title IX Coordinator/Equal Opportunity Compliance Coordinator, reports should be made to:

Sharon Basso
Associate Vice Provost & Dean of Students
University Center, Room C108
27 Trembley Drive
Bethlehem, PA 18015
(610) 758-4156
basso@lehigh.edu

The Title IX Coordinator/Equal Opportunity Compliance Coordinator will document all reports of harassment, discrimination, retaliation, and sexual misconduct. All individuals responsible for implementing and/or enforcing this Article receive regular, comprehensive training on laws, policies and procedures related to harassment, discrimination, retaliation, and sexual misconduct.

III. General Principles, Responsibilities, and Fundamental Fairness

A. Filing a Report or Complaint with the EOCC/Title IX Coordinator

Students who have experienced harassment, discrimination, retaliation, or sexual misconduct or who have information about harassment, discrimination, retaliation, or sexual misconduct should immediately notify the EOCC/Title IX Coordinator (see above for the EOCC/Title IX Coordinator's contact information).

³ Although the scope of the Policy on Harassment and Non-Discrimination does not include social class or socioeconomic status as protected characteristics, using social class or socioeconomic status as a pretext (i.e., a reason to justify a course of action that is not the real reason) for harassment or discrimination based upon national origin, race, sex or another protected characteristic is prohibited.

B. Timeliness of Report or Complaint

The University will take prompt and appropriate steps to respond to complaints of harassment, discrimination, retaliation, or sexual misconduct. The complainant and other reporting individuals are encouraged to report any violation of this Article as soon as possible in order to maximize the University's ability to respond and investigate promptly and effectively.

If the respondent is no longer a student at the time of the complaint or report, the University's ability to take disciplinary action against the respondent may be limited. However, to the extent possible, the University will still address the complaint or report, make resources available to the complainant and take steps to end the prohibited behavior, prevent its recurrence, and address its effects.

Investigations will be prompt, fair, and impartial and will include an equal opportunity for all parties to identify witnesses and other evidence. The parties will receive similar, timely notices and access to information.

C. Timeliness of Investigations

The investigation (including the adjudicatory process) generally will take no longer than 60 days; however, complex cases, the availability of witnesses and other exceptional circumstances may require additional time and/or the modification of the timeframes described herein. If there are delays in the investigation, the EOCC/Title IX Coordinator and/or the Conduct Officer will notify the parties of the delays and explain the circumstances causing the delays. The parties will receive periodic updates on the status of the investigation.

Lehigh will not wait for the conclusion of a criminal investigation or proceeding to begin its own investigation and resolve complaints under this Policy. Lehigh will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation. As such, Lehigh may need to delay temporarily an investigation under this Article while law enforcement is in the process of gathering evidence. Once law enforcement has completed its gathering of evidence, Lehigh will promptly resume and complete its investigation.

D. Standard for Investigation

Lehigh addresses reports of harassment, discrimination, retaliation, and sexual misconduct using a *preponderance of the evidence* standard. Formal rules of evidence do not apply to University harassment, discrimination, retaliation, or sexual misconduct investigations or adjudications.

E. Prior Sexual History

The complainant's past sexual history generally may not be referenced throughout the process described herein, except that either party (complainant or respondent) may reference a prior sexual relationship between the complainant and the respondent.

F. Respondent's Alcohol Consumption

The respondent's consumption of alcohol or use of other drugs, in and of itself, is not an excuse for a violation of this Article. The Conduct Investigators shall determine the relevance, if any, of the respondent's alcohol or drug consumption.

G. Confidentiality and Responsibility of University to Investigate

The University will make reasonable efforts to investigate and address instances of harassment, discrimination, retaliation, and sexual misconduct of which it is aware, regardless of whether the complainant determines that they wish to file a formal action or remain involved with the complaint. The University will make reasonable efforts to protect students' privacy and confidentiality. However, strict confidentiality cannot be guaranteed and there may be circumstances in which the University may need to investigate a report of harassment, discrimination, retaliation, or sexual misconduct and take appropriate actions to fulfill its Title IX obligations, even if the complainant wishes to maintain confidentiality or to not pursue an investigation and adjudication of an incident of harassment, discrimination, retaliation, or sexual misconduct. The determination of when to proceed with an investigation or adjudication against the complainant's wishes shall be at the discretion of the EOCC/Title IX Coordinator, in consultation with other University employees, as appropriate, based on the facts and circumstances of the case, including, but not limited to, the health and safety of the complainant, the health and safety of others, the safety of the campus community, and the rights of the parties. Complainants who request confidentiality are advised that this may limit the University's ability to respond to the reported incident. The complainant will be notified in writing of the decision to proceed with the investigation or adjudication against the complainant's witnesses.

In all cases, the University will share information related to an incident of harassment, discrimination, retaliation, or sexual misconduct on a legitimate need-to-know basis only.

H. Oversight of Process

The EOCC/Title IX Coordinator is responsible for determining the scope of the investigation into the initial report, and a subsequent complaint, if applicable.

The University may choose to discontinue a formal investigation at any time. The University will notify the complainant and the respondent in writing of the reason(s) for discontinuing the investigation. The complainant and/or the respondent may appeal the decision to discontinue the investigation by utilizing the appeal process outlined in *Article XI* of this Code.

I. Equal Rights and Opportunities

To the extent permitted by law, the complainant and respondent will be afforded the same rights and opportunities throughout the investigation and adjudication process, including the opportunity to recommend witnesses and submit evidence.

J. Cooperation of Parties

The parties to a complaint and/or investigation conducted by the EOCC/Title IX Coordinator and/or Conduct Investigators are expected to cooperate fully with the resolution of the complaint and/or investigation by providing complete, accurate, and truthful information and any potentially relevant documentation in any format. In the event that the complainant fails to cooperate, the University may be obligated to continue with an investigation as discussed in more detail in *Article 5, Part III, Section G, Confidentiality and Responsibility of University to Investigate*. If the respondent fails to cooperate with the EOCC/Title IX Coordinator and/or Conduct Investigators, the adjudication of the complaint will proceed without input or involvement from the respondent.

K. Cooperation of Witnesses

All witnesses interviewed or contacted by the EOCC/Title IX Coordinator and/or Conduct Investigators in the investigation are required to cooperate fully by providing complete, accurate, and truthful information. They may also be expected to sign statements or other documents memorializing the information they provide, and may be asked to keep the substance of the interview confidential. In the event the witness cannot meet with the Conduct Investigators in person, the witness shall submit a written statement containing all evidence relevant to the investigation of which the witness is aware. Failure to cooperate fully with the investigation may subject a witness to disciplinary action up to and including possible suspension or expulsion. Failure to cooperate includes, but is not limited to, providing false, misleading, or incomplete information, failure to provide requested documentation, whether in paper or electronic format, or intentional destruction of relevant or requested evidence.

L. Related Charges Under the University's Code of Conduct

In cases where multiple allegations and/or multiple accused respondents arise out of the same event or series of related events, the Conduct Investigators, in consultation with the Conduct Officer, shall have the discretion to direct that a single investigation be conducted under procedures set forth in this Article.

M. Amnesty

For information regarding the application of amnesty for violations of the University's Code of Conduct related to the consumption of drugs or alcohol, please see the University's Medical Amnesty Policy located on the University's website at <http://studentaffairs.lehigh.edu/content/lehigh-university-medical-amnesty-policy>.

IV. *Advisors*

In matters involving allegations of discrimination, harassment, or retaliation, both the complainant and the respondent are entitled to advisory assistance by any member of the University community (current students, faculty, and staff, provided he/she is not an attorney). In matters involving allegations of sexual misconduct, both the complainant and the respondent may each be accompanied by an advisor of their choice, which may be a member of the University community, someone outside of the University community, or legal counsel.

The complainant and the respondent are responsible for presenting their own information and therefore an advisor is limited to a supportive, non-participatory role and may not speak, write, or otherwise communicate on behalf of the complainant or the respondent at any point during this process. Advisors are expected to make themselves available at the times of scheduled meetings. Meetings will be not rescheduled due to the lack availability of an advisor. An advisor may be asked to leave at any point during this process if the advisor fails to comply with these requirements or is otherwise disruptive or hinders this process. In cases where the complainant has legal counsel present, the University reserves the right to have University counsel present as well.

V. *Interim Measures*

1. **General.** During the process described in this Article, the University will take interim steps to provide for the safety of the complainant, the campus community, and the rights of the respondent. This may include, but is not limited to, interim suspension and/or interim removal from housing, as described in *Article IV, Parts III and IV*, adjustments to academic classes or University residence assignments for the complainant or the respondent, access to counseling services, the issuance of no-contact orders, etc. To the extent possible when implementing interim measures, the University shall take steps to minimize the burden on the complainant. Interim measures may be modified throughout this process. Students wishing to access such services during or after the investigation should contact the EOCC/Title IX Coordinator, the Office of Student Conduct & Community Expectations, or the Dean of Students' Office.
2. **No Contact Order.** When harassment, discrimination, sexual misconduct, or retaliation have been alleged, or when otherwise deemed appropriate under the circumstances, the Dean of Students or the Dean's designee may issue No-Contact Orders to the students involved, whether or not disciplinary action is taken. No-Contact Orders may also be issued as an interim measure while alleged violations of the Code of Conduct are investigated and adjudicated. A No-Contact Order is used to restrict encounters and communications between individuals. While a No-Contact Order in and of itself does not constitute discipline and will not appear on a student's disciplinary record, refusal to adhere to the order after written or verbal notification of its terms is prohibited and may result in disciplinary action, including disciplinary suspension or expulsion.

VI. *Making a Criminal Complaint to Law Enforcement*

Initiating the University's student conduct process does not preclude reporting this incident to the police. Students may file criminal complaints and student conduct complaints simultaneously. Students who wish to make a police report may contact the University Police Department at:

Lehigh University Police Department
Johnson Hall, Room 221
36 University Drive
Bethlehem, PA 18015
(610) 758-4200
inlpd@lehigh.edu

VII. *False Reports or Complaints*

The intentional reporting of false reports or complaints will not be tolerated and may subject the individual making the false report or complaint to disciplinary action and potential criminal liability. A finding of not responsible in and of itself does not constitute a false complaint or report.

VIII. *Investigation and Adjudication*

A. Initial Assessment

1. Within 72 hours of the EOCC/Title IX Coordinator receiving the report of harassment, discrimination, retaliation, or sexual misconduct,⁴ the EOCC/Title IX Coordinator will contact the

⁴ In situations where the same report is being simultaneously investigated by the police, this initial meeting with be limited to informing the complainant of their rights under this Article, providing information about on and off-campus resources for survivors of harassment, discrimination, retaliation, or sexual misconduct, discussing potential interim measures, providing the complainant with a copy of this Code, and reviewing the conduct process and other relevant procedures. Upon notification by the police that its preliminary investigation has been completed, the EOCC/Title IX

complainant to set up a meeting to gather preliminary information about the report or complaint, inform the complainant of the complainant's rights under this Article, provide information about on- and off-campus resources for survivors of harassment, discrimination, retaliation, or sexual misconduct, as applicable, discuss potential interim measures, provide the complainant with a link to this Code and review the conduct process and other relevant procedures, including the University's prohibition against retaliation⁵.

2. If the EOCC/Title IX Coordinator determines that interim measures may be appropriate, the EOCC/Title IX Coordinator will recommend to the Dean of Students or their designee(s), interim measures to protect the safety and well-being of the complainant and the respondent.

B. Determination of Informal or Formal Process

1. Following the initial assessment meeting with the complainant, either the complainant or the EOCC/Title IX Coordinator will prepare a written complaint, including the name of the respondent, if available, and a list of potential witnesses, within five (5) calendar days of the meeting. The complainant will be provided with a copy of the complaint.
2. Following the preparation of the written complaint, the EOCC/Title IX Coordinator will contact the respondent as soon as necessary to notify the respondent of the nature of the allegation(s) raised against the respondent, and to review the conduct process and other relevant procedures, as well as to discuss the applicable interim measures, as appropriate. The respondent will be provided with a copy of the complaint and a link(s) to the applicable policies and procedures, including a link to this Code. The respondent will also be instructed to refrain from any and all contact with the complainant, including through third parties, excepting University officials, as a part of the process.⁶
3. Following the preparation or receipt of a written complaint, the EOCC/Title IX Coordinator will determine whether the informal resolution process, if requested, may be used. The EOCC/Title IX Coordinator has the discretion to determine if the informal resolution process would be inappropriate to informally mediate any particular harassment, discrimination, retaliation, or sexual misconduct complaint. **The informal resolution processes will not be used to investigate or resolve reports of sexual violence, even on a voluntary basis.**
4. If it is determined that the informal resolution process may be used, the EOCC/Title IX Coordinator will assign either a trained staff member of the Office of Student Conduct & Community Expectations or the Dean of Students Office or a member of the University's Informal Resolution

Coordinator shall promptly meet with the complainant to gather preliminary information about the report or complaint and complete an initial assessment.

⁵ Emergency interim measures may be implemented by the Dean of Students, or their designee, prior to the EOCC/Title IX Coordinator's initial contact with the complainant based on the facts and circumstances of the case. The emergency interim measures will be reevaluated by the EOCC/Title IX Coordinator and the Dean of Students and/or their designee following the initial contact with the complainant.

⁶ If a No-Contact order is issued against the respondent, a No-Contact order will also be issued against the complainant. The complainant will be notified and instructed to refrain from any and all contact with the respondent, including through third parties, excepting University officials, as a part of the process.

Network to facilitate an informal resolution, if appropriate. The informal resolution process shall follow the procedure as stated in the University's Policy on Harassment and Non-Discrimination, located on the University's website at <http://www.lehigh.edu/~policy/university/harassment.htm>. Either party may choose to end the informal process at any time and begin the formal process.

5. If the EOCC/Title IX Coordinator determines that a formal investigation should be conducted, or if either party requests a formal investigation and the EOCC/Title IX Coordinator determines that a formal investigation is appropriate, the investigation and adjudication thereof shall be conducted pursuant to the process described immediately below.

C. Formal Investigation and Adjudication

The University's harassment, discrimination, retaliation, and sexual misconduct investigation and adjudication process is not a legal proceeding. The University's adjudication process provides a fundamentally fair process for resolving these types of cases. This fundamentally fair process does not provide for direct contact (including cross-examination) between the parties, but does allow the parties to provide information that they consider relevant to the case. As described herein, the complainant and respondent will be asked to identify all relevant evidence they would like the Conduct Investigators to review, as well as witnesses they would like the Conduct Investigators to interview. Both parties may provide, if they wish, a list of questions they would like the Conduct Investigators to ask of particular witnesses or of each other. The determination of which evidence, witnesses, or questions to consider are within the sole discretion of the Conduct Investigators. However, in determining whether to interview witnesses or review evidence identified by the parties, the Conduct Investigators shall consider such factors as relevance, equity, fairness, thoroughness, and impartial treatment of both parties.

1. If a formal investigation is to be conducted, upon making such a determination, a trained co-investigator will be selected to conduct the formal investigation along with the EOCC/Title IX Coordinator. In the event that the alleged conduct involves the EOCC/Title IX Coordinator, the EOCC/Title IX Coordinator has a conflict with investigating the case, or the EOCC/Title IX Coordinator is otherwise unavailable to participate in the formal investigation, the Dean of Students or his/her designee will select two trained investigators to conduct the formal investigation of the complaint in lieu of the EOCC/Title IX Coordinator. Based on the facts and circumstances of the complaint, the EOCC/Title IX Coordinator may determine that it is appropriate to utilize an external investigator to assist with the formal investigation, in addition to, or in place of, an internal trained investigator. The complainant and the respondent will be notified that a co-investigator has been assigned.
2. Following the appointment of a co-investigator, the respondent will be contacted to schedule an appointment with the Conduct Investigators. The Conduct Investigators may also meet with the complainant as necessary.
3. When the Conduct Investigators and respondent meet, the Conduct Investigators will:
 - a. Inform the respondent(s) of their rights under this Article.
 - b. Explain the applicable procedure of this investigation.
 - c. Provide the respondent with an opportunity to respond to and discuss the allegations against the respondent.
 - d. Assess whether the respondent's continued presence on campus may present a danger to the

complainant, any member of the University community, or to property. If so, the respondent will be required to meet with the Dean of Students, who will determine whether the respondent will be placed on interim suspension.

- e. Assess whether additional interim measures are appropriate and/or whether current interim measures should be altered.
4. The Conduct Investigators will notify the complainant and the respondent that they may each submit a written statement to the Conduct Investigators, addressing the complaint and providing a list of potential witnesses that each party would like the Conduct Investigators to interview. The complainant and the respondent may also provide the Conduct Investigators with any other relevant evidence they would like the Conduct Investigators to consider and may provide the Conduct Investigators with lists of specific questions to be asked of the witnesses and/or each another. It is within the sole discretion of the Conduct Investigators to determine the evidence to consider and the witnesses to interview; the Conduct Investigators are not required to consider the evidence identified by the parties or to interview any particular witness, even if identified by one of the parties, nor to ask any or all of the questions provided by either party.
5. At any time during the investigation, at the Conduct Investigators' discretion, the Conduct Investigators may contact those witnesses the Conduct Investigators believe may possess relevant evidence. The selected individuals may or may not be those witnesses identified on the lists provided by the complainant and the respondent.
6. Throughout the course of the investigation, the Conduct Investigators will determine what information, statements, summaries, and/or evidence will be shared with the complainant and respondent and the timing of when that information, statements, summaries, and/or evidence will be shared. It is within the sole discretion of the Conduct Investigators to determine what information, statements, summaries, and/or evidence will be shared with the complainant and respondent. The parties will receive similar, timely access to all shared information, statements, summaries, and/or evidence, including access to all information, statements, summaries, and/or evidence used as a basis for information contained in the Conduct Investigators' final report.

The complaint and the respondent will both have an opportunity to submit a written response to any shared information, statements, summaries, and/or evidence within a reasonable timeframe as determined by the Conduct Investigators. At the discretion of the Conduct Investigators, the Conduct Investigators may request to meet with the complainant and the respondent separately to address the information, statements, summaries, and/or evidence shared with the complainant and the respondent, and to revise or supplement any information previously shared with the Conduct Investigators.

7. Within a reasonable time following the Conduct Investigators' receipt of the complainant and the respondent's responses to the shared information, statements, summaries, and/or evidence (or the Conduct Investigators' individual meetings with the complainant and respondent to discuss these items), the Conduct Investigators shall draft and provide access to the Conduct Investigators' final report to the complainant and the respondent. The final report shall summarize the Conduct Investigators' factual findings, based on the preponderance of the evidence standard, and identify the evidence considered throughout the

investigation. The complainant and the respondent shall have seventy-two (72) hours to provide their written responses to the final report.

8. The Conduct Investigators will review the complainant's and the respondent's written responses and determine, within their sole discretion, if any additional investigation is warranted. The Conduct Investigators may revise the final report at their sole discretion.
9. At this time, the complainant and the respondent will also be provided the opportunity to submit impact statements to the Conduct Investigators, which will be forwarded to the Conduct Officer along with the final report and any written responses.
10. Once the report has been finalized by the Conduct Investigators, the final report, along with the complainant's and the respondent's written responses, shall be forwarded to the Conduct Officer, the complainant, and the respondent. Personally identifying information shall be redacted, to the extent possible, by the Conduct Investigators from the final report and the complainant's and the respondent's written responses prior to sharing these materials with the Conduct Officer. The Conduct Investigator shall also provide the Conduct Officer with the Conduct Investigators' recommended findings as to whether this Code or any other University policy has been violated, and the rationale for such a conclusion. At the Conduct Investigators' discretion, the Conduct Investigators may also share with the Conduct Officer other investigative materials (e.g., witness statements).
11. Following the Conduct Officer's receipt of the final report and any related materials from the Conduct Investigators, the Conduct Officer shall assign the matter to a three-member panel comprised of trained University faculty and staff and share the Conduct Investigators' final report and related materials with the panel members. The panel shall be responsible for determining whether, based on the preponderance of the evidence standard, any Lehigh University policy has been violated. The specific process for the panel to review the matter will be developed by the Office of Student Conduct & Community Expectations, in consultation with the EOCC/Title IX Coordinator.

The Conduct Officer shall convene the panel to discuss the materials and determine whether a violation of this Code (or a violation of other Lehigh policies, if applicable) occurred. The Conduct Officer may facilitate the discussion of the panel as necessary. The Conduct Investigators' final report and recommendation is advisory to the panel; the final report and recommendation do not bind the panel and the panel may accept or reject the Conduct Investigators' recommended findings in whole or in part. Before making a determination, the panel may also request that the Conduct Investigators gather additional relevant information and may adjourn the meeting and reconvene after the additional information had been gathered. The Conduct Investigators may also assist with explaining and/or answering questions regarding the final report. The Conduct Officer may facilitate consultations with other persons as deemed appropriate by the Conduct Officer. The panel should avoid duplicating the efforts of the Conduct Investigators, as well as accepting the Conduct Investigators' recommended findings without careful review of all of the evidence.

Upon making its finding, the panel shall inform the Conduct Officer of its determination. In the event the panel determines that a violation of Lehigh policy occurred, the same panel shall then be responsible for recommending an appropriate disciplinary sanction and/or

remedy, if any. The Conduct Officer will provide the panel with the respondent's past disciplinary records and discuss possible sanctions with the panel. The panel will then make an advisory recommendation to the Conduct Officer regarding an appropriate disciplinary sanction and/or remedy. The Conduct Officer and/or the Dean of Students Office are under no obligation to follow the panel's recommended sanction and/or remedy. The Office of Student Conduct & Community Expectations has the sole discretion to make the final decision regarding the appropriate disciplinary sanction and/or remedy. The acceptance or non-acceptance of the recommendation of the panel does not constitute grounds for an appeal and will not be forwarded to the Disciplinary Appeals Committee for consideration.

12. Upon the panel's determination as to whether a violation of this Code of Conduct or other University policy was violated, the Conduct Officer shall notify the complainant and the respondent, in writing, of the outcome within twenty-four (24) hours of the panel's determination. Within twenty-four (24) hours of receiving notice of the panel's determination that a violation of policy occurred, the complainant and the respondent are permitted to submit a written statement containing any information the complainant or the respondent would like the Office of Student Conduct & Community Expectations to consider as it determines the appropriate disciplinary sanction and/or remedy (a "Sanction Statement"). Information about the process for adjudicating harassment, discrimination, retaliation, and sexual misconduct cases, including the range of possible disciplinary sanctions and the types of remedies available to complainants, is set forth in the Student Conduct System Policy, which is located in the Student Handbook in the *Lehigh University Code of Conduct (Article VI, Section 1, and Appendix A, Part B)*, or on the University's website at Lehigh.edu/go/codeofconduct.
13. Promptly following the receipt and review of the complainant's and the respondent's Sanction Statements, if any, the Office of Student Conduct & Community Expectations shall determine the appropriate disciplinary sanction and/or remedy.
 - a. Notification In cases involving sexual misconduct. The Conduct Officer shall inform the complainant and the respondent concurrently, in writing, of the disciplinary sanction and/or remedy imposed and of Lehigh's procedures for appeals. Both parties may appeal the panel's decision and/or the disciplinary sanction and/or remedy in accordance with *Article V, Section X*.
 - b. Notification in cases involving harassment, discrimination, or retaliation.
 1. The Conduct Officer shall inform the respondent in writing of the disciplinary sanction and/or remedy imposed and of Lehigh's procedures for appeals of the panel's decision and/or disciplinary sanction and/or remedy in accordance with *Article V, Section X*.
 2. To the extent permitted by applicable law, in limited circumstances in cases involving harassment, discrimination, or retaliation, the complainant shall be also be informed by the Conduct Officer in writing of disciplinary sanctions or remedies that relate to the complainant. The complainant may appeal the panel's decision and/or the disciplinary sanction and/or remedy relating to the complainant in

accordance with *Article V, Section X*.

IX. Sanctions

Following the determination of a violation of this Article, the University reserves the right to impose sanctions it deems appropriate based on the facts and circumstances of the violation. The Office of Student Conduct & Community Expectations shall determine the appropriate disciplinary sanction and/or remedy. The broad range of sanctions includes those identified in the *Article VII, Section 1, and Appendix A, Part B* of this Code.

X. Appeals

Both the complainant and the respondent have the right to submit an appeal in cases involving harassment, discrimination, retaliation, or sexual misconduct.

1. Grounds for appeals. In these specific cases the following are the only grounds for appeal: (1) information is available that was not available at the time of the investigation, is now available, and could reasonably be expected to have altered the outcome of the case; (2) the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case; or (3) the sanction is inappropriate (i.e., unduly lenient or unduly harsh).
 - a. In cases involving harassment, discrimination, or retaliation, the complainant may not be informed of the sanctions imposed (as outlined in *Article V, Part VIII, Section C, Part 14*). In those situations, the complainant's grounds for appeal are limited to reasons 1 and 2 above.

2. Submission of Appeal. The complainant and the respondent shall have three business days from the date of written notification of the conclusion of the case to submit, in writing, an appeal on one or more of the grounds as listed in Article V, Part X, Section 1. This letter should include specific details as to why an appeal should be granted. This letter is to be submitted to the Conduct Officer. The Conduct Officer is permitted to assist students in preparing appeals.

Note: Because complainants may not be informed of sanctions in cases involving harassment, discrimination, or retaliation, the date of written notification of the conclusion of the case for the complainant and the respondent may vary. Each party has three business days from the date of written notification of the conclusion of the case to submit, in writing, an appeal as stated above. The Conduct Officer will notify all parties of the appeal deadlines in writing.

3. Appeals relating to a particular case will be heard at the same meeting of the Disciplinary Appeals Committee.
4. The composition of the appeals panel and process for reviewing the appeals will be the same as in *Article XI, Section III*, except where noted below.
5. Appeal Outcomes.
 - a. If an appeal is granted on the ground that information is available that was not available at the time of the investigation, is now available, and could reasonably be expected to have altered the outcome of the case, the Conduct Investigators originally assigned to the case will review the information, complete any further investigation, if necessary, and present an updated report to the original panel that decided the case. The original panel may choose to modify the outcome of the case based on the new information received.
 - b. If an appeal is granted on the grounds that the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case, a new panel as described in *Article V*,

Section VIII, Section C.12 of this Code of Conduct will be convened to decide the case in a manner that eliminates the error. If the panel finds it necessary for further investigation prior to rendering a decision, the Conduct Investigators originally assigned to the case will be tasked with completing any further investigation.

- c. If an appeal is granted on the grounds that the sanction is inappropriate (i.e., unduly lenient or unduly harsh), a faculty member from the Disciplinary Appeals Committee, the Conduct Officer who imposed the sanction, and the Title IX Coordinator (or their representative) will meet to determine whether modifications to the sanctions are appropriate. That group may, by majority vote, change the sanctions or make no change to the sanctions. This group will provide a detailed rationale for its decision.
6. Specific procedures and processes for appeals covered in this Article will be developed by the Office of Student Conduct & Community Expectations in consultation with the Title IX Coordinator.

XI. Retaliation

Retaliation, including retaliatory harassment, is prohibited against individuals who file a complaint under this Article, participate in a complaint investigation or discipline process for an alleged violation of this Article, or otherwise assert their rights under this Article. In the event an individual believes that the individual has been retaliated against, an independent investigation will be conducted and appropriate disciplinary action will be taken.

XII. Designations

Whenever an official University title is named throughout this Article, the official's designee may act in the official's stead.

XIII. Resources

Available resources for immediate and on-going assistance in matters involving harassment, discrimination, retaliation, or sexual misconduct can be found in Appendix B to this Code.

ARTICLE VI – Responsibilities and Fundamental Fairness

I. Responsibilities of Individual Students

- A. As stated in Article II. Section I.H, students are responsible for knowing and adhering to the expectations outlined in the Code of Conduct.
- B. Students are responsible for fully cooperating with the University in investigations of violations of the Code of Conduct and for providing complete, accurate, and truthful information and any potentially relevant documentation in any format.
- C. Students are responsible for appearing before a Hearing Panel when called to do so and providing truthful and complete information to Hearing Panels and/or the Conduct Officer when asked. Students, who have been accused of violating the Code of Conduct, have the right not to answer questions.

II. Fundamental Fairness for Individual Students. The University has an interest in providing fundamental fairness in all conduct matters. The University will strive to provide the following to students in relation to conduct violations.

- A. **Presumption of non-responsibility.** The hearing body shall consider all respondents not responsible until such time as sufficient evidence is present to the contrary. No respondent shall be found

responsible for an allegation unless a “preponderance of evidence” presented at the time of the hearing indicates that the student is responsible for the alleged violation of this Code. This means that the Hearing Officer or Hearing Panel must believe that it is more likely than not, based on the information presented at the hearing, that the student is responsible.

- B. **Written notification of allegations and hearings.** Respondents are entitled to written notification of any allegations brought against them and an outline of the disciplinary procedures. If additional allegations are brought, a further written notice must be sent. These notices may be sent via a secure electronic system, to a Lehigh University email address, via campus mail, U.S. mail (to the last known address maintained by the University) or personally delivered to the respondent. Any of these methods of notification shall be considered sufficient. When and if a hearing is scheduled, the Conduct Officer shall notify the respondent at least seven days before the hearing of the time, date, and location of the hearing. To the extent permitted by federal and state privacy laws, complainants will receive, at the same time as it is provided to the respondent, notification of the allegations and any additional allegations, an outline of the disciplinary procedures, and notice of the time, date, and location of the hearing.
- C. **Review of available information.** Respondents and, to the extent permitted by federal and state privacy laws, complainants are entitled to review the available information, documents, and a list of witnesses who have been called by the Conduct Officer to present information. Students must provide the Conduct Officer a list of witnesses they intend to present, along with information supporting the relevance of the witnesses. This list must be presented at least three days prior to the hearing. If the student fails to provide proper notification that they are bringing witnesses, the admission of witnesses’ testimony will be at the discretion of the Hearing Panel and no appeal shall be granted for denying their admission.
- D. **Advisory assistance.** Respondents and complainants are entitled to advisory assistance by any member of the University community (current students, faculty, and staff, provided he/she is not an attorney). The advisor’s role is to assist, support, and advise students at any stage of the conduct process; the advisor shall not be permitted to actively participate in the hearing, other than to quietly advise the complainant or the respondent. The complainant and respondent are responsible for presenting their own information and therefore an advisor may not ask or answer questions for students or make summation statements on their behalf. Generally, legal counsel shall not be permitted to attend the hearing to represent the student. However, in cases where there are pending criminal charges against the respondent or the complainant, the respondent and the complainant may have legal counsel present as an advisor. If present, legal counsel may not participate in the hearing in any way except in advising the respondent or complainant. In cases in which a student utilizes legal counsel as their advisor, the Conduct Officer may request that University counsel be present in a non-participatory role.
- E. **A pre-hearing interview.** For all hearings above the level of a disciplinary conference, the respondent shall have the right to a pre-hearing interview in which the Conduct Officer will explain the concepts of fundamental fairness and the conduct processes. Failure to schedule or attend the pre-hearing interview is not grounds for a rescheduling of a hearing or for an appeal. For disciplinary conferences, an outline of the conduct process shall be considered sufficient to meet this requirement, and shall be supplied by the Conduct Officer.
- F. **Right to be heard.** Respondents shall have the right to hear all testimony, present relevant information on their own behalf, ask questions of witnesses, and ask questions of anyone present at the hearing. If individuals cannot be questioned at the hearing (by reason of health, absence from campus, etc.) the hearing panel has a special obligation to determine the credibility of any information that those individuals have provided. Respondents are also permitted to have persons submit written character statements directly to the Conduct Officer for review by the panel or hearing officer. Students may not bring character witnesses to a hearing or disciplinary conference.
- G. **Challenge of hearing body members.** Respondents shall have the right to challenge the presence of hearing body members for reasons such as a personal bias towards a participant or a preformed judgment in the particular case. In the case of hearings before the University Committee on Discipline

or its subsidiary boards, the removal of a hearing body member will be by majority vote of the remaining members. In cases involving disciplinary conferences, the decision shall be at the discretion of the Hearing Officer.

- H. **Refuse to answer any question or make a statement.** Respondents are not required to make statements or answer questions. In this situation, the hearing body shall make its decision solely on the basis of evidence presented to it. It should be noted that witnesses do not have the right to refuse to answer questions.
- I. **Withholding of past record.** In hearings before the University Committee on Discipline, the past disciplinary records of respondents will not be disclosed until after a decision of responsibility is reached, except if introduced by the respondent or in cases in which the respondent is charged with failure to complete sanctions imposed by Lehigh University. If a student is found responsible for the allegation(s), information concerning the respondent's past disciplinary record will be presented to the hearing body by the Conduct Officer in the presence of the respondent, for consideration in determining appropriate sanctions. In cases in which the student chooses to self-disclose a past conduct record, this information will be admissible and considered relevant.
- J. **Notification of Outcomes.** Respondents and, in certain cases, complainants have the right to be informed of the outcome of a case.
 - 1. Oral notification. When possible, the Hearing Officer shall notify the respondent of the finding immediately following the conclusion of the hearing, including any sanctions imposed. In the event that the hearing body deems it necessary to continue its discussion of findings and/or possible sanctions or to consult with the Conduct Officer, notification shall take place within three business days of the hearing. In either case, the Conduct Officer shall inform students found responsible of their rights of appeal.
 - 2. Written notification. The Conduct Officer shall forward the written decision of the hearing body to the respondent within a reasonable time, no longer than 10 days. The written decision shall include: (i) a statement of the allegations; (ii) a summary of the information presented at the hearing; (iii) the findings of the hearing body and key facts used in making those findings; (iv) the sanctions and the rationale for them; and (v) a statement regarding the right to request an appeal and the procedures for making such an appeal.
 - 3. To the extent permitted by federal and state privacy laws, Complainants will receive oral notification of the finding and associated sanctions, if any, immediately after the hearing, when possible, and will receive written notification of the hearing body's decision at the same time as the respondent.
- K. **Right of appeal.** As outlined in the Code of Conduct, students found responsible for a violation by any Hearing Panel shall have the right to an appeal before the Disciplinary Appeals Committee. Decisions of that committee are final. Students who have been suspended or expelled may remain on campus and continue their on campus academic work for the current semester while an appeal is pending. They may not participate in any academic work that occurs in a location off campus and are not permitted to represent the University publicly in any way or participate in any extra-curricular activities.
- L. **Admission of relevant evidence.** Evidence is admissible when, in the opinion of the majority of the hearing body, it is shown to be relevant to the factual issues of the case. The hearing body shall determine the relevance and admissibility of all testimony, whether proposed or actual. Evidence obtained by a search of a student's person or property shall be admissible if that search was conducted by University officials while acting in accordance with their duties.
- M. **Closed Hearings.** All administrative meetings, disciplinary conferences, disciplinary hearings, and appeals committee meetings shall be closed to the public.

III. Responsibilities of Student Organizations

- A. Organizations are responsible for educating their members on the Lehigh University Code of Conduct as it relates to student organizations.
- B. Organizations are responsible for fully cooperating with University officials in investigations of violations of the Code of Conduct. Organizations are responsible for ensuring that their members provide complete, accurate, and truthful information and any potentially relevant documentation in any format.
- C. Organizations are responsible for having a representative appear before a Hearing Panel when called.
- D. Organizations are responsible for ensuring that their members provide truthful and complete information when providing information to a Hearing Panel or the Conduct Officer. Students representing organizations are required to answer questions asked by the Hearing Panel.

IV. Fundamental Fairness for Student Organizations. The University has an interest in providing a fundamentally fair system to adjudicate student organizational conduct. With this in mind the University will strive to provide the following to student organizations in relation to conduct cases.

- A. **Presumption of non-responsibility.** The hearing body shall consider all respondent organizations not responsible until such time as sufficient evidence is present to the contrary. No respondent organization shall be found responsible for an allegation unless a “preponderance of evidence” presented at the time of the hearing indicates its responsibility. This means that Hearing Panels must believe that it is more likely than not, based on the information presented at the hearing, that the organization is responsible.
- B. **Written notification of allegations and hearings.** Respondent organizations are entitled to written notification of any allegations brought against them and an outline of the disciplinary procedures. If additional allegations are brought, a further written notice must be sent to the respondent organization. These notices may be sent via a secure electronic system, to a Lehigh University email address, via campus mail, or personally delivered to any representative of the organization. Any of these methods of notification shall be considered sufficient. When and if a hearing is scheduled, the Conduct Officer shall notify the respondent organization at least five days before the hearing of the time, date, and location of the hearing.
- C. **Review of available information.** Respondent organizations are entitled to review the available information, documents, and a list of witnesses who have been called by the Conduct Officer to present information. The respondent organizations must provide the Conduct Officer a list of witnesses they intend to present, along with information supporting the relevance of the witnesses. This list must be presented at least three days prior to the hearing. If the organization fails to provide proper notification that it is bringing witnesses, the admission of that testimony will be at the discretion of the Hearing Panel and no appeal shall be granted for denying their admission.
- D. **Advisory assistance.** Respondent organizations are entitled to advisory assistance by any member of the University community (current students, faculty, and staff or an alumnus/alumnae of the organization, provided that he/she is not an attorney). The advisor’s role is to assist, support, and advise the organization at any stage of the conduct process. The advisor may not, however, ask or answer questions for the organization or make summation statements on its behalf. This person is an observer and will not be a participant in the hearing. Legal counsel shall not be permitted to attend the hearing to represent the student organization.
- E. **A pre-hearing interview.** For all hearings above the level of a disciplinary conference, the organization shall have the right to a pre-hearing interview in which the Conduct Officer will explain the concepts of fundamental fairness and the conduct processes. Failure to schedule or attend the pre-hearing interview is not grounds for a rescheduling of a hearing or for an appeal. For disciplinary conferences, an outline of the conduct process shall be considered sufficient to meet this requirement, and shall be supplied by the Conduct Officer.

- F. **Representation by a member.** Respondent organizations shall have the right to choose one student member to represent it before a Hearing Panel, if the organization chooses to appear at a hearing. Students who have had formal legal training are not permitted to represent organizations. The respondent organization is also permitted to have 3 additional student members present to witness the proceedings. These members may not be called as witnesses, may not participate in the hearing in any way, and may be removed by the Hearing Officer or the Hearing Panel if they are disruptive or prove distracting or intimidating to any participant.
- G. **Right to be heard.** Respondent organizations shall have the right to hear all testimony, present relevant information on their own behalf, ask questions of witnesses, and ask questions of anyone present at the hearing. If individuals cannot be questioned at the hearing (by reason of health, absence from campus, etc.) the Hearing Panel has a special obligation to determine the credibility of any information that those individuals have provided. The organization is also allowed to have persons submit character statements directly to the Conduct Officer for review by the Hearing Panel or Hearing Officer. Organizations may not bring character witnesses to a hearing or disciplinary conference.
- H. **Challenge of hearing body members.** Respondent organizations shall have the right to challenge the presence of hearing body members for reasons such as a personal bias towards a participant or a preformed judgment in the particular case. In the case of hearings before the University Committee on Discipline or its subsidiary boards, the removal of a hearing body member will be by majority vote of the remaining members. In cases involving disciplinary conferences, the decision shall be at the discretion of the Hearing Officer.
- I. **Withholding of past record.** In hearings before the University Committee on Discipline, the past disciplinary records of respondent organizations will not be disclosed until after a decision of responsibility is reached, except if introduced by the organization or in cases in which the respondent organization is charged with failure to complete sanctions imposed by Lehigh University. If the student organization is found responsible for the allegation(s), information concerning its past disciplinary record will be presented to the hearing body by the Conduct Officer in the presence of the respondent organization's representative, for consideration in determining appropriate sanctions. In cases in which the student organization chooses to self-disclose a past conduct record, this information will be admissible and considered relevant.
- J. **Notification of Outcomes.** Respondent organizations have the right to be informed of the outcome of a case.
1. Oral notification. When possible, the Hearing Officer shall notify the student organization of the finding, including any sanctions imposed, immediately following the conclusion of the hearing. In the event that the Hearing Panel deems it necessary to continue its discussion of findings and/or possible sanctions or to consult with the Conduct Officer, notification shall take place within three business days of the hearing. In either case, the Conduct Officer shall inform student organization found responsible of its rights of appeal.
 2. Written notification. The Conduct Officer shall forward the written decision of the hearing body to respondent organizations within a reasonable time no later than 10 days after the hearing. The written decision shall include: (i) a statement of the allegations; (ii) a summary of the information presented at the hearing; (iii) the findings of the hearing body and key facts used in making those findings; (iv) the sanctions and the rationale for them; and (v) a statement regarding the right to request an appeal and the procedures for making such an appeal.
 3. In cases involving organizations that are heard by subsidiary hearing panels, the respondent organization has the right to be notified of the recommendations at the hearing and a right to be notified of the final decision of the Conduct Officer within a reasonable time, no later than 10 days after the hearing.
- K. **Right of appeal.** As outlined in this Code of Conduct, student organizations found responsible for a violation by any Hearing Panel shall have the right to an appeal before the Disciplinary Appeals

Committee. Decisions of that committee are final. Student Organizations that are facing dissolution or termination may not function as an organization (this includes but is not limited to hosting events, sponsoring programs, or participating in intramurals) during the appeals process.

- L. **Admission of relevant evidence.** Evidence is admissible when, in the opinion of the majority of the hearing body, it is shown to be relevant to the factual issues of the case. The hearing body shall determine the relevance and admissibility of all testimony, whether proposed or actual. Evidence obtained by a search of a student's person or property shall be admissible if that search was conducted by University officials while acting in accordance with their duties.
- M. **Closed Hearings.** All administrative meetings, disciplinary conferences, disciplinary hearings, and appeals committee meetings shall be closed to the public.
- N. **Organizational Accountability.** Any group or organization may be held accountable for the actions of any of its members if the violation of this Code of Conduct is in any way related to the group or organization. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate but not exhaustive test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals would have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.

ARTICLE VII - SANCTIONS

I. Primary Sanctions for Individuals. Individuals found responsible for a violation of this Code of Conduct will receive a sanction of disciplinary warning, disciplinary probation, disciplinary deferred suspension, disciplinary suspension, or expulsion. In certain specific cases the sanctions of disciplinary revocation of a degree or disciplinary withholding of a degree may be imposed. They may also receive additional sanctions as outlined below

- A. **Disciplinary Warning.** A disciplinary warning is a written statement of a student's responsibility for a violation of this Code of Conduct with the caution that any future violation may result in more serious sanctions. Other sanctions may be imposed along with the warning.
- B. **Disciplinary Probation.** Disciplinary probation is the imposition of a trial period in which students must show that they are willing to live up to the expectations in this Code of Conduct. This trial period may not exceed four semesters. This status implies that further violations of this Code may result in disciplinary suspension or expulsion. Other sanctions may be imposed, and additional requirements may be imposed as conditions for reinstatement in good standing.
- C. **Disciplinary Deferred Suspension.** The sanction of disciplinary suspension may be placed in deferred status for a limited period of time. During this period of time, the student is on notice that **any** further violations of the Code of Conduct will result in the suspension that was originally defined becoming effective immediately without further review. Disciplinary Deferred Suspension may not be imposed for longer than one regular semester. If this sanction is imposed during a semester, it may be imposed for the remainder of that semester and one additional semester. Disciplinary Probation may be imposed for a period of time not to exceed three semesters after the period of Disciplinary Deferred Suspension. Additional student conduct sanctions appropriate to a new violation also may be imposed. A student who is on disciplinary deferred suspension is ineligible for (a) intercollegiate competition and all other activities publicly representative of the University, (b) major office (elective or appointive) in any University organization, and (c) any other extra-curricular activities. Students may petition the Office of Student Conduct to be allowed to participate in particular extracurricular activities, but approval or denial is at the sole discretion of the Student Conduct Office in consultation with the Dean of Students and is not reviewable by the Disciplinary Appeals Committee.
- D. **Disciplinary Suspension.** Disciplinary suspension is the temporary separation of the student from the Lehigh University Community, not to exceed seven consecutive fall and spring semesters. Students on

disciplinary suspension are not permitted to participate in any University activities, academic or nonacademic. They may not take part in any official exercise, including graduation. They are not allowed on Lehigh premises during their suspension unless prior approval has been granted by the Dean of Students. Any request for the privilege of visiting Lehigh University during the suspension must be received by the Dean of Students in writing seven days prior to the date the privilege is desired. It should be understood that submission of a request in no way guarantees approval. Students requesting reinstatement upon passing of the suspension period must schedule a meeting with the Dean of Students prior to being granted approval for reinstatement. Additional requirements may be imposed at the time of suspension as conditions for reinstatement in good standing. For students who have been suspended, the Registrar will, during the period of the suspension, send with the transcript a letter stating the reasons and length of the suspension. Disciplinary Suspension must be applied for at least one full semester as defined above.

- E. **Expulsion.** Expulsion is the permanent removal of a student from the University. All cases in which the sanction of expulsion is imposed shall be referred to the Disciplinary Appeals Committee to ensure that the sanction is not unduly harsh. If the student does not submit a letter of appeal, the Conduct Officer shall supply a summary of the case to the disciplinary appeals committee for review. The Disciplinary Appeals Committee is required to ensure that the sanction is not unduly harsh. If the Disciplinary Appeals Committee finds that the sanction is unduly harsh, the student shall be suspended for seven semesters.
- F. **Disciplinary Withholding of Degrees.** The conferring of an academic degree may be postponed as a disciplinary sanction if the following criteria are met:
1. The respondent is of senior standing; and
 2. The sanction of Probation, Deferred Suspension, or Suspension might otherwise be imposed.

The student may be allowed to remain on campus to complete academic requirements of degree status, but the conferring of that degree would be postponed until a regularly scheduled commencement exercise after the one in which the student would have participated in. Degrees may not be withheld for longer than 4 semesters.

A student who is subject to a pending disciplinary case is not eligible to receive a degree or participate in graduation until that case is resolved.

- G. **Disciplinary Revocation of Degrees.** The University Committee on Discipline may recommend to the Board of Trustees the revocation of a degree if the following criteria are met:
1. The respondent has already been granted a degree by Lehigh University;
 2. The sanction of suspension or expulsion might otherwise be imposed; and
 3. The information leading to the allegations did not come to light until after the conferring of the degree in question, but occurred before the degree was conferred.

Only the Board of Trustees may revoke a degree. If the Board of Trustees does not uphold the sanction of Revocation, the case against the student will be considered dismissed.

II. Secondary Sanctions for Individuals. Sanctions in addition to the primary sanctions may be imposed to educate the respondent, or protect and educate the Lehigh University Community as a whole.

- A. This is a list of specific but non-restrictive examples of secondary sanctions:
1. Restitution or replacement of lost, damaged, or stolen property.
 2. Suspension of privileges to participate in any activity sponsored by the university.
 3. Suspension of privileges to use or occupy certain facilities.
 4. Suspension of rights to represent the university.
 5. Suspension of rights to occupy a position or office in a group or organization officially recognized by Lehigh University.
 6. Referral for alcohol or drug abuse counseling; and mandatory periodic meetings with a dean or counselor.

Sanctions that suspend students' privileges shall have a set time of duration indicating when and under what conditions students may regain the privilege.

- B. **Sanctions related to academic integrity violations.** In addition, to the primary sanctions as listed in Section I, the Hearing Panel may impose a course grade of "F", which would remain on the transcript permanently. In the event that the student had already voluntarily withdrawn from the course in question, the "F" grade would replace the "W". If the Hearing Panel does not assign a grade of "F" in the course, it may provide recommendations to the instructor regarding grading (e.g., lowering the course grade by some amount). In any case in which a student is found responsible and a grade of "F" is **not** assigned, the grading of all exercises and the determination of the course grade are left to the sole discretion of the instructor and could result in an F being assigned.

III. Sanctions for cases involving drugs and/or alcohol

- A. In cases involving drugs and alcohol the following secondary sanctions will be imposed.
1. **Counseling Center Interaction.** In all disciplinary cases involving drugs and alcohol in which the student is not suspended or expelled, a mandatory interaction with the Department of University Counseling and Psychological Services (UCPS) shall be imposed. The nature and content of these interactions shall be developed by the UCPS in conjunction with the Conduct Officer and the Dean of Students.
 2. **Parental Notification.** The parents of students under the age of 21 will be notified of all violations of the Code of Conduct as related to drugs and/or alcohol, as permitted by the Family Educational Rights and Privacy Act (FERPA).
- B. **Serious Offenses involving Drugs and/or Alcohol.** While disciplinary suspension is an option for any single serious alcohol/drug violation, individuals found responsible for two serious alcohol or drug violations (i.e., creating risk to self or others which includes, but is not limited to, physical violence, serious property destruction, or other serious infractions) will be suspended for a minimum of one regular semester.

IV. Primary Sanctions for Organizations. Organizations found responsible for a violation of this Code of Conduct will receive a sanction of disciplinary termination, disciplinary dissolution, deferred disciplinary dissolution, disciplinary probation, or disciplinary warning. They may also receive additional sanctions as outlined below.

- A. **Disciplinary Warning.** A disciplinary warning is a written statement of responsibility of a group or organization for a violation of this Code of Conduct, along with the caution that any future violation may result in a more serious sanction. Other sanctions may be imposed along with the warning.
- B. **Disciplinary Probation.** Disciplinary probation is the conditional continuation of a group or organization for a specified period of time not to exceed four semesters. This status implies that any further violation of this Code of Conduct may result in dissolution, termination, or other authorized sanctions. Other sanctions may be imposed, including limitations on social activities, and additional requirements may be imposed as conditions for reinstatement of recognition in good standing.
- C. **Disciplinary Deferred Dissolution.** The sanction of disciplinary dissolution may be placed in deferred status for a limited period of time. During this period of time, the organization is on notice that any further violations of the Code of Conduct will result in the dissolution that was originally defined becoming effective immediately without further review. Disciplinary Deferred Dissolution may not be imposed for longer than two regular semesters. If this sanction is imposed during a semester, it may be imposed for the remainder of that semester and two additional semesters. Disciplinary Probation may be imposed for a period of time not to exceed three semesters after the period of Disciplinary Deferred Dissolution. Other restrictions on the organization's activities may be imposed.
- D. **Disciplinary Dissolution.** Dissolution is the loss of University recognition for a period of time not to exceed 5 years. Dissolution is the loss of privilege to use the University's name or represent it in any capacity. In addition, the group or organization will lose all privileges to use University equipment or facilities. At the end of the dissolution period, the organization shall contact the Dean of Students

Office and be required to follow any recognition processes in place at the time. Dissolution shall be imposed for time periods of years, not semesters.

- E. **Disciplinary Termination.** Termination is the permanent loss of University recognition. Termination includes the loss of privilege to use the University's name or represent it in any capacity. The group or organization also loses all privileges to use University equipment or facilities. The hearing/adjudication body shall make a recommendation for termination to the Vice Provost for Student Affairs, who will normally implement the recommendation. If the Vice Provost for Student Affairs decides not to terminate the group or organization, the organization shall be dissolved for 10 years.

V. Secondary Sanctions for Organizations. Sanctions in addition to the primary sanctions may be imposed to educate the respondent organization, and/or protect and educate the Lehigh University Community as a whole.

- A. **Social Probation.** Social Probation is the loss of the organization's privileges to host social events with alcohol.
- B. **Alcohol-Free Housing.** The organization loses the right to have any alcohol present in the facility including in individual bedrooms/living areas.
 - 1. Organizations may also be prohibited from hosting any events on or off campus where alcohol is served.
- C. **Loss of University Housing.** The organization loses the right to organizational housing. An organization that has lost its right to University housing must follow any processes in place to reacquire group living rights.
- D. **Removal of specific Members or Officers.**
- E. **Other Sanctions.** The following are specific examples, but Hearing Panels are not limited to these:
 - 1. Restitution or replacement of lost, damaged, or stolen property.
 - 2. Suspension of privileges to participate in any activity sponsored by the University.
 - 3. Suspension of privileges to use or occupy certain facilities.
 - 4. Suspension of rights to represent the University.
 - 5. Requirement to hold educational programs for members.

Sanctions that suspend organizational privileges shall have a set time of duration indicating when and under what conditions students may regain the privilege.

VI. Sanctioning guidelines of specific types of cases.

- A. The Lehigh University Community has devised sanctioning guidelines in cases involving harassment, discrimination, retaliation, sexual misconduct, hazing, violence, and academic dishonesty. These guidelines can be found in Appendix A of the Code of Conduct.

ARTICLE VIII - REMEDIES

At the conclusion of a conduct hearing, or during the investigation of an alleged violation of the Code of Conduct, it may be appropriate to provide remedies to complaining parties and/or the larger campus community. Remedies for complainants may include, but are not limited to: counseling, academic support, provision of an escort, and changes to residence halls. Remedies for the campus community may include, but are not limited to: training for relevant employees, conducting education and prevention programs for students, issuing policy statements, and developing educational materials for distribution campus-wide.

ARTICLE IX – THE ROLE OF THE CONDUCT OFFICER

I. The Conduct Officer. The Dean of Students, acting on behalf of the faculty, shall appoint a Conduct Officer who will be responsible for the administration of the Student Conduct System.

- A. **Duties of the Conduct Officer.** The Conduct Officer will be responsible for the following functions in addition to other duties as defined by the Dean of Students:

1. Coordinate all aspects of University disciplinary procedures, including informing students of allegations lodged against them, investigating all allegations, scheduling hearings, notifying all persons concerned, providing for a record of all disciplinary proceedings, providing secretarial assistance, providing all necessary forms, assisting with and forwarding appeals to the University Disciplinary Appeals Committee, and undertaking such other activities as may be necessary to implement the provisions of this Student Conduct System.
2. Coordinate the gathering of all facts regarding a violation of this Code of Conduct and see that all known relevant facts are presented at a hearing.
3. Conduct pre-hearing interviews (when required) at which students charged should be (1) fully informed of the allegations lodged and of their rights in the conduct system; (2) given an opportunity to discuss the matter; and (3) provided with information related to possible sanctions if the student pleads or is found responsible.
4. Maintain confidentiality of disciplinary records in accordance with the University policy on maintenance, retention, and dissemination of confidential information and with the federal Family Educational Rights and Privacy Act and other applicable laws.
5. Provide for training of all persons serving as Hearing Officers, serving on Hearing panels, serving on the Disciplinary Appeals Committee, or other persons involved in the Student Conduct System as necessary.
6. Provide for the publication of this Student Conduct System and for the recording of all decisions rendered and actions taken.
7. Schedule all hearings, call appropriate witnesses, and tape-record the proceedings. Any audio tape recordings of hearings are the property of Lehigh University.
8. Advise Hearing Panels regarding the meaning, interpretation, and application of the conduct procedures.
9. Attend all hearings (or train and designate persons to be present) to present facts and to answer questions pertaining to conduct procedures or facts in the case being considered.
10. Respond to appeals (either on the grounds that the disciplinary process was violated in a way that affected the outcome of a particular case, or for cases that were adjudicated through the disciplinary conference procedures).
11. Other duties as described in this Code of Conduct or as assigned by the Dean of Students.

ARTICLE X – PROCEEDINGS AND PROCESS

I. General Information

- A. Any group within the University, any individual member of the University community, third parties, or the Dean of Students acting for Lehigh University may report violations of the University Code of Conduct to the Office of Student Conduct. The complaint must be submitted in writing to the Conduct Officer.
- B. Proceedings related to non-academic violations may be initiated at any point during a student's career, which includes undergraduate and graduate careers. In cases in which the offense is allegedly to have occurred during the final semester of matriculation, the Conduct Officer may file allegations in non-academic cases up to six months after graduation. There is no time limitation on proceedings related to academic dishonesty.
- C. In cases where multiple allegations and/or multiple accused students arise out of the same event or series of related events, the Conduct Officer shall have the discretion to direct that a single hearing be

conducted with respect to the multiple allegations/students. Each accused student shall be entitled to be present for the testimony of all witnesses and shall be entitled to question each witness. Any opening or closing statements shall be made to the hearing body by the accused student alone, outside the presence of any other accused student, unless the student waives this right.

- D. Any student organization involved in an academic dishonesty violation will have the case resolved by the University Committee on Discipline.
- E. The University Committee on Discipline
1. **Role.** The University Committee on Discipline is responsible for hearing cases to determine student or organization accountability for violations of this Code of Conduct in a manner that ensures fundamental fairness, and to assign sanctions in cases where responsibility is determined.
 2. **Composition.** The committee shall be composed of fifteen undergraduate students, (chosen by the Dean of Students Office in consultation with the current student members of the University Committee on Discipline and the faculty chairperson of the University Committee on Discipline), three graduate students (chosen by the Dean of Students Office in consultation with the Graduate Student Senate and the faculty chairperson of the University Committee on Discipline), twelve members of the faculty (four elected by the University faculty at large and two from each of the college faculties), and seven administrators (appointed by the Vice Provost for Student Affairs from the Student Affairs professional staff). Faculty shall be elected for three-year staggered terms. Students shall be selected for one-year renewable terms. Administrators shall be appointed for three-year renewable terms. The Conduct Officer shall have the authority to appoint alternate members for student and administrative representatives to ensure the committee's ability to function.
 3. **Chairperson.** The chairperson of the Committee on Discipline shall be a faculty member elected by the committee for a one-year term.
 4. **Hearing Panels.** A Committee on Discipline Hearing Panel shall consist of two students, two members of the faculty, and an administrator. Undergraduate students shall sit on the panel when an undergraduate student is charged with a violation of this Code, and graduate students shall sit on the panel when a graduate student is charged. Hearing Panels shall be appointed from the committee by the Conduct Officer. The chairperson of a Hearing Panel shall be chosen from the two faculty members on the panel. A quorum of a Hearing Panel shall be any four members. The decision of a Hearing Panel shall be based on a preponderance of evidence as presented at the hearing.
 5. All hearing procedures shall be developed by the Conduct Officer. The respondent or respondent organization and complainant shall be informed of those procedures when they receive the notification of the time, date, and location of the hearing and reviewed at the pre-hearing interview. These processes will also be available online.
- F. **Disciplinary Conferences.** Disciplinary Conferences are meetings between a respondent or respondent organization and a Case Officer in which an alleged violation of the Code of Conduct is resolved in a less formal manner than a hearing.
1. During a disciplinary conference, the respondent or respondent organization shall retain all applicable rights as listed above.
 2. All hearing procedures shall be developed by the Conduct Officer. The respondent or respondent organization shall be informed of those procedures when they receive the notification of the time, date, and location of the hearing. These processes will also be available online.

3. Students and organizations that have cases resolved via a disciplinary conference shall retain their right to appeal as listed below.

G. **Subsidiary Conduct Boards**

1. The Dean of Students in conjunction with the Conduct Officer may, on a year to year basis, establish subsidiary conduct boards made up of students to provide assistance and advice in handling organization or corporate discipline. These boards include, but are not limited to: The Interfraternity Conduct Council, The Panhellenic Conduct Council, and The Student Senate Conduct Council.
2. These boards shall be constituted to hear cases involving their member organizations, or in the case of the Student Senate Conduct Board, student organizations that are recognized by the University and do not come under another subsidiary conduct board.
3. The Conduct Officer in conjunction with the leaders of the parent organizations (IFC, Panhellenic, or Student Senate as examples) will determine the composition and selection for members of these subsidiary boards.
4. The Conduct Officer shall be responsible for determining which cases are referred to these boards based on time constraints, the severity of the alleged violation, and the ability of the subsidiary board to handle a particular case.
5. In cases in which these subsidiary boards are resolving alleged violations of the Code of Conduct, their role shall be to make recommendations to the Conduct Officer in both the determination of responsibility and the sanctions of a particular case. When the case involves internal rules of the parent organization, the decision of the subsidiary board shall be final, pending an appeal.
6. The Conduct Officer shall be responsible for developing process and procedures related to these panels and for providing training to the members.

II. Process for Academic Integrity Violations

A. **General Process for Handling Academic Integrity Violations**

1. Students have the right to have any alleged academic integrity violation heard by the University Committee on Discipline.
2. Cases in which the respondent accepts responsibility for the violation may be handled by an Academic Integrity Conference. A respondent may refuse this conference and ask for a hearing before the University Committee on Discipline.
3. **Academic Integrity Conferences.**
 - a. **Composition.** An Academic Integrity Conference Panel shall consist of the Conduct Officer, one faculty representative of the University Committee on Discipline (generally the chairperson), and one student representative of the University Committee on Discipline.
 - b. **Attendance and process.** The respondent, the instructor bringing the allegation, and any witnesses may be in attendance. The Conduct Officer may have other persons not directly involved in a case present for training and educational purposes.
 - c. **Authority.** The Academic Integrity Conference shall have the authority, in a particular case, to:
 - i. affirm or deny the respondent's claim of responsibility;
 - ii. determine appropriate sanctions for the respondent; and
 - iii. educate the respondent on issues related to academic integrity.

- d. A respondent appearing before an Academic Integrity Conference shall retain the right to appeal as outlined below.

III. Process for Harassment, Discrimination, Retaliation and Sexual Misconduct Violations

- A. **All cases involving harassment, discrimination, retaliation, or sexual misconduct shall be governed by Article V of this Code.**

IV. Process for All Other Violations of this Code

- A. After a review of the complaint submitted to the Conduct Officer and, if necessary, a preliminary investigation, the Conduct Officer or designee shall determine if there is sufficient information to bring allegations against a student or a student organization.
- B. If the Conduct Officer or their designee determines that there is sufficient information to bring allegations against a student or student organization, disciplinary proceedings are then initiated by the Conduct Officer sending a formal allegation letter to the student or organization.
- C. Respondents or respondent organizations shall be contacted and asked to meet with a Case Officer to discuss the allegations.
- D. If the allegations in question do not involve serious offenses, the respondent or respondent organization (at the discretion of the Conduct Officer) may take responsibility for the listed allegations, and sanctions can be assigned by the Case Officer. Students or student organizations who choose to accept responsibility for violations shall retain their right to appeal via the process listed below.
- E. If the student or student organization chooses to plead not responsible or the Conduct Officer chooses to have the case resolved via a hearing, the Conduct Officer shall set and inform the parties of a date for a resolution. Students/organizations who fail to make or keep an initial meeting shall be assigned a hearing date at the discretion of the Conduct Officer.
- F. The method of resolution shall be determined by the Conduct Officer. Possible methods for resolution are:

For individual students:

- a. A hearing before the University Committee on Discipline (as defined in Article IX, Section I, Sub-Section E); or
- b. A Disciplinary Conference (as defined in Article IX, Section I, Sub-Section F)

For student organizations:

- a. A hearing before the University Committee on Discipline (as defined in Article IX, Section I, Sub-Section E); or
- b. A Disciplinary Conference (as defined in Article IX, Section I, Sub-Section F) or
- c. A hearing before a subsidiary hearing board (as defined in Article IX, Section I, Sub-Section G)

- G. **Sanction Only Hearing.** In cases in which a respondent or respondent organization accepts responsibility for all of the allegations in a particular case, the Conduct Officer may convene a three member panel of the University Committee on Discipline to develop and impose sanctions. The panel will comprise one student member, one faculty member, and one other member of the University Committee on Discipline.
 - 1. **Process.** The process for a Sanction Only Hearing will be developed by the Conduct Officer.
 - 2. The Conduct Officer will present the case information (allegations, narrative, other facts) as well as the respondent or student organization's past disciplinary record to the Panel.

3. The respondent or student organization may provide a statement, and any other information that is relevant to the sanctions that will be imposed.
4. Individuals appearing before this panel may refuse to answer any questions that are asked. Student organizations must answer all questions.
5. The Conduct Officer will present sanctioning parameters and guidelines to the Hearing Panel.
6. The Hearing Panel will determine outcomes as well as provide a rationale.
7. The respondent or student organization may appeal as outlined in Article IX.

ARTICLE XI – APPEALS

I. The right to appeal. Any student or student organization found responsible for a violation of the Code of Conduct, shall have the right to appeal their case (based on the grounds below) to the Disciplinary Appeals Committee.

II. Grounds for appeals. Students who have been found responsible for a violation of the Code of Conduct may request an appeal on the grounds that: (1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case; (2) the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case; or (3) the sanction was unduly harsh.

III. Disciplinary Appeals Committee. The University disciplinary appeals committee is a faculty committee set up to consider written appeals by students found responsible by any Hearing Panel.

- A. **Composition.** The Disciplinary Appeals Committee shall consist of nine faculty members, four undergraduate students, and two graduate students. Undergraduate student Committee members shall be chosen by the Dean of Students Office, and Graduate Student Committee members by the Dean of Students Office in consultation with the Graduate Student Senate. Graduate or Undergraduate students can be used to hear an appeal by any student regardless of standing. Faculty shall be elected, two members from each of the four colleges and one at large faculty member. Faculty shall serve staggered three-year terms, and students shall be appointed for one-year terms. At the discretion of the Conduct Officer additional student members who are approved by the Dean of Students Office and, in the case of graduate students, by the Dean of Students Office and the Graduate Student Senate, may be selected to serve as alternates.
- B. **Chairperson.** The Disciplinary Appeals Committee shall elect its own chairperson from the faculty members. The chairperson of this committee shall also serve on the Disciplinary Review Committee.
- C. **Role.** The Disciplinary Appeals Committee is responsible for reviewing any appeals by students or organizations that are properly submitted. It is also responsible for reviewing all cases involving disciplinary expulsion as described in Article VI Sec. I.E.
- D. **Process.**
 1. **Submission of Appeal.** Respondents shall have three business days from the date of their outcome letter to submit, in writing, an appeal on one or more of the three grounds as listed in Art. IX, Sec. II. This letter should include specific details as to why an appeal should be granted. This letter is to be submitted to the Conduct Officer. The Conduct Officer is permitted to assist students in preparing appeals.
 2. **Response to Appeal.** The Conduct Officer shall present a copy of this appeal to the chairperson of the Hearing Panel or Hearing Officer that made the determination in the case in question. This person shall submit a written response to the appeal to the Conduct Officer in a timely manner. In cases that involve a violation of the conduct procedures, the Conduct Officer shall write the response. The Conduct Officer is permitted to assist in the preparation of all responses.

3. Disciplinary Appeals Hearing. The Conduct Officer shall send copies of both the appeal and the response, as well as the contents of the case file to the members of the Disciplinary Appeals Committee and schedule a meeting. The committee shall also have access to the recording of the hearing if requested. The Disciplinary Appeals Committee shall hold closed meetings and base its decision only on the information contained in the appeal, the response, the case file, and if requested, the recording of the hearing. The Conduct Officer may be present to assist the committee.
 - i. **Quorum.** A Disciplinary Appeals Committee Hearing Panel will consist of no less than three and no more than five members, one of whom be a student and one of whom must be a faculty member.
 - ii. **Options.** The Disciplinary Appeals Committee may grant an appeal and refer the case back to the Office of Student Conduct for re-adjudication, or they may deny an appeal and uphold the original findings and sanctions. If an appeal is granted on the basis of an unduly harsh sanction, the Disciplinary Appeals Committee will develop a detailed rationale as well as provide specific information that guided its actions. At that time the Office of Student Conduct will gather a committee of one faculty member from the Hearing Panel that heard the case or the Hearing Officer in cases of Disciplinary Conferences, a faculty member of the group that heard the appeal, and a member of the Office of Student Conduct to discuss the sanctions. That group may, by majority vote, change the sanctions or make no change to the sanctions. This group will provide a detailed rationale for their decision. In cases in which the appeal is granted on the basis of 1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case and / or 2) the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case, the matter will be sent back to the Office of Student Conduct for re-adjudication.
 - iii. **Decision.** A simple majority of the committee is required to grant an appeal.
 - iv. **Process.** The Conduct Officer shall develop any internal scripts or processes for the operations of the Disciplinary Appeals Committee.
 - v. **Notification.** The decision of the Disciplinary Appeals Committee, along with an explanation and rationale, shall be given to the Conduct Officer who shall notify the student within three days and implement the decision. The decision of the committee shall be final.

ARTICLE XII – REVIEW AND REVISION

I. On-going Review. The Lehigh University Code of Conduct shall be reviewed on an on-going basis by the Office of Student Conduct.

II. Disciplinary Review Panel. The Disciplinary Review Panel is charged with maintaining and preserving the integrity of the conduct system through the review of the processes, actions, and cases adjudicated through the University Student Conduct System.

- A. **Composition.** The review panel consists of the Conduct Officer, the Dean of Students and the faculty chairpersons of the University Committee on Discipline and the Disciplinary Appeals Committee.
- B. **Chairperson.** The chairperson of the Disciplinary Appeals Committee shall serve as the chairperson of the Disciplinary Review Panel.
- C. **Reporting.** Each year, the chairperson of the Disciplinary Review Panel will present an update on the state of the University Student Conduct System to the faculty.
- D. **Modification.** The chairperson in conjunction with the Conduct Officer shall present any changes to the Code of Conduct to the appropriate persons or bodies for approval prior to implementation.

- E. Report by the Conduct Officer. Each year the Conduct Officer shall present to the Disciplinary Review Panel a summary of all cases handled by the Office of Student Conduct, a review of all training sessions, and recommendations for modifications to the Code of Conduct. The Disciplinary Review Panel shall offer advice and guidance to the Conduct Officer on these matters.

III. Code of Conduct Review. Every 4 years, or as necessary due to changes in applicable laws, the Office of Student Conduct shall develop and execute procedures to review and, if necessary, revise the Code of Conduct.

ACKNOWLEDGEMENTS

The Lehigh University Office of Student Conduct would like to acknowledge the work of Mr. Edward Stoner II, and Mr. John Wesley Lowery. Their Model Code of Conduct was used as a basis for some material in this document.

Stoner III, E. N., Lowery, J.W. (2004). Navigating past the “spirit of insubordination”: a twenty-first century model student conduct code with a model hearing script. *The Journal of College and University Law*, 31(1), 1-78.

APPENDIX A – SANCTIONING GUIDELINES

- A. Guidelines for sanctions in cases Academic Dishonesty. (added June 2008)** Students found responsible for violations of the Code of Conduct related to academic integrity, are subject to expulsion or other lesser penalties as outlined in Article VI of the Code. The following represents recommendations for minimum sanctions in these cases. These sanctions demonstrate the seriousness that Lehigh University attaches to these types of violations. Academic integrity violations constitute intellectual fraud and should result in serious sanctions.

Hearing Panels are not limited to these guidelines in determining an appropriate sanction, but any deviation from these suggested sanctions should be justified, especially when considering sanctions less than the minimum. Hearing Panels may supplement the sanctions below with other appropriate mandates including, but not limited to, educational workshops, completion of work for no credit, written apologies, etc.

	Minimum Primary Sanction	Minimum Secondary Sanction	Educational Sanction
First Offense	A minimum of Disciplinary Probation for 1 full semester	Assigned Grade of “F” in the course	Educational program as determined by the Panel / Office of Student Conduct
Second Offense (related to academic dishonesty) or Serious First Offense	A minimum of Disciplinary Suspension for 4 full semesters	Assigned Grade of “F” in the course	

- B. Guidelines for sanctions in cases dealing with sexual assault or sexual harassment**

The following represents guidelines for sanctions in cases where a student is found responsible for sexual misconduct or sexual harassment. The sanctions demonstrate the seriousness with which Lehigh University considers these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction.

Offenses	1st Offense (minimum)	2nd Offense (minimum)
Sexual Misconduct (rape or assault)	Expulsion	--
Sexual Misconduct/other	Suspension of at least two semesters.	Expulsion
Sexual Harassment	Suspension of one semester or two semesters of disciplinary probation and mandatory counseling	Expulsion or at least two semesters of suspension

- C. Guidelines for sanctions in cases involving Physical assault**

The following represents recommendations for sanctions in cases where students are found responsible for violations of the Code of Conduct involving physical attacks. The sanctions demonstrate the seriousness that Lehigh University attaches to these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction. Hearing Panels may determine that a greater or lesser sanction is appropriate depending upon the individual circumstances of each case. Hearing Panels may supplement the sanctions below with other appropriate mandates including,

but not limited to, referral for counseling, educational workshops, written apologies, restitution for medical bills, etc.

D.

Offenses	1st Offense (minimum)		2nd Offense (minimum)
Physical attack characterized by at least two of the following: 1) resulted in serious injury 2) was unprovoked 3) involved the use of weapon(s)	Expulsion		--
Physical attack resulting in serious injuries OR Physical attack which involved the use of a weapon	Suspension for two semesters		Expulsion
Unprovoked physical attack, and/or attack with no resulting serious injuries OR Physical attack or threat of violence in response to provocation, but disproportionate or excessive in degree	Suspension for one semester		Suspension for two semesters

resents recommendations for sanctions in cases where students or student organizations are found responsible for violations of the Code of Conduct involving hazing. The sanctions demonstrate the seriousness that Lehigh University attaches to these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction. Hearing Panels may determine that a greater or lesser sanction is appropriate depending upon the circumstances of each case. Hearing Panels may supplement the sanctions below with other appropriate mandates.

Offenses	1st Offense (minimum)	2nd Offense (minimum)
Physical harm to student(s) as result of hazing ⁷	Termination of the organization and/or expulsion of individuals	--

Examples (not exhaustive)

⁷ Paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, attempts to control body weight and or appearance, or any other forced physical activity that would subject the individual to physical harm.

Causing reasonable apprehension of physical harm (or creating a situation in which physical harm is likely to occur) or causing actual emotional distress⁸ (or creating a situation in which emotional distress is likely to occur)	Dissolution of the organization for no fewer than four years, and/or suspension of the individual for no fewer than four semesters.	Termination of the organization and/or expulsion of individuals.
Objectionable Behavior⁹	Disciplinary probation for no fewer than 2 semesters, removal of officers, chapter review (with input from Lehigh University, the national organization, alumni Governing body or other outside advisory committee); loss of one week of new member education (for no fewer than 2 years)	Dissolution of the organization for no fewer than two years, and/or suspension of the individual for no fewer than two semesters.

E. Guidelines for sanctions in cases dealing with bias related incidents and/or harassment

The following represents guidelines for sanctions in cases where a student is found responsible for harassment. The sanctions demonstrate the seriousness with which Lehigh University considers these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction.

Offenses	1st Offense (minimum)	2nd Offense (minimum)
Violations of the code of conduct involving the use of words, actions, or other forms of expression that violate the harassment policy but are not directed at a specific individual or group of individuals. Examples: -vandalism, electronic posts, using offensive language or images.	Probation (rec 1 semester) Restitution Appropriate Educational Sanctions	Deferred Suspension Restitution Appropriate Educational Sanctions
Violations of the code of conduct	Deferred Suspension	Suspension

⁸ Fear of those listed above, abandonment, restricting personal conduct, restricting hygiene, forced or coerced consumption of alcohol or other drugs, forced or coerced illegal acts, forced or coerced acts of a sexual nature, line-ups, insulting or derogatory comments, interruption of academic pursuits (i.e., restriction of adequate time to study, restriction of sleep, restriction of access to academic resources, forced or coerced missing of classes or other academic deadlines).

⁹ Public buffoonery, other membership requirements that are in violation of the definition of hazing (i.e., requirements to carry objects, wear certain clothing, address members in a subservient manner, scavenger hunts, personal servitude). A non-exhaustive test to see if an activity is to be considered objectionable behavior would be to examine the goals and/or outcomes of the activity. If the primary goal or outcome of the activity is to cause public ridicule, embarrassment, disruption of normal activities, harassment by others or the denotation of a student in an objectionable manner, then it would meet the definition of this category. Additionally, if a reasonable person would consider the event to be objectionable, it would fall into this category.

involving the use of words, actions, or other forms of expression that violate the harassment policy and are directed at a specific individual or group of individuals. Examples: vandalism, electronic posts, using offensive language or images.	Restitution Appropriate Educational Sanctions	(Rec: 1 full semester)
Violations of the code of conduct that threaten the health or safety of—but does not cause physical harm to—an individual or specific group of individuals, and is motivated or based on the victim’s belonging to a group carrying protected status.	Suspension (Rec: 2 full semesters)	Expulsion
Conduct that causes physical harm of an individual or specific group of individuals that is motivated or based on the protected status of the victim(s)	Expulsion	

APPENDIX B – RESOURCES AND REPORTING

On-Campus Resources

1. *University Counseling and Psychological Services* (***confidential**): Johnson Hall, 4th Floor; (610) 758-3880
2. *Chaplain’s Office* (***confidential**): The Dialogue Center (661 Taylor Street); (610) 758-3877
3. *University Police*: Johnson Hall; (610) 758-4200
4. *Equal Opportunity Compliance Coordinator / Title IX Coordinator*: Alumni Memorial Building, Room 302; (610) 758-3535; EOCC@lehigh.edu
5. *Health and Wellness Center*: Johnson Hall, 3rd Floor; (610) 758-3870
6. *Advocates* (24/7/365): (610) 758-4763. Advocates are staff and faculty members trained to assist survivors of gender violence by providing survivors with initial support and referrals.
7. *Office of Gender Violence Education and Support*: University Center C201A; (610) 758-1303; ingves@lehigh.edu
8. *Women’s Center*: University Center C207; (610) 758-6484; inwnc@lehigh.edu
9. *Office of Student Conduct*: University Center 111; (610) 758-4632
10. *Dean of Students Office*: University Center C108; (610) 758-4156; indost@lehigh.edu
11. *The Pride Center*: University Center B202; (610) 758-4126
12. *Office of Multicultural Affairs*: University Center 203; (610) 758-5973

Local Resources

1. *Bethlehem Police Department*: (610) 865-7187 (for non-emergencies)
2. *Lehigh Valley Hospital Muhlenberg*: 2545 Schoenersville Rd, Bethlehem, PA; (484) 884-2521
3. *St. Luke’s University Hospital – Bethlehem*: 801 Ostrum Street, Bethlehem, PA 18015; (484) 526-4000
4. *Crime Victims Council of the Lehigh Valley*: 801 Hamilton St. Suite 300, Allentown, PA 18101; (610) 437-6611 (24-hour hotline); <http://www.cvclv.org/>
5. *Turning Point of the Lehigh Valley*: 610-437-3369 (24-hour helpline); www.turningpointlv.org

State Resources

1. *Pennsylvania Coalition Against Rape*: 1-888-772-7227; www.pcar.org
2. *Pennsylvania Coalition Against Domestic Violence*: 1-800-932-4632; www.pcadv.org

National Resources

1. *National Sexual Violence Resource Center*: 1-877-739-3895; <http://www.nsvrc.org/>
2. *National Resource Center on Domestic Violence*: 1-800-799-7233; <http://www.nrcdv.org/>
3. *Rape, Abuse, and Incest National Network*: 1-888-656-HOPE; www.rainn.org

External Reporting

Complaints also may be filed externally with the U.S. Department of Education's Office for Civil Rights:

The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: (215) 656-8541
Facsimile: (215) 656-8605
Email: OCR.Philadelphia@ed.gov