



2012–2013
University Standards and Regulations

Wesleyan University does not discriminate on the basis of race, color, religion, gender, disability, age, veteran status, sexual orientation, ancestry, national origin, gender identity, and/or gender expression in its programs and activities. The following people have been designated to handle inquiries regarding the non-discrimination policies:

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STATEMENT ON ACADEMIC FREEDOM

Wesleyan University and the Wesleyan community are committed to the principles of liberty and equality. The University recognizes that the members of this community must be able to express themselves freely and at the same time expect tolerance and respect from one another; both are essential to our mission. Indeed, meaningful exchanges cannot occur in the absence of respect and tolerance. Intellectual vigor is best sustained when the free exchange of ideas is carried on within an environment supportive of human dignity and self-esteem. With freedom should come the wisdom and the responsibility to think before one speaks.

For these reasons, the University condemns all forms of discriminatory interference with the exercise of the rights of an individual or of any group to which that individual belongs. Such abridgement of rights is particularly abhorrent when carried out by those who have power over the individual they are affecting—whether that power comes from an administrative, academic, or any other position on campus. On the other hand, the University does not believe the free expression of ideas can always take place without pain or discomfort either to those who speak, listen, read, or write. The intellectual process, by its very nature, can be distressing, but Wesleyan does not necessarily regard actions that are distressing as violations of its codes of conduct.

In accordance, then, with the ideals of academic freedom, every member of the Wesleyan community should feel that he or she can enter into controversy without fear of being silenced or constrained. This community's commitment to the free exchange of ideas and pursuit of knowledge requires a wide range of protections for speech and expression, even when noxious or offensive. Belonging to this community, however, carries with it the responsibility of extending respect and openness of mind to others.

RESPONSIBILITY OF THE UNIVERSITY TO ITS MEMBERS

It is the responsibility of every member of the University to respect the rights and privileges of all others in the University as enumerated below.

1. Freedom of assembly, speech, belief, and the right of petition, including the right of petition to the appropriate university authority, in the event of an academic evaluation or classroom situation considered by the petitioner to be prejudiced or untenable.
2. Protection from discrimination and abuse:
 - a. Wesleyan University is fully committed to a policy of equal opportunity and non-discrimination. The University does not discriminate on the basis of race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression.
 - b. Also prohibited is any form of discriminatory harassment performed by a member or members of the University against any other individual or groups. Discriminatory harassment may include any action or statement intended to insult, stigmatize, or degrade an individual or group on the basis of the categories of discrimination listed in 2a.
 - c. Sexual misconduct, including, but not limited to, sexual harassment, coercion, and threats or use of force, is prohibited. (See University Policies—Sexual Misconduct and Assault, page 32).
3. The right of privacy in university residence halls. The living quarters of members of the University are private, and without an invitation from the occupant, may not be entered unless an emergency arises involving the health or safety of the occupant; or for the enforcement of health or safety regulations; or in the event of a suspected violation of a university regulation, upon receiving permission from the vice president for student affairs; or, if for any other reason, upon 24 hours notice to the occupant. Where two or more individuals occupy the same living quarters, permission to enter from one occupant does not permit the entering person to assume that he/she has entered the quarters of anyone except the person who extended the invitation. This provision does not restrict entrance by custodial personnel and personnel retained by the University to provide services at scheduled intervals.
4. The right to expect that communication between a student and a member of the university staff or faculty with whom the student has had a counseling relationship is confidential and without the consent of the student, may be disclosed by the counselor only when the health or safety of an individual is jeopardized or when compelled by legal process. In an instance involving the health or safety of an individual, disclosure will be made only to individuals in a position to assist the counselor or to alleviate the danger. In no case shall the content of such communication constitute a basis for disciplinary action or be introduced as evidence before the university judiciary.
5. The right to enter into physician-patient or similar relationships with medical and other professional personnel of the University with the understanding and assurance that confidence will be maintained in accordance with the ethical standards of the professions.
6. The right to confidentiality of disciplinary records, which may be released to other than appropriate university personnel only upon permission of the student.
7. The right to abstain from performing acts and the right to be protected against actions that may be harmful to the health or emotional stability of the individual or that degrade the individual or infringe upon his/her personal dignity.

Note: This language is directed at all forms of personal harassment including the use or threat of physical violence and physical or nonphysical coercion.

8. The right to be protected by standards of justice and fairness in any proceedings with the University.

Note: Fair and reasonable treatment should govern the access to and administration of all university facilities and programs.

STANDARDS OF CONDUCT

STANDARDS AND PROCEDURES FOR REGULATING CONDUCT

The following statement by the president of Wesleyan University and the Joint Statement on the Rights and Freedoms of Students (available online at wesleyan.edu/studentaffairs/studenthandbook/appendix.html) outline the standards, structures, and procedures for holding members of Wesleyan University accountable in matters of community standards and conduct.

A STRUCTURE FOR ACCOUNTABILITY

THE RATIONALE

In order to understand what the university community can reasonably expect from the system for handling complaints filed under the Honor Code, the Code of Non-Academic Conduct or the Joint Statement on the Rights and Freedoms of Students, it is important to have in mind some underlying assumptions about the nature of the University itself.

A university is an elaborate and in some ways fragile institution that exists to provide a free and favorable environment for teaching and learning. The university community, therefore, has a need to be able to hold its members accountable for actions that damage the environment, infringe upon the rights of other individuals, or otherwise hinder the community in achieving its purpose.

It is essential to a sense of fairness that this principle of accountability be applied to each of the diverse constituencies of the institution: students, faculty, administrators, and staff. Although the ideal of promoting maximum individual freedom implies that these codes or restrictions should be no more elaborate or extensive than absolutely necessary for the University to protect its fundamental interests, it follows that each member of the University not only has rights, but also certain responsibilities for which he/she may be held accountable.

The rights and responsibilities of individuals in one group differ from those in another because of the differing ways in which various constituencies relate to the institution. The duties of salaried workers, for example, are generally quite specifically defined, and the terms of their employment are conditioned in part by state and federal legislation. Employees' "rights" are essentially those set forth in Wesleyan employment policy, and these employees are accountable to the head of the department in which they work.

An administrator, on the other hand, generally has a broader and less specific set of responsibilities and a different set of rights. He/She is expected to meet whatever professional standards may apply and also to observe the policies of the institution. Administrators work without contracts and are accountable through their supervisors to the president.

Faculty members at Wesleyan compose still another category. They hold contracts—in fact, after achieving tenure, life-time contracts—and are accountable to the University and their peers for upholding a special set of professional responsibilities. One characteristic of these responsibilities is that there is no clear distinction between responsibilities in the classroom and outside of it—teachers are accountable for their professional comportment in toto. If they become subject to disciplinary proceedings, they may request highly formalized hearing procedures. Even in the absence of formal dismissal proceedings, a serious question about the ethical conduct of a teacher may cast a shadow over his/her career.

The situation of students is different yet again. Students are at Wesleyan to learn from the faculty, from each other, and from the many experiences and sources of information available to them. Their primary responsibility—a debt owed mainly to themselves—is to learn to think critically and well. Their secondary responsibility is to put their intellectual faculties and their knowledge to good use. Students are held accountable to the first responsibility by the Honor Code. They are held accountable to the second under a Code of Non-Academic Conduct that is intended to curb those behaviors that pose substantial harm to the University and to members of the university community. A student disregarding his or her responsibilities under the Honor Code and the Code of Non-Academic Conduct may be found in violation of the regulations of the Codes and may be sanctioned. Sanctions for violating the Honor Code and the Code of Non-Academic Conduct range from disciplinary warning to expulsion.

Many of the disputes on a university campus involve differences that can be resolved to the satisfaction of both parties through rational discussion and mediation. Formal proceedings resulting in the imposition of a sanction are, of course, necessary from time to time, but are surely not to be preferred when the complaint does not involve an explicit violation of a code or when the complaining party can be satisfied by mediation.

We have noted that the responsibilities that members of various groups owe to the institution differ, and that the consequences that they face if they disregard their responsibilities inevitably differ as well. Perfect symmetry is neither achievable nor necessarily desirable. But the general principles of accountability and of seeking reasoned, mediated settlement in preference to formal proceedings must apply to all, and the standards and procedures must be reasonably designed, given the special character of each constituency, and fairly implemented.

We turn now to the various components of the Wesleyan system for accountability.

STUDENT ACCOUNTABILITY—The trustees have lodged specific authority and responsibility in the president “in consultation with the faculty” for establishing and implementing policies governing student conduct. Accordingly, the president’s authority to change standards, structures, and procedures, acting, when appropriate, in consultation with the Educational Policy Committee and the Student Life Committee, stems directly from the board. Both Wesleyan tradition and contemporary theories of university governance support the contention that students should play a substantial, though not exclusive, role in the development of standards of academic and nonacademic conduct and in the enforcement of those standards. It appears that the interests of the whole University will best be served by the presence of faculty and administrative representatives in the adjudication process, with full voice but without vote. For this reason, the Honor System provides for an Honor Board consisting of four students, with the vice president for student affairs as an *ex officio* member, and the Code of Non-Academic Conduct establishes a Student Judicial Board with a voting membership of nine students and a nonvoting advisory representation of faculty members and administrators.

STAFF AND ADMINISTRATIVE ACCOUNTABILITY—Staff and administrators are accountable, through their supervisors, to the president. When a student, faculty member, or member of the staff believes that a staff member or administrator has acted in an arbitrary, unfair, or capricious way, he/she may lodge a complaint with the staff member or administrator’s supervisor. When unable to resolve disagreements at this level, the complaint may be brought to the next reporting level and so on up until it reaches the president.

If the complaint against the staff or administrator is related to issues protected under Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendment of 1972 (nondiscrimination on the basis of sex); the Family Education Rights and Privacy Act; Section 504 of the Rehabilitation Act of 1973 (nondiscrimination on the basis of handicap); or the Americans with Disabilities Act of 1990, it should be brought to the University’s Sonia Mañjon, vice president for institutional partnerships and chief diversity officer, or to Julia Hicks, director of human resources.

FACULTY ACCOUNTABILITY—Academic or nonacademic complaints concerning faculty members, including complaints listed in the preceding paragraph, may be made to any of several university officials (e.g., department chair, academic dean of the faculty member’s division, or vice president for student affairs) who will in all cases inform the vice president for academic affairs. The VPAA will insure that appropriate action is taken and, in the most serious breaches of ethics or infringement of academic freedom, that the matter reaches the Faculty Committee on Rights and Responsibilities (FCRR). Normally this committee deals only with the most serious cases.

The foregoing introduction to the system of accountability is merely an overview, and a fuller understanding of the way each component will operate in relation to the others will require a close examination of the standards and procedures regarding the Honor Board, the Student Judicial Board, the Graduate Judicial Board, the Faculty Committee on Rights and Responsibilities, and policies governing the use of the Information Technology Services.

This statement, revised in academic year 2002–03, is based on a statement developed during the academic year 1973–74 by the president in consultation with members of the academic community.

STUDENT CONDUCT

The following regulations and guidelines encompass both academic and non-academic affairs, including the Honor System, the Code of Non-Academic Conduct, university policies, etc. These policies apply equally to students, faculty, and administrative staff. The procedures outlined below describe the functioning of the Honor Board and Student Judicial Board.

THE HONOR CODE

Revised and Approved by the Wesleyan Student Assembly and Faculty, May 2010

I. INTRODUCTION

In an academic community, learning and evaluation require explicit and shared agreements on intellectual honesty and academic integrity. At Wesleyan, these values and the standards of academic conduct they imply constitute the Honor Code, the affirmation of which is a condition of enrollment. Adjudication of alleged violations of the Honor Code issue from an Honor Board, comprised of students. The board ensures consistent interpretation and sanctions for violations while serving as a constant reminder of communal principles. Violations against the code are violations against the community, the ultimate source of the principles articulated below. Accordingly, upon witnessing or otherwise becoming aware of an apparent violation, members of the community have an obligation to report the violation or to discuss it with the appropriate faculty member, a member of the Honor Board, or the vice president for student affairs.

II. THE HONOR CODE

A. THE PLEDGE

The pledge is an affirmation of each student's agreement to adhere to the standards of academic integrity set by Wesleyan's Honor Code. In order to promote constant awareness of the Honor Code, faculty are encouraged to ask students to sign the pledge when submitting any academic exercise for evaluation. The pledges read as follows:

For papers and similar written work:

In accordance with the Honor Code, I affirm that this work is my own and all content taken from other sources has been properly acknowledged.

For tests and other academic exercises:

In accordance with the Honor Code, I affirm that this work has been completed without improper assistance.

B. VIOLATIONS OF THE HONOR CODE

1. The attempt to give or obtain assistance in a formal academic exercise without due acknowledgement. *This includes, but is not limited to: cheating during an exam; helping another student to cheat or to plagiarize; completing a project for someone and/or asking someone to complete a project for you.*
2. Plagiarism (wesleyan.edu/studentaffairs/honorboard/honorcode.html)—the presentation of another person's words, ideas, images, data, or research as one's own. Plagiarism is more than lifting a text word-for-word, even from sources in the public domain. Paraphrasing or using any content or terms coined by others without proper acknowledgment also constitutes plagiarism.
3. The submission of the same work for academic credit more than once without permission.
4. Willful falsification of data, information, or citations in any formal exercise.
5. Deception concerning adherence to the conditions set by the instructor for a formal academic exercise.

III. THE HONOR BOARD

A. COMPOSITION AND TENURE

1. The voting membership of the Honor Board shall consist of four undergraduate students, each serving a two-year term.
2. The advisory membership of the Honor Board shall consist of at least one faculty member appointed by the Faculty Educational Policy Committee, and the vice president for student affairs (or designee), serving ex officio.

B. SELECTION

1. The regular voting members of the Honor Board shall normally be selected in the spring of their sophomore year to serve a two-year term during their junior and senior years. Ideally, the student members will represent the three academic divisions of the University. Additional members may be selected to fill vacancies. They will serve for the duration of the unexpired term.
2. Voting members shall be chosen by a selection committee consisting of the current voting members of the Honor Board, at least one advisor, and at least one student representative appointed by the Wesleyan Student Assembly.
3. A voting member of the Honor Board may be removed from the board, for cause, by the vice president for student affairs. Complaints against a voting member of the Honor Board should be submitted to the vice president for student affairs.
4. No voting member of the Honor Board shall serve concurrently on the Student Affairs Committee of the Wesleyan Student Assembly or the Trustees' Campus Affairs Committee.

C. RESPONSIBILITIES

1. The Honor Board shall hear complaints concerning alleged violations of the Honor Code by students.

2. No punitive action may be taken by a faculty member or university official with respect to an alleged violation of the Honor Code unless fair process is followed. In a particular case, a faculty member or university official may make a confidential recommendation to the Honor Board as to what he/she considers an appropriate penalty to be levied by the board, but primary responsibility for implementation of the Honor Code resides with the Honor Board.
3. Cases arising when the Honor Board cannot convene may be held in abeyance until such time as the board reconvenes, or may be adjudicated by an interim administrative judicial board. Such an interim administrative board shall be comprised of the vice president for student affairs, the dean of academic advancement, and at least one student member of the Honor Board. The Honor Board member(s) of the interim administrative board may participate in hearings via speakerphone or other similar technology. The vice president for student affairs will consult with a designated representative from the Honor Board in order to determine the manner in which cases should be resolved when the board cannot convene.
4. The Honor Board shall receive evidence, hear witnesses, determine if the reported student(s) is responsible for violation(s) of the Honor Code, and shall recommend sanctions to the vice president for student affairs. In a formal sense, the authority to impose sanctions in the name of the University must be vested in an officer of the University.
5. The role of the faculty and administrative advisor(s) is to brief the board before each hearing to ensure a clear understanding of the regulation(s) in question and of the hearing procedures. The advisor(s) shall advise the chair during hearings to see that the board follows procedures correctly. The advisors may offer information and assist the chair in facilitation. They may also offer advice or clarification regarding appropriate sanctions or questions regarding policies and procedures during deliberations in closed session.
6. The Honor Board shall periodically distribute a summary of the cases adjudicated by the board to the campus community. The names of those involved in the cases should be omitted and identifying information changed as appropriate to protect the confidentiality of those involved.

IV. JUDICIAL PROCEDURES

A. REPORTS OF VIOLATIONS

Any individual who is aware of a violation of the Honor Code may submit a report to the clerk of the Honor Board (lscott@wesleyan.edu) in the Office of the Vice President for Student Affairs. Reports should be submitted as soon as possible. Reports must be in writing and contain a complete description of the incident with the names of all parties involved.

B. NOTIFICATION OF CHARGES

An accused student will receive written notification of alleged violations of the Honor Code. The student must respond to the notice of charges within the time frame outlined in the notification. Note that the University's primary means of communicating with students is through their Wesleyan e-mail accounts. Students are responsible for reading and responding to e-mail from university officials.

C. REPORTED STUDENTS' RIGHTS

Students reported for alleged violations of the Honor Code have a right to the following:

1. Written notice of charges.
2. Resolution of charges in accordance with judicial policies as outlined.
3. At least seventy-two (72) hours' notice of the time and place of a hearing.
4. Opportunity to review of the reports that serve as the basis for the charge(s).
5. Assistance from an advisor.
6. Written notice of the results of hearings and appeals.
7. Appeal the Honor Board's ruling to the president.
8. Confidentiality regarding the outcome of their hearing (except for the reporting party's right to be informed of the board's decision) and any subsequent appeal.

D. HEARING PROCEDURES

1. The chair will conduct the hearing according to the following procedures.
 - a. The chair will inform the accused student(s) of the alleged violation(s).
 - b. The accused student(s) will acknowledge whether they are responsible or not responsible for the violation(s).
 - c. The person(s) reporting the violation(s) and witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
 - d. The accused student(s) and their witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
 - e. The reporting person(s) and the accused student(s) may question each other and any witnesses. Questions are directed to the board who then redirects them to the appropriate party.
 - f. Board members may question the reporting person(s), the accused student(s), and/or any witnesses.
 - g. The reporting person(s) and the accused student(s) may make closing statements. In cases where the reporting person(s) or accused student(s) fail to appear, the chair may modify these procedures.

- h. At the conclusion of the hearing, the board will meet with the reporting person to discuss possible sanctions if the board finds that a violation has occurred.
2. All parties involved in the hearing may review available written evidence in the case file before the hearing.
3. All judicial hearings shall be conducted in accordance with the standards of fair process. Specifically, the accused student should be informed of the nature of the charges against him/her, be given a fair opportunity to refute them, and the opportunity to appeal the board's decision. Any board member who feels he/she cannot be impartial in a given case shall excuse himself/herself from the hearing.
4. The board may require the cooperation of any member of the university community in furnishing testimony or evidence directly related to the adjudication of a case. However, no member of the university staff with whom an accused student has entered into a confidential relationship can be required to give information arising from that relationship without the permission of the accused student.
5. The chair (or designee) will generate a written summary of all hearings which will be maintained with the case file. Tape recordings of the hearing are to be used by the board during deliberations and/or by the president if there is an appeal of the board's findings. Tape recordings will usually be destroyed after the appeal process is complete.
6. Student judicial records are confidential and are available only to persons who have permission from the student. Limited judicial information may be shared with other university administrators and faculty members who have a legitimate need-to-know.
7. All hearings are closed to the general public.
8. If an accused student fails to appear for a scheduled hearing, the board will hear the case based on the available information. The University will not necessarily drop charges of misconduct because an accused student leaves the University for any reason (e.g., voluntary withdrawal, required resignation, separation, or dismissal).
9. An accused student may bring an advisor to a hearing. The advisor must be a student, a member of the faculty, or an administrator at the University. During the hearing, the advisor may advise the student and may clarify procedural questions before, during, or after the hearing.
10. The board will make decisions about responsibility and sanction(s), if appropriate, during closed session, and their decisions regarding responsibility shall be based on the evidential standard of "fair preponderance." The board is responsible for determining if it is more likely than not that the alleged violation occurred. The party bringing the charges need not provide evidence beyond a reasonable doubt in a hearing. Decisions rendered during hearings shall be by majority vote of the voting members present. The board will forward its finding and recommended sanction(s) to the vice president for student affairs who will review and implement them in the name of the University. The considered judgment of the board shall be taken by the vice president for student affairs as a binding recommendation, to be modified only in extraordinary circumstances.
11. The University requires that judicial boards and administrative staff maintain confidentiality regarding judicial matters. Individual(s) who reported the alleged violation(s) will be informed of the board's decision. Information about assigned sanctions will be shared with reporting parties as deemed appropriate by the board. The vice president for student affairs may share information about judicial charges, findings, and sanctions with university personnel who, at the discretion of the vice president, have a legitimate need to know.

E. HEARING FINDINGS

1. *No Violation*—A decision that the accused student is not responsible for a violation of the Honor Code.
2. *Violation*—A decision that the accused student is responsible for a violation of the code as charged.

F. HEARING SANCTIONS

1. Violations of the Honor Code are among the most serious offenses an individual may commit at Wesleyan.
2. The Honor Board shall invoke penalties at its discretion, up to and including, suspension or dismissal from the University.

G. APPEALS

Students who have been found in violation by the board may appeal the decision to the president on the basis of the following grounds:

1. Violation of fair process;
2. Excessive or inappropriate sanction;
3. New evidence that was not reasonably available at the time of the hearing;
4. Procedural error (if the error adversely affected the outcome of the hearing).

Students who wish to appeal must do so in writing. The appeal letter must clearly state the grounds and rationale for the appeal. Appeal letters should be addressed to the president and must be delivered to the President's Office prior to the date indicated in the written notification of the hearing decision (typically students will have five business days to file an appeal). Sanctions resulting from the case will not be implemented until after the appeal is resolved.

The president will notify the student of the outcome of the appeal. If the appeal is granted, the president has the authority to modify the sanctions or recommend a new hearing. If the appeal is denied, the sanctions will be imposed and the University will consider the case closed.

THE CODE OF NON-ACADEMIC CONDUCT

Approved by President Bennet, July 1999; revised, May 2004; revised and approved by President Roth, May 2010

I. INTRODUCTION

The Code of Non-Academic Conduct was written in light of the following passage excerpted from the Joint Statement on the Rights and Freedoms of Students.

“The institution has an obligation to clarify those standards of behavior that it considers essential to its educational mission and its community life. These general behavioral expectations and the resultant specific regulations should represent a reasonable regulation of student conduct, but the student should be as free as possible from imposed limitations that have no direct relevance to his/her education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings should be instituted only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a Student Handbook or a generally available body of institutional regulations.”

Obviously, no code could anticipate every form of conduct detrimental to the University. Each member of the university community, therefore, is expected to pay close attention to the Joint Statement on the Rights and Freedoms of Students and to remember that a reasonable, considerate, and courteous attitude toward all others in the community is the primary goal and the best guideline.

It should be remembered that Wesleyan also has an obligation to uphold the laws of the larger community of which it is a part. While the activities covered by the laws of the larger community and those covered by Wesleyan's rules may overlap, it is important to note that the community's laws and Wesleyan's rules operate independently and that they do not substitute for each other. Wesleyan may pursue enforcement of its own rules whether or not legal proceedings are under way or in prospect and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether university rules have been broken. Conversely, the University makes no attempt to shield members of the Wesleyan community from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the Wesleyan community does not exempt anyone from local, state, or federal laws, but rather imposes the additional obligation to abide by all of Wesleyan's regulations.

As a point of information, it should be mentioned that all members of the university community are expected to adhere to the regulations while on campus or engaged in university activities.

II. THE CODE OF NON-ACADEMIC CONDUCT

A. REGULATIONS

- 1. PRIVACY AND TRANQUILITY**—The intentional infringement upon the right to privacy of any member of the community is prohibited. Disorderly and disruptive conduct and/or the persistent interruption of a reasonable level of peace and quiet is also a violation. Students should be aware that repeated violation of this regulation could result in administrative reassignment to another residential unit or area.
- 2. HARASSMENT AND ABUSE**—Harassment and abuse, intentionally directed toward individuals or groups, may include at least the following forms: the intentional use or threat of physical violence, coercion, intimidation, and verbal harassment and abuse. Wesleyan University's commitment to nondiscrimination means that intentional discriminatory harassment may be punished more severely than nondiscriminatory or unintentional forms of harassment.
- 3. SEXUAL MISCONDUCT**—Sexual misconduct, including, but not limited to, sexual harassment, sexual assault, coercion, and threats or use of force, is prohibited. (See University Policies—Sexual Misconduct and Assault, page 32.)
- 4. PROPERTY**—The unauthorized use, or the abuse, destruction, or theft of university property or the property of any of its members, guests, or neighbors is prohibited. This includes but is not limited to all tunnels, roofs, and areas under construction. This regulation prohibits the unauthorized appropriation or “borrowing” of common property for personal use.
- 5. FALSE INFORMATION**—Knowingly furnishing false information to a university officer or member of any constituted hearing board acting in performance of his/her duties is prohibited.
- 6. MISUSE OF DOCUMENTS**—Forgery, alteration, or the unauthorized possession or use of university documents, records or instruments of identification is prohibited.
- 7. TAMPERING WITH LOCKS AND DUPLICATION OF KEYS**—Tampering with locks in university buildings, unauthorized possession or use of university keys, and alteration or unauthorized duplication of university keys are prohibited.
- 8. FIRE PROTECTION SYSTEMS**—Tampering with fire extinguishers, fire alarm boxes, or smoke or heat detectors anywhere on university property is prohibited. Additional information about fire safety procedures may be found at wesleyan.edu/firesafety.
- 9. RESTRICTED ITEMS/FIRE HAZARDS**—The following are considered fire hazards and are prohibited within any university-owned or -operated facility:
 - A.** Starting a fire anywhere on university property without explicit permission from the Office of Public Safety is prohibited.

B. The use or storage of kerosene lamps, canned heat (®Sterno), flammable liquids, charcoal grills, and other open-flame devices, except in areas such as kitchens or laboratories that are specifically designed for their use. Likewise, candles and flammable decorations are also prohibited.

C. STUDENT RESIDENTIAL FACILITIES—Cooking/heating devices are prohibited in all student residential facilities (except kitchens). Certain decorative items (such as candles, halogen lamps, tapestries, etc.) are also prohibited in student residences. A detailed listing of items not allowed in student residences is provided in the “Terms and Conditions” of the housing contract.

D. EXPLOSIVES, AMMUNITION, INCENDIARY DEVICES—Personal possession, storage, or use of firecrackers, fireworks, fire bombs, smoke bombs, blasting caps, ammunition, or any other explosive or incendiary device is prohibited anywhere on the Wesleyan campus or while one is engaged in any university-connected activity. Ammunition for use in sporting activities must be stored in the Office of Public Safety.

E. LETHAL WEAPONS—Personal possession or use of operable firearms, air guns, or other lethal weapons is prohibited on the Wesleyan campus or while participating in university activities.

10. RECKLESS ENDANGERMENT—Creating condition(s) or an environment that endangers, or has the potential to endanger, other members of the community or property is prohibited. Failure to take reasonable constructive action to remedy such conditions may also constitute a violation.

11. PETS—Pets are not allowed in any university facility, including residential facilities, classrooms, libraries, laboratories, studios, sports facilities, food service areas, administrative offices, and public meeting areas.

Fish in 10 gallon tanks or smaller are permitted.

12. DISRUPTIONS—The following “ground rules” for political freedom on campus are excerpted from the booklet “Academic Freedom and Civil Liberties of Students in College and University,” published by the American Civil Liberties Union in 1970.

Ground Rules. Picketing, demonstrations, sit-ins, or student strikes, provided they are conducted in an orderly and non-obstructive manner, are a legitimate mode of expression, whether politically motivated or directed against the college administration, and should not be prohibited. Demonstrators, however, do not have the right to deprive others of the opportunity to speak or be heard, take hostages, physically obstruct the movement of others, or otherwise disrupt the educational or institutional processes in a way that interferes with the safety or freedom of others.

Students should be free, and no special permission should be required, to distribute pamphlets or collect names for petitions concerned with campus or off-campus issues.

University members who believe that activities of other members threaten to come in conflict with this regulation should file a complaint with the clerk of the SJB requesting that the appropriate hearing board enjoin the offensive conduct through the SJB procedures. (See University Policies—Disruptions, page 25, for further clarification and guidelines.)

13. DRUGS AND ALCOHOL—The University prohibits underage and unlawful possession, use, abuse, or distribution of illicit drugs and alcohol. This prohibition includes, but is not limited to, the following:

A. The possession, use, manufacture, distribution, or dispensing of illegal drugs or controlled substances by any member of the Wesleyan community. This includes the misuse or abuse of any medications prescribed by a physician to another individual. Students should be advised that university personnel may confiscate drug paraphernalia (including bongs, water pipes, etc.). Such items will be tested for drug residue and the owner held responsible for a drug policy violation if appropriate.

B. Underage possession or consumption of alcohol anywhere on university property or at university-sponsored events.

C. Distribution of alcohol to underage persons anywhere on university property or at university-sponsored events. Hosts of social events where alcohol is distributed may be held responsible for any such illegal distribution committed by their guests.

D. The possession of false identification.

E. Possession of open containers of alcohol is prohibited at all times and at all campus locations, except in private residential settings where the residents are of legal age or during registered events. In addition, the possession or consumption of alcohol on City property, streets, and sidewalks is prohibited by City ordinance.

Note: Members of the Wesleyan community who are of legal drinking age may consume alcohol on Foss Hill during daylight hours.

F. The sale, distribution or dispensing of alcohol without a permit in any premises, building, apartment, or other place used by any club, association, social, or fraternal society or organization to the members thereof, their guests, or other persons.

G. Operating a motor vehicle while under the influence of alcohol and/or drugs.

Note: Students requiring medical assistance as a result of alcohol and drug use will typically not face a formal judicial hearing if they agree to meet with Health Services staff following their hospitalization and participate in any recommended educational assignments.

14. FAILURE TO COMPLY—Members of the community are expected to comply with reasonable requests made by university personnel acting within the capacity of their responsibilities, including requests for adequate identification. Public Safety officers should be allowed to enter private residential spaces to address suspected policy violations. Officers may enter private residential spaces without residents' permission only with the approval of the vice president for student affairs (or designee).

15. DEPARTMENT REGULATIONS—Members of the community are expected to abide by duly established and promulgated non-academic regulations. This is intended to cover the operating regulations of all university programs and facilities. These include, but are not limited to, the policies outlined later in this booklet and available at wesleyan.edu/studentaffairs/studenthandbook/standardsregulations/universitypolicies/

B. JURISDICTION—The Student Judicial Board shall have the ability to hear complaints concerning violation(s) of the Code of Non-Academic Conduct in any of the following circumstances:

1. If the violation occurs on the campus or in any campus facility;
2. If the violation occurs during a university-related activity (e.g., athletic contest, field trip, social event, activity sponsored by a recognized student organization);
3. If the violation, regardless of where the conduct occurs, calls into question the student's suitability as a member of the university community.

OFF-CAMPUS CRIMINAL VIOLATIONS—A student charged with an off-campus criminal violation is not automatically subject to university disciplinary procedures. Rather, the question of initiating university disciplinary action depends on whether the incident that led to the arrest also harmed a distinct interest of the University. Therefore, the University is faced with the necessity of developing sufficient information to determine if and in what manner the interests of the university community have been harmed. If it is determined that such harm has taken place, the information will be presented to the SJB as the basis for disciplinary action.

III. THE STUDENT JUDICIAL BOARD

A. COMPOSITION AND TENURE

1. The voting membership of the Student Judicial Board (SJB) shall consist of nine undergraduate students, each serving a two-year term.
2. The advisory membership of the SJB shall consist of two faculty members, each serving a two-year term, and the dean of students (or designee), serving ex officio.

B. SELECTION

1. The regular voting members of the SJB shall normally be selected in the spring of their sophomore year to serve a two-year term during their junior and senior years.
2. Additional members may be selected to fill vacancies. They will serve for the duration of the unexpired term.
3. Voting members shall be chosen by a selection committee consisting of at least two voting members of the SJB, at least one advisor, and at least two members of the Wesleyan Student Assembly.
4. A voting member of the SJB may be removed from the board, for cause, by the dean of students. Complaints against a voting member of the SJB should be submitted to the dean of students.
5. No voting member of the SJB shall serve concurrently on the Student Affairs Committee of the Wesleyan Student Assembly or the Trustees' Campus Affairs Committee.
6. The faculty advisors to the SJB will be appointed by the vice president for student affairs in consultation with the SJB and the Faculty Executive Committee. Faculty advisors will be expected to participate in SJB training.

C. OFFICERS

1. The voting members of the SJB shall select, with the approval of the dean of students, two co-chairs, each normally serving a one-year term.
2. The co-chairs shall review complaints as they are received by the clerk, consult with the administrative advisor(s) on the appropriate method of adjudication, and schedule judicial hearings as appropriate. The co-chairs will maintain records in a form approved by the dean of students.

D. RESPONSIBILITIES

1. The SJB shall hear complaints concerning alleged violations of the Code of Non-Academic Conduct by other students or by student groups. When appropriate, the SJB shall attempt to refer cases for mediation prior to any formal adjudication. In all cases, the SJB shall determine the level of individual and/or group responsibility for the incident leading to the complaint.
2. The SJB shall be responsible for primary adjudication of all alleged violations of the Code of Non-Academic Conduct except those cases that may arise when the SJB cannot convene (summer, recess periods, etc.). Cases arising when the SJB cannot convene may be held in abeyance until such time as the SJB reconvenes, may be disposed of via judicial conference, or may be adjudicated by an interim administrative judicial board. Such an interim administrative board shall be comprised of the dean of students (or designee), an advisor to the SJB, and at least one student member of the SJB. The SJB member(s) of the interim administrative board may participate in hearings via speakerphone or other similar technology. The dean of students will consult with a designated representative from the SJB in order to determine the manner in which cases should be resolved when the SJB cannot convene.

3. In order to permit the expeditious handling of cases in which mediation is feasible or of minor judicial matters, the SJB may, with the approval of both the dean of students and the Student Life Committee, develop simplified procedures and may delegate the responsibilities for mediation or adjudication.
4. In judicial matters, the SJB shall receive evidence, hear witnesses, determine if the reported student(s) or group is responsible for violations of the Code of Non-Academic Conduct, and shall recommend sanctions to the dean of students. In a formal sense, the authority to impose sanctions in the name of the University must be vested in an officer of the University.
5. The role of the faculty and administrative advisor(s) is to brief the SJB before each hearing to ensure a clear understanding of the regulation(s) in question and of the hearing procedures. The advisor(s) shall advise the chair during hearings to see that the board follows procedures correctly. They may offer information and assist the chair in facilitation. They may also offer advice or clarification regarding appropriate sanctions or questions regarding policies and procedures during deliberations in closed session. In cases involving sexual offenses, the advisor(s) will review all written material before submission to the SJB and delete any references to the prior sexual history of either party.
6. The SJB shall periodically distribute a summary of the cases adjudicated by the board to the campus community. The names of those involved in the cases should be omitted and identifying information changed as appropriate to protect the confidentiality of those involved.

IV. JUDICIAL PROCEDURES

A. REPORTED STUDENTS' RIGHTS

Students and organizations reported for alleged violations of the Code of Non-Academic Conduct have a right to the following:

1. Written notice of charges, including time and place of the alleged violation.
2. Resolution of charges in accordance with judicial system policies as outlined.
3. At least seventy-two (72) hours' notice of the time and place of an SJB hearing.
4. Review of the reports that serve as the basis for the charge(s).
5. Assistance from an advisor.
6. Written notice of the results of hearings and appeals.
7. File an appeal of the SJB's ruling.
8. Confidentiality regarding the outcome of their hearing (except for the reporting party's right to be informed of the SJB's decision) and any subsequent appeal.

B. REPORTING PARTY'S RIGHTS

The person reporting a violation of the Code of Non-Academic Conduct has the right to the following:

1. Advice from the Office of the Dean of Students in preparing for a hearing.
2. At least seventy-two (72) hours' notice of the time and place of a hearing.
3. Participation in the hearing, if the case is not resolved via judicial conference.
4. Notice of decision of hearings and appeals.
5. Resolution of charges in accordance with judicial system policies as outlined.

C. REPORTS OF VIOLATIONS

Although most alleged violations are documented by the Office of Public Safety, any individual who is aware of a violation of the Code of Non-Academic Conduct may submit a report to the Office of the Dean of Students. Reports should be submitted as soon as possible, but preferably within five (5) days of the incident. Reports must be in writing and contain a complete description of the incident with the names of all parties involved as participants or witnesses. The University may file a complaint when violations of the Code of Non-Academic Conduct harm salaried employees, university guests or neighbors, or if witnesses are unwilling to pursue the matter.

The Code of Non-Academic Conduct applies to groups as well as to individuals. Whenever a complaint is filed with the SJB, the officers of the SJB and an administrative advisor will review the complaint to determine the degree to which a group may be responsible for the actions leading to the complaint. If it is determined that a group may be responsible for a violation of the Code, the SJB will take appropriate action with respect to the group as well as the individuals involved.

D. NOTIFICATION OF CHARGES

An accused student will receive written notification of alleged violations of the Code of Non-Academic Conduct. The student must respond to the notice of charges within the time frame outlined in the notification. Please note that the University's primary means of communicating with students is through their Wesleyan e-mail accounts. Students are responsible for reading and responding to e-mail from university officials.

E. ADJUDICATION PROCEDURES

There are several adjudication procedures used to resolve cases. The SJB co-chairs and the administrative advisor(s) will meet to review cases submitted for adjudication. This group will determine the appropriate adjudication procedure for resolving of the case. If the group is unable to come to consensus on an adjudication procedure for a particular case, the vice president for student affairs may make the final determination.

1. JUDICIAL CONFERENCE

Minor judicial matters and cases where mediation is feasible will be referred to the Residential Life professional staff who will contact the accused student(s) and attempt to resolve the case via a judicial conference. During the judicial conference, the accused student(s) and the Residential Life staff member will discuss the incident, alleged violations and possible sanctions. If an agreement regarding the student's level of responsibility and sanctions (if appropriate) can be reached during the conference, the student will sign a summary/response form indicating their agreement with the proposed resolution and the case will be considered closed. If no agreement can be reached, the case will be referred to the Student Judicial Board for formal adjudication.

If a student is facing more serious charges, the student may request a judicial conference with the dean of students or designee. The conference will be conducted as outlined above, but the full range of sanctions is available to the dean. The dean will consult with the co-chairs of the SJB before imposing sanctions.

2. SIMPLIFIED SJB HEARINGS

In cases involving minor violations, the SJB shall convene a simplified hearing. At such a hearing, the board shall meet with three voting members present—although permitted, advisors do not normally attend simplified hearings. A limited range of sanctions including disciplinary warning, disciplinary probation, community service assignments, fines, restitution, and educational assignments is available in this procedure. If, during the course of a simplified hearing, the SJB determines that the nature of the violation and/or probable sanctions are more serious than anticipated, the simplified hearing may be adjourned in favor of a full hearing.

3. FULL SJB HEARINGS

In cases involving violations that are deemed to be serious, the SJB shall convene a full hearing. At such a hearing, the board shall meet with five voting members present, at least one faculty advisor, and at least one administrative advisor. The full range of sanctions is available in this procedure. In cases where the administration identifies itself as the aggrieved party, the administrative advisor should withdraw and will be replaced by the second faculty advisor. This procedure should not be followed when the administration brings a case on behalf of an aggrieved third party.

If a student's continued presence on campus endangers university property, the physical safety or well-being of other members of the university community, affects his/her physical or emotional safety or well-being, or disrupts the educational process of the community, the dean of students may request an expedited hearing. An expedited hearing will be convened immediately (typically within 48 hours) and may involve an interim board (as outlined in Section III-D-2) if the SJB is unable to convene on such short notice. Examples of cases that warrant such a hearing include, but are not limited to, cases involving arson, assault, sexual misconduct, threats, and reckless endangerment. The dean of students has the authority to place a student on an immediate suspension pending the outcome of the hearing.

4. JOINT STUDENT-ADMINISTRATIVE PANEL

When the SJB co-chairs and advisors determine that a case involves egregious violations and/or serious violations where external legal charges may also result from the alleged conduct, a joint student-administrative panel may be convened to hear the case. At such a hearing, the board shall be comprised of two student members of the SJB and two administrators, all with full voice and vote. At least one of the SJB's administrative advisors should serve on the board. The full range of sanctions is available in this procedure. If the board is unable to come to consensus on the case during deliberations, the vice president for student affairs may make the final determination. For this reason, the vice president for student affairs may attend the hearing in an ex officio capacity, but should not attend deliberations. The dean may consult with the University's legal advisor if appropriate.

5. ADMINISTRATIVE PANEL

Cases involving violations of the Sexual Misconduct and Assault Policy will be adjudicated by an administrative panel comprised of four employees of the University. The panel will be comprised of two male and two female staff or faculty drawn from the advisors to the board or hearing officers who have been trained on cases of sexual assault. The procedures for the hearing outlined in the Code and the Sexual Misconduct and Assault Policy will be followed with the exceptions listed below to maintain compliance with Title IX:

1. An accused student will not be permitted to read statements submitted to the dean's office until their statement has been submitted. The student will be provided with information related to the alleged violation to have sufficient understanding of the charge(s).
2. A student bringing a complaint of sexual misconduct or assault may participate in a hearing without physically appearing before the board. The victim may participate through the use of speakerphone or via similar means.
3. The accused student and the student bringing the complaint will not be permitted to directly question one another in the hearing. Each student will be provided an opportunity to make an opening statement, present witnesses, answer questions from the Administrative Panel, and make a closing statement.
4. Both students will be informed of the outcome of the hearing and any sanctions imposed.

5. Either party will be provided an opportunity to appeal the decision of the Administrative Panel to the President based on the following grounds:
 - a. Violation of fair process
 - b. Excessive or inappropriate sanction
 - c. New evidence that was not reasonably available at the time of the hearing
 - d. Procedural error (if the error adversely affected the outcome of the hearing)

6. JOINT GRADUATE JUDICIAL BOARD-STUDENT JUDICIAL BOARD PANEL

When the SJB co-chairs determine that a case involves both an undergraduate(s) student(s) and a graduate student(s), a joint GJB-SJB panel may be convened to hear the case. At such a hearing, the board shall be comprised of two student members and one advisor member from each of the GJB and SJB panels.

F. HEARING PROCEDURES

The following hearing procedures will be used in all hearings except as noted in Section IV (E)5 above for cases of sexual misconduct and assault:

1. The chair will conduct the hearing according to the following procedures.
 - a. The chair will inform the accused student(s) of the alleged violation(s).
 - b. The accused student(s) will acknowledge whether they are responsible or not responsible for the violation(s).
 - c. The person(s) reporting the violation(s) and witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
 - d. The accused student(s) and their witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
 - e. The reporting person(s) and the accused student(s) may question each other and any witnesses. Questions are directed to the board who then redirects them to the appropriate party.
 - f. Board members may question the reporting person(s), the accused student(s), and/or any witnesses.
 - g. The reporting person(s) and the accused student(s) may make closing statements.

In cases where the reporting person(s) or accused student(s) fail to appear, the chair may modify these procedures.
2. All parties involved in the hearing may review available written evidence in the case file before the hearing.
3. A victim of any violation involving alleged sexual misconduct or assault may participate in a hearing without physically appearing before the board. The victim may participate through the use of a speakerphone or via similar means.
4. All judicial hearings shall be conducted in accordance with the standards of fair process. Specifically, the accused student should be informed of the nature of the charges against him/her, be given a fair opportunity to refute them, and the opportunity to appeal the board's decision. Any board member who feels he/she cannot be impartial in a given case shall recuse himself/herself and shall be replaced by another voting member.
5. The board may require the cooperation of any member of the university community in furnishing testimony or evidence directly related to the adjudication of a case. However, no member of the university staff with whom an accused student has entered into a confidential relationship may provide information arising from that relationship without the permission of the accused student. Furthermore, the board shall excuse a witness if it concludes that by giving testimony the witness may be endangered.
6. The chair (or designee) will generate a written summary of all hearings. Full hearings will also be tape-recorded. Written summaries will be maintained with the case file. Tape recordings of the hearing are to be used by the board during deliberations and/or by the President if there is an appeal of the board's findings. Tape recordings will usually be destroyed after the appeal process is complete.
7. Student judicial records are confidential and are available only to persons who have permission from the student. Limited judicial information may be shared with other university administrators and faculty members who, at the discretion of the dean of students, have a legitimate need-to-know.
8. All hearings are closed to the general public.
9. If an accused student fails to appear for a scheduled hearing, the board will hear the case based on the available information. The University will not necessarily drop charges of misconduct because an accused student leaves the University for any reason (e.g., voluntary withdrawal, required resignation, separation, or dismissal).
10. An accused student may bring an advisor to a hearing. The advisor must be a student, a member of the faculty, or an administrator at the University. During the hearing the advisor may only advise during recesses granted by the board and may clarify procedural questions before, during, or after the hearing.
11. The board will make decisions about responsibility and sanction(s), if appropriate, during closed session, and their decisions regarding responsibility shall be based on the evidential standard of "fair preponderance." The board is responsible for determining if it is more likely than not that the alleged violation occurred. The party bringing the charges need not provide evidence beyond a reasonable doubt in a hearing. Decisions rendered during hearings shall be by majority vote of the voting members present. The board will forward its finding and recommended sanction(s) to the dean of students who will review and implement them in the name of the University. The considered judgment of the board shall be taken by the dean of students as a binding recommendation, to be modified only in extraordinary circumstances.

12. The University requires that judicial boards and administrative staff maintain confidentiality regarding judicial matters. Individual(s) who reported the alleged violation(s) will be informed of the board's decision. Information about assigned sanctions will be shared with reporting parties as deemed appropriate by the board. The dean of students may share information about judicial charges, findings, and sanctions with university personnel who, at the discretion of the dean, have a legitimate need to know.

G. HEARING FINDINGS

1. NOT RESPONSIBLE

A decision that the accused student is not responsible for a violation of the Code of Non-Academic Conduct, or that there is insufficient evidence to establish that a student is responsible for the alleged violation(s).

2. RESPONSIBLE

A decision that the accused student is responsible for a violation of policy as charged.

H. HEARING SANCTIONS

1. The University should have a range of sanctions of graduated severity to deal with infractions of varying seriousness. Insofar as possible, sanctions should “fit” the offense in a common-sense manner. In Fall of 2012, the university implemented a point-system to bring greater clarity to what students may expect if they are found to have violated regulations.

The following grid contains the point ranges the judicial board will consider for particular violations (#). If a case arises where a student or group is charged with multiple violations, the board will have the discretion to consider the greatest range indicated by all of the alleged violations (for example, if there are two violations with ranges of 2-6 and 1-3 respectively, the board will consider the range of points as 1-9). The total range of points goes from 1 to 10. If a student accumulates 10 or more points, the board will likely recommend a separation from the university for a specified period of time.

	REGULATION	POINT RANGE		REGULATION	POINT RANGE
1	Privacy and Tranquility	1–3	12	Disruptions	1–10
2	Harassment and Abuse	4–10	13A	Drugs	1–5**
3	Sexual Misconduct/Sexual Assault	5–10	13B	Underage Possession or Use of Alcohol	1–3
4	Property	1–8*	13C	Distribution of Alcohol to Minors	1–4
5	False Information	1–4	13D	Possession of False Identification	1–2
6	Misuse of Documents	2–10	13E	Open Container	1–2
7	Locks and Keys	1–4	13F	Sale or Dispensing without a Permit	1–3
8	Fire Protection Systems	2–5	13G	Operating Under the Influence	5–10
9A	Starting a Fire	1–4	14	Failure to Comply	1–4
9B	Storing Flammable Material	1–3	15	Social Event Registration	1–3
9C	Restricted Items	1–3	15	Unregistered Guest	1–2
9D	Explosives, Ammunition, Incendiary Devices	2–10	15	Smoking in Residence Hall	1–2
9E	Lethal Weapons	4–10	15	Quiet Street Noise Violation	1–3
10	Reckless Endangerment	2–10	15	Hazing	5–10
11	Pets	1–3			
# The point ranges outlined above will be followed except in mitigating and aggravating circumstances where the impact of student behavior indicates a judicial response outside of the published range.					
* Restitution for property damage may be included in the sanction up to 2 times the cost of repair or replacement.					
** Distribution/sale of drugs on or off campus will result in 4–10 points.					

IN ADDITION TO ANY OTHER SANCTIONS:

- 1–4 total accumulated points will result in a student receiving a “disciplinary warning”.
- 5–10 total accumulated points at any time will result in a student being on “disciplinary probation”
- 10 or more accumulated points will result in a separation of the student from the University through either suspension or dismissal.

A student who has been found responsible for violating the Code of Non-Academic Conduct and assigned points as a result may decrease that number after 6 months without being found responsible for additional violations. A student with accumulated points will lose one point from their accumulated total six (6) months from the date of the last hearing if there are no additional violations. (A student with 6 points who is placed on probation will return to good standing after one year without any additional infractions.)

2. The board will consider a range of sanctions including but not limited to community service, fines, restitution, educational assignments, and referrals to deans and directors of student affairs' departments. Based on the number of points assigned, the board will normally recommend the imposition of one of the following sanctions:
 - A. **DISCIPLINARY WARNING**—An official written reprimand that includes a warning that further violations of the Code of Non-Academic Conduct will result in more serious sanctions.
 - B. **DISCIPLINARY PROBATION**—A temporary status for a period to be established by the board, during which the student's standing within the University is in question. Additional violations during the probationary period may result in suspension or dismissal.
 - C. **DEFERRED SUSPENSION**—A status imposed by the board, indicating the student's standing within the University is in jeopardy. Additional violations during the probationary period will result in suspension or dismissal.
 - D. **SUSPENSION**—A student's removal from the institution for a period to be determined by the judiciary, but in no event less than the remaining portion of the semester during which the case is adjudicated. Students must comply with the terms of their suspension in order to be eligible to return to the University.
 - E. **DISMISSAL**—A student's permanent removal from the institution.
3. In cases of damage to university property, the board, as a part of its recommendation to the dean of students, should normally require full restitution and/or any reasonable expenses for repair. The board may recommend restitution for damages suffered by a third party, but cannot collect damages on behalf of a third party.
4. The board may recommend restriction of individual access to specific university facilities, limitation of individual participation in specific university activities, or curtailment of privileges that are enjoyed by a student, so long as these restrictions are directly relevant to the violation.
5. Repeat Violations—In the case of repeated violations or violation in deliberate disregard of a specific warning, a student will be subject to more serious sanctions than would otherwise be the case. A prior disciplinary record is never relevant in determining the facts of an incident, but once the facts have been established, it is relevant in determining appropriate sanctions.
6. Sanctions Related to Group Behavior—In addition to recommending other sanctions such as community service, fines, educational assignments, restitution, etc., the board may recommend the imposition of the following sanctions:
 - a. A written disciplinary warning with a copy maintained in the judicial file. The warning may specify corrective measures that can help the group avoid similar complaints in the future.
 - b. Disciplinary probation for a period to be established by the board, implying that the group's standing within the University is in jeopardy and that further negligent or willful violations will normally result in suspension of university recognition. Disciplinary probation may include restrictions on the group's functions during the probationary period. The group should also be informed of corrective measures that must be undertaken during the probationary period and maintained after its conclusion.
 - c. Suspension of university recognition—a group desiring to reestablish a relationship with the University must reapply for recognition by the University through the dean of students.

I. APPEALS

Modifications to the appeals process for cases involving sexual misconduct and assault are outlined in Section IV (E)5. Reported students who have been found in violation by the board may appeal the decision to the President on the basis of the following grounds:

1. Violation of fair process;
2. Excessive or inappropriate sanction;
3. New evidence that was not reasonably available at the time of the hearing;
4. Procedural error (if the error adversely affected the outcome of the hearing).

Students who wish to appeal must do so in writing. The appeal letter must clearly state the grounds and rationale for the appeal. Appeal letters should be addressed to the President and must be delivered to the President's Office prior to the date indicated in the written notification of the hearing decision (typically students will have five business days to file an appeal).

Sanctions resulting from the case will not be implemented until after the appeal is resolved. If an expedited full hearing results in a student's immediate suspension or dismissal, the student must leave campus and remain off campus during the appeal process.

The President will notify the student of the outcome of the appeal. If the appeal is granted, the President has the authority to modify the sanctions or recommend a new hearing. If the appeal is denied, the sanctions will be imposed and the University will consider the case closed.

J. ADDITIONAL PROCEDURES

1. INTERNAL INJUNCTIONS

One special power, which may be exercised by the SJB, shall be to determine the point at which free expression by one individual or group crosses the line of tolerability and becomes an invasion of the rights of other

individuals. This critical judgment must always be exercised in determining when verbal or physical expression can reasonably be considered harassment or disruption. Immediately upon receipt of a complaint that harassment or disruption is in process or imminent, thereby threatening to deprive an individual of his/her rights, the SJB shall convene to consider the matter. In such a case the board shall be authorized to deliver an injunction against the conduct in question. This warning shall contain an explicit description of the disruptive behavior and reasonable time limit for compliance with the terms of the injunction. The injunction shall remain in effect until superseded by decision of the President. If the injunction is violated, the vice president for student affairs (or designee), shall have the authority to impose immediate, temporary sanctions including, but not limited to, immediate suspension from the University.

2. REVISIONS

The president has the authority to make changes to the Code of Non-Academic Conduct or related procedures. Changes should be proposed to the vice president for student affairs. The dean will consult with the members of the SJB and with the Student Life Committee about the proposed changes before forwarding recommendations to the president. If extensive changes appear warranted, the Student Life Committee should consider establishment of a mechanism for broadly eliciting opinion and advice from the community.

3. JUDICIAL RECORDS

Student judicial records are confidential and are maintained separately from official academic records. Judicial records are maintained for six years from date of the incident, at which time they are destroyed. To inspect their record, a student should make an appointment with the clerk of the SJB. Students will have access to all official records and correspondence in the file. Except as required by law, information from the file cannot be released without the student's permission.

UNIVERSITY POLICIES

ALCOHOL AND OTHER DRUGS

Wesleyan University prides itself on being a community of responsible citizens. To this end, it is expected that members of the community will abide by Wesleyan policies and local laws.

We recognize that despite these laws, expectations and standards, some people will illegally consume or possess alcohol or other drugs, and some will have medical, legal, and/or interpersonal problems as a result of their use. Moreover, even those of legal age may misuse alcohol and in so doing come into conflict with standards of community conduct.

It is therefore the purpose of this document to delineate clearly the university policy on alcohol and other drugs. This includes the University's regulations and many relevant laws, information regarding substance-free events, resources for those who have or are concerned about problems related to alcohol or drug use, and clarification about potential outcomes if found in violation of the university policy.

STANDARDS OF CONDUCT

The University prohibits the underage and unlawful possession, use, or distribution of illicit drugs and alcohol by students or by employees on university property or while participating in any university-sponsored activity. The University will impose disciplinary sanctions on students and employees who violate the standards. Disciplinary sanctions that may be imposed on students include warning, disciplinary probation, community service hours, suspension, and dismissal. The University may also require a student who violates these standards to participate in a program of rehabilitation. Whenever the University determines that a student has violated one of the standards, it will consider as a possible sanction referral of the matter to law enforcement officials for prosecution. Although sanctions will vary according to the specific circumstances of the case, and greater or lesser sanctions imposed depending on these circumstances, it is nonetheless important for students to understand the potential consequences of violating the University's policies on drugs and alcohol.

FINANCIAL AID ELIGIBILITY: A student who has been convicted of any offense under Federal or State law involving the possession or sale of a controlled substance will not be eligible to receive certain grants, loans or work assistance from the time of conviction through a period of ineligibility. The Office of the Dean of Students will monitor and report any known conviction to the Office of Financial Aid.

The Student Judicial Board has provided the following information related to typical sanctions for students:

FIRST OFFENSE: For minor violations, the student may receive a disciplinary warning via a simplified procedure (pursuant to section III-D-3 of the Code of Non-Academic Conduct). For serious violations, the student may receive more severe sanctions.

SECOND OFFENSE: The student may receive a period of disciplinary probation and an educational assignment. As permitted by the 1998 Reauthorization of Higher Education Act, Wesleyan may notify parents when a student is placed on disciplinary probation as a result of an alcohol/drug policy violation (generally this occurs as a result of a second offense or serious first offense).

THIRD OFFENSE: If such an offense occurs during the probationary period, the student may be suspended for at least one semester. If the offense occurs after the probationary period, the student may receive an extended period of disciplinary probation, an educational assignment, and community service.

LOCAL, STATE, AND FEDERAL LEGAL SANCTIONS

Numerous local, state, and federal laws govern the possession, use, and distribution of illicit drugs and alcohol. The following is a brief overview of those laws. This overview cannot be an exhaustive or definitive statement of the various laws, but rather is designed to indicate the types of conduct that are against the law and the range of applicable legal sanctions. It is important to note that, while the activities covered by state, local, and federal law and those covered by Wesleyan's rules are largely the same, the laws and the rules operate independently and do not substitute for each other. Wesleyan may pursue enforcement of its rules whether or not legal proceedings are under way or in prospect, and it may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether university rules have been broken. The University will make no attempt to shield members of the Wesleyan community from the law.

LOCAL LAWS

A. ALCOHOL

1. Use of Alcoholic Beverages Prohibited (see Middletown Code of Ordinances, 18–9)
 - a. The possession and/or drinking of alcoholic beverages, including, but not limited to, wine and beer, by any person on any city-owned property under the jurisdiction of the Parks and Recreation Department of the city of Middletown shall be prohibited, except that the possession and/or drinking of wine and/or beer shall be allowed in posted areas and at posted times, or by permit, at Veterans Memorial Park, Area A, and Crystal Lake.
 - b. No person under the age of 21 shall be in possession of alcohol on public or private property.
 - c. Beer kegs on any city property under the jurisdiction of the Parks and Recreation Department of the city of Middletown shall only be permitted by special permit.
 - d. Any person violating these provisions shall be fined in an amount not to exceed \$90 per violation per day.

2. Consumption and Possession of Alcoholic Liquor Within and Upon Public Highways, Sidewalks, and Parking Areas (see Middletown Code of Ordinances, 25–47)
 - a. Except as permitted by the ordinance, no person shall consume any alcoholic liquor or possess with the intent to consume any alcoholic liquor upon or within the limits of any public highway or sidewalk or parking area within the city of Middletown.
 - b. Consumption of alcoholic liquor or possession with intent to consume alcoholic liquor shall not be permitted in parked vehicles within or upon public highways, streets, or parking areas under any circumstances.
 - c. Any person violating this ordinance shall be fined not more than \$99 for each offense.

STATE LAWS

A. DRUGS

1. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Dispensing of Controlled Substances
 - a. Hallucinogenic or narcotic substances other than marijuana. First offense: Prison sentence not to exceed 15 years and/or fine not to exceed \$50,000. Second offense: Prison sentence not to exceed 30 years and/or fine not to exceed \$100,000. Each subsequent offense: Prison sentence not to exceed 30 years and/or fine not to exceed \$250,000. (See Connecticut General Statutes 21–277.)
 - b. Other controlled substances excluding marijuana. First offense: prison sentence not to exceed seven (7) years and/or fine not to exceed \$25,000. Each subsequent offense: Prison sentence not to exceed 15 years and/or fine not to exceed \$100,000. (See Connecticut General Statutes 21–277.)
 - c. Examples of such substances include, but are not limited to, mescaline, peyote, morphine, LSD, cocaine (including “crack”), opium, amphetamines, and heroin. For a complete definition of controlled, hallucinogenic, and narcotic substances, see Connecticut General Statutes 21a–240.
2. Penalties for Illegal Manufacture, Distribution, Sale, and Prescription or Administration by Nondrug-dependent Person
 - a. Minimum prison term of not less than five years and maximum term of life imprisonment for the manufacture, distribution, sale, or possession or transportation with the intent to sell of one ounce or more of heroin, methadone, or cocaine (including “crack”), or one-half gram more of cocaine in a freebase form, or five milligrams or more of LSD. (See Connecticut General Statutes 21a–278.)
 - b. Minimum prison term of not less than five years for first offense, and for subsequent offenses, minimum prison term of not less than 10 years, for the manufacture, distribution, sale or transportation or possession with the intent to sell any narcotic, hallucinogenic or amphetamine-type substance, or one kilogram or more of a cannabis-type substance (which includes marijuana). (See Connecticut General Statutes 21a–278.)
3. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Administration Involving Minors (See Connecticut General Statutes 21a–278a.)
 - a. Mandatory two-year prison term for the distribution, sale, dispensing, offering, or giving of any controlled substance to another person who is under 18 years of age and who is at least two years younger than the person violating the statute.
 - b. Mandatory three-year prison term for the manufacture, distribution, dispensing, sale, transportation or possession with intent to sell, offering or gift of any controlled substance on or within one thousand feet of the real property comprising a public or private elementary school.
4. Penalties for Possession (see Connecticut General Statutes 21a–279)
 - a. Any person who possesses or has under his control any quantity of any narcotic substance, including marijuana, for a first offense may be imprisoned not more than seven years and/or fined not more than \$50,000, and for a second offense, may be imprisoned not more than 15 years and/or fined not more than \$100,000.
 - b. A variety of sentences are available under this statute depending on the substance possessed, its quantity, and the background of the offender.

B. ALCOHOL

1. Sale of Alcohol to Minors and Intoxicated Persons (see Connecticut General Statutes 30–86)
 - a. Any permittee who sells or delivers alcoholic liquor to any minor, or to any intoxicated person, or to any habitual drunkard shall be fined not more than \$1,000 and/or imprisoned not more than one (1) year.
 - b. Any person who delivers or gives alcoholic liquor to any minor, except on the order of a practicing physician, shall be fined not more than \$1,500 and/or imprisoned not more than 18 months.
2. Inducing Minors to Procure Liquor (see Connecticut General Statutes 30–87)
 - a. Any person who induces any minor to procure alcoholic liquor from any person permitted to sell the same shall be fined not more than \$1,000 and/or imprisoned not more than one year.
3. Misrepresentation of Age (see Connecticut General Statutes 30–88a)
 - a. Any person who misrepresents his age or uses or exhibits for the purpose of procuring alcoholic liquor an operator's license belonging to any other person shall be fined not less than \$200 nor more than \$500 and/or imprisoned for not more than 30 days.
4. Procuring Liquor by Persons Forbidden and Public Possession of Liquor by Minors (see Connecticut General Statutes 30–89)

- a. Any person to whom the sale of alcoholic liquor is by law forbidden who purchases or attempts to purchase such liquor or who makes any false statement for the purpose of procuring such liquor shall be fined not less than \$200 nor more than \$500.
- b. Any minor who possesses any alcoholic liquor on any street or highway or in any public place or place open to the public, including a club that is open to the public, shall be fined not less than \$200 nor more than \$500.
5. Dram Shop Act (see Connecticut General Statutes 30–102)
 - a. If any person, by himself or his agent, sells any alcoholic liquor to any intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of \$20,000, or to persons injured in consequence of such intoxication up to an aggregate amount of \$50,000.
6. Operating a Motor Vehicle While Under the Influence of Liquor or Drug or While Impaired by Liquor (see Connecticut General Statutes 14–227a)
 - a. Any person who operates a motor vehicle while under the influence of intoxicating liquor or drug or both or who operates a motor vehicle while his ability to operate is impaired by the consumption of intoxicating liquor shall, for conviction of a first violation, be fined not less than \$500 and be imprisoned for not more than six months, and shall have his operator's license suspended for one year.
 - b. This statute provides for greater penalties for subsequent offenses.

FEDERAL LAWS

A. Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

1. Penalty for Simple Possession (See 21 U.S.C. 844[A].)

First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

 - a. First conviction and the amount of crack possessed exceeds five grams;
 - b. Second crack conviction and the amount of crack possessed exceeds three grams;
 - c. Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.
2. Criminal Forfeitures (See 21 U.S.C. 853[a][2] and 881[a][7].)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment. (See special sentencing provisions regarding crack.)
3. Forfeitures (See 21 U.S.C. 881[a][4].)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
4. Civil Penalties for Possession of Small Amounts of Certain Controlled Substances (See 21 U.S.C. 844a.): Civil fine up to \$10,000 (pending adoption of final regulations).
5. Denial of Federal Benefits to Drug Traffickers and Possessors (See 21 U.S.C. 853a.) Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses up to one year for first offense, up to five years for second and subsequent offenses.
6. Firearm Forfeiture (See 18 U.S.C. 922[g].) Ineligible to receive or purchase a firearm.
7. Miscellaneous Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.
8. Federal Trafficking Penalties

See “Federal Trafficking Penalties” charts (Appendix C, page 44).

HEALTH RISKS ASSOCIATED WITH ALCOHOL USE

While most college students either do not drink or drink moderately, some students report high risk alcohol consumption. The U.S. Surgeon General and the U.S. Department of Health and Human Services have identified high risk drinking among college students as a major public health problem, which is neither victimless nor cost-free.

Consuming alcohol at high risk levels is more likely to result in personal consequences such as:

- hangovers, vomiting or nausea
- memory loss (“blacking out”) or loss of consciousness (“passing out”)
- being criticized for their drinking behaviors
- regretting actions taken while under the influence of alcohol
- damage to relationships with friends and family
- unplanned or unsafe sexual activity
- missing classes
- poor performance on an exam or project

- lower grade point averages
- driving while intoxicated
- hospitalization due to injury or severe intoxication
- citation by university judicial system or arrest by local police
- alcohol dependency or addiction
- death due to injury, accident or alcohol overdose

Those who do not drink or do not abuse alcohol may experience secondhand consequences from others' excessive alcohol use. In addition to physical and sexual assault and damaged property, these consequences may include unwanted sexual advances and disrupted sleep and study.

Many students carry an expectation that there are a subset of drinking behaviors relegated to the college years. While it is often the case that we "grow out" of potentially perilous drinking behaviors, there may be patterns set which have lasting impacts. While only a small minority of students will develop clinical alcoholism, many more will suffer avoidable negative impact on relationships and studies. (Information adapted from the Task Force of the National Advisory Council on Alcohol Abuse and Alcoholism. "A Call to Action: Changing the Culture of Drinking at U.S. Colleges," April 2002. Available at collegedrinkingprevention.gov.)

HEALTH RISKS ASSOCIATED WITH ILLICIT DRUG USE

Similar to alcohol, someone who uses illicit drugs on a regular basis is at increased risk for experiencing negative consequences (see "Health Risks Associated with Alcohol Use," above). These consequences can vary greatly depending on the substance, the quantity consumed, if it is combined with alcohol or other substances, and the frequency of consumption. Some consequences may include the following:

- Mental and physical health problems, including lowered resistance to disease/illness, Increased risk of ulcers, heart disease, and cancers of the liver, mouth, throat and stomach, memory loss, anxiety disorders, phobias, and depression.
- Increased risk of serious injury to self or others, due to fighting, sexual assault, driving under the influence, homicide and suicide.
- Increased likelihood of engaging in unprotected/unsafe sex, due to impaired judgment which may result in unplanned pregnancy and/or infection with a sexually transmitted disease.
- Increased engagement in other illegal activities, including vandalism, physical assault, sexual assault, driving under the influence, etc.
- Increased likelihood of developing an addiction, particularly those with a family history of alcohol or other drug addiction. They are at least four times more likely to develop an addiction.
- Increased likelihood of death. Drug use increases the odds of death from accidental or intentional drug overdoses as well as participation in other unsafe behaviors (e.g., driving under the influence).

MULTIPLE DRUG USE: Drugs, by definition, impact the body's physiologic processes by chemical means. These interactions may be unpredictable, especially when the constituents of drugs are partially unknown (as with street or club drugs), or of unexpected intensity as when prescription drugs are misused. Such effects are especially problematic when drugs are mixed or combined with alcohol or with other prescription or herbal medications a student may be taking.

At best, such an outcome is frightening or uncomfortable; at worst it could lead to unintended effects as detailed above. In addition to these risks, there is the possibility of addiction to behavior patterns or physical addiction, both of which can yield devastating impact on family, finances, health, etc.

The charts "Controlled Substances—Uses and Effects" (see Appendix B, page 42) provide additional information on the uses and effects of controlled substances.

(Information adapted from McDowell, U. and Futris, T., "Adolescents at Risk: Illicit Drug Use." Department of Human Development and Family Science, The Ohio State University, 2002; and C. Kuhn, S. Swartzwelder and W. Wilson, "Buzzed: The straight facts about the most used and abused drugs from alcohol to ecstasy," 1998.)

ALCOHOL AND OTHER DRUG PREVENTION AND EDUCATION FOR STUDENTS

WesWELL, the Office of Health Education | Davison Health Center, 327 High Street | x2466, wesleyan.edu/weswell

WesWELL, the Office of Health Education, coordinates alcohol and other drug prevention education activities.

These efforts consist of educational outreach activities with the goal of informing and educating the Wesleyan community about the use and abuse of alcohol and other drugs. The program is aimed at creating an environment on campus in which responsible choices about alcohol and drug use are supported. Some strategies include:

1. The director of health education hires a team of student Peer Health Advocates who create peer-led outreach activities on a range of health issues, including alcohol and other drugs. They design and disseminate a variety of activities and materials, assist the director in planning prevention activities, and help staff the WesWELL Office.
2. The health education staff offers informative and interactive programs during New Student Orientation, residentially-based workshops throughout the year, and sponsors awareness events and speakers, often in collaboration with other departments or student organizations.

3. The health education staff supports students referred for educational follow-up as a result of alcohol and other drug policy violations. This may be a one-on-one meeting with the director, participation in a web-based AlcoholEdu for Sanctions program, or completion of university service hours.
4. The director of health education conducts Residence Life student staff training and in-services, assists with event staff training, and supports the training needs of other departments and groups on alcohol and other drug issues as requested.
5. WesWELL coordinates the HealthFull Words Fund, which provides funding for student organizations for educational events on health issues, including alcohol and other drugs.
6. The office maintains an in-house resource library that includes pamphlets, books, and journals. The resource library can be accessed at wesleyan.edu/weswell/resourcelibrary.html.
7. The director of health education serves as a resource and an advisor to students who opt to live in alcohol- and drug-free housing and students in recovery from alcohol and other drugs.
8. The office regularly assists in conducting research on students' attitudes and behavior regarding alcohol and other drug use.

ALCOHOL AND OTHER DRUG INTERVENTION AND SUPPORT

A. IDENTIFICATION, INTERVENTION, AND REFERRAL OF STUDENTS WITH SUBSTANCE ABUSE PROBLEMS

Health Services and other Student Affairs and Deans' Office staff are trained to identify students who may have substance-abuse problems and can intervene, if appropriate, to refer these individuals to the Office of Counseling and Psychological Services or to a local treatment center for assessment and treatment, if necessary. The Residential Life student staff and the Peer Health Advocates may also refer students to Health Services and Counseling and Psychological Services for problems with alcohol and other drugs.

Additionally, students who violate the University's Alcohol and Other Drug Policy may be referred by the Student Judicial Board (SJB) to meet with staff in Health Services and/or Counseling Center for an evaluation/assessment or ongoing therapy.

B. ONGOING SUPPORT FOR STUDENTS IN RECOVERY

Professionals are available in the Office of Counseling and Psychological Services for ongoing counseling and support. Twelve-step support meetings are available within walking distance of campus. Visit ct-aa.org or ctna.org for the most up to date meeting schedule. Students in recovery seeking a support network of other students in recovery can e-mail recovery@wesleyan.edu to be introduced to the recovery community at Wesleyan. Students in recovery have the option to live in substance-free housing available through the Office of Residential Life.

ALCOHOL AND DRUG COUNSELING AND TREATMENT FOR STUDENTS

Davison Health Center, 327 High Street | x2470, wesleyan.edu/healthservices

The Davison Health Center serves as an important point of first contact for many students. The Health Center staff are well-attuned to the direct and indirect effects of alcohol and other drugs on students' lives and factor this in virtually every clinical encounter. Educating and advising students on the use of alcohol and other drugs will occur directly when medical history or exam suggest that their use may be having an impact on physical, academic, or social functioning and indirectly as when students are advised to avoid alcohol use to promote recovery from a viral illness. When necessary, students are referred to the Office of Counseling and Psychological Services.

Office of Counseling and Psychological Services | Davison Health Center, 327 High Street | x2910, wesleyan.edu/caps

The drug/alcohol treatment program of the Office of Counseling and Psychological Services is designed to meet the varied needs of students with substance abuse problems. The program is designed to deal with different groups of students: those who are self-referred, those who are referred by other offices and members of the university community, and those who are returning to campus following treatment for substance abuse.

The Office of Counseling and Psychological Services' drug/alcohol program consists of several components: consultation and assessment, voluntary treatment, and an individualized reentry program.

A. CONSULTATION AND ASSESSMENT

The assessment consists of one to two sessions with a therapist who assesses the nature of the drug/alcohol use and makes explicit recommendations regarding treatment if that is indicated. The consultation portion of the program is designed to be used by students who have concerns about their drug/alcohol use but who might be reluctant to seek treatment. Any member of the university community can also refer students directly to the Office of Counseling and Psychological Services program.

B. VOLUNTARY TREATMENT

Treatment begins with an assessment of the nature and extent of drug/alcohol use and the formulation of a treatment plan, which may include individual therapy, AA/NA meetings, and group therapy. When outpatient therapy is insufficient to meet the needs of the student, a referral to an inpatient facility is made. In those instances, careful consideration

is given to the student's support networks, to family finances, to the type of program, and to post-rehabilitation requirements before any recommendation is made.

C. INDIVIDUALIZED REENTRY PROGRAM

This program is for those students who are returning to the University following treatment (usually inpatient) for drug/alcohol abuse. When the student returns to campus, he/she will meet with a therapist to develop an individualized plan for his/her successful return to the University. This plan will be coordinated with the treatment facilities with which the student was involved.

POLICY REVIEW

The University will review the Illegal Drugs and Alcohol Policy at least every two years to assess its effectiveness and ensure that disciplinary sanctions are consistently enforced. Changes in the policy will be implemented as needed following each review.

DISABILITIES

Students with disabilities who would like to request 504/ADA reasonable accommodations are expected to self-disclose and register with the Office for Disabilities Services by making an appointment with the associate dean for student academic resources. The purpose of the meeting is to review documentation of your disability, to discuss your disability in the context of your academic and nonacademic plans and, at your request, to assist you with arranging appropriate accommodations with your instructors and other university offices as needed. For more information, please review wesleyan.edu/studentaffairs/disabilities/studentguide.html and contact the associate dean for student academic resources at disabilitiesservices@wesleyan.edu or x2332 to make an appointment.

DISCRIMINATION AND HARASSMENT

Revised and Approved by President Roth, May 2010

Wesleyan is an institution devoted to learning, openness, and the life of the mind; it follows that its character can be measured in part by the kind of human relationships built and sustained within this small but complex environment. The community itself will flourish only to the degree that the virtues of mutual respect, generosity, and concern for others are maintained. It is vitally important, therefore, that harassment and discrimination in all their forms not be tolerated.

I. DISCRIMINATORY HARASSMENT

Harassment of employees that can be construed as discriminatory violates federal and state law. The courts and the Equal Employment Opportunity Commission interpret federal civil rights laws to prohibit harassment based on race, gender, religion, national origin, age, disability, or any other protected class. The University is required to act promptly so as to assure that if such harassment is, in fact, occurring, or has occurred, the problem will be dealt with effectively. The University itself prohibits any form of harassment based on race, color, religion, gender, disability, age, veteran status, sexual orientation, ancestry, national origin, gender identity, gender expression, or any other class protected by applicable law. All complaints will be taken seriously and investigated as appropriate. An investigation will be initiated within 30 days of notice of a complaint and will be completed within 90 days. The totality of the circumstances and the context in which the behavior is alleged to have occurred will be considered in determining whether this policy has been violated. This approach is intended to ensure the protection of academic freedom. Wesleyan University will not tolerate retaliation against individuals bringing a complaint or participating in an investigation. The ultimate responsibility for maintaining an environment free of discrimination, harassment, and retaliation rests with the University. (Non-discriminatory harassment is treated in Section V below.)

SEXUAL HARASSMENT

Sexual harassment is a form of discriminatory harassment occurring within an employment or educational context that federal and state law addresses with very specific provisions. In cases where sexual harassment is alleged, the University has a duty to act promptly, so as to assure that if such harassment is, in fact, occurring or has occurred, the problem is dealt with and further harm is prevented.

The guidelines of the Federal Equal Employment Opportunity Commission concerning discrimination on the basis of sex define sexual harassment of employees as a violation of Title VII of the Civil Rights Act of 1964 as amended. Those guidelines state:

Unwelcome sexual advances, requests of sexual favors, and other verbal or physical contact of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Additionally, Title IX, which applies to any educational program or activity that receives federal funds, protects both employees and students from sexual harassment because it constitutes differential treatment on the basis of sex. In an August 1981 policy memorandum, the Office of Civil Rights (OCR) of the U.S. Department of Education reaffirmed its jurisdiction over sexual harassment complaints under Title IX and adopted the following working definition:

Sexual harassment consists of verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of, aid, benefits, services, or treatment protected under Title IX. (OCR Policy Memorandum, August 31, 1981)

The designated Title IX/Section 504 coordinator for Wesleyan University is: Sonia Mañjon, vice president for institutional partnerships and chief diversity officer, 860-685-4771.

II. ADDRESSING COMPLAINTS OF DISCRIMINATORY HARASSMENT

The University will address any complaint alleging discriminatory harassment, including sexual harassment, and will take appropriate disciplinary action, which in employment situations includes up to the termination of employment.

Attempts to resolve concerns or complaints involving discriminatory harassment informally are encouraged. Experience has shown that most harassment concerns or complaints, whether perceived or real, may be resolved by prompt action.

Any member of the Wesleyan University community who becomes aware of an incident that might create a discriminatory, hostile, or harassing working or learning environment or believes that he or she is, or may have been, the object of discriminatory harassment should report it to the appropriate person listed below. All complaints will be investigated and handled in as confidential a manner as possible.

Complaints may be adjudicated by different bodies, depending on the nature of the complaint and the position of the individual against whom a complaint has been made. Given the sensitive and often difficult nature of bringing complaints or raising concerns regarding discriminatory harassment, a student or member of the faculty or staff who prefers may bring a harassment concern or complaint to the attention of an administrator different from those listed below. For example, a student may prefer to discuss a concern about harassment with, and seek counsel from, the vice president for student affairs, the dean of students, or a class dean, regardless of the position of the person alleged to be engaging in harassment. Similarly, a staff member may prefer to discuss a concern about harassment with, and seek counsel from, the vice president for institutional partnerships and chief diversity officer or the director of human resources, regardless of the position of the person about whom the concern exists.

A. MAKING A COMPLAINT AGAINST A STAFF MEMBER

A complaint of discriminatory harassment against a staff member may be made orally or in writing to any of the following:

- the staff member's supervisor;
- the department or program chair;
- the chief diversity officer; or
- the director of human resources.

The director of human resources should be notified of any complaint of discriminatory harassment against a staff member that is submitted to one of the above officials and is responsible for ensuring that an appropriate investigation takes place and that the chief diversity officer is consulted during the investigation.

B. MAKING A COMPLAINT AGAINST A FACULTY MEMBER

A complaint of discriminatory harassment against a faculty member may be made orally or in writing to any of the following:

- the department or program chair;
- the dean of the division;
- the vice president for academic affairs; or
- the chief diversity officer; or
- the director of human resources.

The vice president for academic affairs should be notified of any complaint alleging discriminatory harassment by a faculty member that is submitted to one of the above officials and is responsible for ensuring that an appropriate investigation takes place and that the chief diversity officer is consulted during the investigation.

The Faculty Committee on Rights and Responsibilities may play a role in case of discriminatory harassment after the University has acted as required by law, and is always involved when it is determined that the alleged offense might result in dismissal or suspension without pay. Thus, in circumstances in which a complaint of discriminatory harassment is made by or against a faculty member, the procedures described under the Faculty Committee on Rights and Responsibilities should also be consulted.

C. MAKING A COMPLAINT AGAINST A STUDENT

A complaint of discriminatory harassment against a student may be made orally or in writing to any of the following, depending on the student's status:

- the vice president for student affairs, the dean of students, the director of graduate student services, and the director of graduate liberal studies program;
- a class dean; or
- the chief diversity officer; or
- the director of human resources, who should be notified of any such harassment complaint against a student that is submitted by a faculty or staff member.

The appropriate dean or director should be notified of any such harassment complaint against a student that is submitted to one of the above officials and is responsible for ensuring that an appropriate investigation takes place and that the director of affirmative action is consulted during the investigation.

At any time after submitting a harassment complaint to one of the above officials, the complainant may also submit a formal complaint to the Student Judicial Board or the Graduate Judicial Board, pursuant to the procedures described in the Student Handbook.

D. MAKING A COMPLAINT AGAINST SOMEONE WHO DOES BUSINESS WITH THE UNIVERSITY

A complaint of discriminatory harassment against someone who does business with the University, for example, vendors, may be made orally or in writing to the vice president for finance and administration, the chief diversity officer, or the director of human resources.

E. COMPLAINTS BY CAMPUS VISITORS

A visitor to Wesleyan's campus who feels he or she has been subject to discriminatory harassment by a member of the Wesleyan University community should direct a complaint to the chief diversity officer or the director of human resources.

III. INVESTIGATIONS OF COMPLAINTS AND CONFIDENTIALITY

When the University receives notice of conduct that appears to be discriminatory harassment, it will promptly investigate the allegation in a fair and expeditious manner. During an investigation, the person accused of harassment will be informed of the substance of the complaint by the individual conducting the investigation, who will give the accused person an opportunity to respond. The person making the complaint or the person accused of such harassment may seek the assistance of a counselor who is a member of the Wesleyan community (faculty, administration, or staff), so long as the investigation is not delayed. The counselor must agree to observe confidentiality. In order to determine the facts and views of both parties, the investigator may, as appropriate, conduct interviews with the complainant, witnesses, and the accused party. When the investigation is completed, the person making the complaint and the person alleged to have committed the conduct will be informed, to the extent appropriate, of the results of the investigation. It should be noted that this process may not be appropriate in every circumstance and should be considered a flexible one that can be modified to suit the situation, with advance notice to all parties.

Because complaints of discriminatory harassment will be investigated by the University, strict confidentiality with respect to such harassment complaints cannot be guaranteed.

IV. SUPERVISORY TRAINING

In accordance with Connecticut law, all faculty and staff members who have supervisory responsibilities are required to attend a sexual harassment prevention training program within six months of their assumption of those responsibilities. This training should include guidance regarding the investigation of sexual harassment complaints.

V. NON-DISCRIMINATORY HARASSMENT

The University also prohibits harassment not specifically based on a person's or persons' membership in a protected category. Attempts to resolve concerns or complaints involving non-discriminatory harassment informally are encouraged. If, however, the complaint is not resolved informally, it may be adjudicated by different bodies, depending on the nature of the complaint and the position of the individual against whom a complaint has been made. Complaints regarding non-discriminatory harassment by faculty, students, administrators, staff, vendors, or visitors should be directed to the Faculty Committee on Rights and Responsibilities, the Student Judicial Board, the Graduate Judicial Board, the Office of Human Resources, or the Office of Diversity and Strategic Partnerships as appropriate.

VI. QUESTIONS

Any questions regarding this policy should be directed to the chief diversity officer or the director of human resources.

DISRUPTIONS

Protests, sit-ins, demonstrations, student strikes, and other forms of expressions violate the Code of Non-Academic Conduct when they:

- Disrupt or obstruct curricular, co-curricular, or administrative/operational activities of the University
- Deny the rights of students, faculty, staff, or guests of the University
- Deprive others of the opportunity to speak or be heard
- Take hostages
- Inhibit others from moving freely on any part of the university campus, property owned or leased by the University, or to areas where they desire or need to pursue their goals
- Disrupt the proper use of university offices or facilities
- Endanger the safety of any person on university property
- Destroy or damage property
- Violate statutory health and safety regulations

LOCATION

Protests, sit-ins, demonstrations, and other forms of expression are prohibited in residential areas or offices assigned to members of the faculty, staff, and students.

SYMBOLIC STRUCTURES

Symbolic structures (e.g., displays, statues, booths, banners, shanties, tents) must be approved by the dean of students according to standard procedures, and must be removed at the conclusion of the approved period.

COSTS

Individuals involved in forms of expression, dissent, and political action may be responsible for costs associated with these activities. Costs that could be incurred include, but are not limited to, repair or replacement of damaged property and additional security costs that are deemed necessary by university officials.

INTERNAL INJUNCTION

The Student Judicial Board (SJB) has the power to determine when free expression or an action by an individual or group create conditions that damage the environment necessary for teaching and learning, infringe upon the rights of other individuals, or “otherwise hinder the community in achieving its purpose.” Upon receiving a complaint that a disruption or harassment is in process or imminent, the SJB shall convene to review the complaint.

The SJB has the authority to warn an individual or group that specific conduct or action infringes on the rights of others to an environment that is “free and favorable” for teaching and learning or “hinders the community in achieving its purpose,” and that such conduct or action must cease by a specific deadline. This warning carries the force of an internal injunction, which will remain in effect until superseded by a decision of the president. If the SJB determines that an internal injunction has been violated, one of its officers will report the violation to the vice president for student affairs. The vice president for student affairs, in consultation with an officer of the SJB, may impose immediate temporary sanctions that could include an interim suspension of individual students pending a full, formal judicial hearing, which would be held at the earliest opportunity.

INTERIM SUSPENSION

If a student’s continued presence in class or on campus endangers university property, the physical safety or well-being of other members of the university community, affects his/her physical or emotional safety or well-being, or disrupts the educational process of the community, the vice president for student affairs (or designee) may invoke an interim suspension. An interim suspension is an immediate temporary suspension from the University pending a judicial hearing.

GUESTS

Wesleyan University prides itself on fostering a safe and welcoming environment. Members of the university community are responsible for the behavior of their guest(s) while on university property. Host students are expected to properly register their guest(s) and ensure that the conduct of a guest(s) is lawful and in accordance with local, state, and federal laws as well as university policies. The right of a student to live in reasonable privacy and use their room for academic purposes takes precedence over visitation rights.

Host students should register any overnight guest(s) prior to or upon the guest(s) arrival to campus and provide all emergency contact information via the guest registration form located in the Electronic Portfolio. All guests under the age of 18 should submit the online visitation form no less than 48 hours before their scheduled visit and should present a signed copy of the parent agreement portion of the form upon their arrival to campus to Residential Life (before 5 p.m.) or to Public Safety any time after Residential Life hours of operation.

Guests should remain in the company of their host(s) at all times and should properly identify themselves upon request by a University Official. A guest's failure to identify themselves or depart campus when directed to do so by a University Official may result in a loss of visitation privileges. Violations of the guest policy could result in the loss of guest privileges and/or a departmental regulation violation for host students.

HAZING

Consistent with state law, national fraternal policies and athletic conference guidelines, hazing is prohibited at Wesleyan University. The term "hazing" shall mean any activity or method of initiation into any student organization, whether on public or private property, that could reasonably produce undue mental or physical discomfort, harassment, and ridicule or endanger the participants. An activity may be considered hazing regardless of consent or willingness to participate in the activity.

Consistent with the definition above, the following activities have typically been identified as hazing activities: use of alcoholic beverages or other drugs; paddling or branding; creation of excessive fatigue; physical or psychological shocks; quests, treasure hunts, scavenger hunts, or road trips; wearing of public apparel that is conspicuous and not in good taste; engaging in public stunts and buffoonery; degrading or humiliating games and activities; any other activities that are not consistent with university regulations and policies as well as local, state, and federal laws.

There are many activities in which members of student groups may voluntarily participate that foster camaraderie and team-building, promote unity and a sense of belonging, and build self-confidence and self-esteem. Examples of such activities include: attending pre-season or organizational training sessions; administering supervised testing for skills, endurance, or performance; sponsoring a skit night; wearing similar clothing as a symbol of unity; doing community service; completing a ropes course; and participating in a supervised group trip.

Because it is not always clear which activities are acceptable and which constitute hazing, students are encouraged to consult with advisors, coaches, and/or student affairs and dean's office staff members in advance of the event.

Community members who have experienced hazing or have information about an alleged hazing incident should consult with the Office of Public Safety, the director of athletics, or dean of students or the director of student activities.

INFORMATION TECHNOLOGY

INTRODUCTION

The Wesleyan Computer Usage Policy's purpose is to help ensure that all technology use fully respects applicable laws, the rights of the University and its community members. Consequently, the policy augments existing policies and principles (as represented in The Faculty Handbook) prospective students and alumni. This policy augmentation seeks to address the circumstances brought about by the use of technology which may effect underlying institutional policies, principles and values.

PURPOSE

The purpose of University Systems is to further the research, education, and administrative functions of Wesleyan University.

To achieve this purpose, these policies intend:

- to ensure the integrity, reliability, and good performance of University Systems;
- to ensure that the community of Users at Wesleyan operates according to the same conventions and values as the larger Wesleyan community;
- to ensure that University Systems are used for their intended purposes; and
- to establish sanctions and processes for addressing violations.

DEFINITIONS

UNIVERSITY SYSTEMS include the computers, terminals, storage media, printers, networks, modems, phone system and related equipment, as well as data files or documents owned, managed or maintained by Wesleyan University. For example, University Systems include institutional, departmental and faculty research systems and general access computer facilities. Privately owned equipment is not a University System even if it is attached to the University System even if it is attached to the Wesleyan network unless that equipment is managed or maintained by Wesleyan University. A **USER** is any person, whether authorized or not, who makes use of any University System from any location. For example, this definition includes individuals who access University web pages, library facilities, prospective student/employee or research computers.

A **UNIVERSITY USER** is a user with authorization to access a non-public University System. University Users include Wesleyan students, faculty members, staff members, and alumni or alumnae with accounts on University Systems. Levels of access and authorization will vary depending on the individual's role in the University. The University may, at its discretion, grant guest access to members of the Middletown community through the Center for Community Partnerships (CCP). This access is available only for the semester in which it has been requested and must be renewed through the

CCP for the next semester. University Users always take precedence over community guests. Guests may be asked to vacate a computer if others are not available.

A **SYSTEM STAKEHOLDER** is a person responsible for the data and use of a system. The system stakeholder may be in a campus office including human resources, registrar's office, or research lab.

A **SYSTEM ADMINISTRATOR** is an individual with the authority to grant access to a particular system. This access is determined by System Stakeholders across campus. Together with the System Stakeholder, the System Administrator is responsible for system security.

SCOPE

Wesleyan's Information Technology Policies apply to all University Systems and their use. For example, all use of Wesleyan's network is subject to these policies.

Many University Systems (Wesleyan's web sites, file servers, university e-mail services, individual research lab systems, etc.) sometimes have service-specific policies in addition to these institutional policies. Please refer to postings available with each system to identify all applicable policies.

The policies described herein are those that the University intends to use in normal operation of its facilities. This document does not waive any claim that Wesleyan University may have to ownership or control of any hardware, software, or data created on, stored on, or transmitted through University Systems.

The use of University Systems, even when carried out on a privately owned computer that is not managed or maintained by the University, is governed by this policy.

USE OF UNIVERSITY SYSTEMS

PROPER AUTHORIZATION

Use of non-public University Systems is restricted to University Users.

APPROPRIATE USE

University Systems may be used only for their intended, authorized purposes. For example, privately owned computers may not host sites for non-Wesleyan organizations across the Wesleyan network without specific authorization.

COMMERCIAL USE

Without specific authorization, activities using University Systems for non-Wesleyan commercial purposes are prohibited. This is not meant to restrict normal communications and exchange of electronic data, consistent with the University's education and research roles, that may have a financial benefit for an external organization. For example, it is appropriate to discuss products or services with companies doing business with Wesleyan or to contribute to on-line forums discussing issues relating to commercial products. Inappropriate use would include activities such as using a Wesleyan-based web site to run a personal for-profit business.

CONTRACTS

All use of University Systems must be consistent with all contractual obligations of the University, including limitations defined in software and other licensing agreements.

RECORD RETENTION

Record retention should follow the guidelines of the General Counsel's Record Retention Policy as found at: wesleyan.edu/generalcounsel/policies.html

PRIVILEGES FOR UNIVERSITY USERS

LIMITED CONFIDENTIALITY

- System Administrators and Stakeholders make all reasonable efforts to maintain the confidentiality of systems and their data. However, limits and risks do apply to confidentiality, due, for example, to technical limitations, software bugs, and system failures. Systems administrators will take reasonable steps to inform University users of limits to confidentiality for their respective university systems. University users are expected to become familiar with those limits and risks of confidentiality in the university systems which they use and to manage their confidential data accordingly.
- Whenever possible and appropriate, ITS will attempt to notify Users of any unusual access to their data. There are, however, circumstances in which, following carefully prescribed procedures, the University may determine that certain broad concerns outweigh the value of a users' expectation of privacy and warrant University access to relevant university systems without the prior notification of the university user.

The following conditions are examples of adequate cause for accessing data residing in the University Systems without User notification.

1. When necessary to identify or diagnose system or security vulnerabilities and problems, or otherwise preserve the integrity of the university systems
2. When required by federal, state, or local law

3. When the University has been informed that a violation of law or university policy may have taken place and inspection or monitoring may produce evidence related to the misconduct
4. When required to preserve public health or safety.

FAIR PROCESS

University users have the right to fair process in cases of discipline resulting from policy violations. See Enforcement Procedures, below.

RESPONSIBILITIES FOR ALL USERS

PERSONAL ACCOUNT RESPONSIBILITY

Users are responsible for the security of their University System accounts and passwords. Any user changes of password must follow published guidelines for passwords. Accounts and passwords are normally assigned to single users and are not to be shared with any other person. Users are presumed to be responsible for any activity carried out under their University System accounts.

UNAUTHORIZED USE

Users must not permit or assist any unauthorized person to access University Systems. Non-public University Systems may not be used by any non-Wesleyan organization, for example, without appropriate authorization.

SECURITY

Users must not defeat or attempt to defeat any University System's security, for example, by "cracking" or guessing user identifications or passwords.

UNAUTHORIZED DATA ACCESS

Users must not access or attempt to access data on a University System they are not authorized to access. Users must not make or attempt to make any deliberate, unauthorized changes to data on a University System. Users must not intercept or attempt to intercept data communications not intended for that user's access, for example, by inappropriate network sniffing, monitoring, or wiretapping.

CONCEALED IDENTITY

Users must not conceal their identity when using University Systems, except when anonymous access is explicitly provided. For example, users must not masquerade as or impersonate others.

DENIAL OF SERVICE

Users must not deny or interfere with or attempt to deny or interfere with service to other users by means of "resource hogging," distribution of computer worms or viruses, etc. Knowing or reckless distribution of unwanted mail or other messages is prohibited.

Uses of computer resources that may cause excessive network traffic or computing load are prohibited. For example, a user sending out thousands of e-mails which included a large attachment would seriously compromise the performance of the e-mail system.

COPYRIGHT

Users must observe intellectual property rights including, in particular, copyright laws as they apply to software and electronic forms of information. For example, illegal sharing of copyrighted music or video is prohibited.

EXTERNAL DATA NETWORKS

Users must observe all applicable policies of external data networks when using such networks.

MODIFICATION OF DATA OR EQUIPMENT

Without specific authorization, users of University Systems must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including but not limited to alteration of data, reconfiguration of control switches or parameters, or changes in firmware. This rule protects data, computing, and communications equipment owned by Wesleyan University, or any other person or entity. "Specific authorization" refers to permission by the systems administrator of the equipment or data to be destroyed or modified.

MOBILE DEVICES

With the proliferation of privately-owned mobile devices including laptops, smartphones, and tablets, users need to remove any personal or institutional data before disposal or recycling.

RESPONSIBILITY FOR CONTENT

Representatives of Wesleyan University publish institutional information in a variety of electronic forms. Such institutional information will normally be identified by a statement of the Certifying Authority publishing the information. A Certifying Authority is that university department or individual who certifies the accuracy of an electronic document and its

appropriateness for the conduct of university business. Examples of such data would be a University Transcript, Admission Letter of Acceptance, or W2 Tax Form.

Users also publish information in electronic forms on Wesleyan equipment and/or over Wesleyan's networks. Wesleyan has no intention or opportunity to screen such private material and thus cannot assure its accuracy or assume any responsibility for this material. Any electronic publication provided on or over Wesleyan equipment and/or networks which is not identified by a Certifying Authority is the private speech of an individual user.

THREATS AND HARASSMENT

Users may not use a University System to threaten or harass any person. Upon request to University Authorities, a user must cease sending messages or interfering in any way with another user's normal use of University Systems.

REMOVAL OF EQUIPMENT OR DOCUMENTS

Without specific authorization by the owner or system administrator, users must not remove any university-owned or -administered equipment or documents from a University System.

UNAUTHORIZED COMPUTER EQUIPMENT

Without specific authorization by the System Administrator, Users must not physically or electronically attach any foreign network device including, but not limited to routers, hubs or wireless access points to the University System.

VIOLATIONS

Users must not conceal or help to conceal or "cover up" violations by any party.

Users are expected to report any evidence of actual or suspected violation of these policies to the Systems Administrator of the facility most directly involved. In case of doubt, the report should be made to the vice president for information technology.

UNIVERSITY RIGHTS

PERSONAL IDENTIFICATION

Users of University Systems must show identification including university affiliation upon request by a system administrator or other university authority.

ACCESS TO DATA

Users must allow systems administration personnel access to data files on University Systems for the purpose of making backups, diagnosing systems problems, and investigating policy violations.

OVERSIGHT AUTHORITY

University staff are authorized to investigate alleged or apparent violations of university policy or applicable law involving University Systems using whatever means appropriate.

ENFORCEMENT PROCEDURES

Systems administrators are authorized by the University to investigate policy violations and apply temporary reduction or elimination of access privileges while the matter is under review. These temporary sanctions may apply to computing accounts, networks, university-administered computing rooms, and other services or facilities.

When a systems administrator believes it necessary to preserve the integrity of facilities, user services, or data, he or she may suspend any account or limit account privileges, whether or not the account owner (the user) is suspected of any violation. The system administrator will attempt to notify the user of any such action.

When informed of copyright violations by the copyright holders or their representatives the University will comply with their requests to identify the individuals responsible and stop the illegal activity.

Depending on the role or status of the individual, authorization by the appropriate university office will be sought before any access to electronic data occurs. In the case of students, the vice president for student affairs would be consulted. For faculty, permission would be obtained from the vice president for academic affairs and for staff, the appropriate university officer would be notified.

A University User accused of a violation will be notified of the charge and will have an opportunity to respond to the university disciplinary body appropriate to the violator's status, before a final determination of any penalty.

In addition to discipline by Wesleyan University, users may be subject to criminal prosecution, civil liability, or both, for unlawful use of any University Systems.

Revised: June, 2012.

POSTERS, BANNERS, ANNOUNCEMENTS, AND OTHER FORMS OF COMMUNICATION

Approved by President Campbell February 1988; Revised October 1991, October 1993, and March 2002

PURPOSE

The purpose of a university-wide policy on banners, announcements of events, and other forms of communication is to protect freedom of expression while encouraging respect for university property and the appearance of the campus. On the one hand, such a policy should promote the use of kiosks, bulletin boards, and other spaces provided within and without university buildings for announcement and informational purposes. On the other hand, it should recognize that permission to display items such as banners will be sought and guidelines for their timely placement and removal will be useful to students, faculty, and administrators. Academic departments and programs are encouraged to consider the following guidelines, and the example of the PAC (which designates a person responsible for responding to requests and/or events) in responding to requests affecting their buildings and spaces.

GUIDELINES

Announcements of events and other forms of communication should be placed on kiosks, bulletin boards, and other appropriate areas provided by the University. Banners, posters, announcements and other forms of communication are not permitted on buildings, structures, or sidewalks. (Fire codes prohibit the placement of materials on the glass portions of doors and windows.) Defacement of university property in any form, including graffiti, is not permitted.

Special permission to place banners, announcements of events, posters, and other forms of communication on buildings may be requested from the affected departments or programs, which are urged to designate a person to decide upon such requests. That person should consider whether the proposed location presents safety considerations that require the advice of the Office of Public Safety. In all cases, materials should be placed no more than 48 hours prior to the event and removed within 24 hours after it is held. The University does not permit banners on any building during Commencement.

The Usdan University Center, which plays a special role in campus communication, has developed a special policy to guide placement and display of announcements and other materials. Inquiries regarding that policy should be referred to the Usdan University Center director.

Chalking on university property is prohibited.

Unauthorized use of paint (washable or nonwashable) is prohibited everywhere.

The University's nondiscrimination and sexual harassment policies prohibit conduct that has the purpose or effect of substantially interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive work or educational environment. Messages that violate these community standards are not permitted.

Concerns about any posted messages should be forwarded to the chief diversity officer. The chief diversity officer will appoint a team who will review the posting in question, and the message will be removed if a reasonable person might perceive it to be intimidating, hostile, or offensive. The chief diversity officer will maintain a record of postings that are removed. When a posting meets the criteria for community notification, the vice president for student affairs will notify the campus community that the message has been removed.

RESIDENCY

CAMPUS HOUSING

Revised and approved by President Roth, August 2011

Wesleyan University believes that residential life represents an extremely important aspect of the overall college experience. It therefore commits a great deal of its resources and energy to providing students with opportunities for their development as scholars, as social beings, and as individuals. However, to get the most out of these possibilities, it is essential that students bring to residential life a spirit of understanding for, and generosity toward, all members of the community. This spirit, accompanied by an active and enthusiastic willingness to share and participate for the good of all, virtually guarantees the realization of a successful and rewarding residential community.

In the spirit of creating and maintaining this unified community at Wesleyan, the University has a residential requirement for all undergraduate students. A limited number of exemptions from the residential requirement are permitted via the off-campus lottery process (information available from the Office of Residential Life). Wesleyan provides university housing sufficient to accommodate all single undergraduate students.

Wesleyan continues to recognize the right of existing, private, residential, independently chartered Greek organizations to function at the University provided that they are formally recognized by the University and comply with applicable University rules and regulations. Greek organizations formally recognized by Wesleyan may receive the privileges accorded to student organizations. By recognition, Wesleyan does not endorse any such organization but agrees to provide it with access to certain facilities and privileges.

If a Greek organization limits its membership to students of a single-sex, then in order to be recognized by the University, it must satisfy the requirements for social fraternities and sororities established by Title IX of the federal Education Amendments of 1972. These requirements, as now in effect, exempt the membership practices of single-sex

Greek organizations from Title IX's anti-discrimination requirements provided that they are tax exempt organizations under section 501(a) of the Internal Revenue Code.

To be recognized by the University, Greek organizations as described above must sign the Wesleyan University Greek Organization Standards Agreement and their members must comply with all applicable University rules and regulations and also with all applicable local, state, and federal law. The rules and regulations of Wesleyan take primacy over the rules and procedures of the applicable organization.

Wesleyan students are prohibited from using houses or property owned, leased, or operated by Greek organizations that are not recognized by the University. This prohibition includes using such houses or property as residences, taking meals at such houses or property, and participating in social activities at such houses or property.

RESIDENTIAL SMOKING POLICY

Wesleyan University has a responsibility to its students and employees to provide a safe and healthful environment. Secondhand smoke, also known as environmental tobacco smoke, is a Class A carcinogen and has detrimental effects on health. Research findings have established that environmental tobacco smoke triggers asthma attacks and causes lung cancer, cardiovascular, and lung diseases. Secondhand smoke contributes to increased absenteeism; institutional costs for medical care, medical insurance, and fire damage; and cleaning and maintenance costs.

The goal of the former smoking policy was intended to limit exposure to environmental smoke to enclosed spaces in residence halls. This has been found to be ineffective because smoke is transferred through the ventilation systems, hallways, spaces between door frames, and open doors.

To limit environmental smoke, the University prohibits smoking in all residential facilities, and faculty and administrative buildings (including all offices, common areas, and classrooms). The policy also prohibits smoking within 25 feet from the perimeter of all university buildings.

In light of compelling research findings about the effects of environmental tobacco smoke, the University strongly discourages students from smoking in areas where nonsmokers cannot avoid exposure to smoke. These include areas near windows, doorways, breezeways, and ventilation systems.

Effective implementation of this policy depends upon the respect and cooperation of all members of the Wesleyan University community. Students are encouraged to discuss problem situations regarding smoking in residential areas and outdoor areas with fellow students. Complaints and disputes that are not resolved through discussion should be brought to the attention of a resident advisor, house manager, head resident, or area coordinator. If a satisfactory resolution is not reached, the director of residential life should be consulted. Students who repeatedly violate the smoking policy may be charged with violating the Code of Non-Academic Conduct.

The Office of Student Health Services (x2470) provides assistance to students who wish to stop smoking. WesWELL, the Office of Health Education (x2466), offers educational programs about the effects of smoking. We encourage all students who smoke to take advantage of these programs to protect their own health and the health of other members of the Wesleyan community.

MEAL PLAN REQUIREMENT

As a residential liberal arts college, Wesleyan has a campus dining service to meet the needs of students, staff, and faculty on campus. In 1994, a Committee of WSA conducted an extensive review of the dining program and concluded that to insure the economics of a functional dining program and to promote community on campus, there should be four-year mandatory participation in the residential dining program. The University's Board of Trustees approved the students' recommendation later that year and the meal plan requirement has been in place for all undergraduate students since that time.

In rare circumstances, exemptions from mandatory participation or modification of plan requirements are appropriate. Petitions must be made to the director of the Usdan University Center. The following guidelines have been developed in order to respond to requests for exemptions and/or changes:

- The student is a nontraditional undergraduate. Specifically, the student is 25 years of age or older and resides with his/her/hir family (spouse/partner, and dependent children, if any).
- The student has a medical condition that requires dietary restrictions that cannot be accommodated by the dining program. Students requesting exemptions or changes to the meal plan for medical reasons must meet with a physician at University Health Services to review their medical condition. The medical director will consult with Wesleyan's nutritionist (if appropriate) and then forward a recommendation to the director of the Usdan University Center.
- The student has obtained off-campus status (exemption from the residency requirement) and commutes to the University from the residence of a parent/guardian.
- The student has special nonmedical dietary needs that cannot be accommodated within the context of the dining program. Students requesting exemptions or changes to the meal plan for dietary reasons must meet with the dining services nutritionist to review their dietary needs. The nutritionist will forward a recommendation to the director of the Usdan University Center.

These guidelines have been reviewed by the Student Dining Committee.

SEXUAL MISCONDUCT AND ASSAULT

Revised and approved by President Roth, January 2009

A. POLICY STATEMENT

Wesleyan University prohibits all forms of sexual misconduct and assault which can include but is not limited to sexual coercion, stalking, intimidation, assault, and rape. Sexual misconduct includes any sexual activity for which consent is not given. The policy for sexual harassment, which defines and addresses incidents of harassment, can be found in its entirety in the student handbook.

To better understand the policy, the following definition for consent is provided: Consent must be given by participants in sexual activity. Consent must be present throughout the activity and can be revoked at any time; silence or a prior relationship, by themselves, are not sufficient to indicate consent. Consent may not be given by someone who is asleep, drugged, intoxicated, unconscious, a minor, or by anyone else whose capacity or ability to provide informed consent is otherwise impaired. If a person is under the influence of alcohol or other drugs—even if they were consumed prior to the sexual encounter and the other person has no knowledge of their consumption—that person may be unable to give consent as it is defined by state law. Likewise, an individual accused of sexual assault does not avoid responsibility because he or she (i.e., the individual accused) was under the influence of alcohol or other drugs.

B. PREVENTION

Prevention of sexual misconduct and assault requires a commitment from all members of the community in order to create a campus in which each person makes decisions for themselves free from coercion and intimidation. To assist in creating this type of campus community, please see Sexual Misconduct and Assault Appendix, section A, on page 34 for more information.

C. WHAT TO DO IN THE EVENT OF AN ASSAULT

The following information is intended as a resource for students and offers suggested courses of action to be taken by a survivor, supportive friend, an accused perpetrator, or a witness. Some suggestions may not apply, depending upon the specifics of the incident.

1. IMMEDIATELY AFTER AN INCIDENT OF ASSAULT: SEEK MEDICAL ASSISTANCE AND SUPPORT

To best address the physical and emotional needs in the aftermath of an incident of assault, it is important to seek medical attention and counseling support as soon as possible. You are strongly advised to seek immediate medical attention at the Middlesex Hospital emergency room whether or not you know the person who assaulted you. While you may feel uncomfortable doing so, the purpose of seeking medical attention is to identify and treat physical injury, provide emergency contraception and/or medication to prevent possible transmission of sexually-transmitted infections, and to gather and preserve evidence.

A. EVIDENCE PRESERVATION: It is important that medical professionals are able to collect any trace physical evidence from your clothes and body. In order to preserve evidence, avoid showering, bathing, changing your clothes, or brushing your teeth. If clothing has been removed, store it in a paper bag and bring it to the hospital. You should take a change of clothes with you to the hospital in case the clothing worn at the time of the assault contains evidence which can be used to identify the assailant. The collection of physical evidence does not commit you to pressing charges against the alleged perpetrator, but it will assist investigators later if you choose to report the assault to the Middletown police. Call the Office of Public Safety if you need transportation to the hospital. Advocates from Conn SACS are available to meet survivors at the hospital and be with them throughout the exam.

B. MEDICAL EXAM. In order to collect physical evidence, a clinician may perform a medical exam, including a sexual assault evidence collection kit ("rape kit") to collect markers of the assailant's identity. This exam should be performed as soon as possible, but generally no later than 72 hours after the assault. There is no charge to the survivor for the administration of the evidence collection kit.

Additionally, an exam may include, at your discretion, treatment of other injuries, an interview about the assault, tests for sexually transmitted diseases, including HIV, and a pregnancy test.

C. MENTAL HEALTH SUPPORT: Seek counseling after the assault. Confidential counseling is available to students through the Office of Counseling and Psychological Services and off-campus, through the Women and Families Center 24 hours a day.

D. ADDITIONAL SUPPORT: During the academic year, medical care, testing, and prescription medications are made available at the Davison Health Center without cost to students. Follow-up care is available at the Community Health Center when the Davison Health Center is closed during breaks.

2. DECIDE WHETHER TO REPORT AN INCIDENT OF SEXUAL ASSAULT AND HOW TO REPORT IT

You are encouraged to report an incident of sexual misconduct or assault so that the University can investigate and take action. We encourage all survivors of crimes to report to the appropriate authorities. There are two main reporting options open to students: reporting to the University and reporting to the Middletown police. You may choose to use one or both of them.

The following provides some general information about reporting incidents.

A. REPORTING VIOLATIONS TO THE UNIVERSITY

Contact the Office of Public Safety at 860-685-3333 or 911 (24 hours) or the Office of the Dean of Students at 860-685-2775 (during business hours). Or you may prefer to report the incident to a faculty or staff member (including Residential Life student staff) with whom you feel comfortable. Faculty and staff members must then report the incident to their supervisors. By reporting the incident to the University, judicial charges against the alleged perpetrator may be initiated.

Reports involving gender discrimination or harassment may also be submitted to the University's Title IX Coordinator, Sonia Mañjon, vice president for institutional partnerships and chief diversity officer, by calling 860-685-4771.

Upon receipt of a report, an investigation will be commenced within 30 days and the hearing process will typically be concluded within 90 days.

If the accused is a member of the Wesleyan Community, students have two options in reporting an incident to the University:

CONFIDENTIAL CRIME REPORT: This report notifies key staff in Student Affairs/Deans' Office and Public Safety that an incident of sexual assault has occurred, but does not involve names or other identifying information. Because identifying information is not included in this type of report, Public Safety cannot investigate the incident and there cannot be formal judicial follow-up by the University. You may file this report with any staff member or office listed under "On Campus Support Resources" below.

FORMAL UNIVERSITY REPORT: This report results in an investigation by Public Safety and the report will be referred to the Office of the Dean of Students for adjudication. If a student is found to have violated the Sexual Misconduct and Assault Policy, a range of sanctions can be imposed up to and including suspension or dismissal from the University. To initiate this process, you may file a report with any staff member or office listed under "On Campus Support Resources" below, but it is best to make the report directly to the Office of the Dean of Students or to Public Safety. It is up to the survivor whether or not to also make a formal report to Middletown Police.

All violations of the Sexual Misconduct and Assault Policy will be adjudicated by an administrative panel comprised of four employees of the University. The panel will be comprised of two male and two female staff or faculty drawn from the advisors to the board or hearing officers who have been trained on cases of sexual assault. The procedures for the hearing outlined in the Administrative Panel description and the Code of Non-Academic Conduct will be followed. Upon receipt of a complaint involving an alleged act of sexual violence, the dean of students may take certain actions that would minimize contact between the alleged perpetrator and survivor on campus and in the judicial process as outlined in the code, and will inform all parties of the University's intolerance of any form of retaliation. Victims of sexual assault or misconduct who may have been under the influence of drugs or alcohol at the time of the assault will not be charged through the student judicial process for any alcohol or drug violation. For information about Wesleyan judicial processes, refer to the Code of Non-Academic Conduct in the Student Handbook: wesleyan.edu/studentaffairs/studenthandbook/standardsregulations/code-of-non-academic.html.

You may also contact the Office of the Dean of Students to find general information about how this process works. If you would like to speak with someone confidentially prior to formally reporting the sexual assault, please contact the Davison Health Center or the Office of Counseling and Psychological Services.

B. REPORTING SEXUAL ASSAULT TO THE MIDDLETOWN POLICE

Contact the Middletown Police Department at 860-344-3200. The investigating officer will explain the investigatory and legal processes that follow a report. Reporting an incident of sexual assault to the police begins a legal process that may or may not result in an arrest.

UNIVERSITY CONTACTS AND RESOURCES (ON CAMPUS)

Office of Public Safety	860-685-3333 (Available 24 hours a day)
Davison Health Center	860-685-2470 (After hours on-call staff available)
Office of Counseling and Psychological Services	860-685-2910 (After hours on-call staff available)

UNIVERSITY CONTACTS AND RESOURCES (OFF CAMPUS)

Women and Families Center/	888-999-5545 (English)
Sexual Assault Crisis Services	888-568-8332 (Spanish)
Middletown Hospital	860-344-6686
Middletown Police	860-344-3200

D. SEEK ONGOING SUPPORT

Individuals experience the aftermath of sexual assault and sexual misconduct differently and may take varying lengths of time to come to terms with their experience. You are encouraged to seek ongoing medical and psychological care as needed in order to help you cope with the incident. Support and counseling, both informal and professional, are key elements of care beginning as early as possible and continuing as long as needed. Friends and family are often a valuable source of support following an assault, but you may need additional support from the staff at the Office of Counseling and Psychological Services, (CAPS), the sexual assault crisis advocates at the Women and Families Center, or other sources of counseling. Services at CAPS and the Women and Families Center are free and confidential.

E. IF YOU HAVE BEEN ACCUSED OF SEXUAL ASSAULT

You have the right to know and understand the charges against you, whether filed through the University or the legal system. Information about university proceedings can be found in the Code of Non-Academic Conduct, and the Office of the Dean of Students can further explain the process to you. You should be aware that any form of retaliation or intimidation towards someone who has filed a report will be considered a violation of the Code of Non-Academic Conduct. If criminal charges outside the University have been filed against you, you should seek legal advice to find out how a criminal investigation works. You also are encouraged to seek psychological support from staff at the Office of Counseling and Psychological Services. Whether you feel you have committed a sexual offense or feel you were wrongly accused, it is important that you talk with a neutral, trained listener about the incident.

F. AS A WITNESS OF SEXUAL ASSAULT/ OR CONFIDANT

If you think you may have witnessed an incident of sexual assault, you are encouraged to immediately report the incident to Public Safety or the Office of the Dean of Students. To preserve confidentiality and the integrity of any investigation, do not discuss the incident with others to the extent possible. If you feel in any way traumatized by what you witnessed, you are encouraged to contact the therapists at the Office of Counseling and Psychological Services, the clinicians at the Davison Health Center, or the Women and Families Center.

If you have been told, as a friend, about an incident of sexual assault or misconduct, you may be uncertain about what you should do with the information, or be unsure how you can help. If this is a crisis situation, review the instructions for survivors of sexual assault and help the person get the assistance they need. Whether the incident just happened or occurred in the past, it is important that you let the person express their feelings. Let the person know the limits of the support you can provide. Encourage the person to speak with a therapist or other trained professional for additional assistance. It also is important to seek support for yourself, particularly if you are having difficulty coping with the situation. Residential Life student staff members, Peer Health Advocates, and some other student staff positions must report any incidents of sexual assault to their supervisors.

SEXUAL MISCONDUCT AND ASSAULT APPENDIX

A. PREVENTION

Prevention of sexual assault requires a commitment from all members of the community in order to create a campus in which personal development and growth can occur safely. To assist in creating this type of campus community, the following suggestions are provided:

- Educate yourself and others on the causes, impact, and prevention of sexual and other forms of violence.
- Show respect for others by respecting their boundaries, physical and otherwise. This includes a personal decision to be alcohol- or drug-free.
- Avoid being a bystander to situations which could potentially evolve into sexual assault.
- Intervene in situations where a friend or acquaintance may be at risk for sexual assault.
- Sixty to seventy percent of all sexual assaults are at least partially planned. If you learn of someone planning to take advantage of another person, confront the individual or ask for assistance to do so.
- Confront myths or negative attitudes about sexual assault and rape when heard to prevent misinformation from being spread further.
- Pay attention to the verbal and non-verbal signals others are giving to indicate whether they are a willing participant.
- When in an intimate situation, be sure consent has been given before engaging in any sexual activity.
- Verbal consent is best; if you are unsure if your partner has consented to a particular activity, ask.
- Do not use alcohol or other drugs to subdue another person's ability to protest.
- Strive to keep your own alcohol and other drug use at a minimum in order to maintain good judgment and be able legally to give consent.
- Work towards creating a non-violent society through political action, organizing, or other activities you are interested in.

B. RISK REDUCTION

Since Wesleyan is not immune to such acts, sexual assault is a topic that must be taken seriously by the entire campus community. However, reducing the risk of sexual violence is not only a community responsibility but also an individual one. Individuals should understand that while it is possible to reduce one's risk for assault, the responsibility for preventing the assault from happening lies with the potential perpetrator. Studies show that about one in three women on college campuses will be the target of either a completed or an attempted rape and that more than 80 percent of all women who experienced assault were acquainted with the person who assaulted them. It also is estimated that one in six men will be assaulted in their lifetime, most often by an acquaintance or relative. Both victims and assailants may be of any gender.

- While the responsibility for any sexual assault lies with the perpetrator, there are many actions people can take to reduce the risk of becoming a victim.
- Educate yourself on sexual assault and on risk reduction strategies.
- Set your own sexual boundaries and communicate them clearly to a potential sexual partner before becoming intimate.
- Be alert to situations that could be misinterpreted.
- Notice your fears and act on them. Your instincts are usually right.
- Look for signs of a lack of respect. If someone does not respect your personal space or your wishes, it is possible they won't respect you in a sexual situation either.
- Sexual assaults can occur both on and off campus. Be especially cautious in a new environment with unfamiliar people. This applies whether you are on campus, off campus, or traveling.
- Avoid going to isolated rooms or areas with someone you do not know well.
- Never leave a party or gathering with someone you don't know well, and don't accept a ride from a stranger.
- Avoid walking in isolated areas when alone or with someone you do not know well.
- You are safest traveling in well-lit areas with others familiar to you.
- Attend social gatherings with friends and leave with them.
- Make a plan for the evening and stick to it to ensure everyone's safety.
- Select a public place when meeting someone new for the first time.
- Have a friend with you or drive yourself and prearrange a way to leave the situation if your instincts tell you to do so. This is particularly important when the person is met via the Internet.
- Watch your alcohol and other drug use. Studies of rape indicate that up to 75 percent of victims were under the influence of alcohol or other drugs at the time of the assault, often provided by the assailant. For the same reasons that it is important to remain sober to control a car, it is equally important to stay sober in order to maintain control of your judgment and be able to legally give consent.
- Be your own bartender. Whether you are drinking alcohol or not, pour your own drinks to avoid being slipped a predatory ("date rape") drug by a potential assailant. Keep track of your drink at all times; get a fresh one if it was left unattended.
- At times, you may find yourself in a situation you did not anticipate. If you feel uncomfortable with or threatened by another person's behavior, trust that instinctive reaction and take the following steps:
- Keep the door to the room open or invite another person in.
- Speak firmly and look directly at the other person when you refuse any activity. Say "no" firmly and repeatedly. Tell the offender to stop or leave. A reasonable person will see your rights and listen to a clear "no" message.
- Shout, scream, or use a whistle if they do not listen. Use any means possible to make noise in order to draw attention to your situation. Whistles are available free from Public Safety.
- Use self-defense techniques, if appropriate. Check with WesWELL and the Physical Education Department for the availability of self-defense classes on campus. Try to get out of the situation in any way possible, if you are able.

In addition, Public Safety encourages students to take the following precautions on and around campus:

- Use the Ride and Escort Service after dark.
- Walk with friends. There really is safety in numbers.
- Be aware of where the police and emergency call boxes are located on and around campus and use them in an emergency. Blue lights on campus indicate an emergency call box.
- Keep your doors locked at all times.
- Avoid propping outside doors to residential buildings open. If you see a door that has been propped open, close it or alert Public Safety.
- Walk only in well-lit pathways and stay alert to any sign of suspicious circumstances or behavior.
- Keep keys in hand when walking to your car, no matter where it is parked.
- Report when lights around campus are out by calling Customer Service at x3400.
- Report all incidents of harassment, assault, or other crimes and any suspicious people or incidents to Public Safety. Call 860-685-3333 or on campus x3333.

C. EDUCATIONAL PROGRAMS AND RESOURCES

Educational programs and workshops to promote awareness about sexual assault issues are coordinated by several different offices, as well as various student organizations. These programs include presentations to new students at Orientation; workshops in the residence halls facilitated by peer educators and outside speakers; and campus-wide activities such as lighting and safety tours, speakers, films, and other projects. A few of these resources include:

WesWELL, the Office of Health Education	x2466
Davison Health Center	wesleyan.edu/weswell
Office of the Dean of Students	x2775
First Floor, North College	wesleyan.edu/studentaffairs
Office of Residential Life	x3550
Lower Level, North College	wesleyan.edu/reslife
Office of Affirmative Action	x4771
3rd Floor, North College	wesleyan.edu/affirm
Office of Public Safety	x2345
208 High Street	wesleyan.edu/publicsafety
Office of the Vice President for Student Affairs	x2600
2nd Floor, North College	wesleyan.edu/studentaffairs
Women and Families Center/ Sexual Assault Crisis Center	888-999-5545 (English) 888-568-8332 (Spanish)

The staff of the Women and Families Center provides support, workshops, presentations, and professional training for survivors, their friends and families. Program topics include, but are not limited to, sexual date/acquaintance rape, harassment, healthy relationships, stalking, and date rape drugs.

SOCIAL EVENTS

Social events/parties/concerts occurring in university buildings or on university grounds must be registered with the Office of Student Activities and Leadership Development if the following apply to the event:

There will be 50 or more people in attendance, or there is no provision for limiting attendance to fewer than 50 people, and any of the following apply:

- a) No formal program or agenda is planned.
- b) Admission will be charged.
- c) The event will be open to any persons who are not Wesleyan students.
 - Specifically excluded from this policy are concerts with fixed seating, lectures, art show openings, meals (unless it is an outdoor barbecue), closed organizational meetings, and events designed specifically for educational rather than social purposes.
 - The University supports students having social gatherings in their houses as long as these gatherings do not create a disturbance to neighbors. Students hosting an event should always consult with neighbors in advance. All senior houses have a capacity of 49 and thus do not need to be registered assuming capacity is monitored and fire codes enforced.

GENERAL GUIDELINES

1. This policy is in effect throughout the year, regardless of whether or not classes are in session.

QUIET HOURS: In support of the Residential Life Quiet Hours Policy, student sponsored events occurring during reading period and finals week in or around residential spaces that have the potential to be disruptive to the community at large will not be approved by the Office of Student Activities and Leadership Development.

ORIENTATION: Due to the numerous events provided to encourage a shared experience during New Student Orientation, social event registrations will not be approved prior to the start of classes.

2. Students hosting a party should always consult with their neighbors when planning the event. Students must take an active role in ensuring that the event does not disturb neighbors.
3. Wesleyan Public Safety has the discretion to shut down social events when they are deemed to be a nuisance and/or after receiving two complaints about noise or disruptive behavior.
4. The number of registered parties in any given block/area will be limited to one per night. Events requiring uniformed security officers will be limited to no more than one per weekend and will not be allowed on weekends when there are home football games or other large university events.
5. Event hosts must pass a host training on-line course prior to registering the event. Event hosts can register Event hosts must pass a host training on-line course or a Social Event Registration Seminar with the SALD Office prior to registering the event. Event hosts can register for the on-line class or seminar by contacting the Office of Student Activities and Leadership Development at stuact@wesleyan.edu.

IN ADDITION:

- A currently enrolled Wesleyan student or recognized student organization must sponsor the event.
- Alcohol is allowed under established guidelines.
- Sunday–Thursday—Events in residential spaces must conclude by midnight. Barring security or nuisance issues, occurring in non-residential spaces must conclude by 1:30 a.m.
- Five working days' notice is needed on all events requiring furniture, staging, catering, electrical set-up, A/V equipment, or event staff.

GENERAL AMPLIFIED SOUND GUIDELINES

- No amplified sound is allowed on campus until after 5 p.m. Monday through Friday.
- Any amplified sound that is approved Monday through Friday in the center of campus may go until 10 p.m.; on the periphery of campus may go until 9 p.m. barring any noise complaints.
- Any amplified sound that is approved Saturday and Sunday anywhere on campus may not begin prior to 11 p.m. and may not go later than 11 p.m. on Saturday and 9 p.m. on Sunday in the center of campus; 10 p.m. on Saturday and 9 p.m. on Sunday on the periphery of campus barring any noise complaints.

SOCIAL EVENT REGISTRATION PROCESS

- The Social Event Registration form is due by 1 p.m. the Tuesday prior to events occurring that Friday to Thursday. Alcohol free events with no special needs (including Event staff, staging/furniture, A/V equipment) may be registered until Thursday at 1 p.m. for events occurring that Friday to Thursday.
- Social Events are specifically for Wesleyan students and their guests.
- Social event/party hosts are responsible for registering events. If the event is registered as an alcohol-free event, hosts will be responsible for ensuring that no alcohol is present at the event. If alcohol is to be part of the event, hosts will be responsible for ensuring that any alcohol at the event is legally procured, dispensed and consumed.
- All attendees must have a valid Wesleyan picture ID or must be the guest of a Wesleyan student and have a valid state or college ID (Up to 3 guests per Wesleyan student).
- IDs of all non-Wesleyan attendees will be held at the door, rubber banded with the ID of the Wesleyan student of whom they are a guest.
- Upon review of the event registration, the Office of Student Activities and Leadership Development, or designee, may require additional security at the event.
- Certain facilities require the presence of a fire marshal when a State liquor permit has been obtained.
- Friday and Saturday nights—With alcohol: Events must conclude at 2 a.m. Without alcohol: Barring security or nuisance issues, there are no time restrictions on this type of event.
- *Any exceptions to the standard social event may be petitioned through the Office of Student Activities and Leadership Development 10 business days prior to event*

ALCOHOL GUIDELINES

A state liquor permit is required anytime a recognized student group is selling or distributing (serving) alcohol.

- Event host(s) must be at least 21 years old.
- In compliance with Connecticut State law, alcohol may only be served to event attendees who are of legal drinking age and present a valid i.d.
- Organizers should plan to have an appropriate amount of alcohol based upon the number of attendees of legal drinking age. As a guideline, hosts should plan to have no more than 1 keg per 40 attendees of legal age.
- Whenever alcohol is to be served, the hosts must provide ample snacks and non-alcoholic beverages. As a guideline, an event with 1 keg of beer should have at least 4 lbs. of food and 10 liters of non-alcoholic beverages.
- Door monitors, designated event hosts, bartenders, and event staff cannot consume alcohol during the event.

ADVERTISING GUIDELINES

Any form of off-campus advertising is prohibited without the approval of the Office of Student Activities and Leadership Development. This includes radio, Internet, television, and newspaper advertisements.

- All advertising should clearly indicate the name of the host organization, date of the event, starting and ending times, location, name of the event, maximum capacity of the event location (if applicable), and entrance fee/ID requirements.
- Alcohol may not, in any context, be the central focus of any event and should not be advertised as such.

Updated June, 2012 by the Student Life Committee

STUDENT RECORDS

CONFIDENTIALITY OF STUDENT RECORDS

It is Wesleyan policy to keep the records of Wesleyan students confidential. Information about students is shared within the University only as needed for legitimate educational purposes. In order to qualify as legitimate and educational, an interest must be related in a clearly discernible way to the conduct of the normal business of the institution, or to the educational welfare of the individual student, or of other students. If the interest bears exclusively on the educational welfare of students other than the one whose record is sought, the director of institutional research should be consulted before access to the record is granted.

Wesleyan will not disclose educational records other than “directory information” (see following) about students to people outside the University without the student’s written consent unless the disclosure is 1) compelled by law, a court of law, an emergency, or some other extraordinary circumstance; 2) is in furtherance of a legitimate educational interest; 3) is required by an accrediting agency; 4) or otherwise specifically allowed by FERPA. For instance, should it be impractical to obtain a student’s prior written consent, the University may nonetheless send a transcript to a school to which the student has applied for admission. Whenever exceptional action is called for and as appropriate, an effort will be made to notify the student as soon as possible. As described, one exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the University has contracted (such as attorney, data service provider, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or a person assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

In accordance with the Family Educational Rights and Privacy Act and the federal regulations pertaining thereto, a record will be kept of requests from outside the University for personally identifiable non-directory information from a student’s record and of disclosures thereof that occur without the student’s consent. The record of access and disclosure will be available to the student for inspection. Such disclosures, whether made with or without the student’s consent, will contain a notice to the recipient that the information is being disclosed on condition that, except as allowed by the Act, it not be revealed by the recipient to any other party without the student’s consent. The disclosure, student notification, consent, and record keeping provisions of the Act are subject to exceptions provided for in the Act and other applicable law, including the USA Patriot Act. Per the USA Patriot Act, if a U.S. assistant attorney general, or similarly ranked federal official obtains a court order relevant to a terrorist investigation, the law requires that an educational institution must turn over the requested records without the student’s consent and the institution cannot inform the student.

DIRECTORY INFORMATION

Disclosures of directory information may normally be made without the student’s consent. Directory information includes the student’s name, local address, local telephone number, home address, Wesleyan e-mail address, photo images, date and place of birth, major field of study, participation in officially recognized activities and sports, height and weight of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. A student who wishes to have directory information withheld must notify the Office of the Registrar in writing by the first day of classes. Note that the instruction to the Office of the Registrar should be made at the beginning of each academic year and is valid for that year only.

ACCESS BY STUDENTS TO THEIR RECORDS

Students at Wesleyan may have access to most of the information about them in their records. The exceptions include letters of recommendation received on a confidential basis and filed before January 1, 1975; letters of recommendation to which the student has specifically waived access; private records made by individuals within the institution, which are kept in their sole possession and shared only with a temporary substitute; records of Wesleyan’s Office of Public Safety; alumni records; financial information about parents; and employment information about students whose employment has not resulted from their status as students.

Except as noted in the preceding paragraph, students may inspect and review the education records maintained by the following offices:

ADMISSION 70 Wyllys Avenue

The information about students in attendance at Wesleyan that has been collected by the Office of Admission during the admission process is transferred to the Deans’ Office when the student matriculates. The information that is transferred includes the secondary school record, standard test scores, letters of recommendation, information submitted by the student, and correspondence with the student.

WESLEYAN CAREER CENTER *41 Wyllys Avenue*

Maintains career counseling records, and files of résumés and letters of recommendation. The director of the Career Center is responsible for the records.

OFFICE OF THE VICE PRESIDENT FOR STUDENT AFFAIRS/DEANS' OFFICE *North College*

Maintains information on students' academic activity. The Office of the Vice President for Student Affairs/Deans' Office records also includes the following types of information: secondary school record; admission information; standard test scores; letters of recommendation; information submitted by the student; memoranda from faculty about the student; correspondence with the student; documentation of a student's disability and any reasonable accommodations; and reports of action taken in regard to the student by the Student Judicial Board, other standing or ad hoc university committees, and the deans. The vice president for student affairs is responsible for the records.

OFFICE OF FINANCIAL AID *North College*

Maintains a file of information submitted by students and their parents in regard to financial aid, a record of financial aid actions taken by Wesleyan and others, and the employment records of students receiving financial aid. The director of financial aid is responsible for the records.

OFFICE OF GRADUATE STUDENT SERVICES *Science Tower*

The Office of Graduate Student Services is the main administrative office for all master of arts and doctor of philosophy candidates. The office maintains the academic records of the candidates for graduate degrees. These records include, but are not limited to, admission information, student biographical information, coursework and research toward the degree, correspondence, housing/residential life, immigration, health insurance, degree maintenance, departmental/research advisor information, assistantship information, and graduation information.

OFFICE OF COUNSELING AND PSYCHOLOGICAL SERVICES *Davison Health Center*

Maintains records of mental health care. These records are not available within the University to other than the staff of the Office of Counseling and Psychological Services without the informed consent of the student. The director of counseling and psychological services has overall responsibility for these records, which are kept in a secured centralized location within the CAPS office.

OFFICE OF RESIDENTIAL LIFE *North College*

Maintains records of the housing history of undergraduate and graduate students and information gathered in connection with the selection of head residents and resident advisors, including letters of recommendation and staff evaluations. The director of residential life is responsible for the records.

OFFICE OF INTERNATIONAL STUDENT SERVICES *North College*

Maintains records related to a student's immigration status and any supporting material needed for the U.S. government's SEVIS (Student and Exchange Visitor Information System) documentation.

INSTITUTIONAL RESEARCH *North College*

Maintains records of the first-year student testing program and information from other university offices that is to be used for institutional research purposes. The director of institutional research is responsible for the records.

OFFICE OF THE REGISTRAR *North College*

Maintains academic records of currently enrolled students. Maintains the Deans' Office records of former students, except that upon graduation reports of disciplinary actions and other information not needed for the permanent record are destroyed. The registrar is responsible for the records.

OFFICE OF STUDENT ACCOUNTS *North College*

Maintains documents, including correspondence, pertaining to financial transactions with students and their parents. The director of student accounts is responsible for the records.

GRADUATE LIBERAL STUDIES PROGRAM *74 Wyllys Avenue*

Maintains records of candidates for the degree of master of arts in liberal studies and the certificate of advanced study and of other students enrolled in courses sponsored by the summer school. The records include the following types of information: information submitted for admission, correspondence with the student, reports of academic performance, counseling notes, financial information submitted by the student, and letters of recommendation. The director of the Graduate Liberal Studies Program is responsible for the records.

ACADEMIC COLLEGES, DEPARTMENTS, AND PROGRAMS

(see phone directory for locations)

Maintain records of graduate students enrolled in the department and undergraduates majoring in the college, department, or program. The records include the following types of information: academic performance reports; correspondence with the student; letters of recommendation; and reports of action taken in regard to a student by the college, department or program. The records are the responsibility of the director of the college, chair of the department, or chair of the program.

THE HONOR BOARD AND STUDENT JUDICIAL BOARD *North College*

Maintain records of adjudicated cases. The vice president for student affairs is responsible for Honor Board records. The dean of students is responsible for Student Judicial Board records. Students have the right to inspect their records related to Student Judicial Board proceedings. Upon request, a student may view case materials in the Office of the Dean of Students.

MISCELLANEOUS

Various ad hoc committees and groups maintain files of information about students in connection with such matters as the awarding of prizes and grants and students' participation in special programs (foreign study, independent study, etc.). The chair of the committee or group is responsible for the record.

INFORMATION TECHNOLOGY SERVICES *Science Tower*

Information Technology Services (ITS) processes and stores information for many of the offices listed in this statement. The security of the information while it is held at ITS is the responsibility of the director of information technology services. Access to the information remains under the control of the responsible person in the office that forwarded the information to ITS.

INSPECTION OF RECORDS

Students have a right to inspect their educational records. To inspect a record, a student should make an appointment at the appropriate office. Students who, having inspected a record, wishes to challenge its content because they believe it to be inaccurate, misleading, or otherwise in violation of their privacy rights, may submit the challenge informally to the person responsible for the record. If the results of the submission are not satisfactory to the student, he/she may ask the vice president for student affairs (undergraduates) or the vice president for academic affairs (graduate students) to review the challenge. If the decision of the dean or the vice president is not satisfactory to the student, he/she may submit the challenge in writing to the president, whose decision is final. A student who challenges a record also has a right to prepare a statement in support of the challenge that will remain a part of the challenged portion of the record as long as that portion is maintained. The conduct of the hearing will be in accordance with the constitution of the Wesleyan Judicial System and applicable federal regulations.

Students may obtain copies of material in their permanent records that pertain to them unless they have not paid all their university bills. The fees that will be charged for copies are \$5 per official transcript of the academic record and not more than 10 cents per page of other material. Students have the right to inspect their records related to Student Judicial Board proceedings. Upon request, a student may view case materials in the Office of the Dean of Students.

COMPLAINTS

Students who feel that their rights under the act have been abridged may file a complaint with The Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202-4605.

DEFINITIONS

"Information" means personally identifiable data that includes (a) the name of the student, the student's parent or other family member; (b) the address of the student; (c) a personal identifier, such as the student's Social Security number; (d) a list of personal characteristics that would make the student's identity easily traceable; or (e) other information that would make the student's identity easily traceable.

The use of the following terms in this policy statement conforms to the definitions in the federal regulations issued pursuant to the Family Educational Rights and Privacy Act: act, attendance, directory information, disclosure, education records, financial aid, parent, party, record, student.

APPENDIX A: CONTROLLED SUBSTANCES—EFFECTS, OVERUSE, AND WITHDRAWAL

NARCOTICS	
POSSIBLE EFFECTS:	Euphoria, drowsiness, respiratory depression, constricted pupils, nausea
EFFECTS OF OVERDOSE:	Slow and shallow breathing, clammy skin, convulsions, coma, possible death
WITHDRAWAL SYNDROME:	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, sweating
DEPRESSANTS	
POSSIBLE EFFECTS:	Slurred speech, disorientation, drunken behavior without odor of alcohol
EFFECTS OF OVERDOSE:	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death
WITHDRAWAL SYNDROME:	Anxiety, insomnia, tremors, delirium, convulsions, possible death
STIMULANTS	
POSSIBLE EFFECTS:	Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite
EFFECTS OF OVERDOSE:	Agitation, increase in body temperature, hallucinations, convulsions, possible death
WITHDRAWAL SYNDROME:	Apathy, long periods of sleep, irritability, depression, disorientation
HALLUCINOGENS	
POSSIBLE EFFECTS:	Illusions and hallucination, poor perception of time and space
EFFECTS OF OVERDOSE:	Longer, more intense "trip" episodes, psychosis, possible death
WITHDRAWAL SYNDROME:	Withdrawal syndrome not reported
CANNABIS	
POSSIBLE EFFECTS:	Euphoria, relaxed inhibitions, increased appetite, disoriented behavior
EFFECTS OF OVERDOSE:	Fatigue, paranoia, possible psychosis
WITHDRAWAL SYNDROME:	Insomnia, hyperactivity, and decreased appetite reported

APPENDIX B: CONTROLLED SUBSTANCES—USES AND EFFECTS

DRUGS	CSA SCHEDULES	TRADE OR OTHER NAMES
NARCOTICS		
Opium	II III V	Dower’s Powder, Paregoric Parapectolin
Morphine	II III	Morphine, MS-Contin Roxanol, Roxanol SR
Codeine	II III V	Tylenol w/ Codeine, Emprin w/ Codeine, Robitussin A-C, Florinal w/ Codeine
Heroin	I	Diacetylmorphine, Horse, Smack
Hydromorphone	II	Dilaudid
Meperidine (Pethidine)	II	Demerol, Mepergan
Methadone	I II III IV V	Dolophine, Methadone, Methadose
Other Narcotics	I II III IV V	Numorphen, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin
DEPRESSANTS		
Chloral Hydrate	IV	Noctec
Barbiturates	II III IV	Amytal, Butison, Florinal, Lutusate, Nembutal, Seconal, Tuinal, Phenobarbitol
Benzodiazepines	IV	Ativan, Dalmane, Diazepam, Librium, Xanan, Serax, Valium, Tranxexex, Versed, Halcion, Paxipram, Restoral
Methaqualone	I	Quaalude
Glutethimide	III	Doriden
Other Depressants	III IV	Equanil, Miltown, Noludar, Placidyl, Valmid
STIMULANTS		
Cocaine	II	Coke, Flake, Snow, Crack
Amphetamines	II	Biphetamine, Delcobese, Desoxyn, Dexedrine, Obetrol
Phenmatrazine	II	Preludin
Methylphenidate	II	Ritalin
Other Stimulants	III IV	Adipex, Cylert Didrex, Ionamin, Melfiat, Plegine, Sanorex, Tenuate, Tepanil, Prelu-2
HALLUCINOGENS		
LSD	I	Acid, Microdot
Mescaline and Peyote	I	Mexc Buttons, Cactus
Amphetamine Variants		2.5 DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB
Phencyclidine	I	PCP, Angel Dust, Hog
Phencyclidine Analogues	II	PCE, PCYy, TCP
Other Hallucinogens	I	Butotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn
Cannabis* Marijuana	I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla
Tetrahydrocannabinol	I II	THC, Marinol
Hashish	I	Hash
Hashish Oil	I	Hash Oil

*Designated a narcotic under the CSA

MEDICAL USES	DEPENDENCE		TOLERANCE	DURATION	USUAL METHODS OF ADMINISTRATION
	PHYSICAL	PSYCHOLOGICAL			
Analgesic, antidiarrheal	High	High	Yes	3–6 hours	Oral, smoked
Analgesic, antitussive	High	High	Yes	3–6 hours	Oral, smoked, injected
Analgesic, antitussive	Moderate	Moderate	Yes	3–6 hours	Oral, injected
None	High	High	Yes	3–6 hours	Injected, sniffed, smoked
Analgesic	High	High	Yes	3–6 hours	Oral, injected
Analgesic	High	High	Yes	3–6 hours	Oral, injected
Analgesic	High	High-Low	Yes	12–24 hours	Oral, injected
Analgesic, antidiarrheal, antitussive	High-Low	High-Low	Yes	Variable	Oral, injected
Hypnotic	Moderate	Moderate	Yes	5–8 hours	Oral
Anaesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	High–Mod.	High–Mod.	Yes	10–16 hours	Oral
Anaesthetic, anticonvulsant, sedative, hypnotic	Low	Low	Yes	4–8 hours	Oral
Sedative, hypnotic	High	High	Yes	4–8 hours	Oral
Sedative, hypnotic	High	Moderate	Yes	4–8 hours	Oral
Antianxiety, sedative, hypnotic	Moderate	Moderate	Yes	4–8 hours	Oral
Local anesthetic	Possible	High	Yes	1–2 hours	Sniffed, smoked, injected
Attention deficit disorders, narcolepsy, weight control	Possible	High	Yes	2–4 hours	Oral, injected
Weight control	Possible	High	Yes	2–4 hours	Oral, injected
Attention deficit disorders, narcolepsy	Possible	Moderate	Yes	2–4 hours	Oral, injected
Weight control	High	Moderate	Yes	2–4 hours	Oral, injected
None	None	Unknown	Yes	8–12 hours	Oral
None	None	Unknown	Yes	8–12 hours	Oral
None	Unknown	Unknown	Yes	Variable	Oral, injected
None	Unknown	High	Yes	Days	Smoked, oral, injected
None	Unknown	High	Yes	Days	Smoked, oral, injected
None	High	Unknown	Possible	Variable	Smoked, oral, injected, sniffed
None	Unknown	Moderate	Yes	2–4 hours	Smoked, oral
Cancer chemotherapy, antinauseant	Unknown	Moderate	Yes	2–4 hours	Smoked, oral
None	Unknown	Moderate	Yes	2–4 hours	Smoked, oral
None	Unknown	Moderate	Yes	2–4 hours	Smoked, oral

APPENDIX C: FEDERAL TRAFFICKING PENALTIES

CLASS	DRUG		QUANTITY
CSA I and II	Methamphetamine	A	10–99 gm or 100–999 gm mixture
		B	100 gm or more or 1 kg or more mixture
	Heroin	A	100–999 gm mixture
		B	1 kg or more mixture
	Cocaine	C	500–4,999 gm mixture
		D	5 kg or more mixture
	Cocaine Base	C	5–49 gm mixture
		D	50 kg or more mixture
	PCP	C	10–99 gm or 100–999 gm mixture
		D	100 gm or more or 1 kg or more mixture
	LSD	E	1–10 gm mixture
		F	10 gm or more mixture
	Fentanyl	E	40–399 gm mixture
		F	400 gm or more mixture
	Fentanyl Analogue	E	10–99 gm mixture
		F	100 gm or more mixture
Others*	Any	G	Any
CSA III	All	H	Any
CSA IV	All	I	Any
CSA V	All	J	Any
Schedule 1	Marijuana	K	1,000 kg or more mixture**; 1,000 or more plants
		L	100 kg–1,000 kg mixture**; 100–999 plants
		M	50–100 kg; 50–99 plants
		N	Less than 50 kg
	Hashish	M	10–100 kg
		N	Less than 10 kg
	Hashish Oil	M	1 to 100 kg
		N	Less than 1 kg

*Law as originally enacted states 100 gm.

Congress requested to make technical corrections to 1 kg

**Mixture containing detectable quantity. Includes Hashish and Hashish Oil.

	FIRST OFFENSE	SECOND OFFENSE
A	Not less than 5 years. Not more than life.	Not less than 10 years. Not more than life
B	Not less than 10 years. Not more than life.	Not less than 20 years. Not more than life.
C	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
D	If death or serious injury, not less than 20 years. Not more than life.	If death or serious injury, not less than life.
E	Fine of not more than \$2 million individual, \$5 million other than individual.	Fine of not more than \$4 million individual, \$10 million other than individual.
F	Fine of not more than \$4 million individual, \$10 million other than individual.	Fine of not more than \$8 million individual, \$20 million other than individual.
G	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual.
H	Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual.
I	Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual.	Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual.
J	Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual.	Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual.
K	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.	Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual.
L	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual.	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual.
M	Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual.	Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual.
N	Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual.	Not more than 5 years. Fine not more than \$500,000, \$2 million other than individual.

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