



CONTENTS

- Statement on Academic Freedom** 1
- Responsibility of the University to Its Members** 1
- Standards of Conduct** 2
 - Standards and Procedures for Regulating Conduct 2
 - A Structure for Accountability 2
- Student Conduct** 4
- The Honor Code** 4
- The Code of Non-Academic Conduct** 7
- University Policies** 15
 - Alcohol and Other Drugs 15
 - Disabilities 21
 - Policy Prohibiting Discriminatory Harassment & Sexual Misconduct 21
 - Disruptions 30
 - Guests 31
 - Hazing 32
 - Information Technology 32
 - Posters, Banners, Announcements, and Other Forms of Communication 36
 - Remote Controlled Aircraft(RCA) and Drones 36
 - Residency 37
 - Sexual Misconduct and Assault 38
 - Social Events 38
 - Student Records 40
- Appendix A: Controlled Substances—Uses and Effects** 44
- Appendix B: Federal Trafficking Penalties** 45

This handbook is provided to students and applicants for their general guidance only. It does not constitute a contract— either express or implied—and is subject to change at the university’s discretion.

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:

- **ANTONIO FARIAS**
 Vice President for Equity and Inclusion/Title IX Officer
 North College, 237 High Street, Room 318
 Middletown, CT 06459
 860-685-3927

- **MICHAEL WHALEY**
 Vice President for Student Affairs
 North College, 237 High Street, Room 220
 Middletown, CT 06459
 860-685-2772

- **JULIA HICKS**
 Director of Human Resources
 212 College Street
 Middletown, CT 06459
 860-685-2100

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, sexual assault, sexual exploitation, stalking and retaliation, is prohibited. (See [University Policies—Discriminatory Harassment and Sexual Misconduct](#), page 21).
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.

To address complaints that have not been able to be resolved at or by the University, individuals may consider contacting:

New England Association of Schools and Colleges

3 Burlington Woods Drive, Suite 100
Burlington, MA 01803
(781) 425-7714

Office of Higher Education

61 Woodland Street
Hartford, CT 06105
(800) 842-0229
ctohe.org

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 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, lifetime 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. Complaints involving sexual assault as defined in the Discriminatory Harassment and Sexual Misconduct Policy may not be resolved via 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 dean for academic advancement as an ex officio member, and the Code of Non-Academic Conduct establishes a Community Standards Board with a voting membership of ten 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 disability); or the Americans with Disabilities Act of 1990, it should be brought to Antonio Farias, the University’s vice president for equity and inclusion/Title IX 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 dean for academic advancement) who will in all cases inform the vice president for academic affairs (VPAA). 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 Community Standards 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 Community Standards 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 dean for academic advancement.

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 acknowledgment. *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—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 a minimum of four undergraduate students, each serving a two-year term.
2. The advisory membership of the Honor Board shall consist of the dean for academic advancement (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 dean for academic advancement. Complaints against a voting member of the Honor Board should be submitted to the dean for academic advancement.
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 dean for academic advancement and another designated representative, 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 speaker-phone or other similar technology. The dean for academic advancement 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 dean for academic advancement. 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 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 shall advise the chair during hearings to see that the board follows procedures correctly. The advisor may offer information and assist the chair in facilitation. The advisor 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 (jmattus@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 72 hours' prior notice of the time and place of a hearing.
4. Opportunity to review 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 vice president for student affairs.
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.
 - 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.
 - i. 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. 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 be given the opportunity to appeal the board's decision. Any board member who feels they cannot be impartial in a given case shall recuse 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. Recordings of the hearing are to be used by the board during deliberations and/or by the vice president for student affairs if there is an appeal of the board's findings. 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 dean for academic advancement who will review and implement them in the name of the University. The considered judgment of the board shall be taken by the dean for academic advancement 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 dean for academic advancement 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.

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

Appeals of judicial findings may be directed to the vice president for student affairs (VPSA) who will convene an Appeals Board. The Board shall consist of the VPSA as chairperson, one faculty member, and one student member. The faculty member shall be a member of the Faculty Committee on Rights and Responsibilities. The VPSA will select a student member from the

membership of the various adjudicating boards or the WSA Academic Affairs Committee chairperson (Honor Board appeals) or the WSA Student Affairs Committee chairperson (Student Judiciary Board appeals) on a case by case basis. Appeals Board members will not have been involved in the adjudication of the case being appealed. Consistent with Wesleyan's adjudication processes, the student member of the appeals board will be replaced by a second faculty member in cases of discriminatory harassment and sexual misconduct.

The purpose of the Appeals Board is to ensure that hearings were conducted according to the established judicial procedures. The Appeals Board will not substitute its own judgment for that of the original hearing body. Respondents who have been found to be in violation may appeal the decision to the Appeals Board on the basis of the following grounds:

1. Violation of fair process;
2. New evidence that was not reasonably available at the time of the hearing;
3. 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 VPSA and must be submitted within five business days of the hearing decision.

Sanctions resulting from the case will not typically 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 VPSA will notify the student of the outcome of the appeal. If the appeal is granted, the Appeals Board has the authority to recommend a new hearing before a new board/panel. 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 regardless of where those activities occur. For information regarding possible violations, or to review the reporting process for Title IX issues, please see [University Policies—Policy Prohibiting Discriminatory Harassment and Sexual Misconduct](#), beginning on page 21.

II. THE CODE OF NON-ACADEMIC CONDUCT

A. REGULATIONS

1. **DISTURBANCE OF THE PEACE**—The infringement upon the right to privacy of any member of the community is prohibited. Disorderly and disruptive conduct and/or the persistent disturbance 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, directed toward individuals or groups, may include at least the following forms: the 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. (See University Policies—Discriminatory Harassment and Sexual Misconduct, page 21.)
3. **SEXUAL MISCONDUCT/SEXUAL ASSAULT**—Sexual misconduct, including, but not limited to, sexual assault, sexual exploitation, stalking and retaliation, is prohibited. (See University Policies—Discriminatory Harassment and Sexual Misconduct, page 21.)
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 brand cooking fuel), 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. **COOKING/HEATING DEVICES** are prohibited in all student residential facilities (except kitchens).
 - d. **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.
 - e. **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.
 - f. **WEAPONS**—Personal possession or use of operable firearms, air guns, or other 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 permitted in any student housing with the exception of fish in 10-gallon tanks or smaller. No other pets or animals are permitted in student residences at any time, even if for a brief visit. Students and their roommates who have a pet or animal found in their residence are subject to the following: First Offense: \$300 fine and referral to the Community Standards Board; Second and Subsequent Offenses: \$500 fine and further judicial action up to and including suspension. Regular follow-up visits will be made to ensure the animal has been removed. Students who because of a disability seek approval for a support or assistance animal must request a reasonable accommodation through Disability Resources. This is a formal process that requires appropriate supporting documentation. A determination is then made regarding whether it is reasonable for the animal to be on campus. Students must not bring the emotional support animal to campus until they have received approval from Disability Resources and Residential Life. Any student who has an animal in residence prior to approval is subject to a fine and judicial action. For polices regarding service animals, please contact Disability Resources.
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.

Protests, sit-ins, demonstrations, student strikes, and other forms of expressions also 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
- 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

See [University Policies—Disruptions](#) (page 30), 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 bongos, 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 of an open container 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, policies for Residential Life, Public Safety, Information Technology, and all the other policies outlined in this handbook.

B. JURISDICTION

The Community Standards 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), regardless of where the conduct occurs;
3. If the violation, regardless of where the conduct occurs, calls into question the student's suitability as a member of the university community or has the potential to adversely affect a member of the university community or the University itself.
4. **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 CSB as the basis for disciplinary action.

III. COMMUNITY STANDARDS BOARD

A. COMPOSITION AND TENURE

1. The voting membership of the Community Standards Board (CSB) shall consist of ten undergraduate students, each serving a two-year term.
2. The advisory membership of the CSB 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 CSB 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 CSB, at least one advisor, and at least two members of the Wesleyan Student Assembly.
4. A voting member of the CSB may be removed from the board, for cause, by the dean of students. Complaints against a voting member of the CSB should be submitted to the dean of students.
5. No voting member of the CSB 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 CSB will be appointed by the vice president for student affairs in consultation with the CSB and the Faculty Executive Committee. Faculty advisors will be expected to participate in CSB training.

C. OFFICERS

1. The voting members of the CSB 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 CSB shall hear complaints concerning alleged violations of the Code of Non-Academic Conduct by other students or by student groups. When appropriate, the CSB shall attempt to refer cases for mediation prior to any formal adjudication. Cases involving allegations of sexual assault may not be referred for mediation and will be adjudicated in accordance with the procedures outlined in the Discriminatory Harassment and Sexual Misconduct policy. In all cases, the CSB shall determine the level of individual and/or group responsibility for the incident leading to the complaint.
2. The CSB 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 CSB cannot convene (summer, recess periods, etc.). Cases arising when the CSB cannot convene may be held in abeyance until such time as the CSB reconvenes, may be disposed of via judicial conference, or may be adjudicated by an interim administrative judicial board.
3. In order to permit the expeditious handling of cases in which mediation is feasible or of minor judicial matters, the CSB 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 CSB shall receive evidence, hear witnesses, determine if the respondent 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 CSB 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 an administrative panel to determine the relevance, if any, of the prior sexual history of either party.
6. The CSB 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. STUDENTS' RIGHTS

1. Written notice of charges, including time and place of the alleged violation at least seventy-two (72) hours' prior to a Community Standards Board (CSB) hearing.
2. Advice from the Office of the Dean of Students in preparing for a hearing.
3. Resolution of charges in accordance with judicial system policies as outlined.
4. Review of the reports that serve as the basis for the charge(s).
5. Participation in the hearing, if the case is not resolved via judicial conference.
6. Assistance from a process advisor (if requested).*
7. Written notice of the hearing decision.
8. File an appeal.**
9. Written notice regarding outcome of appeal.
10. Confidentiality regarding the outcome of the hearing (except for the complainant's right to be informed of the hearing decision) and any subsequent appeal.

B. 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 CSB, the officers of the CSB 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 CSB will take appropriate action with respect to the group as well as the individuals involved.

C. NOTIFICATION OF CHARGES

The respondent 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.

D. ADJUDICATION PROCEDURES

There are several adjudication procedures used to resolve cases. The CSB 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 dean of students 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 respondent(s) and attempt to resolve the case via a judicial conference. During the judicial conference, the respondent(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 Community Standards 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 CSB before imposing sanctions.

2. SIMPLIFIED CSB HEARINGS

In cases involving minor violations, the CSB 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 CSB 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 CSB HEARINGS

In cases involving violations that are deemed to be serious, the CSB 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 below) if the CSB 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, 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 CSB 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 panel shall be comprised of two student members of the CSB and two administrators, all with full voice and vote. At least one of the CSB's administrative advisors should serve on the panel. The full range of sanctions is available in this procedure. If the panel is unable to come to consensus on the case during deliberations, the dean of students may make the final determination. For this reason, the dean of students 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 can be adjudicated by an administrative panel comprised of four employees of the University.

6. INTERIM ADMINISTRATIVE HEARING

An interim administrative board shall be comprised of the dean of students (or designee), an advisor to the CSB, and at least one student member of the CSB. The CSB 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 CSB in order to determine the manner in which cases should be resolved when the CSB cannot convene.

7. JOINT GRADUATE JUDICIAL BOARD–COMMUNITY STANDARDS BOARD PANEL

When the CSB co-chairs determine that a case involves both an undergraduate(s) student(s) and a graduate student(s), a joint GJB-CSB 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 CSB panels.

E. HEARING PROCEDURES

The following hearing procedures will be used in all hearings except for cases of discriminatory harassment and sexual misconduct:

1. THE CHAIR WILL CONDUCT THE HEARING ACCORDING TO THE FOLLOWING PROCEDURES:

- a. The chair will inform the respondent(s) of the alleged violation(s).
- b. The respondent(s) will acknowledge whether they are responsible or not responsible for the violation(s).
- c. The complainant(s) and witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
- d. The respondent(s) and their witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
- e. The complainant(s) and the respondent(s) may pose questions to the board who will then redirect them to the appropriate party.
- f. Board members may question the complainant(s), the respondent(s), and/or any witnesses.
- g. The complainant(s) and the respondent(s) may make closing statements.

In cases where the complainant(s) or respondent(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. All judicial hearings shall be conducted in accordance with the standards of fair process. Specifically, the respondent 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.
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 a respondent has entered into a statutorily recognized confidential relationship may provide information arising from that relationship without the permission of the respondent. Furthermore, the board shall excuse a witness if it concludes that by giving testimony the witness may be endangered.
5. Only individuals with direct knowledge of the incident will be allowed as witnesses. Character witnesses are not permitted.

6. The chair (or designee) will generate a written summary of all hearings. Full hearings will also be recorded. Written summaries will be maintained with the case file. Audio recordings of the hearing are to be used by the board during deliberations and/or by the vice president for student affairs if there is an appeal of the board’s findings. 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 a respondent fails to appear for a scheduled hearing, the board will hear the case based on the available information. The University may proceed with charges of misconduct even when a respondent leaves the University for any reason (e.g., voluntary withdrawal, required resignation, separation, or dismissal).
10. A respondent 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 “preponderance of the evidence.” The board is responsible for determining if it is more likely than not that the alleged violation occurred. The complainant 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. The respondent(s) will be notified in writing via e-mail of the hearing outcome and any sanctions imposed as well as guidelines for filing an appeal.
12. The University requires that judicial boards and administrative staff maintain confidentiality regarding judicial matters. Complainant(s) will be informed of the board’s decision. Information about assigned sanctions will be shared with complainant(s) as deemed appropriate by the dean of student’s office. 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.

F. HEARING FINDINGS

1. **NOT RESPONSIBLE**—A decision that the respondent 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 respondent is responsible for a violation of policy as charged.

G. 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 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	REGULATION	POINT RANGE
1 Disturbance of the Peace	1–3	9c Restricted Items	1–3	13e Open Container	1–2
2 Harassment and Abuse	2–10	9d Explosives, Ammunition, Incendiary Devices	2–10	13f Sale or Dispensing without a Permit	1–3
3 Sexual Misconduct/Sexual Assault	5–10	9e Weapons	4–10	13g Operating Under the Influence	5–10
4 Property	1–8	10 Reckless Endangerment	2–10	14 Failure to Comply	1–4
5 False Information	1–4	11 Pets	1–3	15 Social Event Registration	1–3
6 Misuse of Documents	2–10	12 Disruptions	1–10	15 Unregistered Guest	1–2
7 Locks and Keys	1–4	13a Drugs	1–5**	15 Smoking in Residence Hall	1–2
8 Fire Protection Systems	2–5	13b Underage Possession or Use of Alcohol	1–3	15 Quiet Street Noise Violation	1–3
9a Starting a Fire	1–4	13c Distribution of Alcohol to Minors	1–4		
9b Storing Flammable Material	1–3	13d Possession of False Identification	1–2		
<p># 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.</p> <p>* Restitution for property damage may be included in the sanction up to two times the cost of repair or replacement.</p> <p>** Distribution/sale of drugs on or off campus will result in 4–10 points.</p>					

IN ADDITION TO ANY OTHER SANCTIONS:

- 1–4 total accumulated points will result in a student receiving a “disciplinary warning”
- 5–9 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, will lose one point after six months (180 days) without being found responsible for any additional infractions. (A student with 6 points who is placed on probation will return to disciplinary warning status 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. The dean of students will typically notify parent(s) or guardian(s) of students placed on disciplinary probation by letter.
 - 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.
 - f. 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.
 - g. 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.
3. **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.
4. **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.

H. APPEALS

Appeals of judicial findings may be directed to the vice president for student affairs (VPSA) who will convene an Appeals Board. The Board shall consist of the VPSA as chairperson, one faculty member, and one student member. The faculty member shall be a member of the Faculty Committee on Rights and Responsibilities. The VPSA will select a student member from the membership of the various adjudicating boards or the WSA Academic Affairs Committee chairperson (Honor Board appeals) or the WSA Student Affairs Committee chairperson (CSB appeals) on a case by case basis. Appeals Board members will not have been involved in the adjudication of the case being appealed.

The purpose of the Appeals Board is to ensure that hearings were conducted according to the established judicial procedures. The Appeals Board will not substitute its own judgment for that of the original hearing body. Respondents who have been found to be in violation may appeal the decision to the Appeals Board on the basis of the following grounds:

- a. Violation of fair process;
- b. New evidence that was not reasonably available at the time of the hearing;
- c. 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 vice president for student affairs and must be submitted within five business days of the hearing decision.

SANCTIONS RESULTING FROM THE CASE WILL NOT TYPICALLY 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 VICE PRESIDENT FOR STUDENT AFFAIRS WILL NOTIFY THE STUDENT OF THE OUTCOME OF THE APPEAL. If the appeal is granted, the Appeals Board has the authority to recommend a new hearing before a new board/panel. If the appeal is denied, the sanctions will be imposed and the University will consider the case closed.

I. ADDITIONAL PROCEDURES

1. INTERNAL INJUNCTIONS

One special power, which may be exercised by the CSB, 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 CSB 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 vice president for student affairs. If the injunction is violated, the dean of students (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 CSB 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 after the academic year in which the violation was adjudicated. To inspect their record, a student should make an appointment with the clerk of the CSB. 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 COMMUNITY STANDARDS 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 by letter 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.

I. 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 \$100 for each offense.

II. 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, 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 fifteen hundred 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. Any person who possesses or has under his control any quantity of a hallucinogenic substance other than marijuana or four ounces or more of a cannabis-type substance for a first offense, may be imprisoned not more than five years or be fined not more than two thousand dollars or be both fined and imprisoned, and for a subsequent offense may be imprisoned not more than ten years or be fined not more than five thousand dollars or be both fined and imprisoned.
 - c. Any person who possesses or has under his control any quantity of any controlled substance other than a narcotic substance, or a hallucinogenic substance other than marijuana or who possesses or has under his control one-half ounce or more but less than four ounces of a cannabis-type substance, for a first offense, may be fined not more than one thousand dollars or be imprisoned not more than one year, or be both fined and imprisoned; and for a subsequent offense, may be fined not more than three thousand dollars or be imprisoned not more than five years, or be both fined and imprisoned.
 - d. 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.

III. 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 B, page 45](#)).

RISKS ASSOCIATED WITH ALCOHOL USE

Alcohol use is often viewed as being part and parcel of the college experience. Indeed, national data shows that approximately 80 percent of college students drink alcohol, and approximately 1,800 college-age students die each year from alcohol-related injuries. Alcohol use on college campuses plays a direct role in several other harms, such as academic problems, physical assault, sexual assault, and unsafe sex. Wesleyan is especially concerned with high-risk drinking because of the associated harms to the individual and the community and as such has defined high-risk drinking for educational and judicial procedures.

WESLEYAN UNIVERSITY'S DEFINITION OF HIGH-RISK DRINKING

Nationwide studies have defined high-risk drinking, or "binge drinking," as four drinks for women and five drinks for men in a sitting at least once in a two-week period. However, the actual level at which this occurs can vary between individuals. The behavioral definition of high-risk drinking refers to drinking in a way that compromises the health, well-being, or safety of the individual or others, defies law and university policies, or disrespects the Wesleyan University community. The participation in a behavior listed in any of the categories below qualifies as engagement in high-risk drinking.

1. Compromising One's Own Health and Well-Being

Being dangerously intoxicated or under the influence of alcohol or drugs leading to:

- a. A diminished ability to walk or stand
- b. Vomiting
- c. Loss of consciousness

- d. Verbal or cognitive incoherence
 - e. Aggressive or violent behavior
 - f. Intentionally mixing alcohol or drugs together when such use is contraindicated, including excessive amounts of caffeine
 - g. Consuming an excessive quantity in a short amount of time
 - h. Chugging
 - i. Shots
 - j. Utilization of a high-volume drinking apparatus
 - k. Pregaming or prepartying
 - l. Not knowing what is in your glass or leaving it unattended
 - m. Drinking as an excuse for sexual activities
2. **Defying Law and University Policies**
 - a. Operating a vehicle after drinking or riding with an intoxicated driver
 - b. Causing or coercing another person to ingest alcohol or any drug without that person's consent
 - c. Attempting to purchase or purchasing, possessing, or otherwise having control of alcoholic beverages under the age of 21
 - d. Non-compliance with the requirements of the Student Events Policy by a student organization
 3. **Disrespecting the Wesleyan University Community**
 - a. Possessing an open container of alcoholic beverage in public/common areas or on the grounds of the University, except at registered events
 - b. Engaging in hazardous or disruptive conduct, which may include:
 - Engaging in games or other potentially dangerous behaviors or encouraging others to do so
 - Damaging or destroying university property or another person's property
 - Engaging in physically or verbally abusive behavior

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 "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:

1. **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; and memory loss, anxiety disorders, phobias, and depression.
2. **Increased risk of serious injury to self or others**, due to fighting, sexual assault, driving under the influence, homicide, and suicide.
3. **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.
4. **Increased engagement in other illegal activities**, including vandalism, physical assault, sexual assault, driving under the influence, etc.
5. **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.
6. **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).

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 impacts on family, finances, health, etc.

The chart "Controlled Substances—Uses and Effects" (see [Appendix A, page 44](#)) 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 | 860-685-2466 | 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. Please visit wesleyan.edu/weswell/resources to see a comprehensive list of strategies. 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 and assist the director in planning prevention activities.
2. The health education staff offers programs during New Student Orientation and residentially based workshops throughout the year, and sponsors awareness events and speakers.
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 or participation in a web-based AlcoholEdu® for Sanctions program.
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.
5. 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 to students in recovery from alcohol and other drugs.

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 (CAPS) for problems with alcohol and other drugs.

Additionally, students who violate the University's Alcohol and Other Drugs Policy may be referred by the Community Standards Board (CSB) 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 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 | 860-685-2470, 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 | 860-685-2910, wesleyan.edu/caps

The Office of Counseling and Psychological Services (CAPS) is located in the Davison Health Center. CAPS sees students who self-refer for alcohol and/or substance issues, as well as students who are referred by other offices and members of the university community. CAPS also assists students who are returning to campus following intensive treatment for alcohol or drug abuse or dependence. CAPS provides consultation and referral, voluntary psychotherapy, and support for returning students.

1. CONSULTATION AND REFERRAL

A student with questions about his or her substance or alcohol use can schedule an appointment with a CAPS therapist to discuss these concerns in detail. At the end of the session, the therapist will make a recommendation for treatment, which could range from individual psychotherapy at CAPS to outpatient treatment at a specialized program to inpatient rehabilitation.

2. VOLUNTARY PSYCHOTHERAPY

If appropriate, a student may see a CAPS therapist for individual psychotherapy to address concerns regarding alcohol and/or substance use. Alternatively, a student may benefit from seeing a therapist in the community who specializes in this area. CAPS can assist students with these referrals. Finally, a student's use pattern may be significant enough to warrant intensive outpatient treatment, such as that provided by Rushford Treatment Center in Middletown. CAPS can facilitate this referral as well.

3. SUPPORT FOR RETURNING STUDENTS

At times, students determine they need time off from Wesleyan in order to fully address their alcohol and/or substance issues. As they prepare to return to the campus community following completion of their treatment, CAPS will meet with students to discuss potential challenges and to develop a plan for a successful transition back to the life of a full-time student.

POLICY REVIEW

The University will review the Alcohol and Other Drugs 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 Disability Resources 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 visit wesleyan.edu/studentaffairs/disabilities or contact the associate dean for student academic resources at lpatey@wesleyan.edu or 860-685-5581 to make an appointment.

POLICY PROHIBITING DISCRIMINATORY HARASSMENT & SEXUAL MISCONDUCT

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. Wesleyan strives to be a community built upon mutual trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. A community will flourish only to the degree that the virtues of mutual respect, generosity, and concern for others are maintained. Therefore, it is vitally important that harassment and discrimination in all their forms not be tolerated. As noted in University Policy, members of the University community have the right to a safe and welcoming campus environment.

These policies and procedures apply to all College community members, and all members of the College community are responsible for being familiar with and abiding by them at all times. For more information regarding the University's sexual misconduct policies and procedures please visit wesleyan.edu/inclusion/misconduct/.

Wesleyan University will not tolerate discriminatory harassment and/or sexual misconduct (whether it comes in the form of intimate partner violence, non-consensual sexual activity and sexual assault, sexual exploitation, stalking or sexual harassment) against students, faculty, staff, trustees, volunteers, and employees of any university contractors/agents.

In an ongoing effort to prevent sexual misconduct on the Wesleyan campus, the University provides education and prevention programs for all members of the Wesleyan community and pursues available administrative and/or criminal remedies for complaints of sexual misconduct as appropriate.

All acts of discriminatory harassment and/or sexual misconduct threaten personal safety and violate the standards of conduct—mutual respect, generosity, and concern for others—expected of all community members.

STATEMENT OF POLICY

Wesleyan University prohibits all forms of discriminatory harassment and sexual misconduct. Wesleyan University is committed to ensuring that each member of the university community has the opportunity to participate fully in the process of education and development. Wesleyan strives to maintain a safe and welcoming environment free from acts of discriminatory harassment and sexual misconduct. However, when incidents occur, the University is committed to respond in a manner that provides safety, privacy and support to those affected.

INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY

This policy shall apply to all individuals affiliated with Wesleyan University, including but not limited to students, faculty, staff, trustees, volunteers, and employees of contractors/agents. It is intended to protect the rights and privacy of the reporting party, responding party and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy may be subject to disciplinary or other corrective action.

This policy applies to anyone on the property of Wesleyan University and anyone present at Wesleyan-sponsored programs or events. This policy extends to off-campus violations by both students and employees in limited circumstances, as outlined by Clery Act.

SEXUAL RELATIONSHIPS

Wesleyan University is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation, and favoritism. Where a party uses a position of authority to induce another person to enter into a relationship, the harm both to that person and to the institution is clear. Even where the relationship is consensual, there is significant potential for harm when there is an institutional power difference between the parties involved, as is the case, for example, between supervisor and employee, faculty and student, or academic advisor and advisee.

All members of the university community must be aware that romantic relationships with students/subordinates are likely to lead to difficulties and have the potential to place faculty and staff at great personal and professional risk. Any member of the university community who participates in decisions concerning the person with whom they have or have had a romantic relationship creates the potential for conflicts of interest, exploitation, and favoritism in those situations. In the event of a charge of sexual harassment arising from such circumstances, the University will in general be unsympathetic to a defense based upon consent when the facts establish that a power differential existed within the relationship.

RIGHTS OF THOSE WHO REPORT POLICY VIOLATIONS

Those who report any type of discriminatory harassment or sexual misconduct, to a University employee will be referred to the Office of Equity & Inclusion / Title IX Office and informed of all their rights and options, including the necessary steps for each option.

The University will provide assistance to those involved in a report of sexual misconduct or discriminatory harassment, including but not limited to reasonably available accommodations and modifications for academic, transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders.

SEXUAL MISCONDUCT SUPPORT SERVICES

Whenever the Title IX Officer or another employee receives a report that students, faculty, staff, trustees, volunteers, and employees of contractors/agents has been subjected to sexual misconduct, the Title IX Officer or other employee shall immediately provide the student, faculty or staff member with contact information for and assistance in accessing and using campus, local advocacy, counseling, health, and mental health services.

Those who report being subjected to sexual misconduct shall be provided information about their right to notify law enforcement and receive assistance from campus authorities in making the notification.

PROCEDURES

Procedures for the investigation and resolution of complaints are specific for students, faculty, and staff and are outlined in respective handbooks. Each process provides an equitable and timely process for both reporting and responding parties.

ACCOUNTABILITY, INVESTIGATION AND RESOLUTION

In determining whether alleged conduct constitutes discriminatory harassment or sexual misconduct, the University looks at the totality of circumstances including the nature of the conduct and the context in which the alleged incident(s) occurred.

The determination that the conduct violates University policy will be made on a case-by-case basis using the “preponderance of the evidence” standard. Violations of this policy may lead to disciplinary action up to and including academic dismissal or termination of employment. The University will take immediate and appropriate corrective action based on the findings in each case as outlined in the respective handbooks:

- [Student Handbook/Dean of Students Office](#) (link and date updated)
- [Staff Handbook/Human Resources Office](#) (link and date updated)
- [Faculty Handbook/FCRR](#) (link and date updated)

RETALIATION

Any individual subject to this policy who intentionally engages in retaliation may be subject to disciplinary or other corrective action as appropriate.

POLICY OVERSIGHT

The Department of Education's Office for Civil Rights (OCR) has published clear guidance that instructs and directs the Office of Equity & Inclusion and the Title IX Officer to ensure campus-wide protocol is implemented and serve as the central person to whom all complaints or notice related to discriminatory harassment, sex/gender bias, sexual misconduct and disability discrimination is directed.

The Vice President for Equity & Inclusion serves as Wesleyan's Title IX Officer and has the following responsibilities:

- Ensure prompt response to stop the harassment/discrimination
- Implement immediate remedial support for the reporting party
- Initiate the preliminary investigation
- Oversee action to reasonably prevent the recurrence
- Conduct ongoing educational campaigns and climate monitoring of sexual misconduct allegations.

WESLEYAN OFFICE FOR EQUITY & INCLUSION

Antonio Farias

Vice President for Equity & Inclusion / Title IX Officer
317 North College
860-685-4771 | afarias@wesleyan.edu

Debbie Colucci

Equity Compliance Director / Deputy Title IX Officer
121 North College
860-685-2456 | dcolucci@wesleyan.edu

I. DEFINITIONS

The following definitions supplement Wesleyan's Policy regarding discriminatory harassment and sexual misconduct.

A. DISCRIMINATORY HARASSMENT

It is illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. Accordingly, the University recruits, hires, trains, promotes and educates individuals without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression. Under the Federal guidance and direction of Title II, Title IV, Title IX, ADEA, EPA, and ADA / Section 504, Wesleyan University administers all personnel action such as compensation, benefits, transfers, layoffs, return from layoffs, education, tuition assistance, and social and recreational programs without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression.

B. CONTRACTORS/AGENTS

This policy shall apply to all individuals affiliated with Wesleyan University, including employees of outside agencies such as those providing custodial, landscaping/grounds and/or dining services.

C. CONSENT AND RELATED CONCEPTS:

To sexual relationships, Wesleyan defines consent and the related concepts as follows:

1. CONSENT:

- a. Sexual consent is when all parties agree to engage in sexual activity. Consent should always be mutual, voluntary and given without pressure, intimidation, or fear.
- b. Consent must be freely and affirmatively communicated between all individuals in order to participate in sexual activity or behavior. It can be expressed either by words or clear, unambiguous actions. It is the responsibility of the person who wants to engage in sexual activity to insure consent of their partner(s).
- c. Consent must be obtained at each step and present throughout the sexual activity - - at any time, a participant can communicate that they no longer consent to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.
- d. Silence, lack of protest, or no resistance does not mean consent.
- e. Consent is not present if it results from the use of physical force, threat of physical force, intimidation, coercion, incapacitation or any other factor that would eliminate an individual's ability to exercise free will to choose whether or not to have sexual contact.
- f. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, a willingness to engage in sexual activity must be freely and affirmatively communicated.

2. COERCION:

- a. Coercion is the use or attempted use of pressure and/or oppressive behavior, including express or implied threats, intimidation, or physical force, which places a person in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. This is something very different from the words of persuasion an individual might use to induce another to voluntarily consent to sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering or pressuring another to consume a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.

3. INCAPACITATION:

- a. Incapacitation is defined as the inability, temporarily or permanently, to give consent, because an individual is mentally and/or physically helpless, unconscious, or unaware that the sexual activity is occurring. This may or may not be due to alcohol or other drugs (see below).
- b. An individual who is incapacitated cannot consent to sexual activity.

4. ALCOHOL OR OTHER DRUGS: The University considers any sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences,

and ability to make informed judgments. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

- a. From the perspective of the reporting party, the use of alcohol or drugs can limit a person's ability to freely and clearly give consent.
 - b. From the perspective of a responding party, the use of alcohol or drugs can create an atmosphere of confusion over whether or not consent has been freely and clearly sought or given.
 - c. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.
 - d. Warning signs of incapacitation may include one or more of the following: slurred speech, vomiting, unsteady gait, combativeness, emotional volatility, sleeping.
 - e. The perspective of a reasonable person will be the basis for determining whether a responding party should have been aware of the extent and amount of the ingestion of alcohol or drugs by the reporting party or of the extent to which the use of alcohol or drugs impacted a reporting party's ability to give consent.
 - For example, an individual who is in a blackout may appear to act normally and be giving consent, but may not actually have conscious awareness or the ability to consent to or later recall the events in question. The extent to which a person in this state affirmatively gives words or actions indicating a willingness to engage in sexual activity (and the person reasonably could not have known of the person's level of alcohol consumption and/or level of impairment) must be evaluated in determining whether consent has been given.
 - f. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, misconduct or violence and does not diminish one's responsibility to obtain consent.
5. **SEXUAL MISCONDUCT:** Wesleyan University prohibits all forms of sexual misconduct. Sexual misconduct refers to a broad spectrum of behavior encompassing sexual harassment and all forms of non-consensual sexual activity. For the purposes of this policy, the University prohibits the following specific forms of sexual misconduct: sexual assault, sexual exploitation, intimate partner violence, stalking, sexual harassment and retaliation. Sexual misconduct affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.
 6. **SEXUAL ASSAULT:** Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following acts:
 - a. **RELATED TO NON-CONSENSUAL SEXUAL PENETRATION:** Penetrating or attempting to penetrate another individual without their consent. This includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.
 - b. **RELATED TO NON-CONSENSUAL SEXUAL CONTACT:** Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.
 7. **SEXUAL EXPLOITATION:** An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to: observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
 8. **INTIMATE PARTNER VIOLENCE:** Intimate partner violence, also referred to as dating violence, domestic violence and relationship violence; includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual or dating relationship with that person. It may involve one act or an ongoing pattern of behavior. Intimate partner violence can encompass a broad range of behavior, including, but not limited to threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.

The University will not tolerate intimate partner violence of any form. For the purposes of this policy, the University does not define intimate partner violence as a distinct form of misconduct. Rather, the University recognizes that sexual harassment, sexual assault, sexual exploitation, stalking, harm to others, emotional and psychological abuse, harassing conduct, and retaliation may all be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the reporting party.

The University will not tolerate intimate partner violence of any form. For the purposes of this policy, the University does not define intimate partner violence as a distinct form of misconduct. Rather, the University recognizes that sexual harassment, sexual assault, sexual exploitation, stalking, harm to others, emotional and psychological abuse, harassing conduct, and

retaliation may all be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the reporting party.

9. **STALKING:** A course of conduct directed at a specific person that would cause a reasonable person to: fear for their safety or the safety of others; or suffer substantial emotional distress. This includes cyber-stalking, a particular form of stalking in which electronic media is used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.
10. **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, corrective action is taken and further harm is prevented.

According to the state of Connecticut unwelcome sexual advances, requests of sexual favors, and/or other verbal or physical contact of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic or employment success,
- submission to or rejection of such conduct by an individual is used as the basis for academic or employment evaluation and decisions affecting such an individual, or
- such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive living, learning, or work environment.

The effect of sexual harassment will be evaluated based on the perspective of a reasonable person in the position of a reporting party. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

11. **RETALIATION:** subjecting a person to an adverse employment or educational action because they made a complaint under this policy or responded to, assisted or participated in any manner in an investigation under this policy. Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Any individual or group of individuals, not just a responding party or reporting party, can be guilty of retaliation. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.
12. **TITLE IX OFFICER(S):** Additionally, Title IX Officer(s), as directed by OCR, have responsibilities in Recruitment, Admissions, and Counseling. The Title IX Officer reviews materials used for counseling students, in terms of class, or career selection, or for counseling applicants for admissions, to ensure that the recipient does not use different materials for students based on sex and/or gender identity or expression, or use materials that permit or require different treatment of students based on sex and/or gender identity or expression.

PROCESS FOR INVESTIGATING AND RESOLVING STUDENT SEXUAL MISCONDUCT COMPLAINTS

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. Wesleyan strives to be a community built upon mutual trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. Sexual misconduct, in all forms, violates these relationships and is not tolerated within the university community. The university is committed to providing an environment of well-being, learning, and accountability for its members by preventing the occurrence of sexual misconduct and addressing its effects.

The university's commitment to non-discrimination includes an assurance that the university will not tolerate unlawful discrimination or harassment on the basis of person's sex, marital or parental status, sexual orientation, gender identity or any other unlawful basis or retaliation in its community.

The university follows through on that commitment, in part, through the implementation of its Policy Prohibiting Discriminatory Harassment & Sexual Misconduct and Process for Investigating and Resolving Student Complaints.

NOTE: where the Title IX Officer is listed as the designated point of contact for any role in the Sexual Misconduct Policy, they may designate a Deputy Title IX Officer or another qualified member of the university community to assume the role at issue, as necessary and appropriate.

This process describes how the university will investigate a report that an individual has engaged in conduct that could violate the sexual misconduct portion of this policy and determine what, if any, safety measures and/or disciplinary sanctions are appropriate.

I. INITIAL STEPS:

After receiving a report of conduct that could fall under the Sexual Misconduct Policy, the Title IX Officer or designee will take a number of initial steps; these initial steps are not an investigation. Rather, these initial steps will enable the university to assess the need to take any immediate action to address the safety and health needs of the reporting/affected student

(“reporting party”) and the university community, to determine the next steps for support, resources and /or investigating the reported conduct, as well as the need for any interim measures.

These initial steps may include, but are not limited to, the following:

- **THE TITLE IX OFFICER WILL CONTACT THE REPORTING PARTY** and encourage him/her/them to meet to discuss the nature and circumstances of the reported conduct, review relevant documentation that is available, and address the need for any interim measures. Examples of interim measures with respect to sexual misconduct may include no-contact orders, requests for academic adjustments, changes to living, dining, transportation, and other actions to address the situations and the individual’s immediate physical safety and emotional needs and concerns on an interim basis.
- **THE TITLE IX OFFICER WILL ASSESS THE REPORTED CONDUCT TO DETERMINE WHETHER THE CIRCUMSTANCES POSE A THREAT** to the health or safety of the university community that warrants issuance of a timely warning, a no-contact order for any persons, or any other interim protections, including, but not limited to, suspension of a student or restricting any individual from other privileges prior to completing an investigation. During the interim action, the university reserves the right to prohibit the responding party from entering upon the university’s property or participating in any university activities absent written authorization from an appropriate university official. The failure of a responding party to comply with an interim restriction is a violation of this Policy and may lead to additional disciplinary action. The decision to impose interim restrictions will be communicated by the Title IX Officer or designee in writing.
- **THE TITLE IX OFFICER WILL EXPLAIN THE SEXUAL MISCONDUCT POLICY**; and the right to report and the right to delay or decline to report the matter to the university and/or to local law enforcement if the conduct is potentially criminal in nature (and that such a report will not change the university’s obligation to potentially investigate the matter but it may briefly delay the timing of the investigation if a law enforcement agency requests that the university delay its process for a reasonable amount of time to allow it to gather evidence of criminal conduct).
- **THE TITLE IX OFFICER WILL NOTIFY THE REPORTING PARTY OF THE AVAILABLE RESOURCES** for seeking medical treatment, counseling, spiritual guidance, or other interim measures.
- **THE TITLE IX OFFICER WILL ALSO DISCUSS THE REPORTED CONDUCT AND NEXT STEPS** in terms of reporting allegations of sexual misconduct. If, at this time, the reporting party requests that the process not move forward, the university will weigh that request against the obligation to address any risk of harm to the reporting party or other individuals in the community given the nature of the incident or conduct at issue.

II. THE INVESTIGATION PHASE

A. NOTICE OF AN INVESTIGATION.

If it is determined that an investigation will begin, the Title IX Officer will prepare a written notice to the reporting party and responding party that will include a brief description of the allegations, the portions of the policy that are alleged to have been violated, and any interim measures in place about which either party must be made aware. This written notice does not constitute a finding or a determination of responsibility.

B. INFORMATION ABOUT ADVISORS IN CONNECTION WITH ALLEGATIONS OF SEXUAL VIOLENCE, OTHER INAPPROPRIATE SEXUAL CONTACT, RELATIONSHIP VIOLENCE AND STALKING.

In connection with an allegation of sexual misconduct, harassment, and/or assault, each party may have a single advisor of their choice present during any disciplinary proceeding, including any related meeting, interview, or hearing, held pursuant to the Sexual Misconduct Policy. Advisors may not participate actively while present at any disciplinary proceeding, and may not speak or otherwise communicate on the part of the Party that the advisor is advising. However, the advisor may ask to suspend any meetings, interviews, or hearings briefly to provide private consultation related to the disciplinary proceeding in progress. An advisor is subject to the same confidentiality expectations applicable to others in attendance. Accommodations, including scheduling of interviews or reviews, generally will not be made for any advisors if they unduly delay the process. The advisor is not permitted to attend a meeting or proceeding (without the party being present) without the prior approval of the Title IX Officer, at their discretion. The university reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation.

C. SUPPORT SERVICES AND RESOURCES.

The parties should review university and community resources regarding the available support services and resources at the university and in the community. At the request of either Party or witness, the Title IX Officer can discuss further the support services, resources, and options available.

D. DESIGNATION OF INVESTIGATOR.

The Title IX Officer will designate at least one investigator to conduct a prompt, fair, and impartial investigation of the reported conduct and prepare a report of investigative findings (the “Investigative Report”). All investigators will be selected from a group of qualified and trained individuals employed by or engaged by the university for the purpose of conducting investigations under the Sexual Misconduct Policy. The Title IX Officer will provide the parties with the name of the person(s)

assigned to investigate the reported conduct. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the Investigator(s), the parties shall inform the Title IX Officer (in writing) of any conflicts of interest with regard to the selected Investigator(s). The Title IX Officer will consider the nature of the conflict and determine if different individuals should be assigned as Investigator(s). The Title IX Officer's decision regarding any conflicts is final. The Title IX Officer may consult with other university personnel to discuss any conflicts of interest.

E. NATURE OF THE INVESTIGATION.

The investigation provides an opportunity for fact-finding and will include separate interviews with the reporting party, the responding party, and any witnesses whom the Investigator(s) believe will provide necessary and relevant information. The investigation may include the review of documentation or other items relevant to the reported conduct. The Investigator(s) will provide the parties with notice of meetings at which their presence is required.

F. THE PARTIES' IDENTIFICATION OF POTENTIAL WITNESS AND DOCUMENTATION.

The parties have the opportunity (and are expected) to provide the Investigator(s) with the identification of potential witnesses who have specific information about the reported conduct and with whom they would like the Investigator(s) to speak. The parties also have the opportunity (and are expected) to provide the Investigator(s) any documentation or other items or questions they would like to be considered. All information described in this section must be presented to the Investigator(s) in writing and include a brief description as to how the persons, documents, and/or items are relevant to the reported conduct. This information must be provided to the Investigator(s) during the Investigation Phase and without delay upon becoming aware of it. The Investigator(s) will exercise discretion in their determination of what information to consider and which potential witnesses identified by the parties can provide relevant information to the investigation. Furthermore, the University reserves the right to interview any member of the Wesleyan community that may have specific information about the incident that has been reported.

G. INVESTIGATION PROHIBITIONS.

At no point will the investigation require both parties to be in the same room. At no point will either party be permitted to question or cross-examine the other party directly during the investigation, determination or appeal process. Additionally, the Investigator(s) generally will not gather or consider information related to either party's sexual history, unless deemed relevant to the incident in question.

H. RESPONDING PARTY VOLUNTARY AGREEMENT TO POLICY VIOLATION.

At any point prior to convening a Deliberation Panel, as described below, a responding party may agree in writing to the alleged violation(s) of the Sexual Misconduct Policy related to sexual harassment and may also accept a proposed sanction. In cases of sexual violence, inappropriate sexual contact, sexual exploitation, stalking or relationship violence, the individuals responsible for imposing sanctions will determine and impose sanction(s) as a result of the full deliberation of the Deliberation Panel.

III. INVESTIGATIVE REPORT AND DETERMINATION OF RESPONSIBILITY BY DELIBERATION PANEL

A. CONTENT OF THE INVESTIGATIVE REPORT.

At the conclusion of the Investigation Phase, the Investigator(s) will prepare an Investigative Report, which should include a summary of the factual information presented during the Investigation Phase, a separate section where the Investigator(s) point out relevant consistencies or inconsistencies (if any) between different sources of information, and a separate section describing the Investigator(s) assessment of the credibility of parties and witnesses. The Investigative Report will not include a determination as to whether a party has violated the Sexual Misconduct Policy or what sanctions may be appropriate. These determinations will be made by the Deliberation Panel, as described below.

B. NOTIFICATION OF CHARGES AND REVIEW BY THE PARTIES.

The investigative report will be reviewed by the Office of the Dean of Students and if warranted will result in written notification of charge(s) within the university's judicial process. The notification will inform both parties of their opportunity to review the entire Investigative Report and to submit written comments and/or questions about the content of the Investigative Report to the Investigator(s) within five (5) calendar days of the date they are notified that the Investigative Report is available for review. This review will take place at a secure location and in a secure manner determined by the university. The time to submit written comments can be extended for a brief period if the Title IX Officer concludes, in his/her sole discretion, that the additional time is warranted. Likewise, the secure location and manner of reviewing the Investigative Report can be modified if the Title IX Officer deems it necessary and appropriate. Each party may have their advisor review the Investigative Report with them. Photographs or any other copies of the Investigative Report are not allowed by either party or advisor. The comments submitted by the parties may not exceed ten (10) double spaced pages unless a higher page

limit is otherwise determined to be necessary and appropriate in the sole discretion of the Title IX Officer. After reviewing the submissions, if any, from the parties, the Investigator(s) may determine that either additional investigation is required or no further investigation is needed. If further investigation is conducted, the Investigator(s) will include any additional relevant information in the Investigative Report. The Investigator has the sole discretion to determine if any information or questions submitted are irrelevant. Information deemed irrelevant by the Investigator will not be considered and will be redacted. The Investigative Report will then be submitted to the Title IX Officer for review. Any submissions made by either party pursuant to this section, as well as any other documentation deemed relevant by the Investigator(s), will be attached to the Investigative Report. When the Investigator has completed any additional fact finding, both parties will be permitted to review the entire Investigative Report, although no further comments will be added at this point.

C. CONVENING THE DELIBERATION PANEL.

Upon review, the Title IX Officer will submit the Investigative Report to the Office of Student Affairs. The Office of the Dean of Students will convene a four-member panel (named the "Deliberation Panel") from an established pool of university community members trained to decide cases pursuant to this policy. The panel will not include the Title IX Officer or any deputies. In no instance will the panel include students. The Office of the Dean of Students will provide the parties with the names of the persons assigned as the Deliberation Panel members for their case. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the assigned Deliberation Panel members, the Parties should inform the Office of the Dean of Students (in writing) of any conflicts of interest in regard to the selected members assigned to the Deliberation Panel. If a conflict of interest is raised regarding any of the individuals assigned to the Deliberation Panel, the Office of the Dean of Students and Title IX Officer will consider the nature of the conflict and determine if different individuals should be assigned to the Deliberation Panel. Their decision regarding any conflicts is final. The Office of the Dean of Students will then provide the Deliberation Panel members with the Investigative Report and set a subsequent date for the Deliberation Panel to meet to determine responsibility.

D. REVIEW AND DETERMINATION BY THE DELIBERATION PANEL.

The Deliberation Panel will make a determination as to whether or not the responding party is responsible for violating the Sexual Misconduct Policy by having engaged in some or all of the reported conduct. The Deliberation Panel has the authority to accept the Investigative Report without seeking additional investigation, or to ask the Investigator(s) to conduct additional investigation on specific points. The Deliberation Panel, in its discretion, may invite the Investigator(s) to attend a Deliberation Panel meeting if the Panel believes it would be helpful to have an opportunity to ask the Investigator(s) any questions arising from the Investigative Report.

E. NOTIFICATION OF DECISION.

Upon reaching a determination of responsibility, the Deliberation Panel will provide a written notification of its decision and rationale to the Office of the Dean of Students. If sanctions are necessary, they will be assigned in accord with the Sanctioning Guidelines**. The notification will consist of a brief statement of the allegations and determination(s) made by the Deliberation Panel and with respect to responsibility of the responding party, any sanctions that are imposed.

F. STANDARD OF PROOF.

Consistent with state and federal Title IX standards, the university must use a preponderance of the evidence standard (i.e., it is more likely than not that the reported incident and/or behavior violated university sexual harassment and/or violence policies). Therefore, all findings and determinations of responsibility under Wesleyan's Sexual Misconduct Policy will be made using this preponderance of the evidence standard. **PLEASE NOTE:**

- the preponderance of the evidence standard is not the standard used for criminal culpability in most jurisdictions and a determination of responsibility under the Sexual Misconduct Policy does not equate with a finding of a violation of criminal laws;
- conversely, lack of a prosecution or conviction in a criminal proceeding does not necessarily imply that the university's Sexual Misconduct Policy was not violated. The two procedures are significantly different and utilize different standards for determining violations.

IV. NOTIFICATION OF INVESTIGATION OUTCOME

Upon completion, the Office of the Dean of Students will inform the parties simultaneously and in writing of (i) the outcome of the disciplinary proceeding; and (ii) the procedures for either party to appeal the result of the disciplinary proceeding.

The Office of the Dean of Students will also inform other university officials with a legitimate educational interest about the outcome of the finding.

V. APPEALS

The following process applies to all appeals. Within five (5) calendar days of the delivery of the notice of the decision of responsibility and/or sanction, either party may appeal the decision by submitting to the Office of the Dean of Students a letter stating why they believe the determination of responsibility and/or the sanctions were inappropriate. A party may only appeal on the following grounds:

- a. **PROCEDURAL ERROR** by the Investigator(s) or Deliberation Panel that materially prejudiced the findings/outcome; and/or
- b. **NEWLY DISCOVERED MATERIAL INFORMATION** that was not known/available to the Investigator(s), the Deliberation Panel, or the individual determining the sanction, and which likely would have changed the finding of responsibility or the sanction imposed had it been available.

The party submitting the appeal must set forth in detail the grounds for review and must attach all materials that they wish to have considered in the appeal process. The Office of the Dean of Students will provide a copy of the appeal submitted to the other party.

VI. THE APPELLATE OFFICER(S):

In the instance of an appeal, the information is forwarded to the Vice President for Student Affairs who convene a committee of faculty/staff from a previously pool of who have received training on sexual misconduct cases and appeals. The Office of the Dean of Students will provide the parties with the names of any appellate committee members(s) for their case. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the officer(s), the parties should inform the Office of the Dean of Students in writing of any conflicts of interest in regard to the assigned. The Office of the Dean of Students and/or Title IX Officer will consider the nature of the conflict and determine if different individual(s) should be assigned to review the appeal.

- a. The appellate officer(s) will decide the merits of the appeal and, in so doing, may consult with any other individual that they deem appropriate. Sanctions of all types (including, but not limited to, suspension, dismissal, or separation) can be imposed while an appeal is pending at the sole discretion of the university.
- b. The appellate officer(s) may deny the appeal and affirm all or part of the determination of responsibility or the determination of sanction, or they may refer the matter back to the Investigator(s), the Deliberation Panel, and/or the individual determining the sanction for further consideration. If the matter is referred back to the Investigator(s), the Deliberation Panel, and/or the individual determining the sanction for further consideration, the appellate officer(s) will provide specific instructions with the referral. In the event of a referral for further consideration, the Title IX Officer will be consulted and further proceedings may be commenced, as appropriate under the circumstances and consistent with this policy.
- c. The decision of the appellate officer(s) regarding the appeal will be in writing and is final. The Office of the Dean of Students will inform the Parties simultaneously and in writing of the outcome of the appeal.

VII. TIMEFRAME FOR COMPLETION OF INVESTIGATION AND DISCIPLINARY PROCESS

The university cannot promise a definitive timeframe for completion of the investigation-adjudication; but will strive to do so within sixty (60) days of the delivery of the written notice of the investigation to the Parties. This time period does not include the time for any appeal. The U.S. Department of Education has made clear that the length of investigations may vary with the complexity and unique factors in each case. Examples of such factors include, without limitation, circumstances in which critical witnesses are unavailable or if law enforcement requests the university temporarily halt its investigation for a brief period of time. Accordingly, all timeframes set forth in this Policy may be altered by the Title IX Officer for good cause. The university's overarching goal is that all complaints be investigated in a prompt, fair, and impartial manner.

** SANCTIONING GUIDELINES – STUDENT SEXUAL MISCONDUCT/TITLE IX CASES

For resolution of university situations of student sexual misconduct, the understood evidentiary standard of beyond a reasonable doubt is not to be applied; rather, the standard of preponderance is used. A preponderance of evidence is defined as just enough fact-based information to make it more likely than not that the facts presented show a violation of university policy.

Additionally, unless the Panel believes there are compelling circumstances, the sanctioning guidelines are:

RELATED TO NON-CONSENSUAL SEXUAL PENETRATION: Penetrating or attempting to penetrate another individual without their consent. This includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to non-consensual sexual penetration, then dismissal from the university will be the first consideration by the Administrative Panel during the deliberation of sanctions and the minimum resulting sanction for someone found responsible for this portion of the policy will be separation from the University until the reporting party is no longer a student.

NON-CONSENSUAL SEXUAL CONTACT: Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or

disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to non-consensual sexual contact, the specific behavior and duration of behavior will be the two main considerations of the Administrative Panel in their deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the University including dismissal.

SEXUAL EXPLOITATION: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to: observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to sexual exploitation, the first consideration of the Administrative Panel will be a separation from the university up to and including dismissal. Particular attention will be paid to exploitation related to a reporting party's identity in a protected class or being in a subordinate role to the responding party

STALKING: A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of harm or injury, including physical, emotional, or psychological harm. This includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cellphones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to stalking, the specific behavior and the duration of the behavior will be the two main considerations of the Administrative Panel in their deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the University including dismissal.

RETRALIATION: Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a responding party or reporting party. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

- If a responding party is found responsible for retaliation against a reporting party or other individuals related to a Sexual Misconduct or Assault policy complaint the specific behavior, the intended effect, and the impact of the retaliation will be the main considerations in the Administrative Panel's deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the university including dismissal.

DISRUPTIONS

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.

1. 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.
2. 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.
3. Protests, sit-ins, demonstrations, student strikes, and other forms of expressions also violate the Code of Non-Academic Conduct when they:
 - a. Disrupt or obstruct curricular, co-curricular, or administrative/operational activities of the University
 - b. Deny the rights of students, faculty, staff, or guests of the University
 - c. 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
 - d. Disrupt the proper use of University offices or facilities

- e. Endanger the safety of any person on University property
- f. Destroy or damage property
- g. 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 Community Standards Board (CSB) 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 CSB shall convene to review the complaint.

The CSB 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 vice president for student affairs. If the CSB determines that an internal injunction has been violated, one of its officers will report the violation to the dean of students. The dean of students, in consultation with an officer of the CSB, 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 dean of students (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 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 Jewett Center for Community Partnerships (JCCP). This access is available only for the semester in which it has been requested and must be renewed through the JCCP 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 websites, 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 online forums discussing issues relating to commercial products. Inappropriate use would include activities such as using a Wesleyan-based website 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](#), available online.

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:

- a. When necessary to identify or diagnose system or security vulnerabilities and problems, or otherwise preserve the integrity of the university systems;
- b. When required by federal, state, or local law;
- c. 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;
- d. 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 e-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 W-2 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.

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 permanent) 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 vice president for equity and inclusion/Title IX officer. The vice president for equity and inclusion/Title IX 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 vice president for equity and inclusion/Title IX 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.

REMOTE CONTROLLED AIRCRAFT(RCA) AND DRONES

1. Except for authorized University employees conducting official University business, RCA s may not be used on University property except for the following property: the parcel of land owned by Wesleyan and adjacent to Long Lane Farm (West of Long Lane, North of Wadsworth Street, South of Woodman Street, and East of West Street).
2. In all events, RCA s may only be operated on University property in accordance with all applicable law and regulation, including but not limited to laws relating to the design and use of the RCA and the training, qualifications and actions of its operator.
3. In all events, RCA operation is subject to all other University policies, including but not limited to those related to privacy, disturbance of the peace and reckless endangerment.
4. The University, in its sole judgment and through its Director of Public Safety or other authorized individual, reserves the right to further regulate or restrict RCA use.
5. Any and all exceptions to this policy may only be granted in writing by the University's Director of Public Safety.

March, 2017

RESIDENCY

Revised and approved by President Roth, July 2015

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 application 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 via program housing 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 and affiliated organizations that are not recognized by the University. Wesleyan students are also prohibited from using any other property that the University informs students are off-limits for health, safety, or conduct reasons at the University's discretion. These prohibitions include using such houses or property as residences, taking meals at such houses or property, and participating in social activities or otherwise being present 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, as well as 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 (860-685-2470) provides assistance to students who wish to stop smoking. WesWELL, the Office of Health Education (860-685-2466), 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 the Wesleyan Student Association (WSA) conducted an extensive review of the dining program and concluded that to ensure 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

Please see [Discriminatory Harassment and Sexual Assault](#), page 21.

SOCIAL EVENTS

Social events/parties/concerts occurring in university buildings, on university grounds, or in recognized student housing, must be registered with the Office of Student Activities and Leadership Development (860-685-2143, wesleyan.edu/sald) if the following apply to the event:

1. **THERE WILL BE 50 OR MORE PEOPLE** in attendance for a residence hall, apartment building event, or non-residential space, or there is no provision for limiting attendance to fewer than 50 people (for a residence hall, apartment building event, or nonresidential space), and any of the following apply:
 - No formal program or agenda is planned.
 - Admission will be charged.
 - The event will be open to any persons who are not Wesleyan students.
2. **THERE WILL BE MORE PEOPLE** than the posted indoor house capacities for an outdoor wood-frame event (indoor wood-frame events are limited to the posted capacities) with any or all of the criteria above applying to the event.
 - 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 wood-frame houses have an indoor capacity that is determined by the City of Middletown Fire Marshall (and posted inside of the residence) and thus, any gatherings that remain within designated house capacity do not need to be registered.
 - In the case that a wood-frame house would like to host an outdoor event (which may exceed the posted indoor house capacity), the residents must register the event per the University's Social Event Policy.

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.

GENERAL GUIDELINES

THIS POLICY IS IN EFFECT THROUGHOUT THE YEAR, REGARDLESS OF WHETHER OR NOT CLASSES ARE IN SESSION.

- A currently enrolled Wesleyan student or recognized student organization must sponsor the event. Alcohol is allowed under established guidelines.
- 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.

- 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.
- The number of registered parties in any given block/area will be limited at the discretion of the Director of Student Activities. Events requiring uniformed security officers will be limited and will not be allowed on weekends when there are home football games or other large university events.

QUIET HOURS: One of the goals of Residential Life is to provide an atmosphere that is conducive to study and rest. In order to meet this goal, all residents must understand that the right of residents to study and sleep takes precedence over the right to make noise that disturbs others. When Quiet Hours are in effect, all noise should be kept at a minimal level and not be heard outside the room or unit. All students are expected to respect the rights of others.

PER THE RESIDENTIAL LIFE COMMUNITY STANDARDS, QUIET HOURS ARE UNIFORM THROUGHOUT CAMPUS RESIDENTIAL SPACES:

- Sunday–Thursday, quiet hours are 11 p.m.–8 a.m. Barring security or nuisance issues, events in residential spaces must conclude by 11 p.m. Events occurring in non-residential spaces must conclude by 1:30 a.m.
- Friday–Saturday, quiet hours are 2 a.m.–10 a.m. Barring security or nuisance issues, all events in both residential and non-residential spaces must conclude by 2 a.m.
- At all other times, students are expected to observe Courtesy Hours and be mindful to ensure that noise levels do not interfere with or negatively impact other students or the community. Courtesy Hours are 24 hours a day, 7 days a week. If another person asks you to control the noise level in and around your residence, you are expected to comply with the request.
- During reading and final exam periods, Quiet Hours are in effect 24 hours. Beginning at 12 a.m. (midnight) on the last day of classes through the last day of finals, 24-hour Quiet Hours are in effect in all residence halls. Students in wood-frame and program houses are expected to be mindful and courteous of all house members during reading and finals week. Any social event that has the potential to be disruptive to the community at large will not be approved.

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.

HOST TRAINING: Event hosts must pass an online host-training course through Moodle or a Social Event Registration seminar with the SALD office prior to registering an event. Event hosts may sign up for either the course or the seminar by contacting stuact@wesleyan.edu.

SOCIAL EVENT REGISTRATION PROCESS

- Social event registration is due by 1 p.m. the Monday prior to events occurring that Thursday to the following Wednesday for any event with special needs (including furniture, staging, catering, electrical set-up, A/V equipment, or event staff or an event with alcohol). Events with no special needs must be registered by Wednesday at 1 p.m. for events occurring that Thursday to the following Wednesday. Wood-frame registration is due via OrgSync Friday by 1:00 p.m. the Friday prior to events occurring that Friday through the following Thursday.
- Events that will involve any external artist or vendor being paid (i.e., a band or inflatable) will require submission of a contract request form or artist/vendor contract two weeks prior to the event.
- 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 three guests per Wesleyan student).
- The 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 (SALD), or designee, may require additional security at the event.
- Certain facilities require the presence of a fire marshal when a Connecticut state liquor permit has been obtained.
- Certain facilities require an additional staffing grid which will be due to SALD at the time of submission of the social event registration form (see above for weekly deadlines).
- *Any exceptions to the standard social event may be petitioned through the Office of Student Activities and Leadership Development ten 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 ID.

- Organizers should plan to have an appropriate amount of alcohol based upon the number of attendees of legal drinking age. As a guideline, responsible consumption is one standard drink per hour; a standard drink is 12 fl. oz. of regular beer, 5 fl. oz. of table wine, or 1.5 fl. oz. of hard liquor.
- Whenever alcohol is to be served, the hosts must provide ample snacks and non-alcoholic beverages.
- Designated event hosts, door monitors, bartenders, and event staff cannot consume alcohol during the event.

GENERAL AMPLIFIED SOUND GUIDELINES FOR OUTDOOR EVENTS

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

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 2014 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, enrollment status, 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:

OFFICE OF 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.

GORDON CAREER CENTER • BOGER HALL (41 WYLLYS AVENUE)

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

OFFICE OF COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS) • 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 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 Community Standards 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 • EXLEY SCIENCE CENTER

The Office of Graduate Student Services maintains records of candidates for the degrees of doctor of philosophy and master of arts. The records include the following types of information:

- information submitted for admission;
- correspondence with the student and notes of meetings with the student;
- reports of academic performance;
- and forms certifying completion of requirements for the degree.

The director of graduate student services is responsible for the records.

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 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.

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 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 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.

OFFICE OF CONTINUING STUDIES • 74 WYLLYS AVENUE

Maintains academic and financial records for all active Continuing Studies students: Graduate Liberal Studies, ICPP, Community Scholars, and PreCollege at Wesleyan students. Also houses records of inactive Continuing Studies students and alumni prior to sending them to University Archives. The records may or may not include the following types of information: information submitted for admission, correspondence with the student, reports of academic performance, counseling notes, liability waivers, financial information submitted by the student, and letters of recommendation. The director of continuing studies is responsible for the records.

ACADEMIC COLLEGES, DEPARTMENTS, AND PROGRAMS

(See the University 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 COMMUNITY STANDARDS 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 Community Standards Board records. Students have the right to inspect their records related to Community Standards 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 • EXLEY SCIENCE CENTER

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, wish 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 Community Standards 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—USES AND EFFECTS

NARCOTICS		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME					
		<ul style="list-style-type: none"> euphoria drowsiness respiratory depression 	<ul style="list-style-type: none"> constricted pupils nausea 	<ul style="list-style-type: none"> slow and shallow breathing clammy skin 	<ul style="list-style-type: none"> convulsions coma possible death 	<ul style="list-style-type: none"> watery eyes runny nose yawning loss of appetite 	<ul style="list-style-type: none"> irritability tremors panic cramps 	<ul style="list-style-type: none"> nausea chills and sweating 	
DRUGS	CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	PHYSICAL DEPENDENCE	PSYCHOLOGICAL DEPENDENCE	TOLERANCE	DURATION IN HOURS	USUAL METHODS OF ADMINISTRATION	
MORPHINE	II III	Morphine, MS-Contin, Roxanol, Roxanol SR	analgesic, antitussive	high	high	yes	3–6	oral, smoked, injected	
CODEINE		Tylenol w/ Codeine, Emprin w/ Codeine, Robitussin A-C, Fiorinal w/ Codeine	analgesic, antitussive	medium	medium	yes	3–6	oral, injected	
HEROIN	I	Diacetylmorphine, Horse, Smack	none	high	high	yes	3–6	injected, sniffed, smoked	
HYDROMORPHINE	II	Dilaudid	analgesic	high	high	yes	3–6	oral, injected	
MEPERIDINE (PETHIDINE)	II	Demerol, Mepergan	analgesic	high	high	yes	3–6	oral, injected	
METHADONE	II	Dolophine, Methadone, Methadose	analgesic	high	high–low	yes	12–24	oral, injected	
OTHER NARCOTICS	I II III IV V	Numorphen, Percodan, Percocet, Tylox, Tussionex, Fentanyl, Darvon, Lomotil, Talwin	analgesic, antidiarrheal, antitussive	high–low	high–low	yes	variable	oral, injected	
DEPRESSANTS		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME					
		<ul style="list-style-type: none"> slurred speech disorientation 	<ul style="list-style-type: none"> drunken behavior without odor of alcohol 	<ul style="list-style-type: none"> shallow respiration clammy skin dilated pupils 	<ul style="list-style-type: none"> weak and rapid pulse coma possible death 	<ul style="list-style-type: none"> anxiety insomnia tremors 	<ul style="list-style-type: none"> delirium convulsions possible death 		
DRUGS	CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	PHYSICAL DEPENDENCE	PSYCHOLOGICAL DEPENDENCE	TOLERANCE	DURATION IN HOURS	USUAL METHODS OF ADMINISTRATION	
CHLORAL HYDRATE	IV	Noctec	hypnotic	medium	medium	yes	5–8	oral	
BARBITURATES	II III IV	Amytal, Butison, Fiorinal, Lotusate, Nembutal, Seconal, Tuinal, Phenobarbitol	anaesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent	high–medium	high–medium	yes	1–16	oral	
BENZODIAZEPINES	IV	Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxexa, Verstran, Versed, Halcion, Paxipram, Restoril	antianxiety, anticonvulsant, sedative, hypnotic	low	low	yes	4–8	oral	
METHAQUALONE	I	Quaalude	sedative, hypnotic	high	high	yes	4–8	oral	
GLUTETHIMIDE	III	Doriden	sedative, hypnotic	high	medium	yes	4–8	oral	
OTHER DEPRESSANTS	III IV	Equanil, Miltown, Noludar, Placidyl, Valmid	antianxiety, sedative, hypnotic	medium	medium	yes	4–8	oral	
STIMULANTS		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME					
		<ul style="list-style-type: none"> increased alertness excitation euphoria 	<ul style="list-style-type: none"> increased pulse rate and blood pressure insomnia loss of appetite 	<ul style="list-style-type: none"> agitation increase in body temperature 	<ul style="list-style-type: none"> hallucinations convulsions possible death 	<ul style="list-style-type: none"> apathy long periods of sleep irritability 	<ul style="list-style-type: none"> depression disorientation 		
DRUGS	CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	PHYSICAL DEPENDENCE	PSYCHOLOGICAL DEPENDENCE	TOLERANCE	DURATION IN HOURS	USUAL METHODS OF ADMINISTRATION	
COCAINE*	II	Coke, Flake, Snow, Crack	local anesthetic	possible	high	yes	1–2	sniffed, smoked, injected	
AMPHETAMINES	II	Biphentamine, Delcobese, Desoxy, Dexedrine, Obetrol	attention deficit disorders, narcolepsy, weight control	possible	high	yes	2–4	oral, injected	
PHENMETRAZINE	II	Preludin	weight control	possible	high	yes	2–4	oral, injected	
METHYLPHENIDATE	II	Ritalin	attention deficit disorders, narcolepsy	possible	medium	yes	2–4	oral, injected	
OTHER STIMULANTS	III IV		weight control	possible	high	yes	2–4	oral, injected	
HALLUCINOGENS		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME					
		<ul style="list-style-type: none"> illusions and hallucinations poor perception of time and distance 	<ul style="list-style-type: none"> longer, more intense “trip” episodes psychosis possible death 	<ul style="list-style-type: none"> withdrawal syndrome not reported 					
DRUGS	CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	PHYSICAL DEPENDENCE	PSYCHOLOGICAL DEPENDENCE	TOLERANCE	DURATION IN HOURS	USUAL METHODS OF ADMINISTRATION	
LSD	I	Acid, Microdot	none	none	unknown	yes	8–12	oral	
MESCALINE AND PEYOTE	I	Mexc Buttons, Cactus	none	none	unknown	yes	8–12	oral	
AMPHETAMINE VARIANTS	I	2.5 DMA, PMA, STP, MDA, MDMA, TMA, DOM, DOB	none	unknown	unknown	yes	variable	oral, injected	
PHENCYCLIDINE	II	PCP, Angel Dust, Hog	none	unknown	high	yes	days	smoked, oral, injected	
PHENCYCLIDINE ANALOGUES	I	PCE, PCPy, TCP	none	unknown	high	yes	days	smoked, oral, injected	
OTHER HALLUCINOGENS	I	Bufotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn	none	none	unknown	possible	variable	smoked, oral, injected, sniffed	
CANNABIS		POSSIBLE EFFECTS	EFFECTS OF OVERDOSE	WITHDRAWAL SYNDROME					
		<ul style="list-style-type: none"> euphoria relaxed inhibitions 	<ul style="list-style-type: none"> increased appetite disoriented behavior 	<ul style="list-style-type: none"> fatigue paranoia possible psychosis 	<ul style="list-style-type: none"> insomnia possible hyperactivity and decreased appetite 				
DRUGS	CSA SCHEDULE	TRADE OR OTHER NAMES	MEDICAL USES	PHYSICAL DEPENDENCE	PSYCHOLOGICAL DEPENDENCE	TOLERANCE	DURATION IN HOURS	USUAL METHODS OF ADMINISTRATION	
MARIJUANA	I	Pot, Acapulco Gold, Grass, Reefer, Sinsemilla, Thai Sticks	pain management	unknown	medium	yes	2–4	smoked, oral	
TETRAHYDROCANNABINOL	II	THC, Marinol	cancer chemotherapy, antinauseant	unknown	medium	yes	2–4	smoked, oral	
HASHISH	I	Hash	pain management	unknown	medium	yes	2–4	smoked, oral	
HASHISH OIL	I	Hash Oil	pain management	unknown	medium	yes	2–4	smoked, oral	

*Designated a narcotic under the CSA. Please refer to this website for additional information: www.ifap.ed.gov

APPENDIX B: FEDERAL TRAFFICKING PENALTIES

SCHEDULES I, II, III, IV, AND V (EXCEPT MARIJUANA)

SCHEDULE	SUBSTANCE/QUANTITY	PENALTY
II	COCAINE: 500–4999 grams mixture	<p>FIRST OFFENSE: Not less than 5 years and not more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>SECOND OFFENSE: Not less than 10 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>
II	COCAINE BASE: 28–279 grams mixture	
IV	FENTANYL: 40–399 grams mixture	
I	FENTANYL ANALOGUE: 10–99 grams mixture	
I	HEROIN: 100–999 grams mixture	
I	LSD: 1–9 grams mixture	
II	METHAMPHETAMINE: 5–49 grams pure or 50–499 grams mixture	
II	PCP: 10–99 grams pure or 100–999 grams mixture	
II	COCAINE: 5 kilograms or more mixture	<p>FIRST OFFENSE: Not less than 10 years and not more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>SECOND OFFENSE: Not less than 20 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 OR MORE PRIOR OFFENSES: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	COCAINE BASE: 280 grams or more mixture	
IV	FENTANYL: 400 grams or more mixture	
I	FENTANYL ANALOGUE: 100 grams or more mixture	
I	HEROIN: 1 kilogram or more mixture	
I	LSD: 10 grams or more mixture	
II	METHAMPHETAMINE: 50 grams or more pure or 500 grams or more mixture	
II	PCP: 100 grams or more pure or 1 kilogram or more mixture	
I, II	Any amount of other Schedule I and II Substances	<p>FIRST OFFENSE: Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>SECOND OFFENSE: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>
	Any drug product containing gamma hydroxybutyric acid	
IV	FLUNITRAZEPAM: 1 gram or less	
III	Any amount of other Schedule III Drugs	<p>FIRST OFFENSE: Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>SECOND OFFENSE: Not more than 20 years. If death or serious injury, not more than 30 years. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>
IV	Any amount of all other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<p>FIRST OFFENSE: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>SECOND OFFENSE: Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>
V	Any amount of all Schedule V Drugs	<p>FIRST OFFENSE: Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>SECOND OFFENSE: Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>

Please visit [dea.gov](https://www.dea.gov) for additional information.