

UNIVERSITY OF PUGET SOUND
STUDENT INTEGRITY CODE
PROCEDURES

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Section 1: Filing a Report/Complaint

Reports/complaints may come from a variety of places, including, but not limited to, the Office of Residence Life, Security Services, staff/faculty members, students, community members, the general public, and/or law enforcement officers. There is no time limit on when someone may file a report with the Office of Student Accountability and Restorative Practices in person, via email studentaccountability@pugetsound.edu, or through our [online reporting form](#). We encourage community members to file a report in a timely manner, as the amount of time that has passed may limit the ability to respond, investigate, and/or adjudicate. Additionally, the Office of Student Accountability and Restorative Practices may choose not to proceed with a report/complaint that was submitted outside of a reasonable time frame; this may include, but is not limited to, incidents in which witnesses, complainants, and/or respondents are no longer students at the university.

Reports should be filed in writing. If necessary, the Office of Student Accountability and Restorative Practices is available for in-person, phone, and email consultation prior to a report being filed. Reports should include as much applicable information as possible, such as: the name of the accused student/group/organization, date(s)/time(s)/location(s) of the incident(s), witnesses, details of the incident(s), and any documentation (text messages, pictures, etc.). Reports also should include the name(s) and contact information of the person(s) filing the report.

An individual may make an anonymous report regarding alleged violations of the *Student Integrity Code*. Depending on the extent of the information available about the incident(s) or individual involved, the university's ability to respond to an anonymous report may be limited. The Director of Student Accountability and Restorative Practices, or their designee, will receive submitted anonymous reports and determine next steps.

Section 2: Initiation of the Conduct Process

After receiving a report, the Director of Student Accountability and Restorative Practices or their designee will conduct an initial review of the report to determine if there are any alleged violations of the *Student Integrity Code*. As a result of the review, the Director of Student Accountability and Restorative Practices or their designee will determine if:

- a. there are no alleged violations of the *Student Integrity Code* and no further action from the Office of Student Accountability and Restorative Practices will take place;
- b. there may be alleged violations of the *Student Integrity Code*, but more information is needed and an investigation will be initiated;
- c. the report needs to be forwarded to another office for review and/or

investigation (i.e., the Title IX Coordinator); or

d. there are alleged violations of the *Student Integrity Code*, and the conduct process will be initiated.

If the conduct process is initiated, the student, group, or organization will receive a hearing notification that will include the date, time, and location of the hearing, along with the name of the hearing officer or board type. The hearing notification also will include the date(s), time(s), and location(s) of the alleged incident(s) and the alleged violation(s) of the *Student Integrity Code*.

In the event of an investigation, the student, group, or organization will receive an investigation notice with the date, time, and location of the investigation interview, along with the name(s) of the investigator(s).

In the event that an incident involves more than one student, or if there are multiple incidents involving the same student, the Director of Student Accountability and Restorative Practices or their designee may determine, at their discretion, whether the conduct process will proceed for each incident or individual separately or jointly. Please see below for more information about hearing officers, hearing boards, and investigations.

Section 3: Student Rights and Responsibilities

Every student going through the conduct process as a complainant or respondent has the following rights:

- To receive notification in writing of an investigation or hearing and the alleged violation(s) of the *Student Integrity Code*.
- To receive notification in writing of the decision and any applicable sanction(s).
- To ask for a change in hearing officer or Integrity Board member due to demonstrated conflict of interest.
- To have at least five (5) business days from the notice of a hearing before the Integrity Board, or to prepare their case, unless such notice is waived.
- To have a pre-hearing meeting for cases adjudicated through an Integrity Board, or
- To have a timely and fair process as outlined in the conduct procedures.
- To have confidentiality as applicable.
- To have a support person at any/all meetings, including investigations and hearings.
- To have the presumption of:
 - not having violated the *Student Integrity Code* or other policy,
 - to have the burden of proof put upon the university,
 - and to have violations decided by a preponderance of the evidence standard.
- To appeal if found responsible for a violation(s) of the *Student Integrity*

Code.

- To review policies and procedures, and to ask questions.
- To decline to answer questions or make statements without adverse inference.
 - Exercising one's right not to share information, answer questions, or participate in an investigation or hearing does not prohibit the conduct process from moving forward.
- To participate in the hearing process.

Every student going through the conduct process as a complainant or respondent has the following responsibilities:

- To know and abide by the *Student Integrity Code* and policies of the university,
- To ask for a change in hearing officer or Integrity Board member due to demonstrated conflict of interest,
- To have a support person at any/all meetings, including investigations and hearings,
- To decide to appeal or not and follow through with appeal if found responsible for a violation(s) of the *Student Integrity Code*,
- To review policy and procedures and ask questions,
- To decline to answer questions or make statements without adverse inference,
 - Exercising one's right not to share information, answer questions, or participate in an investigation or hearing does not prohibit the conduct process from moving forward.
- To participate in the hearing process, and,
- To check their assigned University of Puget Sound email, as it is the official means of communication for the conduct process.

Student organizations or groups going through the conduct process may designate one student member of the group or organization to represent the student organization or group throughout the resolution process.

Section 4: Support Persons

Complainants and respondents each have the right to have a support person present with them at all stages of the process: including, but not limited to, reporting, investigative meetings, and the hearing. A support person may be utilized by a student in a number of different ways, including support, guidance, advice, etc.

Complainants and respondents each will have the opportunity to identify up to two (2) support person(s) at least two (2) business days prior to the start of an investigation. Support person(s) are chosen individually by the respondent and complainant.

Only one support person may be present at any given time, the second support person also may be utilized when the first is not available. The second support person may also be used in the event that the complainant or respondent no longer wishes to utilize the first.

The Director of Student Accountability and Restorative Practices or their designee

reserves the right to dismiss or remove a support person who does not adhere to the guidelines below, or who disrupts or attempts to disrupt the process in any way. The second support person may be utilized in the event that the first has been dismissed by the Director of Student Accountability and Restorative Practices or their designee.

Support person(s) must adhere to the following:

- Support person(s) may not advocate for, represent, or speak on behalf of a complainant or respondent.
- Support person(s) may not address any other person throughout the process, including, but not limited to, interviews and hearings, other than the student whom they support.
- Support person(s) may not provide any information or documentation, or serve as witness(s) in any part of the process.
- The complainant/respondent must initiate authorization with the Office of Student Accountability and Restorative Practices for a support person's ability to review the case file.
- All communication will be between the Director of Student Accountability and Restorative Practices or their designee and the complainant/respondent. A student may request a support person to be copied on correspondence, however, it will be the student's responsibility to communicate with university staff members directly.

Section 5: Call for Help

Students can call Security Services or the Office of Residence Life when concerned about themselves or, on behalf of an intoxicated student without being charged with an alcohol or drug violation, as long as the caller(s) stay with the intoxicated student until help arrives. Even if the student who called provided alcohol and/or other illicit substances, they will not be charged with an alcohol or drug violation of the *Student Integrity Code*. In addition, the student who is in need of medical assistance will not be charged with an alcohol or drug violation.

Although incidents involving alcohol or other drugs are typically resolved through the student conduct process, incidents which result in a student seeking help for oneself or for another person will, instead, result in an educational meeting to discuss the circumstances that led to the health and safety concern. This meeting will take place with the Director of Student Accountability and Restorative Practices or their designee. Students involved will be given educational assignments in lieu of conduct sanctions. There will be no conduct record for these incidents; however, failure to complete the required assignments in a timely manner will result in conduct proceedings for both any alleged alcohol or drug violation and for the failure to complete the required assignment.

The Call for Help process applies only to incidents involving alcohol and/or other illicit substances, and does not apply to other conduct prohibited by the *Student Integrity Code* or to students for similar, repeat offenses.

Section 6: Investigations

After initial review of a report, the Director of Student Accountability and Restorative Practices or their designee may determine that more information is needed before initiating the conduct process. The Director of Student Accountability and Restorative Practices or their designee also may determine that a report needs to be forwarded to another office for review. For example:

- Reports alleging sexual misconduct will be referred to the Title IX Coordinator.
- Reports alleging bias, hate, or discrimination will be referred to the Vice President of Institutional Equity and Diversity.
- Reports alleging misconduct by a faculty will be referred to the Provost while alleged misconduct by a staff member will be referred to Human Resources (or the aforementioned offices, if applicable).
- Reports alleging academic misconduct will be referred to the appropriate person/office as outlined in the *Academic Handbook*.

Interviews for the investigation will be conducted by the Director of Student Accountability and Restorative Practices or their designee(s). The investigation is a neutral process that collects information from both the complainant and respondent separately. Throughout the investigation, both the complainant and respondent will be able to provide the names of witnesses who may have relevant information. Both the complainant and respondent also may provide information including, but not limited to, reports from law enforcement agencies and other relevant documentation. In the event that there is not a complainant, the Director of Student Accountability and Restorative Practices or their designee will determine whom to call in for an interview and will collect relevant documentation.

After initial interviews have been conducted, the complainant will have an opportunity to review, amend, and affirm the accuracy of their interview summary. Additionally, the complainant will have the ability to review their witness's or witnesses' interview summary(ies). The respondent will receive written notice of the investigation and an interview will be requested. Respondents will have the ability to review the complainant's (if applicable) and witnesses' interview summaries and provide a response. The respondent also will have the ability to review, amend, and affirm the accuracy of their interview summary. Additionally, the respondent will have the ability to review their witness's or witnesses' interview summary(ies).

After all interviews have concluded and a final investigative report has been created, both the complainant and respondent have the ability to review the investigative report, which includes, but is not limited to, interview summaries and information presented by the complainant and respondent. Witnesses will not be granted permission to review interview summaries or the investigative report.

The Director of Student Accountability and Restorative Practices and/or their designee(s) will determine if the information gathered and provided for the investigative

report has sufficient information to move forward to resolution. If there is sufficient information to move forward to resolution, the complainant, if applicable, and respondent will be given a Hearing Notification, which will include the date, time, and location of their hearing and the name of the hearing officer/board members, along with the alleged violation(s) of the *Student Integrity Code* and date(s), time(s), and location(s) of the alleged incident(s). If there is not sufficient information to move forward to resolution, the complainant and respondent will be notified via Puget Sound email, and the case will be considered closed.

The Director of Student Accountability and Restorative Practices or their designee(s) has the discretion to consolidate multiple reports into one investigation against a respondent if the information related to one incident would be relevant in reaching a determination on the other incident. Matters may be consolidated where there are multiple open reports, multiple complainants, or multiple respondents. Appropriate notice about the consolidation of investigations will be given to the respondent and complainant.

Section 7: The Resolution Process

For cases not requiring an investigation, the Director of Student Accountability and Restorative Practices or their designee will determine the level of conduct hearing needed. This determination will be made by taking into account the severity of the alleged violation and past conduct history of the respondent. For incidents where the severity of the incident is minor and/or the student does not have more than one prior conduct case (with a responsible finding), the case will be heard by a hearing officer. If a student's case is assigned to a hearing officer and they would prefer the other venue, they must make the request to the Office of Student Accountability and Restorative Practices no later than two (2) business days prior to the scheduled hearing.

For cases that require an investigation, cases that are deemed more severe in nature, and/or cases in which the student, group, or organization has more than one prior student conduct case (with responsible findings), the student/group/organization will be assigned to an Integrity Board hearing. An Integrity Board hearing will be preceded by an optional meeting with the Director of Student Accountability and Restorative Practices or their designee to review board procedures. In the event that an Integrity Board hearing is unable to be scheduled within seven (7) business days, the student/group/organization will be assigned to a hearing officer. Following an investigation or preceding an Integrity Board hearing, the Director of Student Accountability and Restorative Practices, or their designee, may propose an agreement based resolution, which allows the respondent to accept responsibility for violations of the *Student Integrity Code* and agree to complete the proposed sanctions. The respondent can either agree to the agreement based resolution or move forward with an Integrity Board hearing. By agreeing to an agreement based resolution, the respondent waives their right to an appeal. In an agreement based resolution the student works directly with the Director of Student Accountability and Restorative Practices, or their designee, to accept responsibility and proposed sanctions rather than moving forward to

a hearing.

Cases involving alleged violations of the [Policy Prohibiting Discrimination, Harassment, and/or Sexual Misconduct](#) will not be heard by any of the venues described below. For procedures regarding the Policy Prohibiting Discrimination, Harassment, and/or Sexual Misconduct, see the [Procedure for Responding to Complaints of Discrimination, Harassment, and/or Sexual Misconduct](#).

Cases involving alleged violations of the *Academic Handbook* will be forwarded to the Office of the Provost or their designee.

Section 8: Resolution Process

Administrative Hearing Officers

1. Hearing officers are professional staff members trained to adjudicate alleged violations of the *Student Integrity Code*. In the event that there are no hearing officers available or there is a conflict of interest, a faculty or staff member from the Integrity Board may serve as a hearing officer.
2. The Director of Student Accountability and Restorative Practices or their designee will share the name of the hearing officer with the respondent prior to the scheduled meeting and will evaluate any concerns of bias or conflict of interest.
 - a. The respondent will be notified through a Hearing Notification letter delivered via Puget Sound email. This notification also will include the date, time, and location of the hearing, along with the alleged violations.
3. A complainant/respondent may request a change of hearing date/time at least two (2) business days prior to their hearing. It is at the discretion of the Office of Student Accountability and Restorative Practices if the hearing will be rescheduled and the respondent may request only one change to the date/time of hearing.
 - a. If, after proper notification, a complainant/respondent does not appear for their hearing, a decision of responsible/not responsible, along with any applicable sanction(s), will be made without their participation.
4. All hearings are closed to anyone except hearing officers, support person(s), university advisor, complainant and the respondent.
5. Hearing officers will outline the conduct process and student rights throughout the process.
6. The complainant/respondent may ask questions about the policies, procedures, and alleged violation(s).
7. The complainant/respondent will have an opportunity to review documentation related to the alleged violation(s).
8. The complainant/respondent will have the opportunity to share information relevant to the incident.

9. The hearing officer may ask the complainant/respondent questions.
10. The hearing officer will make a determination of responsible/not responsible for any alleged violations based on the preponderance of the evidence standard.
11. The hearing officer will determine sanctions in the event of a responsible finding.
12. The complainant/respondent will receive written notice of the decision and any applicable sanction(s) from the Office of Student Accountability and Restorative Practices via their Puget Sound email account.
13. The complainant/respondent may appeal upon the grounds described below. Interim measures (if applicable) may remain in place during the appeal period.

Integrity Board Hearing

1. The Director of Student Accountability and Restorative Practices or their designee will be the facilitator for the Integrity Board hearing process.
2. The Integrity Board will consist of three members, not including the facilitator. One of the three members will be a student, and the other two will be faculty and/or staff members. Board members are trained to adjudicate alleged violations of the *Student Integrity Code*.
3. The Director of Student Accountability and Restorative Practices or their designee will share the names of the board members with the complainant/respondent prior to the hearing, and will evaluate any concerns of bias or conflict of interest. Concerns of bias or conflict of interest must be submitted to the Director of Student Accountability and Restorative Practices or their designee no later than five (5) business days prior to the hearing.
 - a. i. The complainant/respondent will be notified through a Hearing Notification letter delivered via Puget Sound email. This notification also will include the date, time, and location of the hearing, along with the alleged violations.
4. The complainant/respondent may request a change of hearing date/time at least two (2) business days prior to their hearing. It is at the discretion of the Office of Student Accountability and Restorative Practices if the hearing will be rescheduled and the complainant/respondent may request only one change to the date/time of hearing.
 - a. i. If, after proper notification, a complainant/respondent does not appear for their hearing, a decision of responsible/not responsible, along with any applicable sanction(s), will be made without their participation.
5. All hearings are closed to anyone except board members, hearing facilitator, support person(s), university advisor, respondent, and complainant. Witnesses (if called) will be permitted to participate in the hearing process when called into the room for questions.
6. Prior to the hearing, board members will review all documentation, including investigative reports associated with the case, and determine if there are further

- questions to pose during the hearing.
7. Prior to the hearing, the complainant/respondent may review documentation, including the investigative report(s) associated with the case by scheduling a time with the Director of Student Accountability and Restorative Practices
 8. Prior to the hearing, the complainant/respondent will receive notification of an optional meeting with the Director of Student Accountability and Restorative Practices or their designee to review the Integrity Board hearing procedures and any case file materials.
 9. The board reserves the exclusive right to call witnesses to the Integrity Board hearing.
 10. Integrity Board hearings will be recorded via audio recorder if held in person and through audio and video if the hearing is held over Zoom. Board deliberations will not be recorded.
 11. At the hearing, the complainant/respondent each will have 10 minutes to give an opening statement to the board.
 12. Board members then will have the opportunity to ask questions of the complainant/respondent and any witnesses whom they have chosen to invite to the hearing.
 13. The complainant/respondent will have the opportunity to provide the Director of Student Accountability and Restorative Practices or their designee with written questions 48 hours in advance of the hearing. The use of questions provided by the complainant/respondent is subject to the board's discretion.
 14. The complainant/respondent may not address each other directly at any point in the hearing.
 15. Following questions from the board, the complainant/respondent each will have 10 minutes to give a closing statement.
 16. After closing statements, the hearing will conclude, and both the complainant and respondent will be excused.
 17. The board will examine each alleged violation and will determine whether or not the respondent is responsible using the preponderance of the evidence standard. The Director of Student Accountability and Restorative Practices or their designee will be present, but will not be part of the decision-making process. The Director of Student Accountability and Restorative Practices or their designee will be utilized strictly for clarification of policy and procedure.
 18. If the hearing board finds the respondent responsible for one or more of the alleged violation(s), the board will determine sanctions as described below. After a finding of responsibility, the board will review the respondent's past conduct history to assist in determining appropriate sanctions. The Director of Student Accountability and Restorative Practices or their designee will participate in sanctioning.
 19. After a decision has been reached, the complainant and respondent will receive the Decision letter through their Puget Sound email, which will outline responsible/not responsible findings, applicable sanctions, and provide a summary of the board's rationale for its finding(s).

20. After the decision letter has been delivered, the formal resolution process has concluded. At this time, the complainant/respondent may appeal upon the grounds described below. Sanctions, including any interim measures (if applicable) may remain in place during the appeal period.

Section 9: Sanctions

Students, groups, and organizations responsible for violations of the *Student Integrity Code* will be assigned one or more sanctions as described below. Conduct, as an educational process, provides sanctions as a way to help hold accountable students, groups, and organizations for behavior and actions and to provide an opportunity to explore consequences and decision making. Sanctions should be appropriate to the violation(s) for which they are assigned. When considering sanctions, boards and hearing officers will take into consideration a variety of factors, including, but not limited to, the nature and severity of the incident, the needs of the student/group/organization, the level of accountability and responsibility taken, the need to stop and prevent reoccurrence, the conduct history of the student/group/organization, and any other relevant factors. Repeated violations of the *Student Integrity Code* may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances of the incident and violations.

Sanctions will remain in effect for the period imposed unless and until overturned or modified by appeal.

The list below gives examples of commonly used sanctions. This list is not exhaustive. Example(s) include:

1. Administrative:
 - a. Restitution: financial restoration of damaged, lost, or stolen items.
 - b. Housing probation: may be temporary for a specified period of time or permanent, during which further violation of the *Student Integrity Code* jeopardizes the status of the student, group, or organization with the Office of Residence Life.
 - c. Conduct probation: may be temporary for a specified period of time or permanent, during which further violation of the *Student Integrity Code* jeopardizes the status of the student, group or organization with the university.
 - d. Conduct Reprimand.
2. Restrictions:
 - a. Loss of privileges: includes, but is not limited to, access to building(s) and/or offices/services, co-curricular activities, athletics, drama, music, or student employment. For student groups and/or organizations, this may include revocation or denial of registration or recognition.
 - b. Contact: includes no-contact orders.
 - c. Residential: includes, but is not limited to, access to residential spaces,

residential relocation, and residential eviction.

3. Educational:

a. Alcohol and/or drug education: Students found responsible for violations regarding drugs and/or alcohol may be assigned alcohol and drug intervention. This may include on- or off-campus requirements and may have fees attached. Students, groups, and organizations are responsible for the costs associated.

b. Assignments: includes, but is not limited to, written research and reflective activities.

4. Related to degree progress:

a. Suspension: separation of the student from the university (including premises and activities) for a specified period of time. All fees and academic credits for the semester during which the suspension occurs may be forfeited.

b. Expulsion: permanent separation of the student from the university (including premises and activities). Notation of the expulsion will appear on the student's academic transcript. All fees and academic credits for the semester during which the expulsion occurs are forfeited.

Failure to complete sanctions may result in, but are not limited to, a hold on the student's account that prevents class registration and/or further violations of the *Student Integrity Code* for failure to comply.

Section 10: Appeals

Students found responsible for violation(s) of the *Student Integrity Code* following an Administrative Hearing or Integrity Board Hearing have the right to an appeal. The appeal process does not include an in-person meeting or a new hearing. Students, groups, or organizations that signed an informal resolution do not have the right to an appeal (See Section: Resolution Process).

Appeals must be submitted within seven (7) business days of the decision letter date. Appeals are to be submitted in writing via email to the Office of Student Accountability and Restorative Practices at studentaccountability@pugetsound.edu. Appeals are reviewed by the Vice President for Student Affairs and Dean of Students or their designee.

Appeals are reviewed only under the following conditions. Grounds for appeal include:

1. new evidence that would impact or alter a decision or sanction that was not available at the time of the hearing;
2. sanction(s) assigned that were disproportionate compared to the violation or the student's conduct record;
3. procedural error that impacted the outcome and prevented the respondent from having a reasonable opportunity to address the allegations; or
4. action taken that is arbitrary, unreasonable, or unsupported by information

and/or documentation.

After review, the Vice President for Student Affairs and Dean of Students or their designee will take one of the following actions:

1. The decision of the board or hearing officer is upheld, modified, or dismissed.
2. The assigned sanctions are upheld, modified, or dismissed.
3. The case will be remanded back to the hearing venue for a new hearing with a new hearing officer or new board members.

Complainants/respondents will receive appeal decisions via their Puget Sound email account. The decision of the Vice President for Student Affairs and Dean of Students or their designee is considered final (with the exception of cases resulting in suspension or expulsion – see below).

Conduct cases that result in suspension or expulsion after an appeal to the Vice President for Student Affairs and Dean of Students or their designee will have one additional opportunity to appeal. These appeals must be submitted to the Provost in writing within seven (7) business days of the appeal decision date. The grounds for appeal and review will follow the above description. Second-level appeals for suspension and expulsion will be reviewed by the Provost or their designee. Decisions for appeals made by the Provost or their designee are considered final.

Section 11: Review of Procedures

Review of the Student Integrity Code will happen annually under the direction of the Vice President of Student Affairs and Dean of Students and/or their designee(s) with particular attention paid to, but not limited by: change in federal, state, and city laws and statutes, and university policy and procedure. To propose a change to the Student Integrity Code or Procedures, one must submit a written proposal to the Director of Student Accountability and Restorative Practices via email (studentaccountability@pugetsound.edu) describing the current language, the proposed language, and the justification for the proposed change. Typical proposals include edits for clarification, procedural changes, and policy changes. Proposals will be considered by the Vice President of Student Affairs and Dean of Students, Student Senate, and/or the faculty student life committee; proposals deemed appropriate will be submitted to the Board of Trustees on no less than a biennial basis. The Board of Trustees is solely responsible for final approval of all revisions and amendments to the Student Integrity Code. Revisions and edits of a non-policy nature may be made to the Student Integrity Code at the discretion of the Vice President of Student Affairs and Dean of Students or their designee(s). Notification of updates or amendments to the policy or procedures will be given via Puget Sound email and through the university website.