

Wentworth

INSTITUTE OF TECHNOLOGY



Student Code of Conduct (2023-24)

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Introduction to The Student Code of Conduct

Admission to Wentworth Institute of Technology means acceptance into a new and vibrant community that is dedicated to experiential learning. Being a Wentworth student and member of the University community is a privilege, and with this membership comes great individual responsibility.

All students at Wentworth, from time of admission to degree conferral, are expected to act in accordance with all University policies and procedures, as well as all federal, state, and local laws, regulations, and ordinances. Additionally, Wentworth is dedicated to cultivating accessible, equitable, and inclusive environments through its goal of achieving Inclusive Excellence. This commitment transcends into *The Student Code of Conduct*, ensuring all students have access to information and resources as well as secured rights in our administrative processes and procedures.

Students are expected to familiarize themselves with this document. Students are responsible for their behavior and the consequences of their actions even when the conduct may have been influenced by their physical or emotional state (irrespective of any medical or clinical diagnoses) by the use of alcohol or other drugs. Students seeking reasonable accommodation are encouraged to review the Disability Accommodations and Interpreter Services section as outlined in Part 4, Student Code of Conduct Procedures.

Unfortunately, there will be students who participate in acts that violate *The Student Code of Conduct*. Students who violate University policies and procedures will be held accountable for their actions as outlined in this document. *The Student Code of Conduct* describes the procedures for addressing violations. Given the seriousness of violations, there may be instances where the University reserves the right to involuntarily or permanently separate a student from the University.

Part 1. Student Code of Conduct Authority

The Student Code of Conduct is administered under the direction of the Director for Student Conduct & Restorative Practices (or designee). Under the oversight of the Vice President of Student Affairs and the Dean of Students, the Director for Student Conduct & Restorative Practices (or designee) has been charged with the day-to-day responsibilities for the administration of *The Student Code of Conduct*.

The University reserves the right to change its policies and this Code at any time. This Code is not a contract.

Part 2. Definitions

The following selected terms are defined to facilitate a more thorough understanding of *The Student Code of Conduct*. This list serves as a general framework and is not intended to provide an exhaustive list of all the terms referenced in *The Student Code of Conduct* that might require interpretation or clarification. The Director for Student Conduct & Restorative Practices, or designee, shall make the final determination on the definition of any term found in *The Student Code of Conduct*.

1. **"Director for Student Conduct & Restorative Practices"** refers to the person in Student Affairs, designated by the Vice President for Student Affairs and by the Dean of Students to be responsible for the overall coordination of the University student code of conduct system, including the development of policies, procedures, and education and training programs. The Director for Student Conduct & Restorative Practices may serve as a hearing officer, investigator, and/or appellate officer.
2. **"Appeal Officer"** means any person or persons authorized by the Vice President for Student Affairs or designee or Dean of Students to conduct a review of a decision reached by a hearing body.
3. **"Business Day"** means any day, Monday through Friday, that the University is open.
4. **"Complainant"** means the individual who is alleged to have experienced the misconduct. The University can serve in the capacity as complainant.

5. **"Conduct file"** means the printed, written, or electronic file which may include, but is not limited to, all information obtained as part of an investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions and/or remedies; any appeal, including the result of the appeal; and any informal resolution and the result therefrom. Conduct file, including those resulting in a finding of "in violation," for violations of *The Student Code of Conduct*, are maintained by the University for a period of at least seven years from the date of graduation. Records are subject to the protections and release provisions by the Family Educational Rights and Privacy Act of 1974 (FERPA), as it may be amended from time-to-time.
6. **"Designee"** means any employee or designee has responsibility for implementing or administering *The Student Code of Conduct*.
7. **"Disciplinary Hold"** means an administrative hold placed on a student's record when the student does not respond to the request of a university official to attend an Administrative Hearing and has not completed an assigned sanction, or, with respect to a student, has withdrawn from the University while a conduct matter is pending.
8. **"Guest"** means a non-Wentworth student, and in the residential setting, any students who are not current residents of the room/suite/apartment they are visiting.
9. **"Hearing Officer"** means a University employee member or student who is authorized to determine the appropriate resolution of an alleged violation of *The Student Code of Conduct*, and/or to impose sanctions or affect other remedies as appropriate.
10. **"Incident database"** or **"Maxient"** means the electronic database used to track an incident and the response taken.
11. **"Instructor"** means any faculty member, lab technician, or any other person authorized by the University to provide educational services (e.g. teaching, research, or academic advising).
12. **"Investigator"** means a University employee or designee who is authorized to investigate and determine the appropriate resolution of an alleged violation of *The Student Code of Conduct*.
13. **"May"** is used in the permissive sense.
14. **"Member of the University community"** includes any person who is a student, instructor, faculty member, or University staff member; any other person working for the University, either directly or indirectly (e.g., private enterprise on campus); or any person who resides on University premises. A person's status in a situation shall be determined by the Director of Student Conduct & Restorative Practices or designee.
15. **"Policy"** is defined as the written regulations, standards, and student conduct expectations adopted by the University and found in, but not limited to, *The Student Code of Conduct*; the Housing Agreement; the Sexual Misconduct Policy; Academic Student Catalog; and other publicized University notices.
16. **"Preponderance of the Evidence"** means a standard of proof in which the totality of the evidence offered in support of a fact is greater or more convincing than the evidence which is offered in opposition to it; given the totality of information the version of events that is more likely than not. Preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility for a policy violation (51% or greater).
17. **"Referring Party"** means any person who submits an allegation that a student violated *The Student Code of Conduct*.
18. **"Report"** means any allegation of misconduct against a student or student organization. "Report" is used interchangeably with "complaint" in this document.
19. **"Respondent"** means an individual who has been reported to be the alleged perpetrator of conduct.
20. **"Shall"** and **"Will"** are used in the imperative sense.
21. **"Student"** Any person admitted, registered, enrolled, or attending any University course or program. This includes students who withdraw while disciplinary charges are pending, those who are not officially enrolled for a particular term but have a continuing relationship with the University (including

those on a leave of absence), or those who have been notified of their acceptance for admission. For purposes of the jurisdiction under the Code of Conduct, the Dean of Students will make the final determination regarding whether an individual is a student.

22. **"Student Organization"** means an association or group of persons, including, but not limited to, any student organization, team, or club, that has complied with the formal requirements for University recognition or are recognized by the University.
23. **"Support Person"** means any person the student selects to attend a meeting associated with *The Student Code of Conduct*. Support persons may not play an active role in the process, including, but not limited to, asking questions, presenting evidence, or making statements. Please refer to [Hearing Support Services](#).
24. **"University"** or **"Institute"** means Wentworth Institute of Technology.
25. **"University official"** includes any person authorized by the University to perform administrative, instructional, or professional duties.
26. **"University premises"** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University, either solely or in conjunction with another entity or person.
27. **"Witness"** means any individual who has relevant knowledge of an incident. Character witnesses are not allowed as part of *The Student Code of Conduct*.

Part 3. Prohibited Conduct

Students and Student Organizations must adhere to and uphold *The Student Code of Conduct* and comply with university policies and procedures as well as federal, state, and local laws, regulations, and ordinances. The Director for Student Conduct & Restorative Practices shall make the final determination on what constitutes a potential violation of *The Student Code of Conduct* and shall establish the specific behavioral allegations(s) as appropriate.

Section 1: Jurisdiction of the University

Each student is responsible for their conduct from the time of university admission through degree conferral. All student conduct is considered, including conduct that occurs before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. *The Student Code of Conduct* shall apply even in circumstances where the alleged conduct is not discovered until after a degree is awarded, as well as if the student withdraws from the University while a student conduct matter is pending.

Generally, University jurisdiction shall be limited to conduct that occurs on or about university premises or in connection with university-sponsored, University-supervised, or University-affiliated events, programs, and activities (including students involved with off-campus co-ops, study abroad programs, and recognized or unrecognized Student Organizations). However, the University may apply *The Student Code of Conduct* to students, Student Organizations, and unrecognized Student Organizations whose misconduct may have an adverse impact on the University, members of the University community, and/or the pursuit of university objectives regardless of where such conduct may occur.

Students are responsible for the contents of their rooms, cars, lockers, studio space, electronic devices or person regardless of claims of personal ownership. Students may also be held responsible for shared common areas.

Section 2: Conduct Rules and Regulations

Subsection 1 - Alcohol

The University expects students to abide by the law and the increased standards set forth by the University while on and off campus. The University reserves the right to inspect any bags, backpacks, or other belongings for alcohol. Specific violations of the alcohol policy include, but are not limited to:

- 1.1 The consumption, possession, and/or transport of alcohol by those under the age of 21. The serving, distributing, or obtaining alcohol for, or allowing consumption by, any individual who is under 21 years of age.
- 1.2 Providing a location for underage consumption, regardless of if alcohol was provided.
- 1.3 Participation in drinking games or actions that ingest alcohol at an accelerated rate, and/or possession of paraphernalia used for ingesting alcohol. This includes, but is not limited to shot glasses, funnels, and beer pong. Such paraphernalia may not be maintained on university property and will be confiscated if discovered.
- 1.4 Engaging in drinking practices or activities that seriously threaten one's health and life. Please refer to Subsection 18 for the University's Amnesty Policy.
- 1.5 Pressuring or forcing others to consume alcohol.
- 1.6 Possession of an open container of alcohol outside of designated areas (e.g., registered responsible user suites, designated University events).
- 1.7 Public intoxication or other inappropriate behavior consistent with intoxication, either on or off campus, or at University sponsored or sanctioned programs or activities (e.g. medical attention due to intoxication, disrupting the peace and elimination in public).
- 1.8 Violation of Alcohol Policies outlined in *Residential Policies and Conduct* including the Responsible Use of Alcohol in Residential Living Policy (see part 3, section 2, subsection 8c).
- 1.9 Use of an alcohol container (including, but not limited to empty beer cans, wine or other alcohol bottles, etc.) as a room decoration, vase, or storage item.

Subsection 2 - Cannabis, Illegal and Controlled Substances and Prescription Drugs

While Massachusetts state law permits the use of Cannabis, also known as marijuana, federal law requires the University to prohibit marijuana use, possession, distribution, and/or cultivation at educational institutions.

Specific violations of the Cannabis, Illegal and Controlled Substances and Prescription Drugs policy include, but are not limited to:

- 2.1 The possession, use, odor, sale, and/or distribution of illegal drugs, narcotics or controlled substances including Cannabis.
- 2.2 Being in the presence of illegal drugs, narcotics or controlled substances including Cannabis residue or paraphernalia (e.g. bongs, scales, stems, pipes).
- 2.3 The possession, use, sale or distribution of drug paraphernalia.
- 2.4 Using drugs or medication in a way that seriously threatens one's health and life.
- 2.5 The use of prescription drugs for non-medical reasons. Prescription drugs may only be stored, used, and possessed in its original labeled container by the student to which they are prescribed. Students should only possess a reasonable quantity of prescribed medication based upon the prescription and dosage requirements. The use or possession of legally prescribed drugs which fall outside the parameters of the medical prescription.
- 2.6 Refer to Important Rights of Wentworth for the University policy on [Medical Marijuana](#)

Subsection 3 - Personal Conduct

Students share the responsibility for protecting and maintaining health and safety and the rights of other persons. Students who anticipate or observe a violation of *The Student Code of Conduct* or University policy are

expected to remove themselves from association or participation and are encouraged to report the incident. Violations of the personal conduct policy include, but are not limited to:

- 3.1 Violation of local, state, and federal requirements, orders, mandates, guidelines and/or laws.
- 3.2 Conduct that adversely affects the reputation of the University, its mission, and goals.
- 3.3 Violent, abusive, indecent, profane, disruptive, or otherwise disruptive behavior, which is defined as participating in or inciting other to participate in the disruption or obstruction of any university activity including but not limited to; teaching, research, lab, events, student conduct proceedings, administration, living/learning environment, or other university activities on or off campus.
- 3.4 Failure to comply with requests from University officials and/or any municipal, state, or federal law enforcement personnel, including contracted security on other campuses (e.g. Health and Safety Inspections, Administrative Searches, requests for entry or search, requests for Identification, requests for discontinuance of conduct).
- 3.5 Unauthorized access to restricted areas including but not limited to classrooms, labs, studios, offices, living spaces, fire escapes, roofs, or ledges
- 3.6 Use of any item, even if legally possessed, in a manner that threatens or harms another.
- 3.7 Creating a safety hazard, including tampering with, or removing fire safety equipment impeding an egress/ingress or throwing objects out of windows and/or the improper storage of any flammable products.
- 3.8 False reporting of fire, bombs, or emergency circumstances.
- 3.9 Failure to exit a building or area during an emergency, fire alarm, or at the request of a Wentworth official and return prior to authorization by a University official.
- 3.10 Actual or attempted theft, damage, or destruction of property whether intentional or unintentional
- 3.11 Use of a device to share images of any person or making an audio or video recording of any person where there is an expectation of privacy.
- 3.12 Use of a device to share images of any person or making an audio or video recording of any person where there is an expectation of privacy.

Subsection 4 - Obstruction of Investigation or Complaint/Disciplinary Process

Wentworth strives for a reporting, investigation, and disciplinary process that is fair and equitable. Obstruction occurs in many forms through, but not limited to, the following conduct:

- 4.1 Falsification, misrepresentation, omission, or distortion of information.
- 4.2 Conduct that disrupts an investigation, meeting, or hearing.
- 4.3 Attempting to discourage participation in or use of the reporting, investigation/disciplinary process.
- 4.4 Attempting to influence the impartiality of any member of the University community or anyone else who is involved in an investigation, meeting, or hearing.
- 4.5 Violation of the [Whistle Blower Policy](#) .

Subsection 5 - Hazing

Wentworth Institute of Technology prohibits any form of hazing by individuals or groups. The University broadly defines hazing as any action or activity, directed at a student, that is reasonably likely to, or is intended to endanger the physical or mental health of a person for the purpose of initiation, admission into, affiliation with, or as a condition for maintaining membership in a group, organization, or living community. This definition shall apply regardless of location or consent of participants. Hazing includes, without limitation, behaviors that violate Massachusetts General Laws Chapter 269, Sections 17-19 (included below).

The law defines hazing as “any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.”

In addition to how the Commonwealth of Massachusetts defines hazing, Wentworth Institute of Technology prohibits the following forms of hazing, which include, but are not limited to:

- Assignment of duties to new members that are not assigned to other members
- Verbal abuse
- Beating
- Forced attendance of a gathering of any sort
- Requiring students to violate The Student Code of Conduct
- Exposing someone to extreme conditions or activities with the possibility of endangering that person
- Forced or coerced alcohol or other drug consumption
- Forced or coerced sexual simulation or acts
- Forced or coerced ingestion of vile substances
- Expected participation in illegal activity
- Threats or implied threats
- Requiring situationally inappropriate attire
- Deprivation of privileges
- Silence periods
- Social Isolation

In compliance with the Commonwealth of Massachusetts’ Anti-Hazing Statute (M.G.L. Ch. 269, §§ 17, 18 and 19), Wentworth Institute of Technology annually provides each student with a copy of the state law and requires officers of student organizations to distribute a copy to all its members. A copy of the law is available in Section 2 of the Student Organization Manual and is also available in the Center for Student Life and The Center for Cultural and Global Engagement.

Punishment for an organizer or participant in hazing is a \$3,000 fine and/or imprisonment in a house of correction for not more than one year. Punishment (Section 18) for failure to report hazing to the extent “such person can do so without danger or peril to himself or others,” is also a crime and subject to a fine of \$1,000.00.

All student organization executive boards and/or advisors are required to review the law annually with all members. If you have any questions regarding the law, discuss them with a staff member from the Center for Student Life or The Center for Cultural and Global Engagement immediately. The Athletic Department is required to review the law annually with every varsity athlete. If you have any questions regarding the law, discuss them with a staff member from the Athletic Department.

Subsection 6 - Personal Identification and Representation

More information on this policy can be found [here](#).

Subsection 7 - Postings/Leafletting/Chalking

Registered student organizations in good standing are permitted to post and advertise on campus or property owned, rented, leased, or controlled by Wentworth. Only approved posters, table tents, A-frames and white boards located on the ground floor of the Flanagan Campus Center are allowed. For more information, refer to the

Subsection 8 - Residential Policies and Conduct

Wentworth Residential Life strives to offer students a rich living and learning experience. To foster this environment, students are responsible for their individual actions, the actions of their guests, and in a collective sense for the actions of each member of the residential community. These policies and procedures outlined below are subject to change during the academic year and it is the student's responsibility to know the current policies and procedures.

The University reserves the right to temporarily suspend a student from residence halls who behaves in a manner that is viewed to be a risk to the community or themselves until an administrative hearing can be conducted. The student is solely responsible for finding housing accommodations during this time.

Additionally, Wentworth Residential Life, Public Safety and other University staff reserve the right to revoke a visitor's access to a residence area if the guest disturbs or creates any difficulties for other residents.

Specific violations of Residential Life policies include, but are not limited to:

- Violation of terms of the Housing Agreement (Viewable on Wentworth's housing software system, [Adirondack-THD](#))
- Violation of [Residential Life Policies](#)
- Violation of [Alcohol Policies within Residential Areas](#)
- Violation of [Residential Guest Policy](#)

Subsection 9 - Guest

Students and Student Organizations are responsible for the conduct of their guests and should always accompany guests. Guests may be removed from the University at the discretion of Public Safety.

Violations of the guest policy include, but are not limited to:

- 9.1 Failure to accompany the guest(s) at all times.
- 9.2 Misconduct of a guest(s). Students bringing guests to the university (i.e., campus grounds, parking lots, academic, administrative, residential buildings, etc., or to university-sponsored events) will be held responsible for the actions of their guest.
- 9.3 A guest's failure to provide a valid identification on Wentworth property and/or failure to present that identification to a Wentworth official when asked.
- 9.4 Violations of all rules and restrictions outlined in the Residential Guest Policy (see Part 3, Section 2, subsection 8d)

Subsection 10 - Responsible Use of Computers and Networks

More information on this policy can be found here. [Technology Services](#).

Subsection 11 - Student Clubs and Organizations

Recognized student clubs, organizations, club sports, and their members – when acting in the capacity of members – are expected to follow the policies and procedures outlined in the [Student Organization Manual](#).

Violations of the Student Organization Manual may be adjudicated by the Center for Student Life, Center for Wellness, or the Center for Diversity and Global Engagement.

Subsection 12 - Expressive Activities and Speech Policy

More information on this policy can be found [here](#)

Subsection 13 - Harming Behavior

Harming behavior, which includes, but is not limited to the threat of or actual physical assault, bullying, or abuse.

Violations of the Harming Behavior policy include, but are not limited to:

- 13.1 Verbal, written and/or pictorial/video abuse: verbal, written and/or pictorial/video conduct that harms or attempts to harm the emotional or physical health or safety of any person.
- 13.2 Physical abuse: contact that harms or attempts to harm the emotional or physical health or safety of any person.
- 13.3 Endangering or threatening the health or safety of any person, including oneself.

Subsection 14 – Harassment

Harassment is the severe or repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof directed at another individual that has the effect of a. Causing physical or emotional harm to the individual or damage to the individual's property b. Placing the individual in a reasonable fear of harm to the individual and/or the individual's property c. Infringing on the rights of other university community members to fully participate in the program, activities, and mission of the university.

In determining whether an act constitutes harassment, the Dean of Students Office will consider the full context of any given incident, giving due consideration to the protection of the members of the University community, and the individual rights, freedom of speech, academic freedom, and advocacy required by law. Please note that not every act that might be offensive to an individual or a group necessarily will be considered a violation of *The Student Code of Conduct*.

Subsection 15 – Non-Discrimination

All members of the University are responsible for maintaining an environment free from sexual discrimination and harassment and are expected to commit themselves to be examples of the highest standards of personal and professional conduct. More information on this policy can be found [here](#).
<https://wit.edu/about/policies/nondiscrimination>

For matters regarding discrimination based on sex, including prohibited conduct such as sexual harassment (including *quid pro quo* and hostile environment), as well as sexual assault, dating violence, domestic violence, stalking, discrimination, sexual exploitation, and retaliation, please refer to the [Sexual Misconduct and Sex-Based Discrimination Policy for Students and Employees](#). <https://wit.edu/policies/title-ix>

Subsection 16 - Smoking, Vaping, and/or Tobacco Use

More information on this policy can be found [here](#).

Subsection 17 - Vehicles and Parking

More information on this policy can be found [here](#).

Subsection 18 - Wentworth Name and Logo

More information on this policy can be found [here](#)

Subsection 19 – Amnesty

Students may be reluctant to seek help in alcohol, prescription drug and illegal substance related emergencies due to their own involvement for violating *The Student Code of Conduct*. When these emergencies are serious and/or life-threatening, Wentworth wants to promote a culture of responsibility.

In cases of a medical emergency resulting from alcohol, prescription drug, or prohibited substances, students are expected to:

- Call Public Safety at (617) 989-4444 or 911
- Stay with the individual(s) until help has arrived
- Meet and cooperate with appropriate University administrative staff after the incident
- Attend and comply with any educational sanction(s)

Students who seek out emergency assistance or call for help on behalf of another student or guest will not receive conduct charges related to the behavior. This policy also applies to the individual for who the emergency assistance was requested. Conduct charges may be applied for behavior not related to the granting of amnesty.

The Amnesty Policy will not apply for calls for medical assistance made after the University or local authorities have already intervened and/or confronted a situation. Students who abuse the protections of the Amnesty Policy by seeking help for others when there is no good-faith basis for doing so, will be unable to utilize the Policy.

Part 4. Student Code of Conduct Procedures

The following are the procedures followed to adjudicate all violations of *The Student Code of Conduct*.

Hearing officers may involve or seek input from other University officials in any or all parts of *The Student Code of Conduct* Procedures as they deem appropriate.

Section 1: Allegations

Any person may file a report regarding any student or Student Organization alleging misconduct. To initiate *The Student Code of Conduct* process, reports shall be prepared in writing and directed to the Director for Student Conduct & Restorative Practices. A report should be submitted as soon as possible after the alleged misconduct takes place.

The Director for Student Conduct & Restorative Practices shall determine if there is reasonable cause to address a potential violation of *The Student Code of Conduct* and will notify the respondent of such allegations. The decision to continue a complaint through the process is the decision of the Director for Student Conduct & Restorative Practices.

The Director for Student Conduct & Restorative Practices will assign a Hearing officer(s) to the case who will investigate, schedule a meeting with the respondent(s) and other individuals as deemed necessary and appropriate.

Information, in addition to that provided in the complaint/incident report, may be sought through a preliminary investigation. The investigation may include, but not limited to:

- Interviewing the complaint(s), responding party(ies), and witness(es),

- Gathering relevant documents and/or other information from the University, party(ies) and witness(es)

The Director for Student Conduct & Restorative Practices, or designee, will determine what testimony, witnesses, or other information is relevant and may exclude information or witnesses that are deemed irrelevant.

Complaints can be filed up to one academic year after information regarding the violation is discovered. Complaints against former students will not be processed. Complaints against seniors, 5th year students, and/or Master's degree students must be filed prior to their graduation. This is to allocate sufficient time before graduation for an investigation, hearing, and appeal to occur.

The Director for Student Conduct & Restorative Practices, in their discretion, may determine whether conduct proceedings will be conducted separately or jointly in the following instances:

- If an incident report involves more than one charged student.
- If there is more than one incident involving the same student.

Student Conduct proceedings may be initiated without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution resulting from the same or related conduct. Proceedings under *The Student Code of Conduct* may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

Determinations made or sanctions imposed under *The Student Code of Conduct* shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the defendant in the criminal matter.

Subsection 1. Parental/Guardian Notification

As recommended by the Massachusetts Board of Higher Education and permitted by the Family Educational Rights and Privacy Act (FERPA), the university may notify parents/guardians when students under the age of 21 are found responsible for violating the University's alcohol or drug policies.

The University reserves the right to notify parents/guardians when a student's enrollment at the university is subject to change due to a separation resulting from University Suspension or University Expulsion.

Section 2. Administrative Hearing

The Hearing Officer will provide the parties with an opportunity to review information related to the incident.

The Hearing Officer will meet with the parties and provide them with an opportunity to respond to the information and present any information or witnesses they wish. The rules of evidence, applicable to civil and criminal cases do not apply and no recordings of the proceeding can be made by the student or the Hearing Officer.

The Hearing Officer may ask the parties questions during the meeting(s), seek additional information, make requests of the parties, or interview any person the Hearing Officer deems necessary.

Based upon the preponderance of the evidence, the Hearing Officer will decide as to whether a violation of *The Student Code of Conduct* has occurred.

The Hearing Officer has the full prior disciplinary record of the responding party available to them to decide the level of sanction if found in violation of *The Student Code of Conduct*.

The Hearing Officer will notify the parties of their findings and sanction(s), if any, in writing.

If a party does not meet with the Hearing Officer or comply with their requests, the Hearing Officer will make a finding and sanction decision based upon the information available. In this case, the party will lose any right of appeal.

In cases where information is received, before or during the Hearing that indicates an additional violation of The Student Code of Conduct may have occurred, the Hearing Officer will determine if it will be addressed during the meeting or in a separate hearing.

Administrative Hearing procedures are outlined below:

- A written Notice is sent to Respondent(s) listing the alleged violation(s) and date of the Administrative Hearing
- An individual meeting is held between the Respondent(s) and a Hearing Officer to provide and review evidence, testimony, and any other relevant information that may be pertinent to the allegations.
- Following the Administrative Hearing, the Hearing Officer is responsible for providing a summary of the meeting to the Respondent, including a brief statement of the facts, findings from the Administrative Hearing(s) (in violation or not in violation) and any sanctions that have been issued.
- If an in violation finding is determined, past violations of the *Student Code of Conduct* and any related sanctions may be considered in determining the level of sanctions for the current violation.
- The outcome of the Administrative Hearing will be made part of the student's educational record

Section 3. Informal Resolution Types

The Director for Student Conduct & Restorative Practices reserves the right to schedule an informal resolution/educational conference to discuss the behavior of students and its impact on the mission of the University.

Conferences may result in an action plan agreed on by all parties to address the behavior. If the action plan is not honored, the University reserves the right to initiate a formal review under *The Student Code of Conduct*. Examples of incidents that may be adjudicated by an Educational Conference include but are not limited to minor disruptions or behavioral concerns.

Educational conversations are typically scheduled within ten (10) business days upon receipt of a report of a potential violation of *The Student Code of Conduct*.

Restorative Justice Resolution

A restorative justice conference brings together those who were impacted by an alleged violation of the Student Code of Conduct, including those who were responsible for the alleged violation and community members that were harmed and/or impacted by the violation. Through a facilitated dialogue, participants discuss what happened and determine the best ways to repair harm(s) and improve relationships.

The Director for Student Conduct & Restorative Practices, or designee, has discretion to refer a report or complaint for a Restorative Justice Resolution. All parties, specifically the Complainant(s), Respondent(s), and the University must agree on the resolution option and will be bound by the decision with no review/appeal.

The following must take place for the incident to be processed through RJ:

- The respondent must accept responsibility for the alleged conduct to initiate the Restorative Justice Resolution.
- If the Complainant or Respondent does not want to participate in the Restorative Justice Resolution process, they may request a formal Administrative Hearing Process as outlined in Section 2.

- The hearing officer reserves the right to stop the Restorative Justice process and initiate the formal Administrative Hearing Process at any time prior to the Respondent's fulfillment of the agreement.

Requirements include but are not limited to:

- The Respondent failing to schedule or attend a meeting with the assigned Hearing Officer
- The Respondent's denies responsibility for the alleged conduct
- The Respondent does not want to participate in the Restorative Justice Resolution Process
- The Hearing Officer determines that the matter is more appropriately resolved under the formal administrative hearing process

Subsection 4. Sanctions

If the respondent is found in violation for violating *The Student Code of Conduct*, appropriate sanctions will be imposed. Sanctions are determined by:

- The nature of the misconduct
- Precedent regarding such misconduct
- The respondent's complete student conduct record
- The community impact statements

Mitigating or aggravating factors

Students Sanctioned as University Expulsion, University Suspension, Permanent Residence Hall Suspension or Temporary Residence Hall Suspension may not receive refunds for tuition, room and board, or any other University costs or expenses. Non-compliance with assigned sanctions will result in a hold being placed on a student's account. This may impact the student's ability to register for classes. The student may also face additional charges through *The Student Code of Conduct*.

Subparagraph 1. Potential Sanctions

The following sanctions may be imposed, individually or in various combinations, on any student found to have violated *The Student Code of Conduct*. Please note that this is not an exhaustive list of sanctions:

University Expulsion: University Expulsion is a permanent separation from Wentworth Institute of Technology. Students are prevented and prohibited from completing any academic progress towards a Wentworth degree including registering for coursework, attending classes or being present in or on Wentworth property. Students are administratively withdrawn from their courses and therefore will not receive grades for their academic work for the semester this sanction is implemented. Students must return any Wentworth issued property immediately to avoid charges (laptop, residential keys, library items etc.). A person's presence on Wentworth property upon being expelled will be viewed as trespassing and may be subject to arrest.

University Suspension: University Suspension is a separation from the University for a designated period. Students who are suspended from the University are restricted from all University premises and activities, including but not limited to, course registration, class attendance, participation in co-curricular activities and University housing. Students returning from University Suspension must contact the Director for Student Conduct & Restorative Practices at least two weeks prior to the semester of their return and follow any additional sanctions assigned to them. A person's presence on Wentworth property during University Suspension will be viewed as trespassing and may be subject to arrest.

University Probation: University Probation is a six-month period during which the student is given the opportunity to modify their behavior, to complete specific assignments, meet with designated persons, and

demonstrate a positive contribution to the University community in an effort to regain privileges within the University community. After six months of University probation the student may apply for a review of the student's probationary status. The student will meet with the University Probation Review Committee and must demonstrate significant contributions, in academics, conduct and engagement. Students or organizations on University Probation are not considered to be in good disciplinary standing with the University, this may impact their ability to participate in intercollegiate athletics, represent the University, student leadership positions, study abroad opportunities, extracurricular and/or residence life activities. Additionally, any violation of University policy during the probation period will be viewed as a violation of probation and will result in further disciplinary action.

Warning: A written notice that the student has violated University policy or *The Student Code of Conduct* and a warning that another violation will likely result in more severe sanctions which could include University Probation, Temporary or Permanent Residence Hall Suspension, University Suspension, or University Expulsion.

Permanent Residence Hall Suspension: Permanent separation of the student from the residence halls.

Temporary Residence Hall Suspension: Temporary separation of the student from the residence halls for a specific period, after which the student may reapply for housing. Reapplication for housing does not guarantee immediate placement. Conditions for returning to the residence halls may be specified. Refunds for payments made will not be provided.

Housing Probation: A period during which the students will be subject to removal from the residence halls if there is additional documentation.

Housing Relocation: Required assignment to another residence area.

Loss of Privileges: Denial of specified privileges for a designated period. This could include loss of responsible user status in the residence halls.

Restriction: Denial of access to any campus facility, activity, class, or program. This includes No Contact Orders.

Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

Assessment: A student may be referred to an appropriate office or local agency for consultation or assessment. These may include Alcohol and Other Drug (AOD) Assessments.

Educational Sanctions: participation in health or safety programs, including restorative justice workshops (the student may be required to pay a fee); service to the University or to the larger community; seminars; and other assignments as warranted.

Alcohol and Drug Education: These education options could include online questionnaires, an in-person ADPAT course, mandated assessment, or individual drug education courses.

Subsection 6. Appeal

A student who has participated in the discipline process and has been found in violation of *The Student Code of Conduct* may file a written appeal within three business days of issuance of the administrative hearing decision letter. If the written appeal is not filed on time, it will be dismissed. A party is allowed only one appeal per administrative process.

All appeals shall be submitted through the [Appeal Submission Form](#). The appeal form must state the reasons for the appeal and provide information as to the basis of the appeal. Basis for appeal include:

- New information that was not available at the time of the hearing which may affect the outcome of the hearing.
- The hearing did not substantially follow the Guidelines or a change from the Guidelines substantially affected the outcome of the hearing.
- A review of the imposed sanction(s), citing that it is disproportionate to the violation(s) committed.

The Appeal Officer may speak to the underlying decision maker, the appealing party, and the responding party, review all information taken during the underlying hearing and seek additional information.

The Appeal Officer may uphold or alter the original decision. Alterations to the original decision may include a change in the findings on violations and/or change of imposed sanction(s) (reduce or increase).

The decision made in the appeal process is final.

Subsection 7. Hearing Support Services

Any student participating in a meeting associated with *The Student Code of Conduct* may have a support person present.

The following are limitations:

- A support person may not have any additional role, such as a witness, in the University process.
- Only reasonable requests to change proposed meetings to accommodate a support person's schedule will be considered.
- Requests to have more than one support person will be considered on case-by-case basis, and the final decision is the sole discretion of the Director for Student Conduct & Restorative Practices or designee.
- A party may ask another member of the Wentworth community to serve as a support person. No person is required to accept a request from a party to serve as a support person.

Notification to Hearing Officer of Hearing Support Person: The Hearing Officer must be notified in writing prior to the hearing date who will be serving as the support person.

Subsection 8. Disability Accommodations and Interpreter Services

Students with disabilities may request accommodations through [Student Accessibility Services](https://wit.edu/student-life/success-studio/advising/student-success/accessibility). <https://wit.edu/student-life/success-studio/advising/student-success/accessibility> It is the individual's responsibility, and not that of a University official, to request an accommodation.

Part 5. Interim Administrative Action

In cases where the Dean of Students office (or a designee) believes, based upon the information available, that a student has engaged in a serious violation of *The Student Code of Conduct* and/or federal, state, or local law, the Dean of Students office or designee may impose an interim restriction. Interim restrictions become effective immediately without prior notice and remain in effect until after the hearing and appeal process is completed.

Interim restrictions may include: separation from the University or residence area, relocation of residence, restriction to designated campus areas or other campus facilities by time or location, restriction of communication with individuals or groups or the requirement to obtain advance authorization to engage in a specified activity.

Violations of interim restrictions may result in separation or expulsion from the University.

Part 6. Maintenance and Review of Student Conduct Files

Student conduct files are maintained separately from any other academic or official file at the university by the Dean of Students Office. Generally, information from the files is not released without the written consent of the student. However, certain information may be provided to individuals within or outside the University who have a legitimate legal or educational interest in obtaining it. Please refer to the federal Family Educational Rights and Privacy Act of 1974, as amended.

A student conduct file, including related documents, will be kept for seven (7) years from the date of the incident. This may include electronic and hard copy files. The student conduct file of an expelled student shall be retained indefinitely.

The Director for Student Conduct & Restorative Practices or designee has the final authority regarding the inspection, review, or release of any Conduct file.

Part 7. Interpretation and Revision

Any questions of interpretation regarding *The Student Code of Conduct* shall be referred to the Director for Student Conduct & Restorative Practices or designee for determination. The Director for Student Conduct & Restorative Practices or designee's determination is final.

The Student Code of Conduct shall be reviewed annually, with a full review every three (3) years under the direction of the Vice President of Student Affairs and the Dean of Students. Minor changes/updates to *The Student Code of Conduct* may be made at any time. Students are responsible for actively reviewing expectations outlined in *The Student Code of Conduct*.