

**Purpose:**

Pennsylvania College of Health Sciences (“PA College” or “the College”) is committed to nurturing a culture that embraces all individuals with compassion, civility and respect. All students and student groups are expected to follow and abide by the Student Code of Conduct & Disciplinary Policy, and adhere to the highest standards of conduct, professionalism, civility and respect towards one another. These expectations for students extend to student interaction with the broader College Community, including the College’s clinical partner sites, neighboring communities, and the instructional and service-oriented programs that support the academic mission of PA College. In cases where a student engages in conduct that is inconsistent with this policy, the student will be subject to disciplinary action.

Although this policy provides general expectations and outlines specifically prohibited conduct, it should be read broadly and is not intended to be exhaustive; this policy cannot include all potentially disruptive or unsafe behavior or misconduct in explicitly defined terms. The College reserves the right to take disciplinary action for other behavior that is not expressly outlined below and violates the spirit of this policy and values of PA College, and will do so in a manner that preserves fairness for all parties and maintains the integrity of the College’s Student Conduct & Disciplinary process.

**Student Code of Conduct**

**I. Respect for the College’s Mission**

As an institution of higher education with a mission devoted to health sciences, the College serves as a trusted member of the broader Lancaster community. In furtherance of this mission, students are responsible for conduct on or off campus that interferes with or disrupts the academic, learning, working or related functions of the College, or which adversely affects the reputation of the College.

Such conduct is prohibited and may result in disciplinary sanctions. PA College holds students to the same standards off campus as it does on campus.

**II. Respect for Others**

The following actions committed on or off campus against any member of the PA College community are prohibited:

- A. Assault:** Conduct that threatens or endangers the physical or emotional safety of another person.
- B. Abuse:** Verbal comments that demean or defame.
- C. Harassment:** Unwarranted verbal or written exchange including profane, abusive, or threatening language or behavior directed toward another person. An act that intimidates, alarms, embarrasses, ridicules, or produces psychological or physical discomfort. In situations where the alleged harassment is of a discriminatory or sexual nature, the *Discrimination and Harassment Policy* will govern the investigation and

resolution of the report. (See the Discrimination and Harassment Policy on My PA College Portal > College Services & Resources > Policies.)

**D. Bullying/Hazing:** The use of aggression with the intention of hurting another person. An act that intimidates, alarms, embarrasses, ridicules or produces psychological or physical discomfort. Such behavior and activities include, but are not limited to, the following:

- Verbal abuse, such as the use of derogatory remarks, insults, and epithets
- Slandering, ridiculing or maligning a person or their family
- Verbal or physical conduct of a threatening, intimidating or humiliating nature
- Sabotaging or undermining an individual or group's work performance or education experience
- Inappropriate physical contact, such as pushing, shoving, kicking, poking or tripping, assault, or the threat of such conduct, or damage to a person's work area or property
- Inappropriate electronic communication, such as the use of electronic mail or text messaging in a threatening, intimidating, or humiliating manner.

Bullying and hazing can occur through one isolated, but severe, incident, or through a pattern of repeated incidents. Such actions are unwelcome and pose a risk to the health and safety of PA College community. Petty slights, annoyances, and isolated incidents (unless serious and pervasive) will not rise to the level of a policy violation. In situations where the alleged bullying is of a discriminatory or sexual nature, the *Discrimination and Harassment Policy* will govern the investigation and resolution of the report. ((See the Discrimination and Harassment Policy on My PA College Portal > College Services & Resources > Policies.)

**E. Discrimination:** In accordance with PA College's policies, discrimination and harassment of any nature is prohibited whether based on an individual's race, color, creed, ethnicity, ancestry, national origin, genetic information, sex, gender, gender identity or expression, sexual orientation, age, religion, marital status, veteran status or disability or physical ability, socioeconomic background, or other legally protected classifications. Incidents involving discrimination or bias-motivated misconduct threaten to disrupt the environment of care and mutual respect that is central to PA College's educational Mission. Such incidents will be promptly investigated and may result in serious or escalated sanctions. The *Discrimination and Harassment Policy* will govern the investigation and resolution of the report of such allegations. (See the Discrimination and Harassment Policy on My PA College Portal > College Services & Resources > Policies.)

**F. Disruptive and Disorderly Conduct:** Intentionally or recklessly causing or provoking a disruption to academic pursuits or to otherwise infringe upon the rights, privacy, or privileges of another person or group of people in our campus community. Conduct which disturbs the peace of the campus, clinical sites and surrounding neighborhoods is prohibited, including excessive noise, drunkenness, or public nuisance; this also includes

behavior in a classroom, instructional program, research setting, or clinical placement that significantly interferes with an instructor's lesson or prevents others from benefiting from a class, experience or program. Disruptive or disorderly conduct can be considered behavior that consumes an inordinate amount of College staff time or resources.

- G. Harm, Threats of Harm and Dangerous Behavior:** Harm, threats of harm and dangerous behavior includes the following:
- Causing physical harm or injury to any member of the College community or threatening such harm or injury.
  - Engaging, or threatening to engage in, behavior that poses an immediate danger to the life, health, welfare, safety or property of any member of the College community.
  - Engaging in behavior that harms or interferes with normal College operations, including, but not limited to, studying, teaching, College administration, security, fire, police or emergency services.
- H. Obscene Conduct:** Any indecent exposure or action of an obscene, lewd or indecent nature.
- I. Sexual Harassment and Sexual Misconduct:** Sexual harassment and sexual misconduct, including non-consensual sexual contact, non-consensual sexual intercourse, statutory rape, incest, stalking, dating/domestic violence and sexual exploitation is prohibited conduct under this Policy, as well as the *Sexual Harassment Policy*. The *Sexual Harassment Policy* will govern the investigation and resolution of the report of such allegations. (See the Sexual Harassment Policy on My PA College Portal > College Services & Resources > Policies.)

### III. Respect for College Officials and Resources

- A. Duty to Comply:** Students must not interfere with the teaching, research, administration, disciplinary proceedings or other activities of the College. Students must comply with the reasonable and lawful instructions of College officials. Students must not interfere with any individual in the performance of their assigned responsibilities. Students are expected to cooperate fully with all investigations involving violations of PA College policies, rules and regulations. Students must comply with all student conduct and disciplinary investigations, sanctions, protective measures, directives and accommodations, as well as all written instructions from College officials received via email, posted bulletin, publications on the PA College website or Portal, and mail or verbal instruction.
- B. Misleading the College or its representatives:** Members of the PA College Community must not intentionally mislead or defraud the College or its representatives. This may include providing false or misleading information regarding the College or other organizations/agencies or clinical partners, refusing to provide identification, or providing false identity.
- C. Respect for facilities:** Destruction, damage, littering or vandalism of property belonging to the College, to a member of the College Community, or a guest of the College is prohibited. This includes all property owned, managed, or controlled by PA College, on or

off campus. Use of College facilities, including addresses, mailboxes, phone lines, the PA College network, or other properties as a base for illegal or immoral activities or businesses is prohibited.

- D. Respect for the Property of Others:** The theft, embezzlement, misappropriation, possession, vandalism, or attempt to do the same, of property belonging to another person or to PA College is prohibited.
- E. Unauthorized Entry or Use:** Unauthorized entry, access to, presence in, or use of a PA College or clinical partner facility or grounds without verbal or written permission by an authorized official is strictly prohibited.
- F. Unacceptable Use of College IT Resources:** Use of the College's information and communication technology resources is a privilege extended by the College to its enrolled students, faculty, staff and others. Any unacceptable use of College IT resources is strictly prohibited. (See the Acceptable and Responsible Use Policy on My PA College Portal > College Services & Resources > Policies.)
- G. Identification (ID Badge) Non-possession and Misuse:** To ensure the safety of PA College Community, every registered student is required to carry a PA College identification card ("student ID" or "ID badge") at all times while on campus and at clinical partner sites. Student IDs are issued to individual students and are non-transferrable. Failure to provide a student ID immediately at the request of a PA College staff member while on campus is a violation of this policy. Permitting another to use one's own student ID is also a violation, and when used fraudulently, may also constitute a violation. (See the ID Badges Policy on My PA College Portal > College Services & Resources > Policies.)

#### **IV. Respect for Professional and Ethical Conduct**

PA College values professionalism and ethics among our entire College Community, including students. These values support optimal learning and foster scholarly and civic development of students.

Professionalism includes demonstrating excellence, respect, integrity, compassion, altruism and accountability in all endeavors. It also includes honesty; respect for colleagues, faculty, staff and peers; and behavior in public that is not embarrassing to the ideal of health care providers. Ethics includes the promotion of academic integrity, which is the pursuit of scholarly and professional activity free from fraud and deception. Diversity of ideas, perspectives and experiences are an integral component of professionalism and ethics. All members of the health care industry are expected to model, promote and advocate for a strong and visible culture of professionalism and ethics. And all individuals in our community are responsible for creating a welcoming and respectful environment where every person is valued and honored.

For these reasons, it is the College's policy and expectation that all students will conduct themselves in a professional and ethical manner in interactions with staff, faculty, peers, partners and patients, as well as the broader PA College Community and the public. Students will also engage in continual self-reflection about their attitudes and behaviors as they strive to be better health care providers.

Violations of the professionalism and ethics may result in disciplinary action under this policy.

Specific components of professional and ethical behavior include:

- A. Nondiscrimination:** It is unethical for a student to refuse to participate in the care of a person based on race, religion, ethnicity, socioeconomic status, gender, age, sexual preference, national origin, ancestry or disability. Students must show respect for patients and families as well as everyone involved in their care.
- B. Confidentiality:** A patient's right to the confidentiality of personal medical information is a fundamental tenet of medical care. The discussion of problems or diagnoses of a patient by students in public violates patient confidentiality and is unethical.
- C. Professional Demeanor:** Students should be thoughtful and professional when interacting with colleagues, faculty, staff and peers, as well as patients, families, peers and co-workers, and avoid unprofessional behavior at all times, including using offensive language, gestures or remarks with sexual overtones, extreme lack of interest and/or dishonesty. Students should maintain a neat and clean appearance and dress according to the dress code of the hospital or clinical partner site when in clinical placements.
- D. Honesty:** Students are expected to demonstrate honesty and integrity in all aspects of their education and in their interactions with patients, staff, faculty and colleagues. They may not cheat, lie, steal or assist others in the commission of these acts. Students must be willing to admit errors and not knowingly mislead others or promote themselves at a patient's expense. The student is bound to know, understand and preserve professional ethics and has a duty to report any breach of these ethics by other students or health care providers through the appropriate channels.
- E. Impairment:** Students are expected to be committed to the wellbeing of patients and the community. Students will refrain from substance abuse (alcohol or drugs) which could compromise patient care or bring harm to themselves or others. It is the responsibility of each student to protect the community and seek appropriate help for themselves, and/or to assist a colleague whose capability is impaired because of their substance abuse. Students are obligated to report members of the health care team whose behavior exhibits impairment or lack of professional conduct or competence.
- F. Behavior Toward Colleagues:** The student are expected to deal with professionals, faculty, staff and peers in a cooperative and considerate manner. Professional relations among all members of the medical community should be marked with civility, and each person should recognize and facilitate the contributions of others to the community. It is unprofessional and harmful for a student to disparage without good evidence the professional competence, knowledge, qualifications or services of a colleague. It is also unprofessional to imply by word, gesture or deed that a patient has been poorly managed or mistreated by a colleague without tangible evidence. The student is expected to bring any such allegations to a supervisor immediately.

**V. Respect for Self & Safety**

- A. **Alcohol:** Unless authorized by the College prior to an event, possession, distribution or use of alcoholic beverages or related paraphernalia in any College owned, controlled or adjacent facility, at any College function, or while representing the College is strictly prohibited, unless authorized by the College prior to an event. (See the Drug-Free School Policy on My PA College Portal > College Services & Resources > Policies.)
- B. **Intoxication:** Abusing alcohol or being intoxicated while on-campus or at a College-related function is prohibited.
- C. **Drugs:** Unlawful use, possession, sale, manufacture or distribution of narcotics, controlled substances or paraphernalia for use of the same, as defined by federal, state and local law is prohibited. Persons engaging in the sale of narcotics or drug-related felonies will be subject to immediate dismissal. Students who violate federal, state or local laws related to the use or possession of drugs may lose eligibility for federal financial aid. (See the Drug-Free School Policy on My PA College Portal > College Services & Resources > Policies.)
- D. **Weapons and Dangerous Substances:** Unauthorized use, possession, threat of use or display of dangerous objects, including but not limited to firearms (including BB, pellet and paint ball guns), ammunition, fireworks, explosives, incendiary devices, projectile weapons, knives with blades over 2.5 inches long, martial arts weapons (including decorative and ceremonial weapons and swords), hunting bows and arrows, or similar items. Any item which could be reasonably perceived or misrepresented as a weapon is strictly prohibited on PA College property.
- E. **Tampering with Emergency Systems and/or Life Safety Equipment:** Misuse, tampering, or vandalism of fire or emergency alarm systems, fire extinguishers, electrical breakers or other safety/security equipment is strictly prohibited.

#### VI. **Respect for Policy and Procedure**

Any abuse or interference with the Student Code of Conduct & Disciplinary Policy, including assisting another person in the commission, or attempted commission, is a violation of the Student Code of Conduct.

- A. **Other Applicable Policies:** Any violation or non-compliance with other published College policies or procedures, as well as any violation of the policies and procedures of clinical partners and placement sites, is prohibited.
- B. **Violation of Federal, State or Local Law:** Any violation of federal, state or local law is prohibited. PA College may begin the disciplinary processes whether or not the act results in an arrest and/or conviction.

#### VII. **Respectful Communication and Use of Social Media**

Social media and networking sites are dynamic communication tools that help people connect and communicate with various groups and individuals. PA College supports student participation in online communities as communication, learning and networking tools. However, students may be disciplined for personal use of social media when usage is in violation of other PA College policies.

Because social media is a dynamic and ever changing medium, the following guidelines have been developed to help students navigate online opportunities while following PA College policies and procedures and protecting their personal and professional reputation.

- A. General Use:** Students should be honest about their identity. Students should be respectful, professional and courteous in posting and communicating. Students should maintain the confidentiality and privacy of others. Students must never post patient or proprietary information, even if identifying information has been removed.
- B. Personal Sites:** In personal sites, students should be clear that they are sharing their personal views and are not representing PA College or a PA College student organization. Students must not use the logo, name or any PA College marks or images on a personal site without proper authorization.

Students are personally and legally liable for what they post on their own sites and on the sites of others. Individual bloggers have been held liable for commentary deemed to be proprietary, copyrighted, defamatory, libelous or obscene. Employers are increasingly conducting web searches on job candidates before extending offers. Students should consider whether what they post today might create employability concerns in the future.

Students should use good judgement when posting photographs of themselves on sites, particularly since prospective employers and others in the health care profession may be able to view them. Students should only use photographs of material and people who have given them permission to do so. Students should not post photos of course materials or campus-based presentations, or any photographs of a medical or personal nature relating to a patient, even if they appear to be de-identified.

Failing to adhere to these expectations may result in disciplinary action. PA College reserves the right to take disciplinary action for other online behavior that is not expressly outlined above.

### **Process and Procedures for Non-Academic Violations**

The disciplinary process is used to resolve alleged violations of nonacademic College policies by PA College students under this policy. Alleged violations of academic-related policies are resolved through the faculty and in accordance with the procedures adopted by each program. Cases involving allegations of discrimination and sexual harassment are resolved through the College's *Discrimination and Harassment Policy*. (See the Discrimination and Harassment and Sexual Harassment Policies on My PA College Portal > College Services & Resources > Policies.)

The Associate Vice President of Student Affairs is responsible for resolving nonacademic student conduct and disciplinary matters, for ensuring student compliance with all nonacademic conduct conditions and sanctions assigned through the student conduct and disciplinary process, and for maintaining official nonacademic student conduct and disciplinary records. The Associate Vice President of Student Affairs shall designate individuals or entities to administer the student conduct and disciplinary process, including appointing Conduct Administrators and members of Student Conduct & Disciplinary Committee.

At PA College, an individual alleged to have been directly impacted by an alleged violation of this policy is referred to as a Reporter. The Reporter may or may not have initially reported the alleged violation. Further, not every case may involve a Reporter, as some violations under this policy may not necessarily impact a specific party but are nonetheless subject to the policy. A party accused of a policy violation is referred to as a Respondent.

## I. Description of Process

### **Step 1: Report of Alleged Misconduct**

Violations of the Student Code of Conduct & Disciplinary Policy by a student(s) or a student group should be reported to the Associate Vice President of Student Affairs. Any member of the College Community may submit a report of an alleged violation of this policy through the Code of Conduct Violation Form.

### **Step 2: Notice & Initial Inquiry**

Once a report has been received, the Associate Vice President of Student Affairs will assign the case to a designee (herein referred to as the Conduct Administrator), who will notify the Respondent or student group of the potential violation(s) and request a meeting with the Respondent, during which time the Conduct Administrator will gather information regarding the alleged incident in order to determine the appropriate means of resolution. During this time, the Respondent may provide a statement and/or any other information regarding the incident.

The depth of the initial inquiry will be determined by the severity and/or complexity of the violation, based on the Conduct Administrator's judgment. Based on the information available, the level of detail known about an incident, the interest and willingness of a Reporter to participate in the process, and whether the report is related to a College policy, the Conduct Administrator will determine the appropriate path for each case.

### **Step 3: Resolution**

Based on the findings during the initial inquiry, one of the following next steps may occur.

- A. Case Closed:** In order for a report to be reviewed further, there must be sufficient information to believe a policy violation may have occurred and the alleged student(s) or student group may be responsible for the violation. The Conduct Administrator may close cases when insufficient information exists to move forward or when the alleged misconduct – even if substantiated – would not be a violation of policy. The Conduct Administrator may exercise discretion and reopen a closed case in the future if additional information becomes available or if a Reporter who was previously unwilling to pursue informal or formal resolution changes their mind (consistent with the time limitations outlined below).
- B. Administrative Resolution:** Administrative resolution involves action taken by the College in response to a situation or report of violation of the policy when informal or formal resolution is not desired by the Reporter or when there is not enough information to proceed with informal or formal resolution. Options for administrative resolution include, but are not limited to:
  - A no-contact directive placed between students, or between a student and

another member of the College Community

- Changes in academic, schedule or work arrangements
- An educational meeting with a student or community member
- Participation in educational training or programming
- A formal advisory letter and/or request that a student cease current behaviors.

**C. Informal Resolution:** During the incident inquiry meeting, the Conduct Administrator may determine there is reasonable information to suggest a policy violation may have occurred. In these cases, the Conduct Administrator will discuss sanctions appropriate for the policy violation with the Respondent. The Respondent is then given the option to accept responsibility for the violation and appropriate sanctions, which will close the case, or request that the matter be considered for formal resolution.

**D. Formal Resolution:** During the incident inquiry meeting, it may be determined that a case be referred to formal resolution. This determination will be based on the severity and/or complexity of the violation, based on the Conduct Administrator's judgment, or at the request of the Respondent when informal resolution cannot be met. Formal resolution cases are presented before the Student Conduct Board.

When a case will be resolved through formal resolution, the Conduct Administrator will send written notification of the allegation of misconduct to the Respondent and to the Reporter, if applicable. The notification will typically include a brief description of the alleged misconduct, including the time, date, and place the incident(s) allegedly occurred, the College policy(ies) allegedly violated, and a description of the steps toward resolution through a Student Conduct Board Hearing.

Within 10 business days, unless extended by the Associate Vice President of Student Affairs or designee, the Associate Vice President of Student Affairs, acting as the non-voting Student Conduct Board hearing advisor, will invite the Respondent, Conduct Administrator and appropriate witnesses including the Reporter, if any, to meet separately with the Student Conduct Board. Both parties may provide relevant information regarding the incident, including potential witnesses with direct knowledge of the allegations underlying the report and evidence related to the underlying allegations. All aspects of the presentation are limited to the case at hand. The Board may ask questions of both parties. Finally, both parties may make a closing statement.

Following the proceedings, the Board will evaluate the evidence, weigh credibility and make a finding of responsibility based on the preponderance of the evidence standard. Neither the Respondent nor the Conduct Administrator involved in the case will be present during any deliberations of the Board. Decisions of the Board are by simple majority. Following deliberation, written notice of the Board's review and outcome (referred to as a Final Decision) will be provided to the Respondent and the Reporter, if any, via email or last known home address, or in person.

**E. Summary Resolution:** Summary resolution, or the imposing of interim measures, involves administrative action taken when exigent circumstances require immediate action to protect the welfare safety of the College Community. This option may be utilized while a formal resolution is pending.

Additionally, the Conduct Administrator will determine whether interim actions should be taken while a case is pending. Interim actions may include measures taken prior to the formal resolution to ensure the safety and security of the College Community.

#### **Step 4: Appeal**

Upon receiving sanctions, the Respondent and the Reporter will have the opportunity to appeal a final decision on any of the following basis:

- A.** Availability of new information discovered after the investigation that could not have reasonably been available at the time of the investigation and is of a nature that could materially change the outcome;
- B.** A procedural error within the investigation or resolution process that may have substantially affected the fairness of the process;
- C.** An outcome (findings or sanctions) that was manifestly contrary to the weight of the information presented (i.e., obviously unreasonable and unsupported by the great weight of information).

These are the only basis for appeals. Appeals are not a means for rehearing the adjudication of a violation under this Policy.

All appeals must be submitted by submitting the Student Conduct Appeal Form within 3 (three) business days of notification of the final decision. The Associate Vice President of Student Affairs or designee will arrange the Student Conduct Board to review the appeal of the Respondent and examine the incident under review. Such meetings or written submission of appeal should occur within the following 10 business days, unless extended by the Associate Vice President of Student Affairs or designee.

The Student Conduct Board will then make a decision on the appeal and notify the parties of the outcome in writing (referred to as a “final decision”) and any corresponding sanctions.

#### **II. Standard of Evidence**

Attendance at PA College is a privilege. The burden of proof required for the College to determine a policy violation occurred and take disciplinary action is the “***preponderance of the evidence***” standard.

This standard measures whether it is “more likely than not” that the offense occurred, and is evaluated from a reasonable person’s perspective.

#### **III. Advisor**

An advisor is a support person who may be present to provide support to a Respondent or Reporter throughout the Student Conduct & Disciplinary process. As such, advisors may not speak, write, or otherwise communicate with a Conduct Administrator or Student Conduct Hearing Board and may not represent the Reporter or Respondent in the process. To enhance integrity in the process, to help ensure fairness for all parties, advisors cannot be witnesses or a party in the matter or a related matter, must be a member of the Campus Community (faculty, staff, or student), and cannot be a family member of the Reporter or Respondent. Advisors who do not abide by the structure of their role will be asked to leave the proceedings, and the process will continue without the advisor present.

**IV. Student Conduct Board**

The Student Conduct Board is formed when recommended sanctions lead to separation from the College or when the Respondent disagrees with responsibility. The Board will be made up of three (3) individuals, including one faculty member from the Respondent's program, one faculty or staff member from the College Community, and one student from any academic program, all selected from a pool of trained Board members. The College is a small community, and values the input of faculty, staff, and student members who may have knowledge and experience with the Respondent and his/her academic program. That said, it is expected that members of a Student Conduct Board may have prior experience and knowledge of a Respondent. It is also expected that these members carry out their duties as Board members in a neutral and unbiased manner.

**V. Duration of Investigation & Adjudication**

Though the College strives to resolve all cases in a timely manner, the typical timeline for a case varies based on the circumstances of the case. In most cases, the College investigates and resolves reports of policy violation, including initial determination of outcomes and sanctions, within 60 days of receiving a report. Extensions of time beyond this 60-day timeframe may occur for good cause including, but are not limited to, breaks in the academic calendar, the availability of the parties and witnesses (including due of leave of absence), the scope of the investigation, need for interim actions, and unforeseen or exigent circumstances. Many cases are resolved in a much shorter time.

**VI. Possible Sanctions**

A sanction is an educational, developmental, restorative, or deterrent measure assigned to a student because he or she has been found responsible for a policy violation. Sanctions are mandatory and failure to complete a sanction may result in additional disciplinary action. Conduct Administrators and Student Conduct & Disciplinary Committees will use their discretion in assigning the most appropriate sanctions based on a totality of the circumstances, including an assessment of mitigating and aggravating factors. The existence of a prior history of misconduct or a determination that the misconduct was motivated by bias will increase the severity of possible sanctions.

Sanctions for a violation of this policy may include any of the following: verbal or written warning, disciplinary hold on academic and/or financial records, performance or behavior improvement plan, required counseling, required training or education, College facility access restrictions, no contact directive (with respect to an individual), loss of privileges, revocation of offer (admissions), suspension, or expulsion.

For all sanctions where the Conduct Administrator recommends separation from the College (i.e., suspension, expulsion, or group dissolution), the Conduct Administrator will prepare a brief report summarizing the allegations, the evidence and information gathered, credibility, and the College Policy in question. The report will include an analysis of the alleged violation, findings of responsibility, and the recommended sanction. The report, and any timely submitted comments from the parties, will be provided to a Student Conduct Hearing Board who will review the report and serve to validate: (1) findings of responsibility, and (2) sanctions. Written notice of the Boards' review and outcome (referred to as a "final

decision”) will be provided to the Respondent, and the Reporter, if any, via email or last known home address, or in person.

For all sanctions where the Conduct Administrator recommends no sanction, or a sanction that does not include separation from the College, the Conduct Administrator will send the Respondent, and the Reporter, if any, a letter summarizing the alleged violation, findings of responsibility, and the recommended sanction, if any (referred to as a “final decision”).

## **VII. Privacy**

The College considers all aspects of the Student Conduct & Disciplinary process to be private matters for the parties involved. All participants in a Student Conduct & Disciplinary investigation or proceeding will be informed that confidentiality enhances the integrity of the investigation, protects the privacy interests of the parties, and protects the participants from statements that might be interpreted to be retaliatory or defamatory. For these reasons, the parties will be asked at the beginning of the investigation to keep the information related to the investigation private, to the extent consistent with applicable law. Witnesses and advisors will be directed to maintain confidentiality, to the extent consistent with applicable law.

## **VIII. Key Concepts and Terms Relating to the Disciplinary Review Process**

- A. Jurisdiction of PA College/Off-Campus/Online Violations:** PA College holds students to the same standards off-campus and online as it does on-campus. Any student of PA College may be held accountable under this Policy. Students may also be found in violation for attempting, conspiring, planning, or colluding to engage in a policy violation, even in the absence of completed misconduct. Students are also expected to follow the policies and procedures of clinical partners and other institutions that they may visit. PA College reserves the right to investigate and adjudicate any case in which a student is alleged to have violated any policy published by PA College, a clinical partner, or other institution they may visit regardless of the location where the incident occurs.
- B. Violations of Law:** PA College may proceed with a hearing or other conflict resolution process despite pending civil or criminal proceedings. In some circumstances, PA College may refer a case for criminal investigation.
- C. Time Limitations:** All reports should be made as soon as possible after the incident of alleged misconduct because the passing of time makes a review of the evidence much more difficult, and the memories of involved parties become less reliable. However, there is no limit for when an incident of alleged misconduct may be reported; however, in most cases, the College will not typically investigate reports of incidents that occurred more than one year prior to the report or after the Respondent has graduated.
- D. Application to Guests:** Guests of PA College students are expected to follow the *Student Conduct & Disciplinary Policy*. Student hosts are accountable for the conduct of their guests and may be subject to disciplinary action as the responsible party for violations of PA College policy incurred by their guests. This applies to individuals, groups, and student organizations.
- E. Knowledge and Awareness of Policies:** Students are expected to familiarize themselves with all policies and procedures referenced and set forth in the *Student Conduct & Disciplinary Policy*, and are accountable for compliance.

- F. Status of Respondent Pending an Investigation:** A Respondent will continue under his/her current enrollment unless safety of the Respondent or Reporter cannot be reasonably assured or the presence of the Respondent on campus creates an actual or reasonably perceived atmosphere of insecurity to the persons or property of the PA College community.
- G. Status of Respondent During Appeals Process:** When a decision is appealed, the decision, including any sanctions imposed, will remain in effect until the appeal's decision is issued. The College will take steps, as necessary, to address any impact on any Respondent that has had a successful appeal overturning a prior decision.
- H. Application for Return Following Suspension:** If a student is suspended from the College, he or she may return after the time specified under the suspension, in accordance with other College policies. Return requires a petition in writing to the AVP SEM, which includes providing satisfactory understanding by the student of why the suspension was necessary, why the student wishes to return, and what the student is willing to do in the future to prevent a recurrence of past problems.
- I. Prohibition on Retaliation:** The College prohibits retaliation, which is any adverse action taken by or on behalf of a person or group against another person or group in response to someone reporting an incident or safety concern to or otherwise participating in the conduct process in good faith.
- J. Conflict of Interest.** In the event a Respondent or Reporter believes that a Conduct Administrator or member of a Student Conduct Hearing Board has a conflict of interest and is unable to evaluate the case from a neutral and unbiased perspective, the party should immediately raise that issue to the AVP SEM, who is charged with determining whether an actual conflict exists, and if so, mitigating that conflict through the appointment of an alternative Conduct Administrator or hearing board member. In the event the conflict relates to the AVP SEM, the Associate Vice President of Academic Affairs will preside.
- K. Truthfulness:** Participants in the Student Conduct & Disciplinary Process have responsibility to be completely honest at all stages of the process. Students and others involved in the process are encouraged to be forthright and as specific as possible but may choose the extent to which they share information. Any person who knowingly makes a false statement in connection with the Student Conduct & Disciplinary Process matters may be subject to disciplinary action.
- L. Limitations in Proceeding:** In order for the College to investigate an allegation of a violation under this policy and/or enable an Respondent to fully respond to allegations, most situations will require the individual who makes a report to participate in the process. This means that his/her identity will be disclosed to the participants in the process. If a Reporter decides not to participate, but wants disciplinary action to be taken, the College will determine whether it is possible to move forward without the participation of the Reporter. In some cases, it will not be possible for disciplinary action to be pursued without the participation of the Reporter. Should the Reporter request anonymity, the College will attempt to honor this request but, in some cases, the College may need to proceed with an investigation and/or hearing based on concern for the safety or well-being of the broader campus community, or the degree of severity of the violation in contrast to the mission and values of the College.
- M. Expectation of Cooperation:** The College expects Respondents of a policy violation to participate fully in all aspects of the Student Conduct & Disciplinary process. If a Respondent elects not to participate in any part of the process, the College may proceed without the student's participation. Respondents who fail to participate will be held

accountable for any outcomes issued.

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<b>Owner:</b> Associate Vice President of Strategic Enrollment Management