

COS/OAC 2015-2016 Annual Report

DARTMOUTH COLLEGE | OFFICE OF JUDICIAL AFFAIRS



Table of Contents

Introduction	2
Respect for Privacy.....	2
Conduct Process.....	2
Other COS Functions.....	3
Family Notification.....	4
Academic Actions.....	4
Registrarial Appeals	4
Overview of Academic Honor Principle and Conduct Cases.....	4
Academic Honor Principle.....	5
Educational Resolutions.....	6
Types of Violations (AHP).....	6
COS-Level Conduct Cases.....	7
Title IX Cases	8
Sexual Assault Investigations	8
Sexual Harassment, Dating Violence, and Stalking.....	8
Organizational Misconduct.....	8
OAC-Level Organizational Cases	8
Administrative Hearings and Educational Referrals	10
Administrative Hearings by Outcome	10
Hard Alcohol Policy	11
Acknowledgement	11
Feedback	11
Appendix A.....	13

Introduction

The Committee on Standards (COS) and the Organizational Adjudication Committee (OAC) are charged with upholding Dartmouth College's [Standards of Conduct](#) and the [Academic Honor Principle](#) (AHP) for undergraduate students. This report is intended to:

- Share a broad overview of undergraduate conduct at the College from Summer 2015 - Spring 2016;
- Promote transparency of and knowledge about our systems of holding undergraduate students and student organizations accountable; and,
- Engage the community in the prevention of conduct that harms or has the potential to harm individuals, our learning community, and the integrity of the degrees we award.

Respect for Privacy

This report is publicly available. Access was expanded two years ago; families, alumni, and other stakeholders are vested in the well-being and success of undergraduate students and have interest in this data. It also reflects the premise that readers - parents and organizational advisors in particular - can influence choices of undergraduate students.

Our investment in the transparency of our process does not eclipse our regard for the privacy of the individuals involved. The data in this report is purposefully presented in the aggregate. This report is not intended as a forum for discussion of individual cases and we discourage speculation about the identity of the students who met with the committees or with a hearing officer.

Conduct Process

When a report is forwarded to Judicial Affairs about student conduct that, if true, would be a violation of our standards, we consider the conduct history of the student, the type of behavior alleged, and the harm or threat of harm that may have occurred in deciding the appropriate mode of investigation and/or resolution. Possibilities include:

- A referral to the Brief Alcohol Screening and Intervention for College Students (BASICS) or other intervention recommended by Dartmouth's Alcohol and Other Drug Program (DAODAP) for first violations of the alcohol policy and most Good Samaritan calls.
- An administrative hearing with a designated hearing officer for more minor misconduct. Outcomes can include restitution, educational or community restoration efforts, completion of a substance use or other medical assessment, Warning, Reprimand, or a period of College Probation.
- A COS hearing for more serious misconduct or where there is a history of repeated misconduct. Examples of misconduct referred to the COS include violations of the Academic Honor Principle, dating violence, stalking, harassment, driving under the influence of alcohol or other drugs, trafficking or distribution of drugs, service of hard alcohol, physical assaults, arson, and bomb threats. The COS can impose any of the outcomes described above. They can also Suspend or Separate (expel) an undergraduate student from the College.
- Initiation of an investigation for reports of sexual assault. Reports involving graduate and undergraduate students are referred to an external investigator. An investigation can result in any of the outcomes mentioned above. In some instances, Separation is mandated.

The Organizational Adjudication Committee (OAC) responds to reports of misconduct by undergraduate student organizations. Student organizations recognized by Dartmouth benefit from a range of administrative, advisory, facility, and financial support. At their best, student organizations present avenues for students to develop leadership skills, explore shared interests, and enrich our campus culture. As stated in the Group Accountability Policy¹, the conduct of individuals functioning as a member or leader of a student organization may have consequences for that organization. The most commonly heard organizational allegations are service of alcohol to underage students and other violations of the Alcohol Management Procedures.²

As per our memo of understanding with the Hanover Police Department, the Department of Safety & Security must also refer certain allegations to local police. Reports of drug trafficking, confiscated drugs, false identification cards, aggravated assault, reports of sexual assault involving a minor, reports involving use of a weapon, arson, burglary, robbery, theft (value greater than \$1,000), fraud, domestic violence, and homicide must be reported. The College also forwards reports of sexual assault (can be anonymized at the request of the reporting person if no minors are involved).

Other COS Functions

The Committee on Standards also acts as the appellate body for academic suspensions and separations and for certain registrarial appeals.

When an undergraduate student has been suspended or separated for unsatisfactory academic progress³, s/he can request that a subcommittee of the COS consisting of two faculty and one staff member review that action. In a request for review, the student may ask for the action to be converted to Academic Probation (or Suspension if the action was Separation) or for permission to take a Medical Withdrawal in lieu of the action. The COS considers evidence of significant extenuating circumstances which would warrant a different action. Students requesting review of an academic action are encouraged to address their efforts throughout the term to respond to these circumstances, evaluate their academic effort and attendance throughout the term, and explain what other decisions they considered (i.e. withdrawal from the course or term).

A subcommittee of the COS consisting of one student, one faculty, and one staff member can hear appeals of certain registrarial decisions and actions. Such appeals are infrequent. The COS considers if there is new information that wasn't reasonably available to the student at the time of the original decision and/or if there was a procedural error that prejudiced the original decision. Examples of the types of decisions that can be appealed to the COS are late additions or withdrawals from a course, request for exemption of the sophomore summer residency requirement, and requests for partial exemption from the senior year requirement.

¹ The Group Accountability Statement (<https://students.dartmouth.edu/student-life/policy/group-accountability-statement>) presents the College's position on the responsibility for the conduct of officers and members of undergraduate student organizations. Newly elected presidents are encouraged to speak with their advisor or Judicial Affairs to learn if their organization has a recent history of misconduct.

² Beginning on October 19, 2015, the SEMP procedures were replaced by the Alcohol Management Program procedures.

³ Academic Progress requirements are described here: <http://student-affairs.dartmouth.edu/policy/academic-regulations-and-actions>

Family Notification

The Office of Judicial Affairs communicates with parents and/or guardians if a student is responding to COS level allegations, when a COS case is resolved, and when the outcome of an administrative hearing results in a period of Probation. Parents and guardians may also be contacted by a staff member, usually an undergraduate dean, if the College is aware of admission to the emergency room for alcohol or other drugs or if a student is taken into police custody.

Academic Actions

This academic year, 27 students requested review of an academic suspension or separation from the College. The COS approved 41% of these petitions either allowing the student to continue on Academic Probation with a defined academic recovery plan or to take a medical withdrawal in lieu of a suspension or separation.

Registrarial Appeals

The COS heard 5 Registrarial Appeals during the 2015-2016 academic year. All five students were appealing decisions taken by the Registrar's Office regarding withdrawals from courses. In one case, the COS took no action as there was no Registrarial decision to appeal. Of the four remaining cases, the COS denied three appeals and approved one based on new information that had not reasonably been available to the student at the time of the Registrar's original decision.

Overview of Academic Honor Principle and Conduct Cases

During the 2015-2016 Academic Year, 61 major misconduct cases were referred to Judicial Affairs for adjudication. Major misconduct includes any type of case in which Suspension or Separation from the College are possible outcomes.

Figure 1 shows the number of cases by type for the past 10 years. Prior to the Summer 2014 term, all Title IX cases would have been referred to the Committee on Standards (COS). The COS still adjudicates allegations that violating Dartmouth's *Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Policy*.⁴ However, at the beginning of the 2014-2015 Academic year, the College adopted a new disciplinary procedure in which allegations of sexual assault are referred to an Independent Investigator for adjudication.⁵ To reflect this change, the third category of cases labeled "Title IX" begins with the 2014-2015 academic year.

⁴ <http://www.dartmouth.edu/sexualrespect/policies/undergrad-sexual-harassment-policy.html>

⁵ <http://www.dartmouth.edu/sexualrespect/policies/unified-sexual-assault-policy.html>

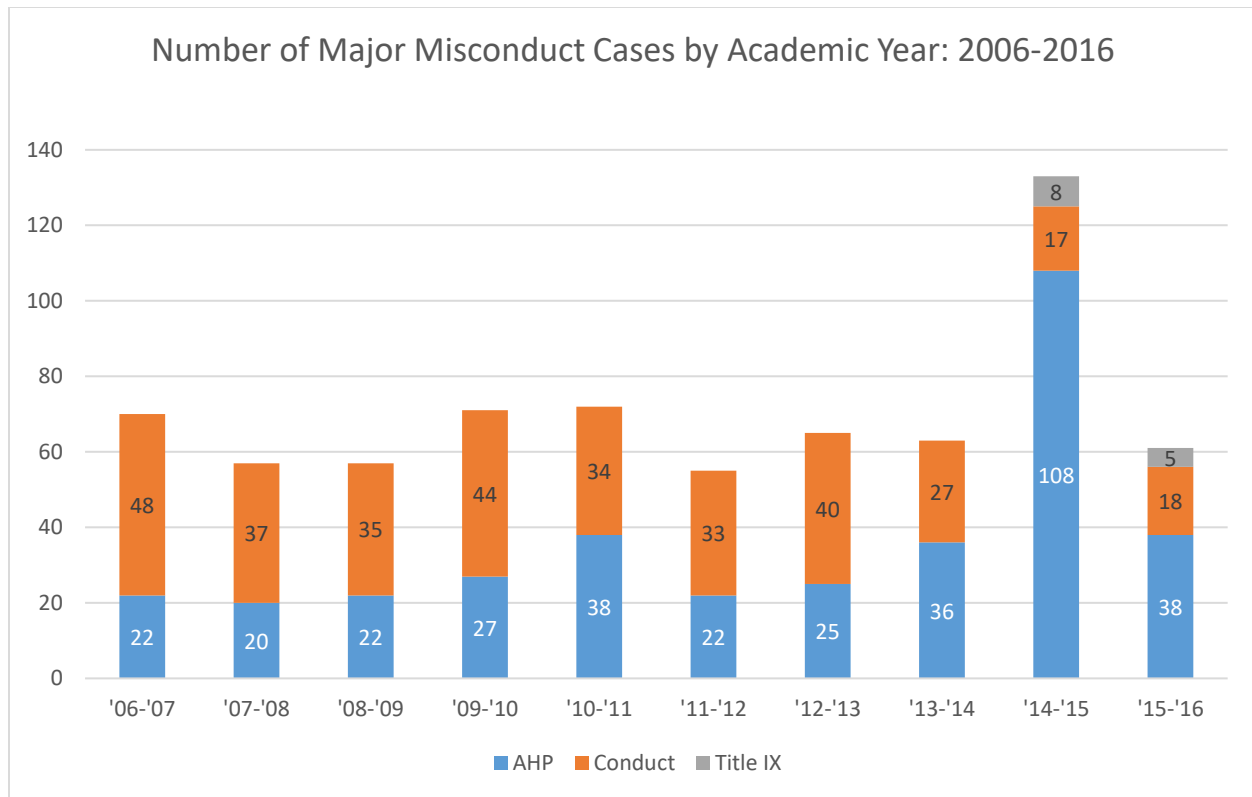


Figure 1

This academic year was relatively similar to previous years. In 2014-2015, 64 students were charged with Academic Honor Principle violations in the same course. When those students are factored out of the data, the 10-year average for Academic Honor Principle cases is 29 and the average for other cases (including conduct and Title IX) is 35. This year Honor Principle cases and other conduct cases made up 38 and 23 cases respectively.

The increase in Honor Principle cases is not unexpected. As noted in the 2014-2015 Annual Report, there has been an upward trend in Academic Honor Principle cases over the last 15 years. The average number of cases referred to the COS in the first half of this decade was 26. In the past 5 years, the average has increased to 33 (even when the large case from 2014-2015 is excluded).

Fifty-seven of the cases were resolved by a COS hearing. However, in 6 instances, the case was resolved through an alternative means because Judicial Affairs Office received information after the initial allegation that changed the substance or credibility of the original report.⁶

Academic Honor Principle

During the 2015-2016 academic year, 33 students were involved in COS hearings due to alleged violations of the Academic Honor Principle. Of these students, 17 (52%) admitted responsibility for the violation prior to their hearing. Students who admit responsibility may request to have their case heard

⁶ In three of these cases, the student was notified that no action would be taken but the case could be reopened if a future violation occurred.

in a one on one hearing by a COS Chair rather than a full Committee. Fourteen of the students who admitted requested a one on one hearing.

Sixteen students denied responsibility and were automatically referred to a COS Committee. Fifty percent of these students were found responsible for a violation.

Of the students who were found responsible (including those who admitted responsibility prior to their hearing), 92% were suspended for some number of terms; 8% were placed on College Probation. Suspensions ranged from 1-5 terms; 76% of responsible students were suspended for between 2-3 terms.

Educational Resolutions

Five additional concerns regarding the Academic Honor Principle were brought to the attention of the Judicial Affairs Office, but did not result in allegations or hearings. In one instance, the report lacked credibility and was dismissed in consultation with the professor who brought it forward. Two of these reports involved concerns regarding behavior during an exam for which the professor could not identify any specific evidence of a violation. In the other two reports, the student's alleged behavior was determined not to have been in violation of the Honor Principle. These students met with the Director of Judicial Affairs to discuss the concern, the lack of specific information to inform an allegation, and to review the expectations outlined in the Academic Honor Policy.

Types of Violations (AHP)

This year, violations of the Academic Honor Principle fell into three categories: cheating on a test or exam (47%), unauthorized collaboration (21%), and plagiarism (32%).

Nearly half of the cases referred to the COS involved cheating. Of these 18 cases, 6 involved accessing or copying from a source during an exam and 4 involved referring to course notes during an exam. The remaining cases involve copying from another student during an exam, accessing the answer key prior to taking a makeup exam, or unauthorized collaboration on a take-home exam.

Honor Principle Referrals by Type

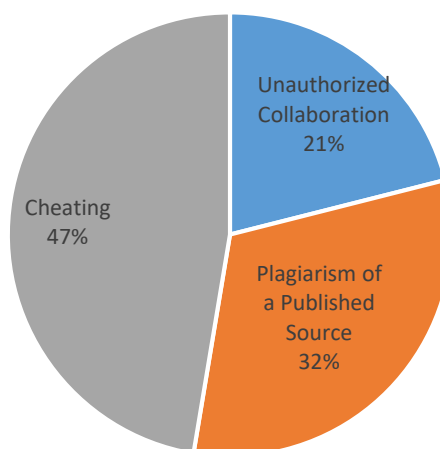


Figure 2

COS-Level Conduct Cases

Figure 1 indicates that 18 students were charged for conduct violations at the COS level. The COS also heard a Title IX case involving two students. The following section will discuss the COS process for all 20 students.

Students who are charged at the COS-Level for conduct violations are often charged with more than one violation. Figure 3 categorizes the cases by choosing the most severe and/or most descriptive charge.

Major Misconduct Cases by Type

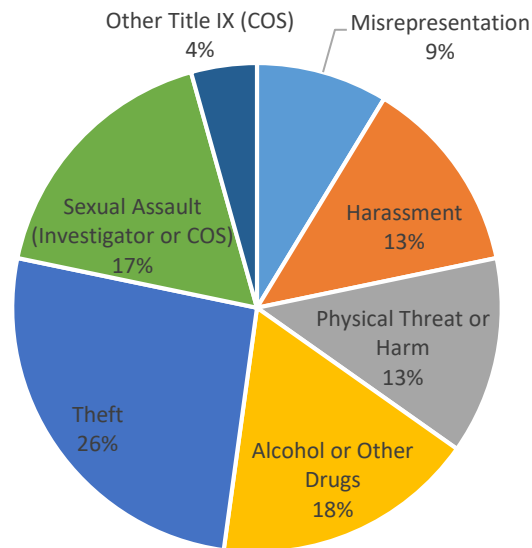


Figure 3

Twelve students denied at least one of their alleged violations of the Standards of Conduct prior to their hearing; 9 students admitted to all the allegations made against them.

Only students who admit to all the allegations against them are eligible to request a one on one hearing with a COS Chair. Of the nine students who admitted responsibility, 6 opted for a COS Chair Hearing; 3 chose to have their case heard by a full panel of the COS. The 11 students who denied responsibility were automatically referred to the COS.

Only one student who denied responsibility was found not responsible by the COS. All other students were found responsible for one or more violations of the Standards of Conduct and sanctioned accordingly.

Of the students found responsible, just under 30% received a sanction of less than Suspension (with 80% serving some period of Probation). The remaining 70% were suspended for 1- 4 terms.

Title IX Cases

As reported in the historical overview, 5 students were charged for Title IX violations. Four of the students were charged under the *Unified Disciplinary Procedures for Sexual Assault* and 1 student was charged under the *Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Policy*.

Sexual Assault Investigations

Four students were referred for disciplinary action for sexual assault. One incident, involving two of the students, took place in the Spring of 2014. The *Unified Disciplinary Procedures for Sexual Assault* apply to any cases occurring on or after June 18, 2014. As such, this case was referred to the COS for adjudication under the previous Sexual Assault Policy published in the *2013-2014 Student Handbook*. The third student was referred to an Independent Investigator. The fourth student resigned from the College prior to responding to allegations of sexual misconduct. This case would have also been referred to an Independent Investigator.

The COS found one student responsible for sexual assault and one student not responsible. The responsible student was suspended from the College for multiple terms.

In one case, the Independent Investigator was unable to conclude by preponderance of the evidence that the responding student was responsible for violating the Sexual Assault Policy; however, the student was found responsible for other violations of policy and given several educational requirements along with a period of probation.

Although the College cannot permanently remove someone from the campus without a disciplinary process, the Title IX Coordinator can offer interim measures to the reporting student including housing adjustments, academic accommodations, and No Contact Orders etc. prior to the conclusion of the disciplinary process. After the disciplinary process, some interim measures may become permanent regardless of the findings in the individual case.

Sexual Harassment, Dating Violence, and Stalking

One student was charged at the COS-level for violating the *Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Policy*. However, due to new information discovered following the initial allegation, no action was taken.

Additionally, five students were heard at the administrative hearing level for violations that related to this policy after consultation between Judicial Affairs and the Title IX Coordinator.

Organizational Misconduct

OAC-Level Organizational Cases

The organizational conduct process mirrors the undergraduate student conduct process. Cases which could result in suspension or de-recognition are heard by the Organizational Adjudication Committee (OAC) while cases that would result in a lower sanction (including probation or social probation) are resolved through administrative hearings.

During the 2015-2016 academic year, there were 17 cases involving organizations. Sixteen of these were resolved through the normal College process, 14 with an administrative hearing, and 2 at the OAC level. The final case, involving Sigma Alpha Epsilon (SAE), would have been adjudicated by the OAC, however

the National organization opted to suspend the chapter's charter for at least five years due to reports of hazing and underage service of alcohol. As such, the College's conduct process did not move forward.

Thirteen cases involved fraternities, 1 involved a sorority, 1 involved a co-educational fraternal organization, and 1 involved a club sports team. Of the 16 hearings, 12 (75%) resulted in a finding of responsibility.

In all but one case, the organization was alleged to have violated the College's Alcohol Policy. Figure 4 shows the frequency of each charge against an organization. The number of charges is greater than the number of cases because some organizations were charged with multiple violations of policy in a single case.

Organizational Conduct by Charges and Findings		
Policy Violation	Frequency of Charges	Findings of Responsibility
Disorderly Conduct	3	66%
Hard Alcohol Policy	4	75%
Other Alcohol Policy: Underage Distribution, AMP, paraphernalia	15	80%
Damage	1	100%
Hazing	1	100%
College Policies (re: recruitment)	1	100%

Figure 4

Figure 5 lists the frequency of sanctions organizations received during the 2015-2016 academic year. Organizations are often given a certain number of terms of a suspension or Alcohol Probation followed by a period of College Probation. As such, the number of sanctions is greater than the number of findings of responsibility.

As specified in the Hard Alcohol Policy, the first incident of an organization serving hard alcohol will result in 1 term of suspension. Two organizations were found responsible for serving hard alcohol and suspended (one of the organizations was suspended for multiple terms due to other violations within the same incident). A third organization was found responsible for possession of hard alcohol and placed on Alcohol Probation. In that case, there was no evidence that the organization had served the hard alcohol to anyone.

Organizational Conduct Case Sanctions	
Sanction	Frequency of Sanction
College Warning	1
College Reprimand	3
College Probation	5
Social Probation	4
Suspension	3

Figure 5

The Judicial Affairs Office met with Greek organizations in the Spring of 2016 at which time they shared organizational conduct histories with incoming Greek leadership. During these conversations, students were reminded that organizations are responsible for what occurs within their physical plant. This includes signs or other stolen items found in an organization's common areas. Greek leaders were encouraged to communicate to alumni that bringing hard alcohol or other banned items into a house puts the organization at risk of judicial sanctions even if the current students are not the source of the policy violation.

Administrative Hearings and Educational Referrals

Administrative Hearings by Outcome

Violations of the *Standards of Conduct* which do not reach the threshold for a COS hearing are resolved through an administrative hearing. Administrative hearings are primarily conducted by staff in the Judicial Affairs Office, however, this year, Assistant Directors from Residential Education have held some hearings related to conduct that occurred within residence halls.

If a Good Samaritan call is placed for a student, the student is expected to complete Dartmouth's Alcohol and Other Drug Awareness Program (DAODAP) which begins with a Brief Alcohol Screening and Intervention for College Students (BASICS). Students who violate the alcohol policy for the first time are also given the same opportunity.

As discussed below, Alcohol Policy violations make up 70% of administrative cases. Students who receive sanctions are often required to complete BASICS as part of their sanction. During the past year, 50% of students who received a sanction were required to complete BASICS.

In total, there were 627 administrative conduct cases this academic year. The charges used most frequently are shown in Figure 6. "Other College Policies" includes Res Ed Policies and any policy violation that was charged less than 5 times in the past year.

Students may be charged for more than one violation in each case. Therefore, the total number of charges is greater than the number of cases. The percentages listed reflect the percentage of total cases in which the charge was used.

The number of administrative cases rose significantly during the 2015-2016 academic year (from 495 to 617). The rise in the number of cases is reflective of several large room parties in which 10 or more students were found responsible for violations. There has been an increased emphasis on asking all students who are present at room parties to show their Dartmouth IDs. Subsequently, the Judicial Affairs Office is able to follow up with all students involved and not solely the room owners. This allows for more equitable outcomes than in past years when room owners have been documented and charged with violations but those present (who may have contributed to the alcohol consumption) were not.

Historically, first-year students make up a large percentage of administrative cases. This year proved no different with first-year students accounting for 330 (53%) of administrative cases.

Although the number of administrative-level cases is much higher than last year, the number of first-time violations of the alcohol policy and Good Samaritans calls stayed relatively consistent. Last year, there were 163 first-time alcohol policy violations and 75 Good Samaritan calls, this year there were 168 and 80 respectively.

Administrative Hearings & Educational Resolutions: Number of Allegations	
Alcohol Policy	436 (70%)
Disorderly Conduct	70 (11%)
Fire Safety & Smoking Policies	58 (9%)
Drug Policy	46 (7%)
Unauthorized Entry	37 (6%)
Swim Policy	36 (6%)
Fake ID	29 (5%)
Failure to Comply	25 (4%)
Misappropriation/Damage	22 (4%)
Harassment	9 (1%)
Misrepresentation	7 (1%)
Privacy Policy	5 (1%)
Other College Policies	45 (7%)

Figure 6

In previous years, possession or use of a fake ID had not been a prominent issue. This year, 27 students were charged with some violation of this policy. Students are reminded that they should not be in possession of a fake ID or share their Dartmouth ID card with others. In general, the percentage of students charged for violations of other policies remained relatively constant from last academic year.

Sanctions for administrative hearings range from a College Warning to College Probation. The outcomes for administrative hearings are shown in Figure 7.

2016-2015 Administrative Hearing Outcomes

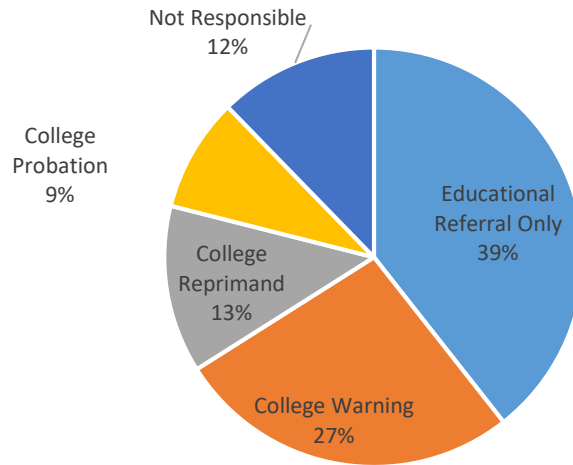


Figure 7

Hard Alcohol Policy

On March 30, 2015, Dartmouth adopted a Hard Alcohol policy as part of the Moving Dartmouth Forward initiative. The 2015-2016 academic year was the first full year the policy was in effect. This year, 13 students were found responsible for violations of the Hard Alcohol Policy. One student was suspended for hard alcohol and several other policy violations. The other twelve students were heard at the administrative-level and placed on College Probation for at least 4 terms. As described in the Hard Alcohol Policy, students who provide Hard Alcohol to others will be suspended.

Acknowledgement

Members of the Committee on Standards and the Organizational Adjudication Committee are Dartmouth students, faculty, and staff who represent our community by election or appointment. In particular, we wish to thank our graduating seniors and faculty whose terms of service are complete: Nana Adjeiwaa-Manu, Joseph Bafumi, Joseph BelBruno, Douglas Bolger, Nancy Canepa, Donna Coch, Steven Ericson, Robert Fesen, Bo Gibson, Chase Gilmore, Shagun Herur, Cynthia Huntington, Alexander Liao, Isabel Lozano-Renieblas, Tramon McZeal, Grant Mortell, Kevin Peterson, Daniel Pham, Julia Pomerantz, Gil Raz, Jose Rodarte-Canales, Thomas Shemanske, Xun Shi, Steven Venti, Mark Williams, and Andrew Zhu.

Feedback

This report aimed to:

- Share a broad overview of undergraduate conduct at the College from Summer 2015 - Spring 2016;
- Promote transparency in and knowledge about our systems of holding undergraduate students and student organizations accountable; and,

- Engage the community in the prevention of conduct that harms or has the potential to harm individuals, our learning community, and the integrity of the degrees that we award.

We welcome your feedback and suggestions via e-mail to Judicial.Affairs@Dartmouth.edu. In your email, please let us know if you are a current student, parent/guardian, alum, faculty, or staff member and how future reports can better meet the described objectives.

Appendix A

The following organizations were found responsible for violations of the Standards of Conduct during the 2015-2016 Academic Year. Organizations listed in boldface have three or more violations in the last three years.

Fraternities

- **Bones Gate**
- **Chi Gamma Epsilon**
- **Gamma Delta Chi**
- **Phi Delta Alpha**
- **Psi Upsilon**
- **Sigma Phi Epsilon** (two administrative hearings this year)
- Zeta Psi

Sororities

- Kappa Delta Epsilon

Coeducational

- The Tabard

Undergraduate Student Organizations

- Men's Rugby
- Ledyard Canoe Club