
COS/OAC 2016-2017 Annual Report



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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 2016 - Spring 2017;
- 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 that we award.

Respect for Privacy

This report is publicly available; families, alumni, and other stakeholders are vested in the well-being and success of undergraduate students, have interest in this data, and may 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 level hearing with a designated hearing officer for 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.

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, which may 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 progress¹, they 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, in rare cases, 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.

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, 33 students requested review of an academic suspension or separation from the College. The COS approved 73% 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.

¹ Academic Progress requirements are described here: <http://student-affairs.dartmouth.edu/policy/academic-regulations-and-actions>

Registrarial Appeals

The COS heard 2 Registrarial Appeals during the 2016-2017 academic year. One student was appealing a decision made by the Registrar's Office regarding withdrawing from a course. The other student was appealing a decision regarding their request to take an additional term after completing all requirements for graduation. The COS denied both appeals

Overview of Academic Honor Principle and Conduct Cases

During the 2016-2017 Academic Year, 56 major misconduct cases were referred to the Committee on Standards (COS) for adjudication. Major misconduct includes any type of case in which Suspension or Separation (i.e. expulsion) 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 COS. The COS still adjudicates allegations of violations of Dartmouth's *Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Policy*.² 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.³ To reflect this change, the third category of cases labeled "Title IX" begins with the 2014-2015 academic year.

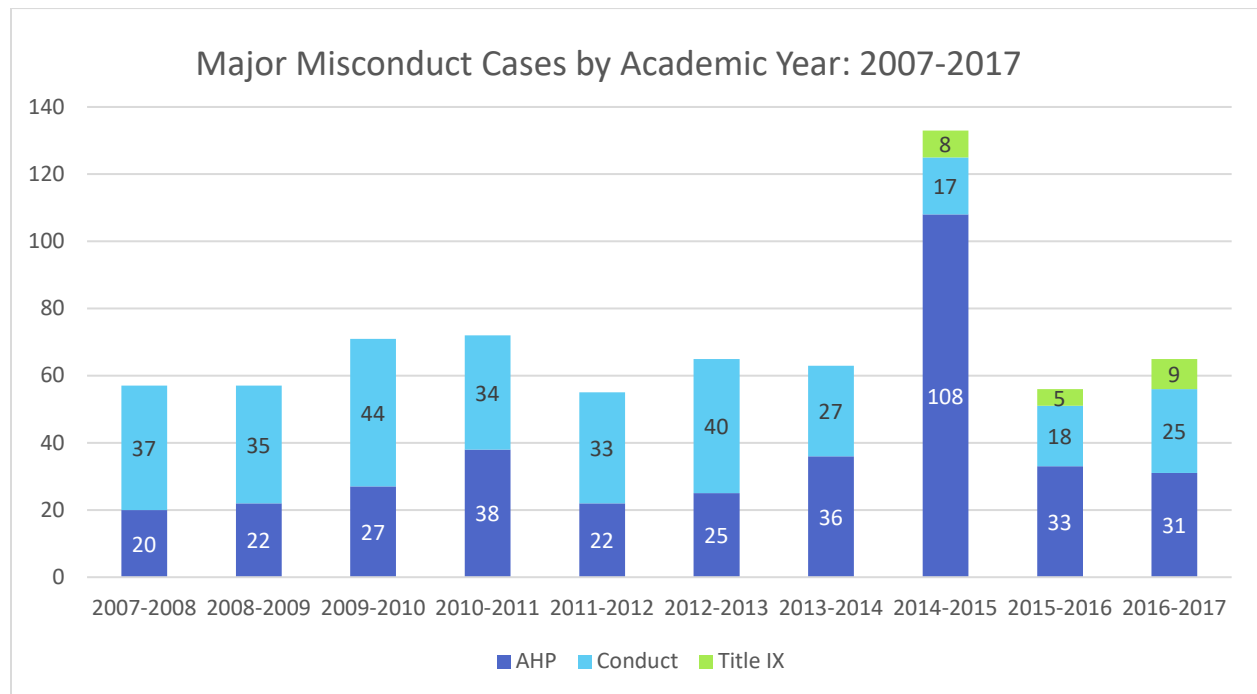


Figure 1

This academic year was 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

² <http://www.dartmouth.edu/sexualrespect/policies/undergrad-sexual-harassment-policy.html>

³ <http://www.dartmouth.edu/sexualrespect/policies/unified-sexual-assault-policy.html>

(including conduct and Title IX) is 35. This year Honor Principle cases and other conduct cases made up 31 and 25 cases respectively.

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 34 (even when the large case from 2014-2015 is excluded).

All of the cases were resolved by a COS hearing.

Academic Honor Principle

During the 2016-2017 academic year, 31 students were involved in COS hearings due to alleged violations of the Academic Honor Principle. Of these students, 22 (71%) admitted responsibility for the violation prior to their hearing. Students who admit responsibility may request to have their case heard in a one on one hearing by a COS Chair rather than a full Committee. Thirteen of the students who admitted requested a one on one hearing.

Nine students denied responsibility and were automatically referred to a COS Committee. Eight 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), 1 student was placed on College Probation and 1 student was separated. 29 students 93% were suspended for some number of terms; Suspensions ranged from 1-6 terms; 71% of responsible students were suspended for between 2-3 terms.

Types of Violations (AHP)

This year, violations of the Academic Honor Principle fell into three categories: cheating on a test or exam (23%), unauthorized collaboration (39%), and plagiarism (39%).

COS-Level Conduct Cases

Figure 1 indicates that 25 students were charged for conduct violations at the COS level. Students who are charged at the COS-Level for conduct violations are often charged with more than one violation.

Figure 2 categorizes the cases by choosing the most severe and/or most descriptive charge.

Five students denied at least one of their alleged violations of the Standards of Conduct prior to their hearing; 19 students admitted to all the allegations made against them.

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, 4 were separated from the college, and 5 were placed on probation. 16 students were suspended for a period of time ranging from 1- 4 terms.

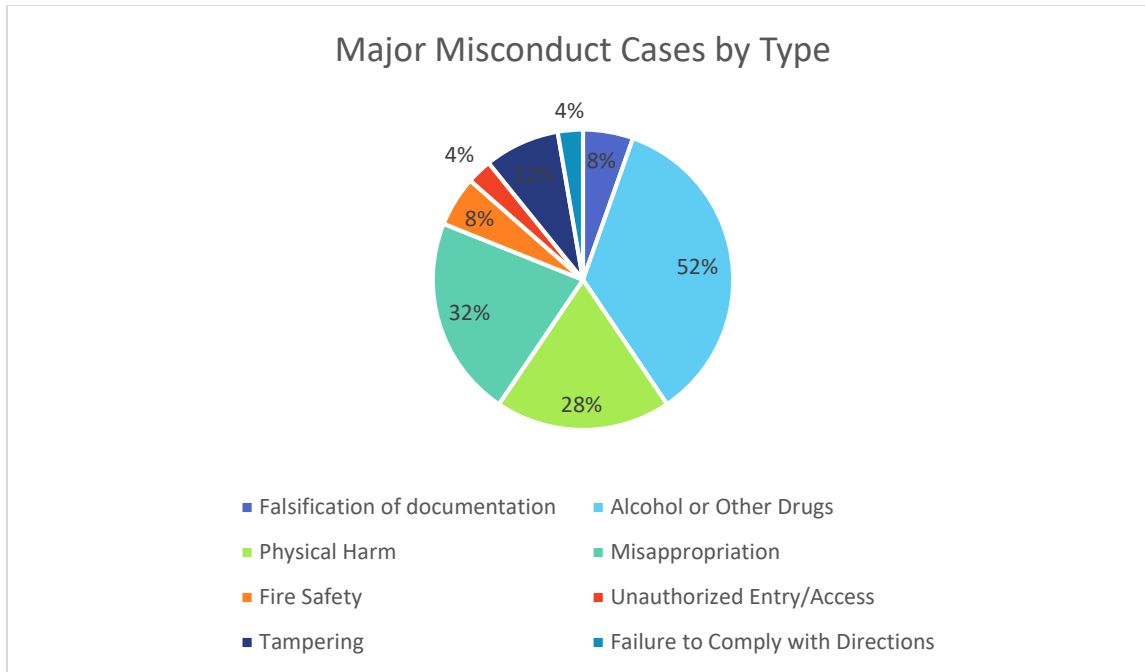


Figure 2

Title IX Cases

As reported in the historical overview (Figure 1), 9 cases involved allegations of violations of Standard III and were processed under the *Unified Disciplinary Procedures for Sexual Assault*.

Sexual Assault Investigations

The *Unified Disciplinary Procedures for Sexual Assault* apply to any cases occurring on or after June 18, 2014. All 8 students (9 cases) were referred to an Independent Investigator.

In two⁴ cases, the Independent Investigator concluded by a preponderance of the evidence that the responding student was responsible for violating the Sexual Assault Policy. Both students were separated.

In three cases (two of which involved the same responding student), the Independent Investigator concluded by a preponderance of the evidence that the responding student was responsible for violating the Sexual Assault Policy. In these cases, the students resigned prior to the conclusion of the investigation.

In 4 cases, the Independent Investigator concluded by a preponderance of the evidence that the responding student was not responsible. In three cases, this ended the investigation into the reported incident. In one case, a student was found responsible for an additional allegation and separated by the Committee on Standards.

Although the College cannot permanently remove someone from the campus without a disciplinary process, the Title IX Office may offer interim measures to reporting students including housing

⁴ Revised 5.11.18

adjustments, academic accommodations, and No Contact Orders etc. prior to the conclusion of the disciplinary process. At the conclusion of the disciplinary process, some interim measures may become permanent regardless of the findings in the individual case.

Organizational Misconduct

OAC-Level Organizational Cases

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 Policy⁵, the conduct of individuals functioning as members or leaders 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.

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 2016-2017 academic year, there were 13 cases involving organizations. All 13 of these were resolved through the normal College process, 12 through administrative hearings and one by the OAC. Twelve of the cases involved fraternities and one involved a co-educational fraternal organization. Of the 13 hearings, six (46%) resulted in a finding of responsibility.

In all but two cases, the organization was alleged to have violated the College's Alcohol Policy. Figure 3 shows the frequency of each allegation received by an organization. The number of charges is greater than the number of cases because some organizations received allegations for multiple violations of a policy in a single case.

Organizational Conduct by Allegations and Findings		
Policy Violation	Frequency of Charges	Findings of Responsibility
Weapons	2	0%
Hard Alcohol Policy	1	100%
Other Alcohol Policy: Underage Distribution, AMP, paraphernalia	14	64%
Disorderly Conduct	1	100%

Figure 3

Figure 4 lists the frequency of sanctions organizations received during the 2016-2017 academic year. Organizations are often given a certain number of terms of suspension or Social Probation followed by a period of College Probation. As such, the number of sanctions is

Organizational Conduct Case Sanctions	
Sanction	Frequency of Sanction
College Warning	2
College Reprimand	0
College Probation	4
Probation (Alcohol + Organizational)	5
Suspension	1

Figure 4

⁵ The Group Accountability Statement (<https://students.dartmouth.edu/judicial-affairs/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.

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 a one term of suspension. One organization was found responsible for serving hard alcohol and suspended. The same organization was placed on both College Probation and Alcohol Probation for disorderly conduct and an AMP policy violation.

The Judicial Affairs Office shared organizational conduct histories with incoming Greek leadership in the spring of 2017. Additionally, organizations were reminded they 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 suspension-level hearing are resolved through an administrative hearing. Administrative hearings are conducted by designated Hearing Officers which include Judicial Affairs staff and Assistant Directors from Residential Education. Assistant Directors primarily hear cases involving conduct that occurred within residence halls.

If a Good Samaritan call is placed for a student, the student expected to complete the 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.

Alleged violations of the alcohol policy made up 67% of administrative hearings. 59% of these hearings resulted in a finding of responsibility. Any student found to have violated the Alcohol and Other Drug Policy is required to complete BASICS as part of their sanction.

In total, there were 555 administrative-level conduct cases this academic year. The allegations used most frequently are shown in Figure 5. "Other College Policies" include Residential Education Policies and any policy violation that was charged less than 5 times in the past year.

Students may receive more than one allegation in a given case. Therefore, the total number of allegations is greater than the number of cases. The percentages listed reflect the percentage of total cases in which the allegation was used.

Administrative Hearings & Educational Resolutions: Number of Allegations	
Alcohol Policy	373 (67%)
Disorderly Conduct	44 (8%)
Fire Safety & Smoking Policies	79 (14%)
Drug Policy	64 (12%)
Unauthorized Entry	27 (5%)
Swim Policy	57 (10%)
Fake ID	9 (2%)
Failure to Comply	13 (2%)
Misappropriation/Damage	27 (2%)
Other College Policies	37 (7%)

Figure 5

The number of cases at this level decreased during the 2016-2017 academic year (from 627 to 555). The cases that reflected the highest decrease in numbers were those that involved allegations of alcohol policy violations ('15-'16: 436 to '16-'17: 373).

In general, the percentage of students charged for violations of policies remained relatively consistent with the last academic year.

First-year students typically make up a large percentage of administrative cases and this year was no different (235 cases).

Sanctions for administrative hearings range from a College Warning to College Probation. The outcomes for these hearings are shown in Figure 6.

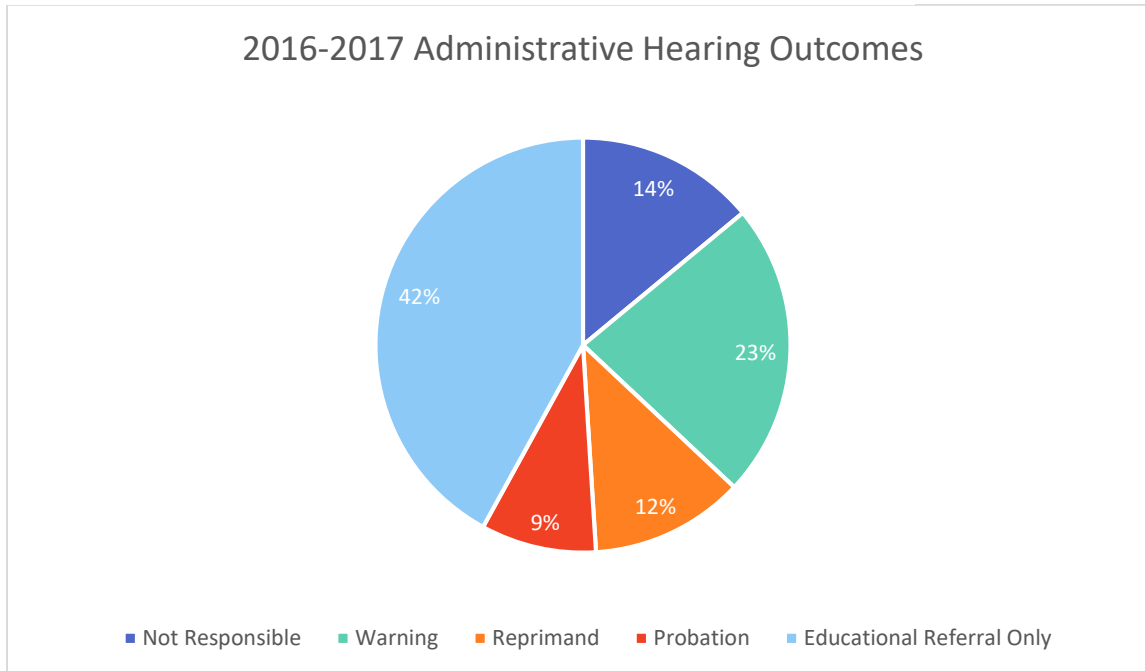


Figure 6

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: Allison Benedict, Spencer Blair, Avery Brown, Isabella Coleman, Oscar Cornejo, Charles Katz, Kevin Peterson, Colleen Randall, and Jose Rodarte-Canales.

Feedback

This report aimed to:

- Share a broad overview of undergraduate conduct at the College from Summer 2016 - Spring 2017;

- 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.