



**Code of Conduct**  
**The University of the South**  
*Effective August 23, 2023*

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the Office of Community Standards which is responsible for resolving cases as outlined in the Code of Conduct.

- D. Complainant: A person who alleges violation(s) of the Code of Conduct.
- E. Educational Conference: An Educational Conference is an informal resolution process where the Respondent meets with the Resolution Facilitator to mutually resolve alleged violations of University policies including the Code of Conduct. With few exceptions, all cases begin resolution at an Educational Conference. The alleged violation may be resolved during the Educational Conference if the student and Resolution Facilitator mutually agree on appropriate resolution, including responsibility and outcomes as relevant.
- F. Fact-Finding: Fact-finding is the process overseen by the Resolution Facilitator solely to collect information about a reported incident. The goal of fact-finding is to determine if there is enough information to support an alleged violation of the Code of Conduct or other University policies. Fact-finding includes, but is not limited to, meetings with individual students, review of submitted materials including photos and videos, and review of information available within the University system like enrollment, residential, and event participation data.
- G. Hearing: Formal resolution process are heard by either the Student Conduct Board or Community Hearing Board which is a panel of trained people selected from a larger pool. The type of hearing depends upon the circumstances of the alleged violation. This contrasts to informal resolution processes called Educational Conferences.
- H. Interim Measure





expectations and policies set forth in this Code of Conduct and other University rules, regulations, and policies when they are admitted to the University. Behavior that violates policies related to non-discrimination, harassment, and retaliation, including Title IX, will be subject to the processes outlined in those policies separate from this Code of Conduct. Students are also subject to the laws of the state of Tennessee, federal law, and other local, national, and international governing laws and policies.

The student resolution process is not a criminal or civil court system. The two systems are independent and have different purposes, processes, and standards used to determine student resolution process is not a legal process and thus rules of law, evidence, and procedure used in legal proceedings do not apply and will not be used. In addition to being managed through the University, conduct violations that are also violations of federal and/or Tennessee law may be referred to the appropriate legal authorities. These processes may run concurrently as the University is responsible for upholding its policies and expectations at all times.





## **VI. Prohibited Conduct**

shared commitments and values of the institution.

### **A. Alcohol**

1. Common Source: Providing access to or serving alcoholic beverages from common sources is prohibited. This includes possession, storage, or use of any container where alcohol may be stored, mixed, or served from including, but not limited to, kegs of any size, shared coolers, commercial dispensers, or punch bowl



, or

favors.

6. Tobacco, Smoking Hemp, and Vapor Products





possession. Violations of

theft may be referred to the Honor Council.

10. Unauthorized Entry: Students are prohibited from physically entering non-public areas of the University without first receiving the appropriate permission(s) that grants access. Students are also prohibited from assisting others without permission to enter such areas. Non-public areas include, but are not limited to: student housing including private rooms, construction areas, athletic playing surfaces, staff or faculty offices, card-restricted rooms/areas, rooftops, and balconies, as well as closed or locked academic or administration buildings, University chapels and towers.

#### E. Property

1. Damage to Property or Premises: The damage, destruction, or abuse of personal, private, or University property and/or premises is prohibited. Students may be charged restitution for any damage to University facilities and public areas that result from misconduct or misuse.
2. Misuse of University Property: Using University property in manners inconsistent with the designed use is not allowed. This includes removing, exchanging, or otherwise relocating property (i.e., furniture, plants, mattresses, doors, or other furnishings).
3. Unauthorized Use of University Documents: Lending, stealing, or otherwise transferring a student identification card, parking decal, and/or University document is prohibited. Additionally, use of a student identification card by anyone other than the owner is prohibited. No student shall obtain under false pretenses any document, identification card, parking decal, or other University-issued item. Students who violate this policy may be referred to the Honor Council.

#### F. Safety and Security

1. Fire Hazards and Combustible Materials: The University is committed to the safety and welfare of our community, and combustible materials including, but not limited to, gasoline, gunpowder, flammable chemicals, explosives, etc., are not permitted. Incendiary devices of any kind, including fireworks, are strictly prohibited in University facilities and on the premises of The Domain. Students may not light fires of any kind without the appropriate permits and approval. A Tennessee State burn permit is needed between October 15 and May 15.
2. Tampering with Fire Safety Equipment: Smoke detectors, sprinkler systems, alarms, and fire extinguishers are integral to student and facility safety and are not to be tampered with, disabled, or misused in any way. Smoke detectors must remain plugged in and/or with batteries intact.
3. Pets and Other Animals: Students are prohibited from having pets and other animals in University-owned buildings and all student housing. Animals appropriately registered as an emotional support animal with [Student Accessibility Services](#) may reside in student housing, but may not be in other University buildings. Service animals will have appropriate access granted to them as defined by the [ADA](#).
4. Weapons: Students may not engage in any behavior that violates the [University Weapons Policy](#).

## G. Other Policy or Laws

1. Other Policy or Law Violation: Students are expected to comply with all University policies, as well as local, state, and federal laws. Violation of a University policy, or policies governing academic or administrative units, including Athletics, are a violation of the Code of Conduct. Additional policies may be found by using University credentials on the \_\_\_\_\_ and the EQB Guide.

## VII. Procedure

- A. Standard of Evidence: The University uses a preponderance of the evidence standard to determine responsibility, which means that if it is more likely than not that the student violated a policy, the student will be found responsible.
- B. Release of Information: The University does not release certain information related to the conduct process.
  1. Information collected via a report or during the fact-finding phase is usually not shared with the Respondent or Complainant until an official notice has been given to the Respondent(s) of an Educational Conference or Hearing.
  2. \_\_\_\_\_  
accordance with the Family Educational Rights and Privacy Act (FERPA).
  3. Outcomes from an RSO resolution process may be shared by the University once the resolution process has concluded. This information may be redacted in accordance with FERPA.
- C. Scheduling
  1. Fact-Finding meetings, Educational Conferences, and Hearings are scheduled based upon the class schedules of the involved parties, availability of the Resolution Facilitator, Hearing Board members, and any witnesses relevant to each case.
  2. If a Resolution Facilitator needs to reschedule the Educational Conference or Hearing prior to its commencement, the facilitator will make a reasonable effort to notify the student of the new time, date, and location of the Educational Conference or Hearing. The facilitator will set a new meeting time, date, and location.
  3. If a Respondent needs to reschedule the Fact-Finding meeting, Educational Conference, or Hearing prior to its commencement, they must contact the Resolution Facilitator in advance to request an alternative date and time. These meetings will be rescheduled only for reasonable, unavoidable scheduling conflicts, or additional time to provide evidence or identify witnesses.
  4. Fact-Finding meetings, Educational Conferences, and Hearings are not scheduled during final exam periods, reading days, or holidays when the University is closed. The University reserves the right to continue the resolution process during academic breaks when appropriate.
  5. \_\_\_\_\_  
absence, including the determination of responsibility and assigning of outcomes as appropriate.
  6. At any point during the resolution process, students seeking accommodations for disabilities should contact Student Accessibility Services at [sas@sewanee.edu](mailto:sas@sewanee.edu).
- D. Supportive Measures: The Office of Community Standards may take supportive measures and share information about support resources that may include counseling and

psychological and trauma-informed services to Complainants, Respondents, and other impacted parties.

E. Interim Measures

1. The Resolution Facilitator may recommend to the Dean of Students, or Vice Provost for Student Success in their absence, an Interim Measure be issued. The Dean of Students may then determine if interim measures should be issued to a student or RSO when there is reason to believe, based upon available information, that the student or RSO has engaged, attempted, or threatened to engage in behavior that:
  - a. poses a danger of imminent physical harm to the student or to others, or
  - b. directly or substantially impedes the lawful activities of other members of the campus, or
  - c. has or is likely to cause property damage, or
  - d. there is an indication of the potential for ongoing violation of University policies.
2. Types of Interim Measures:
  - a. Interim Organization Restriction: RSOs may be issued interim restrictions on their activities as defined by the Dean of Students including, but not limited to, a cease of operations, new member activities, or events with alcohol.
  - b. Interim Suspension: This action requires a student to leave The Domain and University property immediately, not return during the interim suspension period, and/or comply with other stated conditions for a specified period.
  - c. Housing 612 792 reW\*nBT/F1 12 Tf1 0 0 1 126.058/F1 12 Tf1 0 0 1 162.08 598.2 Tm0 g0 G



- v. In person in the Dean of Students Office or Office of Community Standards
- b. Office of Community Standards conducts a threshold review of all reports including examining readily available information for credibility and actionability before being addressed.
  - i. Examples of readily available information include but are not limited to, housing assignments, participation and registered event data, and student enrollment information.
- c. Reports including potential violations of the [Non-Discrimination, Harassment, and Retaliation policy](#) and/or the [Title IX and Sex Discrimination policy](#) will





notes and photos), instructions related to the resolution process, and relevant policy(ies).

- i. The University reserves the right to redact information when it poses a risk to the safety of an individual or individuals or is required by FERPA.
  - ii. Should the Respondent or Complainant wish to have additional time to review the incident report or to collect information that would be helpful in the case outcome, the Hearing can be rescheduled for a later date not to exceed five (5) business days from the originally scheduled date.
  - iii. The Complainant(s) or Respondent(s) may request a meeting to review the Hearing materials with the Resolution Facilitator or another member of the Dean of Students staff.
- b. The Complainant(s) and Respondent(s) may request permission to bring additional information to the Hearing including a person or persons who have information related to the incident to the Hearing to serve as witnesses.
- i. The name of any person appearing as a witness should be emailed to [communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu) no less than one (1) business day prior to the Hearing and include why the witness is relevant to the case.
    - A. Complainant(s) and Respondent(s) are responsible for ensuring their witness(es) are present at the Hearing.
  - ii. Additional information should be provided to the Office of Community Standards at [communitystandards@sewanee.edu](mailto:communitystandards@sewanee.edu) no less than one (1) business day prior to the Hearing and include why the information is relevant to the case. This information will be added to the Hearing materials for all parties, including the hearing board panelists.
- c. A Hearing is a closed meeting involving only those who have information regarding what happened, an optional Support Person for each party, and those responsible for the resolution process.
- i. A support person cannot speak directly to any other party during a hearing or speak on behalf of the Respondent.
  - ii. The hearing may not be recorded by anyone other than the Hearing Board Chair, and the recording is the property of the University for the specific purposes of any potential appeal.
- d. During a Hearing, the Complainant and Respondent will have the opportunity to challenge or clarify information related to the incident and present their own information related to the incident.
- e. The Chair of the Hearing will determine whether the information shared by any party including witnesses is relevant to what happened during an incident and may limit information if it is determined to be irrelevant.
- f. At the conclusion of the Hearing, the Hearing Board will deliberate in private to determine responsibility using the preponderance of the evidence standard. If a student is found responsible for a violation(s), the Hearing Board will assign outcomes.
- g. A prior conduct record will be considered only during the determination of outcomes phase of the Hearing and will not be considered during the deliberation



4. Outcome Letters: Decisions regarding responsibility and outcomes, if any, will be delivered to the student or RSO leadership including advisor or coach in writing through the University email address within seven (7) business days of the Educational Conference or Hearing.
- H. Appeals: Students and RSOs may submit appeals to the outcome of a resolution process in the following circumstances and observing the procedures outlined below. All appellate responses are final.
1. Cases Eligible for Appeal: Cases heard by the Student Conduct Board or Community Hearing Board are eligible for appeal. Outcomes related to suspension, revocation of RSO recognition, expulsion, and removal from student housing will not take effect until the appellate process is complete, except in the case of Interim Measures.
  2. Grounds for Appeal: The decisions made by the Student Conduct Board or the Community Hearing Board related to responsibility or outcomes can be appealed, provided that one or more of the reasons for appeal is relevant to the case:
    - a. Procedural error, which had a bearing on the original decision.
    - b. New information that was not available at the time of the hearing that would affect the original decision.
    - c. Disproportionate nature of the assigned outcomes to the violation.
  3. Appellate Officers: All appeals may be heard by the Appeals Board.
    - a. The Appeals Board has three members one faculty member as chair, one staff member, and one student. Two faculty members or two staff members may serve along with one student if needed.
    - b. The students serving on the Appeals Board shall be appointed from the pool of trained hearing panelists for either the Student Conduct Board or Community Hearing Board and will not have participated in the original hearing of the case.
    - c. The faculty or staff members shall be appointed by the Dean of Students, or designee, annually and include one chair for the appellate proceedings, and will not have participated in the original hearing of the case.
    - d. All three members shall have an equal vote, and a majority vote is needed to change a previous decision regarding responsibility and/or outcomes.
  4. Appeal Procedures: The following procedures are followed regardless of the appellate body:
    - a. A written appeal must be completed and submitted via the [online appeal form](#) within five (5) business days from the date of the Outcome Letter. A student may request an extension of this deadline by submitting an extension request to the Appeals Board Chair in writing.
      - i. Unless instructed otherwise, a student should continue attending classes during the Appeals Process.
    - b. The appeal request should be complete at the time of submission, including at a minimum the reason(s) for appeal with the supporting facts, any new information available and why it was not available at the time of the original hearing, and any supporting documentation. All appeal materials must be uploaded at the time of submission.
    - c. The Appeals Board Chair will first review the request for appeal to determine if the request meets the established criteria for appeal and is within the appeal





## **VIII. Outcomes**

The University uses a progressive outcome





19. **Social Restriction:** Restriction from participation in or hosting of specified University/sponsored activities, events, or use of specified University facilities. Social restriction may be tailored to each student or RSO based on the nature of the violation.
20. **Substance Use Assessment:** Students may be required to complete a substance use assessment with a qualified counselor to assess if further treatment is needed, and to provide verification that the assessment has been completed. Counselors may only report to verify completion; however, should there be ability to persist or their safety, the counselor may report this to the University.
21. **Suspension:** Separation of an individual student from the University for a specified period, which includes loss of all tuition, fees, coursework, and other privileges of an enrolled student regardless of the time in the semester when the status is imposed.
22. **Warning:** Written notice given to draw attention to the fact that behavior was not appropriate and violated University policy.

### **IX. Revision**

The Code of Conduct is revised annually at the direction of the Dean of Students. The University reserves the right to issue revisions at any time throughout the year.

The Dean of Students will provide all students with written notice when changes have been made to this document. It is the responsibility of each student to read and be familiar with the provisions of this Code of Conduct and other University policies.