

S.M.Y. SEAMEN WELFARE FOUNDATION'S

T. S. RAHAMAN



“TSR CODE OF CONDUCT HANDBOOK FOR STUDENTS”

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“TSR CODE OF CONDUCT HANDBOOK”

Code of conduct handbook for Students:-

Code of Student Conduct and Disciplinary Processes -

Training Ship Rahaman takes pride in the responsibility of its students and the social and educational atmosphere of its campus.

Training Ship Rahaman College students are held responsible for their conduct at all times. Any student who engages in academic or social misconduct shall be subject to student conduct action by the Disciplinary Committee.

The College reserves the right to withdraw from any student the privilege of attending college at Training Ship Rahaman for any lawful reason that the College deems appropriate.

The following considerations constitute the foundation of the College’s justification for establishing expectations of student conduct, codifying those expectations, and adopting equitable processes for assessing student conduct.

The College’s mission as a maritime and maritime hospitality educational institution establishes its identity as standalone program college with a distinctive history and culture.

The Service rules and code of conduct of the College charge the faculty with responsibility for the welfare of students and the conditions under which they are to live and learn.

The College’s standards of conduct and the procedures for determining responsibility for misconduct reflect its particular mission and history. These standards and procedures do not attempt to duplicate civil and criminal legal processes, nor do they attempt to substitute for them. As an institution structured to accomplish its stated educational mission, the College has an independent interest in maritime and hospitality education, upholding standards of academic and social conduct, and these expectations may differ from those found in society at large. The College is committed to fundamental fairness in its student conduct procedures.

By the action of enrolment and registration at Training Ship Rahaman College, students voluntarily enter an educational and residential community with standards of academic honesty and respect for persons and property. In choosing to enroll in the College, students become responsible in their conduct to those standards as stated in the Student Code of Conduct.

The College may address student academic and social misconduct through its own processes and apply sanctions governing the terms of membership in the College. The College reserves the right to deal with misconduct whether or not law enforcement agencies are involved and/or criminal charges may be pending.

Part I: Training Ship Rahaman College - Code of Student Conduct

The purpose of the Code is to express community standards of honesty, respect for persons and property, and responsible use of freedom. The Code reflects the College's mission and identity, and it exists to guide conduct, safeguarding and promoting the College's educational activity.

Students are responsible for reading and reviewing the Code of Student Conduct, and for understanding the responsibilities they assume by enrolling in the College.

For purposes of handling student conduct matters, a "student" is defined as someone who has enrolled and has not formally severed recognized student status with the College. Students retain this status throughout their careers at Training Ship Rahaman College, including academic terms, scheduled vacations, summer months, periods of leave, or off-campus study.

Student conduct action may not be brought against someone who has formally severed recognized student status with the College or who has graduated from the College except when such an individual may once again be a recognized student. The College reserves the right to at any time bar any non-current member of the Training Ship Rahaman College from being on campus or participating in College-sponsored activities. In situations where it may not be possible to resolve a case prior to a student's graduation, the Principal (or designee) may cause the student's degree to be withheld until the case is fully resolved.

The College reserves the right to investigate and sanction alleged misconduct even when it occurs off campus. The College usually will apply the Code in instances where the off-campus misconduct:

- ❖ occurs in connection with a College-sponsored event or when students are acting as representatives of the College, or
- ❖ directly affects another member of the Training Ship Rahaman College, or
- ❖ suggests a potential danger or threat to others.

It is important that students know where to turn when they have questions, and for the College to be confident that those to whom they turn understand the student conduct system. In addition to the language of the Code itself, the College makes available a variety of resources: Counselors, The Student Council, Course in Charge, the Disciplinary Committee, and the Principal. If a student has a general question about student conduct policy, The Student Council are able to provide helpful and accurate answers and may refer more detailed questions to other campus resources. For more detailed information, students may speak with the Counselors and Course In Charge, who have extensive familiarity with the student conduct process and who are prepared to explain it to students and faculty who become involved in any

aspect of a student conduct matter. The Counselors are not associated with the Disciplinary Committee and do not determine any element of a case, but serve as an independent, informed resource for students.

A. Training Ship Rahaman College Statement on Academic Integrity

Training Ship Rahaman College is an academic community deeply engaged in inquiry and intellectual exchange and is committed to core principles of academic freedom, academic integrity and rigorous, creative scholarship. We recognize that intellectual and artistic exchange depend on a mutual respect for independent inquiry, reflection and expression. Faculty, staff, and students alike are therefore dedicated to fostering an environment that upholds the highest standards of fairness, integrity, and respect in all their academic endeavors.

As contributors to an ongoing scholarly and creative conversation that depends upon thoughtful and fair acknowledgment and treatment of the inquiries, reflections, and expressions of others, each member of the Training Ship Rahaman College is expected to use and represent the work of others fairly and honestly; to acknowledge the work of others fully and accurately through proper attribution and citation; and to produce their own work unless collaboration is permitted. Faculty and staff members are expected to meet these standards in all their work as described in the “TSR CODE OF CONDUCT HANDBOOK”; students are subject to the policies and procedures described below.

In educating students in the values, dispositions, and responsibilities of independent thinkers and scholars, the TSR faculty recognizes that certain scholarly practices reflect complex tasks that require instruction and practice. Faculty are committed to teaching these critical practices. Students, in turn, are responsible for learning these scholarly practices and demonstrating them in all their work; they are not only a means of showing learning but of developing genuine understanding, not only the mark of an independent scholar but the way to become one.

This policy statement outlines these principles and practices, roles, and responsibilities. Potential consequences for students are described in the Training Ship Rahaman College Academic Integrity Procedures.

Violations of Academic Integrity:-

Violations of principles and practices of academic integrity fall into two subcategories: (1) plagiarism and misuse of sources and (2) cheating.

1. Plagiarism and Misuse of Sources

Plagiarism is the use without proper attribution of someone else's words, ideas or other work as if it were one's own. Failure to properly indicate and acknowledge the work of others can lead a reader, listener or viewer to think that information, research, ideas, words, images, data, artistic and creative elements, or other work are the student's own efforts, when they are not. Plagiarism significantly departs from accepted standards in the academic community and misleads others into thinking the work is the student's own.

Misuse of sources, like plagiarism, reflects failure to properly credit the work of others but involves errors, mistakes, incomplete, or inadequate attempts and other errors in citation, quotation, and attribution that would not seriously mislead others into thinking the work is the student's own.

Plagiarism and misuse of sources carry different consequences as described in Training Ship Rahaman College Academic Integrity Procedures.

The responsibility to give credit for material that would not qualify as common knowledge applies to almost all types of assignments and situations, not just papers, and not only to final work but also submitted drafts. Work in which students must acknowledge sources and the contributions of others includes but is not limited to draft and final versions of the following:

- ❖ talks and other oral presentations
- ❖ visual aids, presentation slides, or other media tools
- ❖ websites, Web pages, webcasts, and other multimedia work
- ❖ artistic, musical, and other creative work
- ❖ lab reports
- ❖ problem sets
- ❖ thesis chapters, papers, proposals, literature reviews, abstracts, annotated bibliographies, and other writing
- ❖ exams, including in-class and take-home exams.

2. Cheating

Cheating involves violating recognized norms for academic inquiry or specific norms established by faculty, Training Ship Rahaman College or University for particular assignments or using other methods, including technology, to gain unearned academic advantage. Examples of cheating include but are not limited to the following:

- ❖ unauthorized collaboration
- ❖ using materials not permitted during an exam, when writing a paper, or in completing other assignments
- ❖ receiving assistance beyond what is permitted
- ❖ manufacturing or falsifying data
- ❖ submitting the same work to satisfy the requirements of two different courses without getting permission from the instructor of the second course or permission from both instructors if the same work is submitted in two courses during a single semester
- ❖ knowingly providing assistance of any kind to another person who is attempting to cheat or plagiarize

Violations of academic integrity are among the most serious offenses that students can commit; any violation may result in consequences at both the course and institutional levels. Procedures, findings, and consequences for violations of academic integrity may depend on specific circumstances, such as the student's grade level, educational background, prior violation of academic integrity policies, attempts made to cite or acknowledge sources, and the amount and type of work at issue. Procedures and potential consequences for students are described in Training Ship Rahaman College Academic Integrity Procedures.

B. Social Misconduct

Training Ship Rahaman College students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in any disturbance, interferes with the rights of others, damages property, or is individually or as a member of a group involved in unacceptable social behavior on or off campus may be subject to student conduct action by the Office of Disciplinary Committee.

General Categories of Social Misconduct

Cases of social misconduct usually fall into one of several general categories. While not exhaustive, the following categories illustrate the expectations of the College and provide examples of misconduct subject to student conduct action. Many of these categories, and the accompanying examples, have a counterpart in the Criminal Code. The stipulated definitions of state and local criminal codes and the processes of the criminal justice system are not part of the TSR Code of Student Conduct. Addressing a violation of the College's Code of Conduct does not exempt the individual from prosecution by proper authorities under criminal or civil code, and criminal or civil prosecution does not exempt the individual from being held accountable under the College's Code of Student Conduct.

1. Actions Against Persons:-

Conduct which involves force, threat of force, or intimidation directed at an individual or group of individuals may constitute an “action against persons” violation.

Examples of actions against persons violations include:

A. Assault

This includes any unwanted physical contact, as well as fighting and physical altercations.

B. Sexual Misconduct

Please refer to the Government police on it for detailed definitions regarding sexual misconduct violations (e.g., rape, sexual assault, dating violence, domestic violence, and stalking) and the procedures for adjudicating alleged violations.

C. Hazing

Following Laws, Training Ship Rahaman College prohibits injurious hazing, defined as “any action or situation which recklessly or intentionally endangers the mental or physical health of a student. . . .” Specifically, hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption or other substances to excess, or (4) violates any College policy. An act may be considered hazing regardless of the person’s consent to participate.

D. Harassment, Intimidation, or Bullying

This includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the educational environment, or damage to property. Such acts may be committed in person, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites.

2. Actions Against Property

Conduct which results in damage to property of another individual or of the College, or conduct which improperly converts another's property to personal use may constitute an "action against property" violation.

Examples of actions against property violations include:

A. Theft.

To steal or knowingly possess stolen property or any item reasonably thought to be lost and not abandoned.

B. Damaging the property of another person or of the College.

Students may be subject to student conduct action for damage to the property of another person or College property, including their own rooms, in addition to providing restitution for any monetary costs assessed by another person or the College to repair such damage.

C. Illegally entering College facilities

This includes unauthorized possession, use, or duplication of College keys or cards, passwords, or other means of access.

3. Dangerous or Disorderly Conduct

Conduct that is dangerous to self or others or conduct that creates a disturbance or disrupts the ability of the College to carry on its essential functions may constitute a "dangerous or disorderly conduct" violation. In accordance with the Drug-Free Schools and Communities Act, the College's standards of conduct prohibit the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees, on the College's property, or as part of any of its activities.

Examples of dangerous or disorderly conduct violations include:

A. Illegally possessing, using, or distributing any scheduled drugs.

Unlawful possession, distribution, or use of illegal drugs and narcotics, including amphetamines, marijuana, cocaine, heroin, and LSD, renders a student liable to disciplinary action, including confiscation of materials, student conduct action up to and including suspension and dismissal, and/or referral to local police authorities.

B. Violating the College's alcohol policy

Training Ship Rahaman College observes all laws governing the use of alcoholic beverages within the State of Maharashtra. Students are held responsible for complying with all aspects of laws and Training Ship Rahaman College alcohol policy. The prohibitions of the Training Ship Rahaman College Student Conduct Code and law include, but are not limited to, the following:

- a. The sale of alcoholic beverages by any person who does not have a license to sell such beverages in full force and effect at the time of the sale;
- b. The sale of alcoholic beverages by any person to a person who has not attained the age of 21 years;
- c. Consumption or purchase of alcoholic beverages by any person who has not attained the age of 21 years;
- d. The furnishing of, procurement of or delivery of alcoholic beverages to a person who has not attained the age of 21 years;
- e. The furnishing of, procurement of, or delivery of alcoholic beverages to a person who is intoxicated;
- f. The presentation of any written or oral evidence of age which is false, fraudulent, or not a person's own for the purpose of ordering, purchasing, or attempting to purchase or otherwise procuring or attempting to procure intoxicating liquor by a person who has not attained the age of 21 years;
- g. Transportation by automobile within the state of Maharashtra of alcoholic beverages by any person who has not attained the age of 21 years;
- h. Possession or use of a keg by any student on the premises of the College except at registered events or parties where the appropriate measures are in place to prevent underage consumption of alcohol;
- i. Possession or consumption of hard alcohol or any beverage containing hard alcohol by any student on the premises of the College, at any College-sponsored event, or while the student is engaged in a College-related activity.
- j. Violations of College policy or law at registered events or parties occur at the risk of the individuals involved and are not the responsibility of the College.

Violators of these policies may be subject to student conduct action, including confiscation of materials, the revocation of the privilege of using College facilities for such events and/or referral to the Office of Disciplinary Committee. The College reserves the right to involve law

enforcement authorities and/or undertake legal proceedings against a student for the violation of this policy.

The College will also utilize its mental health resources to help students involved with drugs and alcohol.

C. Possessing a weapon on campus

Weapons prohibited on campus include but are not limited to firearms, ammunition, knives, BB or pellet guns, bows, arrows, and slingshots. These items are not permitted except by permission of Training Ship Rahaman College Security and Campus Safety, which will register and store them. It is the responsibility of students to check with TSR College Security if there is a question of whether an item would be prohibited under this policy.

D. Fire safety violations

Possessing or producing explosives and setting fires are prohibited. Intentionally setting off a fire alarm, misuse of a fire extinguisher, or any action that might cause a fire in a College building will be considered a serious offense and may be met with student conduct action, including suspension or dismissal by the Disciplinary Committee. Firecrackers, flares, and explosives are prohibited on campus. Accidentally setting off a false fire alarm incurs a fine that increases for repeated incidents.

E. Disorderly conduct

Conduct which infringes on the freedom and activities of others, or conduct which is disruptive, harassing, or a nuisance may constitute disorderly conduct.

F. Failing to leave a College building after a fire alarm has sounded or other notice of fire has been given, whether or not a drill.

G. Urination or defecation in any location not designated for that purpose.

H. Conduct which disrupts normal operations of the College and/or impedes access to College facilities.

4. Actions Against the Institution

Conduct which involves the unauthorized accessing or alteration of documents and records controlled by the College, including class papers and examinations, or improper use of College electronic and physical resources, may constitute an “action against the institution” violation.

Examples of actions against the institution violations include:

- A. Altering a College ID
- B. Tampering with College documents or records by hand or electronically
- C. Misappropriation of College funds
- D. Claiming falsely to represent the College or a College registered organization
- E. Use of any College resources, including electronic and physical, in support of any for-profit enterprise. This may include access to student, staff, and faculty information, residence halls, and other campus-owned spaces, etc.
- F. Information, network, computer, social media account, and telephone violations including violations of the Information & Library Services Acceptable Use Policy or any other related college policy
- G. Misrepresentation to gain access or use of a service or facility
- H. Violations may include lying in order to gain access to a College building, office, lab, etc..

5. Obstruction of College Procedures

Conduct which interferes with the regular procedures of the College, investigation of alleged Code violations, the process by which they are resolved, or their outcomes, or that violates any College policy may constitute an “obstruction of College procedures” violation. Application of this section shall not be used to restrict the exercise of free expression of any member of the College community.

Examples of obstruction of College procedures include:

- A. Refusing to identify oneself to College employees in the pursuit of their duties or to comply with appropriate instructions (e.g., refusing to provide one’s name or to disperse when asked to do so by campus Security)
- B. Refusing to appear before College administrators or Security personnel charged with authority in matters of student conduct
- C. Refusing to attend or to testify when called as a witness in a student conduct hearing

D. Knowingly providing false information to any College official with intent to deceive during any phase of the student conduct process (including the investigatory stage) or conspiring with others to do so

E. Harassing witnesses or others involved in the student conduct process at any time during the student conduct process, including the time during which any sanction is in effect

F. Violating the terms of any sanction or not completing a sanction imposed by an appropriate authority (e.g., the Office of Disciplinary Committee) in a student conduct matter.

G. Bribing or attempting to bribe a College official

H. Use or possession of a forged, altered, or falsified document, such as a fake ID

I. Assisting a person in violating a College policy or attempting to violate a College policy

Part II: Disciplinary Process

Office of Disciplinary Committee

A. Investigation of Complaints Alleging Misconduct

All reports of misconduct shall be referred to the Course In Charge which shall have the authority to investigate such reports and refer students for alleged violations of the Code of Conduct to the appropriate level of the student conduct system like Discipline In Charge, Discipline Committee or Principal. The Principal oversees the overall student conduct system and delegates authority to other staff in Student Affairs to act as the Discipline In Charge(S) both broadly and in given situations. Before referring a student for an alleged violation, the Discipline In Charge shall conduct such investigation into the facts and circumstances of the reported misconduct as may be necessary, at a minimum, to establish that there is reasonable cause to believe that (1) there has been a violation of the Student Code of Conduct and (2) a particular student has committed that violation. The Course In Charge may conduct such additional investigation deem necessary to determine the pertinent facts of the matter at hand. For cases alleging violations of the sexual misconduct policy, all investigations shall follow the procedures outlined in the Government's Sexual Harassment Policy.

The Course In Charge calls students in for questioning at an initial stage of an investigation. Students are expected to cooperate with the Course In Charge and must meet with the Discipline In Charge when called upon to do so. For the purposes of this policy, a "respondent" is a student who is responding to an allegation that they violated the Code of Student Conduct. Although any person may bring a matter to the attention of the Discipline In Charge for further investigation, for the purposes of this policy, a "complainant" is a student, faculty member, or staff member who has brought a concern to the attention of the Discipline In Charge alleging that a student violated the Code of Student Conduct.

Students may serve as evidentiary witnesses. In cases involving an allegation of misconduct that falls into the category of "Actions Against Persons," the complainant is likely to be an evidentiary witness. The complainant may be another student or a faculty or staff member. In cases of an Action Against Persons, when the complainant declines to be a witness or a formal complainant, the Disciplinary Committee may nevertheless proceed with a referral for misconduct if sufficient evidence, independent of the complainant's testimony, exists to support the referral. In such cases there will be no complainant. Examples of sufficient independent evidence may include circumstances in which (a) there is sufficient testimony from an eyewitness other than the complainant or (b) there is authentic electronic or physical evidence or video or audio recordings which identifies the respondent and depicts the act or acts of misconduct.

The Discipline In Charge should provide the respondent (and the complainant in cases alleging Actions Against Persons) with a copy of or a link to the student conduct procedures.

B. Composition of the Disciplinary Committee.

The pool of members from which the composition of the Disciplinary Committee shall be drawn for a specific case shall be comprised of at least 7 members of the TSR community. The pool shall include a minimum of 2 students, 4 faculty members, and 1 staff member. Student members are appointed by the College Student Council. Faculty members are selected by the Principal in consultant with the Chairman. Staff member is appointed by the Chairman at the recommendation of the Principal and may not ordinarily include Student Affairs staff. Ordinarily, all members of the pool shall be appointed by June 1 for the academic year.

The composition of the Disciplinary Committee shall, as much as is feasible, reflect the diversity of the TSR student body at large. Specific attention should be given to this during the recruitment and selection of new members.

The Principal shall arrange yearly training for all members of the Disciplinary Committee. The initial training will provide an understanding of the scope of the Code of Student Conduct, the scope of the authority of the Disciplinary Committee and information regarding sanctioning precedent for previous cases.

Additional training will be provided as needed and may include case studies, bias, and social justice topics as they relate to the work of the committees.

C. Procedures for Resolving Alleged Misconduct

Following an investigation, the College provides several methods for addressing alleged violations of the Code of Student Conduct. The Course In Charge has the authority and discretion to refer any given case to the method of resolution the Course In Charge deems most appropriate in a given situation or to determine that there is not sufficient evidence to support a referral for a violation of the Code of Student Conduct. This decision is final and may not be appealed. For cases alleging violations of the sexual misconduct policy, all resolutions shall follow the procedures outlined in the Government's Sexual Harassment Policy.

1. Discipline In Charge Review

The Discipline In Charge shall have authority to render decisions in minor cases of misconduct where outcomes of suspension or expulsion are not under consideration.

Sanctions in these cases may include, but are not limited to, letters to a student's file, loss of various privileges, referral to counseling, community service, removal of a student from College housing or dining, other required actions, or being placed on probation.

The decision in a minor case of misconduct shall not be recorded on the student's permanent record, but will remain in the student's confidential file called PAP card and Dossier, until

graduation. The Discipline In Charge shall give/send the student a letter identifying the misconduct, stating the decision regarding sanctions.

If the Discipline In Charge makes a decision in a minor case of misconduct that the student found responsible feels is unjustified, that student may appeal the decision to the Disciplinary Committee and Principal. The student appealing the decision must submit the appeal in writing to the Disciplinary Committee and Principal within two class days from the time at which the original decision was communicated to them in writing by the Discipline In Charge. Students may appeal the decision of the Discipline In Charge only on the following grounds:

That the Discipline In Charge violated the fair application of the procedures of the student conduct process as outlined in the Code and that such violation may have had a prejudicial effect upon the outcome of the Discipline In Charge Review;

- That new evidence was discovered after the Discipline In Charge Review and could not readily have been discovered beforehand and such evidence might have had an effect upon the outcome of the hearing; or
- That the penalty imposed upon the respondent is grossly inappropriate.
- The Disciplinary Committee and Principal may affirm, reverse, or otherwise modify the original decision of the Discipline In Charge.

Required Action.

- Penalties
- Disciplinary Probation:- The term “disciplinary probation” means that a sanction of suspension or dismissal is held in abeyance and will take effect only after the Committee finds that the student has committed a further violation. If a student already on disciplinary probation comes before the Committee for a second case of misconduct and is found to have violated the Code of Student Conduct again, the first penalty held in abeyance now goes into effect. The Committee also may take additional action on the second offense. Disciplinary probation is not recorded on the student’s permanent record, but will remain in the student’s confidential file until graduation.
- Suspension:- The Committee may suspend a student for a specified period of time, or indefinitely. The Committee also may impose conditions to a student’s readmission to the College. A student who is suspended must leave the campus and may not return until the suspension is revoked. Unless otherwise specified, the suspension goes into effect immediately (within two class days) and the student is dropped from all courses. In some cases, the Committee may decide to defer the suspension until the end of the semester. Suspension will be noted on the student’s official transcript, but only during the time that it is in effect.

- Dismissal:- The Committee may dismiss (i.e., expel) a student. This severs with finality a student's connection with the College. Dismissal will be noted on the student's permanent record and on the student's official transcript.

In determining appropriate sanctions, the Disciplinary Committee may decide that some combination of these penalties should be imposed. The Committee's sanctioning decisions should specify any special conditions. Unless otherwise provided for by the Committee, all sanctions go into effect two class days after the hearing.

2. Disciplinary Committee Review

The Disciplinary Committee Review method of resolution is a formal hearing.

Part III: Resources, Rights, and Responsibilities

Summary of Student Rights and Responsibilities

1. Respondent's Rights and Responsibilities

Respondents have opportunities to make decisions affecting their own welfare throughout the process by which an allegation of misconduct is adjudicated. This is fundamental to the principles of fairness upon which the Code and its procedures are constructed. Respondents accused of either academic or social misconduct always have the right to be heard and to present their side of the story. Specifically, respondents have the following rights and responsibilities:

The right to notification of the allegation with sufficient specificity to allow for preparation to defend against the allegation.

The right to adjudication of allegations at a hearing.

The right to attend the hearing, to make a statement to the Committee, and to question witnesses.

The right to respond to all statements, testimony, or other evidence offered at the hearing (however, the respondent may not make statements while witnesses are testifying and being questioned).

The right to be free from harassment and retaliation from the complainant or other witnesses (or parties acting on their behalf) at any time during or after the investigation and hearing.

The right to appeal a decision of the Student Conduct Committee to the Appeals Committee.

The responsibility to refrain from contact (direct or indirect) with the complainant or other witnesses, certain members of the TSR community or members of the community at large involved in the pending case, or with members of the Committee, when so directed by the Discipline In Charge, the Discipline Committee, etc.

The responsibility to make a good-faith effort at conflict resolution options when this option is chosen by all parties as an alternative method of resolution.

The responsibility to abide by the instructions of the Chairs of the Committee, including instructions regarding witness.

The responsibility to testify truthfully at the hearing.

The responsibility to abide by the terms of a conflict resolution agreement or by any sanctions determined by the Committee, etc.

The respondent may consult with an attorney, but that attorney may not be involved in the College's student conduct processes. In the very specific circumstance where the College has

initiated student conduct proceedings while a criminal case arising out of the same conduct is pending against the student in court, the student shall be allowed to have an attorney present during the College student conduct proceedings. Even then, any attorney retained by the student has an extremely limited role as an advisor: the attorney may not make statements or ask questions at the hearing, but is simply available to advise the student during the proceedings. Note that if a current member of the College community is otherwise eligible to serve as an advisor to a student, that individual will remain eligible to serve as an advisor regardless of the individual's status as a practicing or nonpracticing attorney, or of the individual's experience or education in the legal field.

Note: The Committee Chairs always have the right to remove from the hearing any individual, including an attorney, whose conduct unduly interferes with the proceedings. In the event that the respondent plans to have an attorney attend the Committee hearing, the respondent must inform the Chairs in a timely manner so that the College can determine whether it wants its own attorney present.

2. Complainant's Rights and Responsibilities (The rights and responsibilities described in this section are equally applicable, where relevant, to students and to faculty or other College employees who accuse a student of misconduct).

While all cases which are brought before the Disciplinary Committee are presented by the Discipline In Charge, in some cases there is a principal witness who alleges to have been injured by the respondent. This second party, the "complainant," also has much at stake at the student conduct hearing and has certain rights that the process must respect. For purposes of a Committee hearing, a student or College employee who accuses a student of misconduct is an evidentiary witness (as distinguished from a character or expert witness). In cases involving an allegation of Actions Against Persons, the complainant has a particular set of rights and responsibilities, noted below.

The right to bring to the attention of the Discipline In Charge an incident of misconduct by a student. This does not include the right to insist on a hearing before the Committee, since it is the Discipline In Charge who has authority to conduct an investigation and to determine whether a case should go forward.

The right to meet with the Chairs of the Committee at a pre-hearing conference at which the complainant may challenge, on the basis of actual bias, the presence of a member of the Committee at the hearing; to make a statement at the hearing; and to propose evidentiary witnesses, one character witness, and one expert witness; the right to be present during any testimony which relates directly to the complainant and the right to pose questions through the

Chairs when the testimony relates directly to the complainant; and the right to be informed of the decision of the Committee. (The right to be present at the hearing is not absolute, however; the complainant may not make statements while witnesses are testifying and being questioned.)

The right to be free from harassment and retaliation from the respondent or other witnesses (or parties acting on their behalf) at any time during or after investigation and hearing.

The right to be informed of the outcome of the student conduct proceeding.

The right to be notified of the option to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the complainant so chooses.

The responsibility to testify truthfully at the hearing.

The responsibility to refrain from contact (direct or indirect) with the respondent or other witnesses, certain members of the TSR community or members of the community at large involved in the pending case, or with members of the Student Conduct Committee, when so directed by the Judicial Officer, the Student Conduct Committee, or its Chairs.

The responsibility to make a good-faith effort at conflict resolution when this option is chosen by all parties as an alternative method of resolution.

The responsibility to abide by the instructions of the Chairs of the Committee, including instructions regarding witness.

Any person who feels they have been the victim of a crime always has the option of going to local law enforcement officers and pursuing the case through the criminal court system.

Respondents or complainants may benefit from meeting with a psychological, religious, or substance abuse counselor to discuss the difficult issues and problems raised by the alleged incident of misconduct. While counselors are available through the College and confidentiality is maintained, in some instances parties to a conduct case may feel more comfortable seeking the assistance of someone not associated with the College, and they should feel free to do so.