

Policy 8.1

Emory University Undergraduate Code of Conduct

Responsible Official:	Senior VP and Dean of Campus Life
Administering Division/Department:	Campus Life
Effective Date:	August 29, 2011
Last Revision Date:	August 26, 2024

Policy Sections:

- I. [Overview](#)
- II. [Applicability](#)
- III. [Definitions](#)
- IV. [Policy Details](#)
- V. [Related Links](#)
- VI. [Contact Information](#)
- VII. [Revision History](#)

I. Overview

Philosophy and Purpose

Emory University is an institution dedicated to providing educational opportunities, transmitting, and advancing knowledge, and providing a range of services to both students and the general community. The University endeavors to foster in each student a love of learning, commitment to fair and honorable conduct, and respect for the safety and welfare of others. It also strives to protect the community from the influence of those who do not embody these values in their conduct, and to protect the integrity of the University and its property for the benefit of all. For this purpose, and in accordance with the bylaws of the University, the President of the University has defined the interests of the University community to be promoted and protected and has delegated to the Senior Vice President and Dean of Campus Life (SVP/DCL) the responsibility of implementing such a system via the Undergraduate Code of Conduct, hereafter referred to as the Code.

The activities of students beyond the classroom influence the educational process and learning environment, just as the intellectual atmosphere of the campus contributes to students' personal growth and development. Many forms of nonacademic conduct, as well as all academic affairs, are therefore areas of proper concern and regulation by the University community. The guiding principle of university regulation of undergraduate conduct is the responsible exercise of freedoms and privileges. Members of the University community are granted the greatest possible degree of self-determination correlative to acceptance of the full responsibility for their conduct and the consequences of their actions.

II. **Applicability**

A. Standards

Emory University seeks to create an environment where its students flourish which is predicated on its community members acting with integrity, respect for differences, honesty, and the highest ethical principles in service to the greater good. In order to achieve this type of environment, the University expects a higher standard of conduct than the minimum required to avoid engagement in the student conduct process.

An undergraduate student enrolled in the Emory College of Arts and Sciences, the Nell Hodgson Woodruff School of Nursing, and the Goizueta Business School agrees to be governed by this Code, as well as by other applicable University policies. At Emory University, as elsewhere, ignorance of this Code and University policies is not an acceptable justification for violating the University's expectations of conduct. Lack of intent or awareness of this Code will not be accepted as excuses for violations and will normally receive the same consequences as deliberate violation(s). Undergraduate students are responsible for reading and abiding by the provisions of this Code.

While the University's expectations of conduct parallel the laws of society in general, the University may set a higher and more stringent standard than other communities or parts of society. Given the learning environment that the University is working to cultivate, the University focuses on educating students about their behavior, but may impose sanctions up to, and including suspension and expulsion in order to preserve a safe and healthy environment for the University community.

Undergraduate students should be aware that formal rules of evidence used in federal and/or state criminal and/or civil proceedings do not apply to the proceedings outlined in this Code. For the purpose of this Code, the procedures used to enforce the University's expectations of conduct assure written notice and a meeting/hearing before a decision-maker. No responding student(s) will be found in violation of this Code without information constituting a preponderance of information that a policy violation occurred and, if found in violation, sanctions imposed will be proportionate to the severity of the violation and cumulative conduct record of the responding student(s).

Any form of recording and/or streaming of conduct proceedings is strictly prohibited, except as described in this Code.

Continuation as an undergraduate Emory University student is conditioned upon compliance with the expectations of student conduct expressed or implied in this Code.

B. Authority and Scope

The Senior Vice President and Dean of Campus Life, or designee, is authorized to implement and enforce this Policy utilizing a centralized university-wide process. In turn, the Senior Vice President and Dean of Campus Life has authorized and delegated responsibility to discipline individuals subject to this Policy to the Associate Vice President/Dean of Students (AVP/DOS) and the Office of Student Conduct (OSC).

This Code applies to undergraduate students enrolled in the Emory College of Arts and Sciences, the Nell Hodgson Woodruff School of Nursing, and the Goizueta Business School, in their conduct both on and off campus, including, but not limited to, through any electronic media, the use of University computing and network resources from a remote location, in online or virtual environments, during certain travel, and/or any other property used by the University for educational purposes. This Code will apply regardless of the location of the conduct when:

1. The behavior occurs in the context of a University-sponsored program or activity; or
2. The behavior poses a threat to the University's educational mission, the health and safety of individuals (whether affiliated with the University or not), or the University community; or
3. The behavior infringes on the rights or property of others and/or causes a substantial disruption.

Undergraduate students are required to inform their guests about the University's conduct expectations, and policies and address any action(s) of their guests that are out of alignment with the Code while they are on

campus or attending a University affiliated activity. The final determination as to whether conduct is subject to this Code will be made by SVP/DCL, or their designee.

The AVP/DOS in tandem with OSC may address such disciplinary matters in a direct and expedient manner, including issuing interim action(s). Interim action(s) that may be determined appropriate for the behavior under review may include, but are not limited to, interim suspension pending the conclusion of an investigation and/or hearing, removal from Campus housing, the issuance of No Contact Directive(s), campus restriction(s), and/or other interim measure(s).

This Code applies to all student groups at and/or connected to Emory University, including those groups which include graduate and/or professional students within their membership. The SVP/DCL, or their designee, has authority to implement and enforce this Code for student groups utilizing a centralized University-wide framework. The SVP/DCL has authorized and delegated responsibility to discipline student groups to the AVP/DOS, or their designee. Student groups, as well as their members and other affiliated students, may be held collectively and/or individually responsible for University expectations of behavior. Student Group behavior(s) may be addressed by the OSC utilizing Emory University's Student Group Accountability Framework.

Individual schools or programs may have student conduct expectations and policies supplemental to this Code; those policies may be enforced through procedures established by the respective school or program. This Code does not address academic misconduct as the jurisdiction to address that behavior falls within the purview of the individual academic units of Emory University. Allegations of non-academic misconduct will be resolved in accordance with the procedures outlined in this Code. In addition, other units within the University may choose to implement more rigorous standards (e.g., parking fines, limiting access to library resources, limitations on ability to post materials, eligibility to serve in leadership roles, etc.) but such standards and penalties shall be in addition to, not a replacement of, this Code and its adjudication procedures.

The University may amend or revise this Policy at any time in its sole discretion, with or without notice, for any reason, and such revisions may become effective immediately. This right of the University to amend this policy is without limitation of any kind.

C. Relationship to Other Proceedings

Students may be accountable under criminal statutes, civil authorities and to the University for acts that constitute violations of the law and this Code. The conduct process may occur prior to, simultaneously with, or following criminal/civil proceedings. Responding student's violation(s) of this Code are subject to the University conduct proceedings outlined in this Code while criminal, civil, or other University proceedings regarding the same conduct are pending.

The conduct process will proceed without regard to the pendency of civil litigation in court or criminal investigation, arrest or prosecution. Determinations and sanctions imposed under this Code are not necessarily subject to change because criminal charges arising out of the same core of facts were dismissed, reduced, or resolved in favor of or against the responding student.

Responding student(s) may not challenge the University disciplinary proceedings outlined in this Code on the grounds that criminal allegations of possible violations, civil actions, or other University proceedings regarding the same incident are pending, may be initiated, or have been terminated, dismissed, reduced, or not yet adjudicated. The University will refer matters to federal, state, and local authorities when appropriate.

D. Mental Capacity

Any behavior(s) that may have been influenced by a responding student's mental state or voluntary use of drugs and/or alcohol will not in any way limit the responsibility of the responding student for the consequences of their actions.

III. Definitions

1. The term **Adaptable Conflict Resolution** describes pathways such as **mediation**, facilitated dialogue, agreed resolution, and **restorative justice** (RJ) practices such as RJ circles, which are alternatives to a formal adjudication process. These voluntary pathways allow individuals involved in a conflict to have influence over the resolution processes and outcomes. This is separate from an issued RJ sanction, or outcome, from a resolved case.
2. The term **banned/dissolved organization** means a student group (in whatever form or reconstituted form) that has committed or has a history of significant and/or repeated violations of the law or University regulations and policies, such that its formal recognition by the University (in whatever form or reconstituted form) has been permanently or temporarily revoked or banned because its conduct has been determined to have significant adverse effects on the University and/or members of the University community. Examples may include but are not limited to an organization that holds itself out to the University community as a fraternity or sorority, but which does not adhere to the Office of Sorority and Fraternity Life policies and procedures; a club sport that holds itself out within the University or externally for competition, but which does not adhere to the Office of Recreation and Wellness policies and procedures.
3. The term **charge** refers to a determination by the conduct administrator or board that sufficient information exists to formally accuse a student of violating one or more of the expectations of conduct in this Code.
4. The term **conduct administrator** means any person(s) authorized by the AVP/DOS or their designee to conduct investigations, hold conduct hearings, and determine whether a responding student(s) has violated the Code as well as determine sanctions. This term includes the Director of Student Conduct.
5. The term **days** means University business days, or weekdays when the University is open for business, whether or not classes are in session, unless otherwise specified as calendar days.
6. The term **impacted party** refers to any person(s) directly harmed or impacted by the behavior(s) of a student who violated one or more of the expectation(s) of conduct in this Code (e.g., theft of property/identity, discrimination, bullied, hazed).
7. The term **no contact directive** means a prohibition against having any form of contact with another student for a defined period of time. Such contact includes, but is not limited to, in person communications, direct messaging, telephone calls, e-mail or other electronic means (including social media), or sending messages through a third party.
8. The terms **notify in writing** or **transmit in writing** mean send via electronic mail to the student's Emory e-mail address, to mail (U.S. or campus) written notice to the student's most recent address of record, or to hand deliver written notice to the student.
9. The term **preponderance of information** is the standard of proof used to determine finding of responsibility and assesses if it is more likely than not that a violation of this Code occurred.
10. The term **report** refers to any report, statement(s), or other documentation presented to the University, whether submitted by individuals involved, witnesses, and/or derived from documents and/or other sources, containing information suggesting that a responding student(s) may have violated one or more of the expectation(s) of conduct in this Code.
11. The term **responding student** can be used to refer to a person who is accused of violating the Code of Conduct.
12. The term **student** means any person pursuing undergraduate studies at the University. At the discretion of the SVP/DCL or designee, the term may be extended to mean: (1) a person not currently enrolled who was enrolled in the fall, spring, or summer term preceding the alleged violation, (2) a person who, while not currently enrolled, was previously enrolled in Emory University and may reasonably seek enrollment at a future date, (3) a person who has applied to or been accepted for admission to Emory University and has accepted an offer of admission or may reasonably be expected to enroll, or (4) a person enrolled in the Emory University Pre-College Program on a credit or non-credit basis.
13. The term **student group** includes recognized student organizations, graduate student organizations, professional organizations, agencies, athletic teams, sport clubs, performance organizations, established within an academic unit, affiliated with a campus area, secret societies, and any number of students associated with the University and one another, but have not yet registered, or are not required to register, as a student organization. Any collective of students formed to promote a shared interest, activity, or purpose, is held to a standard of collective responsibility for the group's conduct and subject to the consequences of its actions when engaging in problematic conduct or experiencing behavioral issues within the group.
14. The terms **University** and **institution** mean Emory University.

15. The term **University official** means any person employed by the University, including but not limited to faculty, conduct administrators, law enforcement officers, and other administrative and professional staff.
16. The term **University premises** means buildings or grounds owned, leased, operated, controlled, affiliated with, or supervised by the University.
17. The term **University-sponsored activity** means any activity, on or off campus that is initiated, aided, authorized, or supervised by the University.
18. The term **weapon** means any device that shoots or delivers a bullet, BB, pellet, arrow, dart, flare, electrical charge, or other projectile, whether loaded or unloaded, including those devices powered by CO₂; any explosive device, including fireworks; any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual, including, but not limited to, switchblades, gravity knives, clubs, blackjacks, brass knuckles or ice picks.
19. References to **Senior Vice President and Dean of Campus Life (SVP/DCL), Associate Vice President and Dean of Students (AVP/DOS), Dean of Emory College of Arts and Sciences, Dean of Goizueta Business School, Dean of Nell Hodgson Woodruff School of Nursing, or Director of Student Conduct** include their respective designee(s).

IV. Policy Details

[8.1.1 Expectations of Conduct](#)

[8.1.2. Administration of this Code](#)

[8.1.3. Procedural Overview](#)

[8.1.4. Interim Action\(s\)](#)

[8.1.5. Rights of Involved Parties](#)

[8.1.6. Advisors](#)

[8.1.7. Outcomes/Sanctions](#)

[8.1.8. Appeals](#)

[8.1.9. Notices](#)

8.1.1 Expectations of Conduct

Emory University expects that all students act honorably, demonstrating a keen sense of ethical conduct. The University expects that its students behave respectfully, providing particular consideration for other people and for property. As members of a community, Emory University expects that students act responsibly, being accountable for the safety and wellbeing of themselves and others. University students are expected to be trustworthy, demonstrating honest character upon which others may rely with confidence.

Although it is neither possible nor necessary to specify every instance of misconduct that could result in disciplinary action against a student, the following are examples of the types of behavior that are considered violations of this Code.

- I. Honor and Ethics
 - a. Attempting to commit a violation of this Code, or assisting, through act or omission, any person or group with committing or attempting to commit a violation of this Code.
 - b. Failing to leave a situation where any person is committing or attempting to commit a violation of this Code.
 - c. Failure to comply with the direction of University officials or law enforcement officials acting in performance of their duties; including failing to identify oneself to these officials when requested to do so.

- d. Failure to complete sanctions assigned by the Office of Student Conduct and/or knowingly violating the terms of any disciplinary sanction imposed or any mutual agreement reached in accordance with this Code and/or other University student conduct proceeding.
- e. Disrupting the normal operations of the University including scheduled or normal activities within any campus building or area (including teaching, research, service, and business operations).
- f. Misuse of computer or network resources, including but not limited to: using another individual's identification or password; sharing a password or other secure identification for an account on the network; using computer or network resources to transmit harassing or obscene material to another person; misrepresenting the identity of a sender; continuing to transmit messages/material using the network to a person who has communicated that messages/material are unwanted; using a computer or network resources in violation of copyright laws; using computer or network resources to interfere with the normal operation of the university computer system, or any other violation of policies established by the Office of Information Technology
- g. Violating policies established by the Office of Residence, Sorority and Fraternity Life and Housing Operations for residence halls, including but not limited to the Residence Life and Housing Standards and Policies and the Undergraduate Housing Agreement.
- h. Violating Policy 4.113 - Tobacco Free Environment (Health and Safety) Policy.
- i. Engaging in conduct that could violate any government laws or ordinances.
- j. Violating any University and/or Campus Life department rules, regulations, or policies.

II. Respect and Consideration

- a. Causing physical harm to any person.
- b. Intentionally or recklessly engaging in the physical or emotional abuse of any person or any action that threatens physical or emotional harm or endangers the physical or emotional well-being, health, or safety of any person(s).
- c. Engaging in threatening, intimidating, or coercing behaviors towards any person including harassment or bullying.
- d. Engaging in lewd or indecent behavior including, but not limited to, public nudity (unless specifically authorized for activities such as theater productions or class).
- e. Engaging in conduct that would be prohibited under [Policy 8.2 - Sex and Gender-Based Harassment and Discrimination Policy](#). Conduct that falls under Policy 8.2 will be adjudicated under the process and procedures set forth in that Policy.
- f. Engaging in discrimination or harassment against another person on the basis of that person's race, color, religion, ethnic or national origin, gender, genetic information, gender identity or expression, sexual orientation, age, disability, veteran status, or any factor that is a prohibited consideration under [University policy](#) and applicable law.
- g. Engaging in conduct that would be prohibited under [Policy 8.11 - University Anti-Hazing Policy](#).
- h. Joining, administering, representing, paying dues to, residing in housing affiliated with, or claiming membership in a suspended, banned, or dissolved student group.

III. Responsibility and Accountability

- a. Violating [Policy 8.8 Alcohol and Drug Abuse Policy](#), including but not limited to:
 - 1. Use or possession of alcoholic beverages by an individual under the age of 21.
 - 2. Manufacture or distribution of alcoholic beverages (except as expressly permitted by University policy).
 - 3. Possessing an open container of an alcoholic beverage on University premises (except as expressly permitted by University policy).
 - 4. Public intoxication.
 - 5. Use or possession of any illegal drug or controlled substance (including prescribed medications) except as expressly permitted by law.
 - 6. Manufacture or distribution of any illegal drug or controlled substance (including prescribed medications) except as expressly permitted by law.
 - 7. Providing and/or purchasing alcoholic beverages to a person under the age of 21.
 - 8. Nonadherence to event policies as described in the Alcohol and Drug Abuse Policy.
- b. Using, possessing, or storing any weapon on campus without written authorization or express permission from a university official.
- c. Using, possessing, or storing fireworks, explosives, or dangerous or flammable chemicals on university premises without express permission from a University official.

- d. Intentionally misusing, damaging, or tampering with fire or other safety equipment, including covering or disabling a smoke detector and/or malicious fire alarm activation.
- e. Individually contributing to a student group violation as detailed in the Student Group Accountability Framework.

IV. Trustworthiness and Honesty

- a. Intentional misrepresentation, including but not limited to:
 - 1. Providing false, misleading, incomplete, or intentionally omitting information to a University official.
 - 2. Filing a false or misleading report with university officials or law enforcement officials.
 - 3. Manufacture, use, or possession of false documents, identification, or access devices.
- b. Impersonating another individual through e-mail, social media, electronic communication, or other means.
- c. Being in, on, or using University premises or property without express permission from a University official.
- d. Intentionally invading someone's privacy by means of recording video or audio, photographing, or otherwise capturing footage of an individual or group, with or without intent to appropriate, distribute, share, or use someone's likeness, identifying personal data, or documents without permission, including but not limited to the use of artificial intelligence (AI) support.
- e. Misuse of property or services, including but not limited to:
 - 1. Taking, using, or possessing property without the express permission of its owner or utilizing a service without express authorization from its provider.
 - 2. Refusing to return property to its owner when requested or refusing to discontinue the use of a service when requested by its provider.
 - 3. Transferring or accepting the transfer of property or services that are known to be non-transferrable.
 - 4. Knowingly accepting, using, or possessing improperly obtained property or services.
- f. Destroying, damaging, or vandalizing property.
- g. Inappropriately participating in student conduct processes, including but not limited to:
 - 1. Providing false, misleading, incomplete, or intentionally omitting information during the student conduct and/or student group accountability process(es).
 - 2. Disrupting a conduct meeting or hearing.
 - 3. Reporting information about an alleged violation of the expectations of behavior in this Code or student group accountability concern as a means to retaliate against, harass, coerce, or intimidate another person.
 - 4. Attempting to influence the impartiality of a hearing body, witness, or other involved party prior to or during the course of proceeding conduct meeting or hearing; harassment or intimidation of a hearing body, witness, or other involved party, during, or after a conduct meeting or hearing.
 - 5. Influencing another person to engage in any of the aforementioned acts.
 - 6. Recording and/or streaming any conduct proceedings without express permission of a conduct administrator.

8.1.2. Administration of this Code

I. Conduct Administrators

The Office of Student Conduct shall select, train, and oversee the conduct administrators for the effective maintenance of the conduct process. Conduct administrators shall be authorized to investigate and resolve all conduct cases arising under this Code. Conduct administrators are selected Emory University staff persons either by work responsibility or volunteering to serve in the role until a change in circumstances for the person occurs in which their serving in the role is no longer applicable. The AVP/DOS or designee reserves the right to engage external entities as conduct administrators for purposes of overseeing any part of the student conduct process when there is a conflict of interest, high case volume, or demand of resources to utilize a non-Emory entity in the student conduct process.

II. Boards and Councils

The Office of Student Conduct shall select, train, and oversee the members of the Peer Accountability Board and the Conduct Council. The pool of faculty and staff members shall be drawn from Emory College of Arts and Sciences, the Goizueta Business School, the Woodruff School of Nursing, Campus Life, including staff from other Emory University administrative units. The pool of undergraduate students shall be from Emory College of Arts and Sciences, the Goizueta Business School, and the Woodruff School of Nursing.

- a. The following standing boards and councils are established:
 - i. The Conduct Council is a group of faculty, staff, and students recruited and trained by the Office of Student Conduct. Conduct Council Panels shall conduct hearings to determine if a responding student(s) is responsible for allegations of misconduct, and if a responding student(s) is found responsible for misconduct, shall recommend sanctions to the Office of Student Conduct.
 - ii. The Peer Accountability Board (PAB) is comprised of students selected from the Conduct Council for the purpose of a PAB hearing. The PAB is responsible for conducting hearings to determine if a responding student(s) are responsible for allegations of misconduct; and if a responding student(s) is found responsible for misconduct, shall recommend sanctions to the Office of Student Conduct.
 - iii. The Appeals Board consists of three (3) members who shall be selected from the pool of the Conduct Council. The Appeals Board members selected for an appeal may not have any prior involvement with any of the involved student(s) (e.g., responding student(s), impacted parties, witnesses) or have served on the Conduct Council Panel or PAB that rendered the original decision. The Appeals Board shall advise the Associate Vice President and Dean of Students on appeals received in accordance with the procedures outlined in this Policy.

III. Training

Every person serving in an official capacity or role in the administration of this Code shall receive training from the Office of Student Conduct.

8.1.3. Procedural Overview

I. Initial Assessment

Any person wishing to submit information regarding a possible violation of the expectations of behavior under this Code may make such report to the Office of Student Conduct (OSC) in writing through the established incident report system or via email at conduct@emory.edu. Individuals/entities submitting a report should include the name(s) of all known witnesses or others who may have information concerning the allegation of a violation and all known facts about the incident. The ability of the OSC to fully investigate an incident is likely to be impacted by how much time has elapsed since the date the incident occurred. Information/reports that are submitted anonymously will be reviewed; however, anonymity may limit the ability of the OSC to fully investigate an incident.

Additionally, the OSC may receive reports from several sources and in other ways than the previously referenced incident report system, including Residence Life and Housing, Emory Police Department, University offices/employees, and individuals unaffiliated with the University.

The OSC will review the report(s) and determine whether a report should proceed through the disciplinary process. If it is deemed that the alleged misconduct is within OSC's authority and is a possible violation of this Code, the OSC will make the following decision(s) concerning the conduct process:

- a. The report may be assigned to a conduct administrator for an Educational Conference, Peer Accountability Board, Conduct Council Panel, or Adaptable Conflict Resolution for resolution.
- b. If the report of alleged misconduct meets the criteria for medical amnesty, the OSC may determine that it should proceed down that path as described [here](#).

- c. If the report should be addressed through a different entity or policy, such as the Sex and Gender Based Harassment and Discrimination Policy, the OSC will refer it to the appropriate office for investigation and resolution.

Upon receiving a report, the OSC will also determine whether Interim Action(s) must be taken as set forth in Section 8.1.4 below.

II. Supportive Measures

Where the impacted party is known and contact information is reasonably available, the OSC will ensure that the impacted parties receive(s) a written explanation of available resources and options and is offered the opportunity to meet promptly to discuss those resources and options.

III. Actions that Follow Initial Assessment

Once the OSC decides on the pathway a report will take, the OSC will notify the responding student(s) that it has received a report, provide details of the alleged Code violation(s), and provide information about the pathway it will take towards resolution. The notice will provide the date, time, and location of the Educational Conference, Peer Accountability Board Hearing, or Conduct Council Panel Hearing. Educational Conferences, Peer Accountability Board Hearings, and Conduct Council Panel Hearings shall be scheduled so as not to interfere with the responding student's current class schedule. If a responding student(s) fails to attend an Educational Conference, Peer Accountability Board Hearing, or Conduct Council Panel Hearing, that process may continue without their participation and the responding student(s) waive their right to appeal any decision or sanction that may result from the conduct process.

IV. Educational Conference with a Conduct Administrator

In instances in which the OSC determines that a report should be resolved through an Educational Conference with a Conduct Administrator, OSC will notify the responding student(s) that the report will be handled through this process and schedule a date and time for the Educational Conference. The assigned conduct administrator will meet with the responding student to discuss the report and any other available information that the OSC has relating to the conduct at issue and will provide the responding student(s) the following options for resolution through this pathway:

- a. Option 1: Resolution through Agreement - If during the meeting with the conduct administrator, the responding student(s) agrees to accept responsibility for the alleged conduct violation(s), the conduct administrator will inform the student of what the conduct administrator believes is the appropriate sanction(s). If the responding student(s) agrees to the finding of responsibility and proposed sanction, the conduct process will be concluded and the OSC will ensure that the agreement is memorialized. In agreeing to the Educational Conference resolution, the responding student(s) understands the resolution is final with no appeal or sanction review option. The responding student(s) will receive written notification of the agreed upon outcome(s) within five (5) days.
- b. Option 2: Resolution through Administrative Decision -
 - i. If during the meeting with the conduct administrator, the responding student(s) agrees to accept responsibility for the alleged conduct violation(s), the conduct administrator will inform the student of what the conduct administrator believes is the appropriate sanction(s). If the responding student(s) does not agree to the proposed sanction, the conduct administrator may move forward with documenting the case as resolved through administrative decision. In such cases, within five (5) days of the meeting, the responding student(s) will receive written notification outlining the finding of responsibility for the alleged conduct violation(s), the sanction(s), and the sanction

review process. The responding student(s) may submit a Sanction Review in writing to the OSC within five (5) calendar days from the receipt of the written notification. Sanction Reviews are conducted by the AVP/DOS, or designee, who will meet with the responding student(s) to discuss their rationale for requesting a review of the imposed sanction(s). The responding student(s) will receive a written outcome letter outlining if the imposed sanctions are upheld or modified at which time the decision will be considered final.

- ii. If during the meeting with the responding student(s), the conduct administrator determines that there is sufficient information to support a finding of responsibility for the alleged conduct violation(s) and the responding student(s) does not accept responsibility for the alleged conduct violation(s), the conduct administrator may move forward with resolving the case as resolved through administrative decision, outlining the finding and determining the appropriate sanction(s). In such cases, within five (5) days of the meeting, the responding student(s) will receive written notification outlining the finding of responsibility, sanction(s), and appeal process. The responding student(s) may appeal the finding to the OSC within five (5) calendar days from receipt of the written notification.
 - iii. If during the meeting with the responding student(s), the conduct administrator determines that there is insufficient information to support a finding of responsibility, then the case will be closed, and the responding student will receive notice of the outcome within five (5) days.
- c. Option 3: Resolution through Administrative Decision without Responding Student(s) Participation - If the responding student(s) fails to meet with the assigned conduct administrator, then the conduct administrator will decide whether there is enough information to support a finding of responsibility based on the information that the conduct administrator has available to them. If the conduct administrator determines that there is insufficient information to support a finding of responsibility, then the case will be closed. If the conduct administrator determines that there is sufficient information to support a finding of responsibility, then the conduct administrator will decide on the appropriate sanction(s). In such instances, the responding student(s) will receive written notification outlining the finding of responsibility and sanction(s) within five (5) days of the date that had been set for the Educational Meeting.

V. Peer Accountability Board Hearings

In instances where the OSC determines that a report should be resolved through a Peer Accountability Board (PAB) hearing, the OSC assign a conduct administrator who will notify the responding student(s) that the report will be addressed through a PAB hearing. A PAB hearing may be held in person or in a virtual setting based on the availability of PAB representatives and involved parties. Regardless of venue, the following procedures and rules shall apply:

- a) Each PAB shall consist of three (3) student representatives with one (1) additional student alternate chosen from the Conduct Council. OSC will further designate one of the PAB members as the PAB Chair.
- b) The OSC will notify the responding student(s), and any impacted parties, at least seven (7) days before the scheduled date of the PAB hearing. The notification will include the date, time and location of the PAB hearing; a list of witnesses who will be asked by the University to attend; identification of the alleged violation(s); and provide the opportunity for a pre-hearing meeting with the OSC.
- c) The responding student(s) must provide all witness information and case materials relevant to the case under review that the responding student(s) wishes to be considered by the PAB to the OSC at least three (3) days prior to the PAB hearing. Information submitted after that deadline cannot be guaranteed to make it before the PAB for review at the hearing or during deliberations.
- d) If the responding student(s) wishes to have an advisor attend the PAB hearing, the responding student(s) must provide to the conduct administrator the full name and Emory title of the advisor at least three (3) days prior to the hearing.

- e) The responding student(s) have the option to schedule a pre-hearing meeting at least three (3) days prior to the scheduled PAB hearing with the conduct administrator, as detailed in the notification. At that pre-hearing meeting, the OSC will review the PAB hearing process and answer any questions the responding student(s) has about that process. The OSC will also confirm the information that will be before the PAB at the hearing. The responding student(s) may provide additional documentation relevant to the case during this meeting that the responding student wants before the PAB during the hearing. Failure to schedule a pre-hearing meeting does not waive the right of the responding student(s) to raise any issues that the responding student(s) wishes to raise at the PAB hearing.
- f) In instances where there are witnesses to the alleged misconduct, the OSC may request the witness(es) submit a written or recorded statement to the PAB. Any such statements will be shared with the responding student(s) as well.
- g) The OSC will make audio recordings of the PAB hearing for the purposes of retaining a record of the proceeds and for the PAB's use during deliberations and any appeal process. This recording will be a part of the case file, property of Emory University, and its disclosure is governed by the applicable policies and laws governing disclosure of those records. PAB deliberations will not be recorded. No other recordings of the proceedings are permitted and will not be considered for use during the PAB's deliberations or through any appeal process.
- h) The PAB Chair shall have the discretion to determine whether information and statements may properly be considered in the proceeding, as well as whether certain questions are appropriate to ask by the PAB during the hearing. However, legal rules of evidence applicable to court proceedings shall not apply.
- i) Other than their own witnesses, responding student(s) and impacted parties should refrain from contacting (in person or through a third-party) any otherwise involved parties/witnesses, including any of the PAB members.
- j) The PAB Chair may, at the PAC Chair's sole discretion, limit contact or interaction between impacted parties, witnesses and responding student(s), during the PAB hearing.
- k) The PAB Chair may dismiss any person, including the responding student(s), who disrupts a hearing, and the PAB hearing would then continue in that person's absence without the benefit of their participation.
- l) At the conclusion of the PAB hearing, the PAB shall deliberate in closed session to decide the case. The PAB shall make a determination of responsibility based on a majority vote.
- m) If the responding student(s) is found responsible, the PAB shall document their decision by including the information that supports their finding of responsibility and shall recommend sanction(s) for consideration by OSC. The PAB Chair shall then send their decision to the conduct administrator for the case. The OSC shall consider the decision and decide whether to accept the outcome, clarify the outcome if there is not enough detail to support the finding of responsibility, or make amendments as needed, based on the case information and rationale of the PAB.
- n) Once the OSC has arrived at a final decision, the OSC shall send the responding student notification of the outcome of the PAB hearing, including, if applicable, any sanction(s), and/or appeal process within five (5) days.
- o) The student may appeal the outcome of the hearing to the OSC within five (5) calendar days from notice of their administrative outcome.
- p) In situations where multiple students are alleged to have violated this Code based on their behavior in one incident, the OSC may, at its discretion, hold a joint PAB hearing for all of the alleged students. In a joint hearing, all information and testimony provided are reviewed for all alleged students, and the PAB makes an independent decision with respect to each student regarding responsibility and, if applicable, what sanctions are to be recommended to the Office of Student Conduct.

The PAB may adopt additional procedures and rules as deemed necessary for the orderly operation of the hearing, provided that those procedures and rules do not conflict with the provisions of this Code.

VI. Conduct Council Panel Hearings

A Conduct Council Panel Hearing is a proceeding that is intended to review conduct cases involving allegations assigned to the Council by the Office of Student Conduct (OSC). A Conduct Council Panel hearing may be held in person or in a virtual setting based on the availability of Conduct Council representatives and involved parties. In instances where the OSC determines that a report should be

resolved through a Conduct Council Panel Hearing, the OSC shall assign a conduct administrator who will notify the responding student(s) that the report will be addressed through a Conduct Council Panel Hearing, and the following procedures and rules shall apply:

- a) A Conduct Council Panel (CCP) shall consist of five (5) members of the Conduct Council: a Chair appointed by the OSC, two faculty and/or staff representatives, and two student representatives. The responding student(s) may elect to waive this composition breakdown. Such an election must be made in writing to the OSC. If waived, the student may not file an appeal based on the grounds that the waived right was not provided.
- b) The OSC will notify the responding student(s), and any impacted parties, at least seven (7) days before the scheduled date of the CCP hearing. The notification will include the date, time and location of the CCP hearing; a list of witnesses who will be asked by the University to attend; identification of the alleged violation(s); and provide the opportunity for a pre-hearing meeting with the OSC.
- c) The responding student(s) must provide all witness information and case materials relevant to the case under review that the responding student(s) wishes to be considered by the PAB to the OSC at least three (3) days prior to the CCP hearing. Information submitted after that deadline cannot be guaranteed to make it before the CCP for review at the hearing or during deliberations.
- d) If the responding student(s) wishes to have an advisor attend the CCP hearing, the responding student(s) must provide to the conduct administrator the full name and Emory title of the advisor at least three (3) days prior to the hearing.
- e) The responding student(s) have the option to schedule a pre-hearing meeting at least three (3) days prior to the scheduled CCP hearing with the conduct administrator, as detailed in the notification. At that pre-hearing meeting, the OSC will review the CCP hearing process and answer any questions the responding student(s) has about that process. The OSC will also confirm the information that will be before the CCP at the hearing. The responding student(s) may provide additional documentation relevant to the case during this meeting that the responding student wants before the CCP during the hearing. Failure to schedule a pre-hearing meeting does not waive the right of the responding student(s) to raise any issues that the responding student(s) wishes to raise at the CCP hearing.
- f) Failure on the part of the responding student(s), impacted parties, advisor(s), or witnesses to attend the CCP hearing will result in the CCP determining the responsibility and outcome related to the alleged misconduct without the benefit of their participation.
- g) The University may require any student to attend and/or to give a statement relevant to the case under consideration. If a student cannot attend the CCP hearing, the CCP Chair has the discretion to allow that student to submit a signed written or recorded statement. The University may request the attendance of a faculty or staff member, or alternatively request that a faculty or staff member submit a written or recorded statement for consideration. The CCP Chair has the discretion to allow that faculty or staff member to submit a signed written, or recorded, statement.
- h) Other than their own witnesses, responding student(s) and impacted parties should refrain from contacting (in person or through a third-party) any otherwise involved parties/witnesses, including any of the assigned CCP members.
- i) The OSC shall make audio recordings are made of these proceedings for the purposes of retaining a record of the CCP hearing and for the CCP's use during deliberations and for use during any appeal process. This recording will be a part of the case file, property of Emory University, and its disclosure is governed by the applicable policies and laws governing disclosure of those records. Deliberations will not be recorded. No other recordings of the proceedings are permitted and will not be considered for use during the CCP's deliberations or through any appeal process.
- j) The CCP Chair may, the CCP Chair's sole discretion, limit contact or interaction between impacted parties, witnesses, and the responding student(s), when present at a CCP hearing.
- k) The CCP chair may dismiss any person who disrupts a hearing, including the responding student(s), and the hearing would then continue in that person's absence without the benefit of their participation.
- l) The CCP Chair shall have the discretion to determine whether information and statements may properly be considered in the proceeding, as well as whether certain questions are appropriate to ask by the CCP during the hearing. However, legal rules of evidence applicable to court proceedings shall not apply.
- m) The responding student(s), and the impacted parties, if any, will be permitted to attend the hearing, except when the CCP enters into deliberations.

- n) After the hearing, the CCP shall deliberate in closed session to decide the case. The CCP shall make a determination of responsibility based on a majority vote.
- o) If the responding student(s) is found responsible, the CCP shall document their decision by including the information that supports their finding of responsibility and shall recommend sanction(s) for consideration by OSC. The CCP Chair shall then send their decision to the conduct administrator for the case. The OSC shall consider the decision and decide whether to accept the outcome, clarify the outcome if there is not enough detail to support the finding of responsibility, or make amendments as needed, based on the case information and rationale of the CCP.
- p) Once the OSC has arrived at a final decision, the OSC shall send notification of the hearing outcome to the involved parties, including sanction(s) imposed, if applicable, and/or appeal process within five (5) days.
- q) In situations where multiple students are alleged to have violated the Code based on their behavior in one incident the OSC may, at its discretion, hold a joint Conduct Council Panel hearing for all of the responding student(s). In a joint hearing all information shall be reviewed for all responding students and the CCP shall make independent decisions with respect to each student's responsibility and, if necessary, recommend appropriate sanction(s) for each student.

The Council may adopt additional procedures and rules as deemed necessary to the orderly operation of the hearing, provided that those procedures and rules do not conflict with the provisions of this Code.

VII. Adaptable Conflict Resolution

This Code seeks to foster a system that prioritizes accountability, personal growth and development, and restorative justice within the University community. In alignment with this purpose, the OSC offers resolution through Adaptable Conflict Resolution (ACR) in some cases. If the OSC considers a report to be one that is eligible for ACR, or if the responding student(s) request that option, the conduct administrator will meet with the impacted parties to explain ACR and determine if they would like to pursue that option. If the impacted parties are comfortable doing so, the conduct administrator will meet with the responding student(s) to see if they would also want to explore the option of ACR. During the meetings with both the impacted parties and responding student(s), the conduct administrator will discuss the ACR options-conflict coaching, restorative justice circle, mediation, and shuttle diplomacy.

- a. Conflict Coaching - a personalized approach used to help individuals develop the skills and strategies needed to engage in, manage, or resolve conflicts effectively. This technique is particularly useful in educational settings where individual growth and interpersonal skills are emphasized.
- b. Restorative Justice Circle (RJC) - a structured process designed to address conflicts and misconduct within a community by promoting understanding, healing, and resolution through collaborative dialogue
- c. Mediation - a resolution process where a neutral third party, called a mediator, helps disputing parties find a mutually acceptable solution to their conflict.
- d. Shuttle Diplomacy - a resolution method where a neutral third party acts as an intermediary, communicating between disputing parties who do not meet face-to-face. This method is particularly useful when direct communication is not possible or could exacerbate tensions.

A responding student need not accept responsibility for violating the Code in order to engage in the ACR pathway. Either the impacted party or responding student(s) may request to engage in ACR at any time. If during an attempt at resolving a report through ACR, responding student(s), impacted parties, and OSC cannot reach an agreement, then the matter is forwarded to an Educational Conference or Conduct Council Panel hearing.

These types of proceedings are separate and distinct from responding student(s) being assigned a sanction from a hearing resulting in a restorative justice circle or mediation.

8.1.4. Interim Action(s)

Following OSC's receipt of a report, the University reserves the right to take prompt, interim, necessary, and appropriate action to protect the safety and well-being of the campus community. The AVP/DOS is charged with the welfare of all students. Accordingly, in appropriate situations, the AVP/DOS or their designee has full discretion and authority to deal with student conduct according to the exigencies of the situation and for its duration.

This can include, but is not limited to, an immediate interim suspension with conditions if the allegations in the report and other information available to the OSC reasonably imply there is a serious risk of harm to the University community as a whole or to individuals within it.

After an interim action has been imposed, the responding student(s) may submit a written request to the AVP/DOS for modification and/or removal of the interim action(s) within five (5) days of receipt of the notification of interim action. The written request for removal/modification of the interim action(s) should detail the basis for the request, including any relevant documentation. The AVP/DOS or designee will schedule a meeting with the responding student(s) to review the reasons for the interim action(s) and give the responding student(s) an opportunity to address the information upon which the original decision for interim action(s) was based. The AVP/DOS will then notify the responding student(s) in writing of the outcome of their request for removal/modification of interim action(s) within five (5) days following their meeting. Interim action(s) may be continuously reviewed by the AVP/DOS and OSC throughout the duration of the conduct process to evaluate if edits need to be made.

8.1.5. Rights of Involved Parties

Responding student(s) and impacted parties participating in the conduct process shall have the following rights:

1. The right to receive information about the conduct process and their status in the process.
2. The right to review all information used to make decisions regarding being charged with violating this Code, applicable findings of responsibility and sanction(s).
3. The right to present information during a proceeding, whether it is with a Conduct Administrator, Peer Accountability Board Hearing, or a Conduct Council Panel Hearing.
4. The right to request reasonable accommodation(s) due to disability.
5. Responding student(s) and impacted parties have the right to have one (1) advisor attend as defined in Section 8.1.6.
6. Peer Accountability Board (PAB), or Conduct Council Panel (CCP) Hearing - Students participating shall have the following additional rights:
 - a. The right to a written notice of allegations.
 - b. The right to a list of witnesses and impacted party who will be asked by the University to provide a statement and answer questions at the hearing, as well as the opportunity to review all information provided to the PAB or CCP for consideration.
 - c. The right to present information or to call witnesses not already called by the University to attend or submit written statements. Additional witnesses must have the prior approval of the Office of Student Conduct (OSC) or PAB/CCP Chair. It is the responsibility of the responding student(s) to notify any additional witnesses not called by the University of the time, date, and location of the hearing.
 - d. The right to request questions for the PAB/CCP Chair to pose to a witness. The PAB/CCP Chair has the discretion to decline to ask a question if deemed not relevant or appropriate.
 - e. Responding student(s) may elect to waive some or all of these procedures and rules. Such an election must be made in writing to the OSC. If waived, the student may not file an appeal based on the grounds that the waived right was not provided.

8.1.6. Advisors

Responding student(s) and impacted parties participating in the student conduct process may be accompanied by one (1) advisor for all meetings and hearings outlined in this Code. Advisor(s) are not assigned by the Office of Student Conduct (OSC). Responding student(s) and impacted parties are able to select their own advisor from among University personnel. Parents/guardians, family members, and caregivers are ineligible to serve as advisors. Witnesses or University officials who serve in a role deemed confidential are ineligible to serve as advisors. University personnel employed in the offices responsible for the conduct process, along with those in the reporting lines above them, personnel employed by the Office of the General Counsel, and others whose participation could create a

conflict of interest such as an Emory Student Health or Wellbeing provider are also not eligible to serve as advisors. Any student who elects to be accompanied by an advisor should notify the OSC at least three (3) days in advance of any scheduled meetings or hearings.

During meetings with the conduct administrator, advisors are permitted to address the conduct administrator by asking questions; however, advisors are not permitted to speak on behalf of the student they accompany. In PAB and CCP hearings, advisors are not permitted to address the hearing body, speak on behalf of the student they accompany, or question witnesses. A student may consult with the advisor during breaks in the hearing, or an advisor may communicate with the responding student(s) or impacted parties during the hearing, provided such comments do not interfere with the hearing process. Advisors are prohibited from taking any action that interferes with the conduct process, including, but not limited to harassing, intimidating, or attempting to inappropriately influence University officials or any student or non-student participants (e.g., witnesses or other advisors) in the conduct process. Advisors who are unable to follow these requirements may be removed from the meeting/hearing at the discretion of the conduct administrator or Chair responsible for the proceeding. Additionally, students may be held accountable for the behavior of their advisors. To protect the educational and non-adversarial nature of the conduct process, guidelines for participation of advisors will be strictly enforced.

8.1.7. Outcomes/Sanctions

In determining appropriate sanctions, consideration may be given to:

- a) the nature of, severity of, and circumstances surrounding the violation;
- b) the responding student's acceptance of responsibility;
- c) conduct history of the responding student(s);
- d) the impact of a sanction on a responding student(s);
- e) previous cases involving similar conduct; and
- f) any other information deemed relevant by the hearing body/conduct administrator including mitigating or aggravating factors

The following sanctions, singularly or in combination, may be imposed upon any responding student found to have violated this Code.

- a) Expulsion: permanent separation of the student from the institution. An expelled student will be removed from all classes and not permitted to re-enroll. Expulsion will be reflected on the student's dean certification. Expelled students may be barred from campus following their expulsion.
- b) Suspension: temporary separation of the student from the institution for a period of time. A suspended student will be removed from all classes and not permitted to re-enroll while the suspension is in effect. Suspension may either be definite -for a specific period of time, such as a number of semesters- or indefinite, meaning the suspension is in effect until certain conditions are met by the student that allow for readmission. Suspension will be reflected on the student's dean certification. Suspended students may be barred from campus and/or from utilizing campus services during the term of their suspension.
- c) Disciplinary Probation: formal recognition that the student is not currently in good disciplinary standing with the university. Probation may impact the student's eligibility to participate in certain programs, services, or the ability to be considered for a leadership role, position, or opportunity. Probation may either be definite - for a specific period of time, such as a number of semesters or until completion of an undergraduate degree. Disciplinary probation will be reflected on the student's dean certification.
- d) Formal Warning: a notice in writing that the student has violated institutional regulations and must cease and not repeat the conduct or behavior in issue.
- e) Loss of Privileges: denial of specified privileges for a designated period of time. This sanction may include, for example, denial of the right to represent the university in such things as student leadership capacities or sports teams; denial of the use of campus facilities; denial of parking privileges; or loss of privileges to participate in organizations, activities, or events.
- f) Housing Restriction/Relocation: may include temporary or permanent restriction or removal from campus housing facilities or campus housing relocation.
- 20. No Contact Directive: a prohibition against having any form of contact with another individual for a defined period of time. Such contact includes, but is not limited to, in person communication, direct messaging, telephone calls, e-mail or other electronic means (including social media), or sending messages through a third party. It is the policy of the University to make all no contact directives reciprocal. In appropriate circumstances, a no contact directive may be put in place at the discretion of the AVP/DOS or their designee and without regard to the preference of the student. A no contact directive should not be interpreted as a

finding of any violation of University policy; however, it can be issued as a part of a sanction. No contact directives remain in place until they are expressly removed in writing by the AVP/DOS or their designee. In addition to the Office of the Dean of Students, the department of Title IX, Emory Police Department, and the Office of Residence, Fraternity and Sorority Life, in addition to other applicable offices at the discretion of AVP/DOS shall be informed about no contact directives.

- g) Restitution: compensation for loss, damage, or injury. This may take the form of service, monetary compensation, or material replacement. Restitution agreements seek to meet the needs of those impacted but may also take into account the responding student's access to resources (e.g., money, time).
- h) Mandated Community Service: completion of either a specific number of hours of volunteering/community service or the completion of a specified number of service projects with an on- or off-campus agency/area as verified and approved by the Office of Student Conduct.
- i) Mandated Meetings: required attendance of a meeting(s) with a university official or approved third-party individual under the direction of the Office of Student Conduct. This may be assigned for educational, disciplinary, or wellbeing intent.
- j) Educational Projects/Initiatives: projects, classes or assignments designated to educate a student or organization in connection with the effects of his/her behavior.
- k) Other: other sanctions as deemed appropriate by a hearing body with the consultation of the Office of Student Conduct.

Academic Hold

The university reserves the right to place a hold on the diploma, degree certification, official transcripts, or registration of the alleged student even if all academic requirements have been completed. The diploma, degree certification, official transcripts, or registration may be withheld until any allegations of misconduct are resolved and/or sanctions as well as other conduct obligations completed.

8.1.8. Appeals

Students found responsible for violation(s) of this Code may appeal the outcome of the process. Appeals are limited to a review of the existing file for one or more of the following purposes:

- a) To determine if the process was conducted in conformity with the procedures outlined by this Code. Deviations from proscribed procedures will not be a basis for an appeal unless it is determined that the deviation substantially impacted the outcome of the process.
- b) To consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the student appealing at the time of the appeal.

Appeals must be submitted within five (5) calendar days from the day the student is notified of the outcome of the case. The appeal must be submitted in writing utilizing the process detailed in the written notification of the decision for the Educational Conference meeting, when applicable; Peer Accountability Board Hearing; or Conduct Council Panel Hearing. The appeal must specifically allege and factually support one or more of the appellate grounds. The appeal must include all relevant information to support the appeal submission. An initial review of the appeal will be done by the OSC to ensure the appeal states the grounds for appeal and is received in a timely manner. If the appeal does not clearly state the grounds for appeal and/or is not based on the specified grounds provided, then the original decision including the finding and sanction(s) will be final.

Appeals are not re-hearings of the case. Generally, sanctions associated with the process will be held in abeyance until the appeal is decided, unless there is safety or other significant risk involved in which the AVP/DOS or designee may require implementation of a sanction such as campus or housing restriction.

Once an appeal is properly submitted, the appeal is reviewed by the appellate officer, which is the AVP/DOS or their designee. The appellate officer will have the option to utilize an appellate board comprised of at least one (1) undergraduate student and two (2) faculty or staff representatives selected from the eligible Conduct Council pool to assist with appellate reviews. The appellate process includes a review of the written appellate request, including accompanying documentation; OSC's appeal response in cases of administrative decisions without agreement and/or instances where the responding student(s) did not attend their meeting; and the case information, including the entire record from any applicable hearing, to determine a final decision regarding the appeal. The Appellate Officer will decide on one of the following outcomes:

- a) Affirm the original finding and sanction.
- b) Affirm the original finding but issue a new sanction, which may be of greater or lesser severity.
- c) Remand the case back to the hearing body to correct a procedural or factual defect. The outcome of a remanded case may again be appealed.
- d) Dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. A dismissed case shall result in appropriate updates to the original decision via the student's disciplinary record for the case.

The outcome of the appeal will be communicated to the involved parties (as defined in Section 8.1.9) by email with details of the rationale that determined the outcome within ten (10) days of the decision. The decision presented by the Appellate Officer provides the University's final decision regarding the matter. Outcomes from a resolution without a hearing or an administrative resolution involving a student accepting responsibility cannot be appealed.

8.1.9. Notices

I. Interpretation

Any question of interpretation or application of this Code shall be referred to the Associate Vice President/Dean of Students or their designee for final determination. The AVP/DOS cannot comment on a case until after the appeal window has expired and/or received a final determination.

II. Parental/Guardian, Family, and Third-Party Notices

- a. Emory University recognizes that students are adults and responsible for their conduct and any associated consequences resulting from their decisions. Therefore, it is left to the responding student(s) to notify their parent/guardian or self-directed third parties about being involved in the conduct process, with few exceptions.
- b. Conversations are between the University and its students. If a responding student involves a third party in the conduct process, the University's staff will provide information to that third party in alignment with the Family Educational Rights and Privacy Act (FERPA). Except as detailed in this section, the responding student must submit a signed consent form to waive their confidentiality for the University to engage with the third party. Responding student(s) must directly participate in the process, and the third party cannot serve as a proxy for the student in this process as specified in Section 8.1.6.
- c. In cases where a responding student is found responsible for violation(s) of this Code and is under the age of twenty-one and is also financially dependent (as noted on federal tax forms), parents and legal guardians will be notified when:
 - 1. The responding student is found in violation of alcohol or drug related regulations and is given the sanction of Expulsion, Suspension, or if the responding student accrues more than one semester of Disciplinary Probation.
 - 2. The responding student is found in violation of physical misconduct or conduct prohibited under Policy 8.2 or 8.11 towards another person and is given the sanction of Expulsion, Suspension, or if the responding student accrues more than one semester of Disciplinary Probation.
- ii. Parents and legal guardians will be notified of such decisions only after the conclusion of all appropriate appeal processes.
- iii. In some cases, responding student(s) may provide bona fide reasons why parental/guardian notification may result in a significant hardship for the responding student, including but not limited to, potential violence, financial abandonment, or significant impact to the responding student's emotional/mental wellbeing that could result in the responding student's withdrawal from the University. In such instances the responding student should submit a request for parental/guardian notification waiver to the Office of Student Conduct or designee who will review the request and issue a final determination.
- iv. Parents and legal guardians will be notified via a letter sent to the responding student's permanent address and/or email address.
- v. Once notified, parents and legal guardians will be provided full disclosure of the specific incident leading to the sanction upon written request. Request for access to previous or subsequent conduct records for a responding student (except for those meeting the criteria outlined in Section 8.1.9. II. a.i. above) will require a signed consent form from the responding student.

- d. The University reserves the right to notify a parent/guardian, family member, or designated third party without a student's prior consent in health or safety emergencies. Additionally, the (AVP/DOS) or designee may involve a parent/guardian, family member, or designated third party of a responding student who is in jeopardy of being separated from the University when, in their judgment, such involvement will aid the responding student in the pursuit of their educational goals.
- e. In situations of reported acts of violence against person(s) and where contact information is available, the impacted party(ies) will be notified of the initiation of the conduct process, any issuance of a No Contact Directive, findings of the meeting/hearing, any imposed sanction(s), and the opportunity to appeal, subject to applicable provisions under governing law.
- f. In situations of reported acts of damage to property, theft, or similarly suited behavior(s) and where contact information is available, the impacted party(ies) will be notified of any issuance of a No Contact Directive and/or when restitution has been imposed.

III. Confidentiality, Maintenance, and Retention of Records

The Office of Student Conduct (OSC) shall:

1. Maintain files on all undergraduate student conduct reports, records, and hearing proceedings according to procedures established by the OSC and Emory University;
2. Be the official custodian of records relating to the non-academic and/or non-Office of Institutional Equity and Compliance related misconduct of undergraduate students;
3. Retain records of all conduct cases that result in a finding of responsibility for at least the entire tenure of a student's enrollment with the university; and
4. Establish additional policies regarding the retention and maintenance of student conduct records, and such policies shall conform to established university policies on record retention.

Conduct records may be shared within the university with those individuals with an educational need to know, as provided by federal law. To the extent permitted or required by law, the impacted parties may also receive notice of the outcome of the conduct process. Students should be aware that the outcome of conduct proceedings may result in actions by other departments of the university over which the OSC has no direct control. Conduct records may also be released to other institutions as permitted or required by applicable law.

Formal notification of conduct action resulting in university suspension or expulsion shall be forwarded to the dean of the student's school of record by the OSC. The dean of each school shall determine how documentation of a suspension will be stored and/or referenced within the school's records.

All conduct records (including reports, case information, and case outcomes, shall be in the records of the Office of Student Conduct for seven (7) years from the end of the academic year in which the incident was reported. Conduct cases resulting in suspension or expulsion shall be maintained indefinitely as required by the department's retention policy.

IV. Reporting Student Conduct Records

Student conduct matters that are considered "reportable" to outside agencies (e.g., potential employers, graduate or professional programs) vary greatly across higher education institutions. As a result, what the Office of Student Conduct at Emory University reports as part of an undergraduate student's conduct record may or may not be considered "reportable" under another university or college's policy.

The OSC reports pending cases and outcome(s) where a responding student was found responsible for a violation(s) of this Code that yielded a sanction of Expulsion or Suspension. A finding of responsibility is usually accompanied by educational sanctions which are also reported.

Student conduct records are maintained separate from all other student records as detailed in 8.1.9.III. When the OSC reports that a student has or does not have a student conduct record it is under the parameters described above. Emory University undergraduate students are encouraged to disclose any disciplinary action taken against them, whether reportable by the University or not. Therefore, there may be occasions where the OSC is unable to verify a student's self-disclosed conduct or data which is of a personal nature.

V. Related Links

- Current Version of This Policy: <http://policies.emory.edu/8.1 Undergraduate Code of Conduct>
(<http://conduct.emory.edu/policies/code/index.html>)

VI. Contact Information

Subject	Contact	Phone	Email
Clarification of Policy	Office of Student Conduct	404-727-3154	conduct@emory.edu
Policy Posting	Campus Life Central	404-727-4364	campuslife@emory.edu

VII. Revision History

- Version Published on August 26, 2024 (changes to reflect current university practices and administrative processes for case resolution)
- Version Published on: [Sep 21, 2018](#) (*Updated SVP to VP, contact emails, etc.*)
- Version Published on: [Aug 15, 2017](#) (*wording change in If and IIb*)
- Version Published on: [Nov 18, 2014](#) (*annual review/changes to policy*)
- Version Published on: [Jan 13, 2014](#) (*discriminatory harassment policy*)
- Version Published on: [Aug 24, 2012](#) (*8/24/2012 - add student organization procedures and Interim Actions*)
- Version Published on: [Aug 30, 2011](#) (*changes on file in Office of Student Conduct*)
- Version Published on: [Aug 17, 2010](#) (*Changes on file in Senior VP Office (call 404-727-4364)*)
- Version Published on: [Aug 04, 2009](#) (*annual changes made in July 2009*)
- Version Published on: [Aug 22, 2008](#) (*Specific sections revised from 2008 on file in Student Conduct Office*)
- Version Published on: [Jan 04, 2008](#) (*Expectations of Conduct, section IV (f); Definitions-last entry*)
- Version Published on: [Jun 28, 2007](#)
- Version Published on: [Mar 26, 2007](#) (*Original Publication*)