

student and suggest questions or points of clarification for him/her to raise.

6. The chair convenes the meeting in accordance with the Judicial Procedures outlined in the Judicial Review Board Manual. The College and the accused student may present witnesses and the Judicial Review Board members may ask for additional witnesses to appear before the Board. Character witness testimony is not permitted.
7. After the meeting, the Judicial Review Board deliberates in closed session and determines, by majority vote based upon a considered preponderance of the relevant facts and circumstances available during the Meeting, whether the accused student is responsible for the violation as charged and, if so, the appropriate sanctions. The accused student's prior Disciplinary Record will be brought forward by the Procedural Advisor during the sanctioning phase and will be considered as sanctions are determined.
8. After rendering a decision, the Judicial Review Board chair informs the Procedural Advisor of the decision, who informs the student. The Judicial Review Board chair provides the Procedural Advisor with a written statement of the outcome as soon as practicable after the meeting. The Director of Residence Life or Vice President of Student Life provides a written decision letter to the student within ten (10) business days of the close of the Judicial Review Board Meeting.

VIOLATIONS

The conduct outlined below constitutes violations of the Green Mountain College Student Conduct Code:

Academic Dishonesty: Any act of academic dishonesty including collaboration, copying, plagiarism, forgery, fabrication, inadequate or inappropriate citation, or invasion or theft of information. See *The Green Mountain College Catalog* for specific violations and methods of resolution. *Level I, II, III*

Aggressive behavior: Acting with violence, aiding, abetting or encouraging the commission of any act of violence, or potentially life-threatening behavior toward another person. Engaging in the use of threatening, harassing or abusive language, actions or behavior. *Level II, III*

Alcohol: Students must abide by Vermont and federal law in the purchase, distribution and/or consumption of alcohol. The following constitute specific violations of the alcohol policy:

Underage Possession/Consumption. In accordance with Vermont and federal law, minors are prohibited from consuming or possessing alcohol in Green Mountain College residence halls or on any College property. *Level I, II, III*

College functions. Alcoholic beverages are prohibited at all College functions in which students are in attendance, including (but not limited to) dances, concerts, athletic events, and dinners, without special advance permission from the Vice President of Student Life. *Level I, II, III*

Open container. Alcoholic beverages and open containers of alcoholic beverages are prohibited in all public areas, both in the buildings and on the grounds, regardless of age. Students of legal age who are transporting alcoholic beverages must have them in concealed containers (such as a shopping bag, backpack, etc). *Level I, II*

Intoxication. Impairment as the result of intoxication does not relieve a student of responsibility for the consequences of his or her actions or the actions of his/her guests. Intoxication in public areas is strictly prohibited, regardless of age. *Level I, II, III*

Private rooms. Alcoholic beverages may be in the possession of or consumed in the residence halls only by students or visitors of legal age in rooms classified as "wet". A room is defined as "wet" only where all assigned resident(s) and guests in attendance of residents of the room are of legal age. A room to which one or both occupants below the legal drinking age is assigned is classified as "dry." All students present in a "dry" room where alcoholic beverages are present are in violation of the Alcohol Policy, regardless of age. *Level I, II, III*

Providing alcohol to minors. Students who purchase for or provide alcohol to minors are in violation of Vermont State Law as well as the Green Mountain College Conduct Code. *Level III*

Bulk containers. Bulk containers are prohibited on College property. A bulk container is defined as, but not limited to: kegs, beer balls, or alcoholic punch in excess of one gallon. All students present in a room or area where a bulk container is present are in violation of the Alcohol Policy. *Level I, II, III*

Public display. Students may not display advertisements or items (i.e. signs, posters, photographs, bottles) that promote illegal drug and/or alcohol products in the public spaces of the campus, (i.e. hallways, lounges, bathrooms, windows of residence halls, etc.). *Level I, II*

Health and Safety: Alcohol bottles and containers (full or empty) are not permitted as decorations in residence hall rooms. They may be confiscated during routine Health and Safety inspections or at the

discretion of Residence Life or Security staff. *Level I*

Off-campus. Green Mountain College reserves the right to assign disciplinary sanctions to students based on socially irresponsible and/or illegal alcohol-related incidents that occur off-campus. *Level I, II, III*

Destruction of property: Damage, destruction, or theft of College property or property belonging to others; failure to report accidental damage. *Level I, II, III*

Disrespectful Conduct: Language or behavior that disrespects and/or demeans another person. *Level I, II*

Disruptive Conduct: Interference with any class or other College function by any form of deliberate disturbance or disruption; noise or general disorderliness that creates an unreasonable disturbance and/or trespasses on the rights of others. Lewd or indecent behavior, including use of electronic or other devices to make an audio or video record of any person without his/her consent. No student shall engage in behavior that poses a direct threat to the health or safety of self or others. *Level I, II, III*

Drug Paraphernalia: Possession, use, storage, or sale of drug paraphernalia or use of paraphernalia in connection with the use of illegal drugs. *Level I, II*

Drugs: Possession, use, manufacture, storage, distribution, or sale of illegal or controlled substances. Illegal drugs, as referred to in this policy, include drugs that are not legally obtainable, as well as drugs that are legally obtainable but are obtained or distributed illegally or used for illegal or unauthorized purposes. *Level II, III*

Failure to comply: Failure or refusal to cooperate with a reasonable request by a College official (or emergency response or law enforcement personnel) acting in good faith and within the scope of his/her duties, including but not limited to, failure to cease the prohibited conduct, failure to produce identification, failure to respond to judicial notification letters, or interference with or failure to cooperate with an investigation by the College, including any meetings or proceedings that occur. *Level I, II, III.*

Falsification: Providing false information to any College office or official or providing false information during a disciplinary proceeding. *Level I, II, III.*

Fire Safety: Including, but not limited to the following:

- * misuse of fire safety equipment (including but not limited to fire extinguishers, sprinkler system, etc.) *Level II, III*
- * false reporting of a fire *Level III*
- * tampering with or causing malfunction of a pull station *Level III*
- * tampering with a smoke detector *Level I, II*
- * setting or causing a fire in a building *Level II, III*
- * setting or causing a fire in any outdoor area without advance approval *Level I, II, III*
- * remaining in a building during a fire alarm *Level I, II*

Fireworks: Possession or use of fireworks, smoke bombs, etc. *Level I, II, III*

Gambling: Gambling as prohibited by state or federal law. *Level I, II, III*

Harassment: Written or verbal annoyances, threats, pestering, or teasing that causes or would be likely to cause any reasonable individual worry, trouble, or concern or that demeans or degrades another person. *Level I, II, III*

Harassment on the Basis of Protected Characteristics: Any biased behavior based upon race, gender, gender identity, age, national origin, ethnic origin, religion, disability, sexual orientation, or other characteristic identified in the College's non-discrimination statement, and of a nature and level prohibited by the College's Anti-Harassment Policy as outlined in this Handbook. *Level I, II, III*

Hazing: Violation of the Hazing policy as outlined in this Handbook. *Level I, II, III*

Host Responsibility: Green Mountain students are responsible for the registration and behavior of their guests or visitors in accordance with the Guest Policy as outlined in the Residence Life Policies and Regulations. *Level I, II, III*

Improper Assistance: To assist or encourage others to commit any of the prohibited acts stated in the Student Conduct Code. *Level I, II, III*

Local, State and Federal Laws: Being charged with or convicted of the violation of local, state, or federal laws or ordinances. *Level I, II, III*

Motor Vehicles: Violation of the Motor Vehicle policy as outlined in this Handbook. In addition, continued violations of the Motor Vehicle Policy may be referred for judicial action. *Level I, II, III*

Network Acceptable Use Policy: Any abuse or interference with computers or computer access that disrupts or infringes on the rights of others as outlined in this Handbook and in the *Green Mountain College Catalog*. *Level I, II, III*

Other College Policies: Violations of other published College policies in hard copy or available on the College website, including but not limited to, the *Green Mountain College Academic Catalog*, the *Green Mountain College Athletic Department Handbook*, the Handbook for Registered Student Clubs, policies relating to discrimination, discriminatory harassment, sexual harassment, computer use and residence halls.

Residence Halls: Violation of the Residence Hall Policies and Procedures as outlined in this Handbook. Violation of the Residence Hall Contract. *Level I, II, III*

Sexual Harassment: Violation of the Sexual Harassment Policy as outlined in this Handbook. *Level I, II, III*

Sexual Misconduct: Violation of the Sexual Misconduct Policy as outlined in this Handbook. *Level I, II, III*

Smoking: Smoking is not permitted inside any College building or within fifty feet of campus buildings or in College vehicles. *Level I, II, III*

Theft: Unauthorized acquisition, removal or use of personal or College property, also including computer files or data, email or other electronically stored information or service; mutilation and/or theft of library material. Possession of property on College premises stolen from the College or from others. *Level I, II, III*

Unauthorized entry or use: Illegal or unauthorized entry into any College facility. Using or attempting to use College property in a manner inconsistent with its designated purpose. Tampering with property, services, or resources belonging to the College, guests, or approved vendors. Duplication of keys, computer, computer access codes or other devices meant to provide access to unauthorized areas or information. *Level I, II, III*

Weapons: Possession and/or use of a dangerous article or substance with the potential to injure or discomfort a person. Possession and/or use of unregistered firearms, ammunition or other weapons (or items that may be construed as weapons) on College property. Examples of weapons include, but are not limited to, rifles, shotguns, handguns, ammunition, paintball guns, bows/arrows, BB guns, mace, and swords. *Level I, II, III*

In addition to these specific violations, students are also responsible for the community in which they live. Failure to report and/or vacate the premise in which a violation of the Student Conduct code is taking place, may result in disciplinary actions.

SANCTIONS

The following are recommended sanctions corresponding to the three levels of violations outlined in the previous section. Repeat instances of the same or different violations may result in an increased level of sanction being assigned. Sanctions are imposed in the course of proceedings as outlined in the Resolution of Complaints section. The sanctions outlined below serve as a guide. The adjudicating Student Life staff member or the Judicial Review Board determines final sanctions based on the specific facts and circumstances of the incident. In addition to the recommended sanctions outlined below, certain violations carrying specific sanctions are outlined at the end of the section.

All documented violations for which a student is found responsible are kept in judicial files as outlined in the Disciplinary Records section below. For sanctioning purposes, Level I violations do not carry over from one academic year to the next. Level II or Level III violations from previous years may be taken into consideration in the sanctioning phase at the discretion of the Student Life staff member or the Judicial Review Board adjudicating the case.

Level I Violations

Level I violations may only be adjudicated in an Informal Resolution or a Conduct Review Meeting and may not be referred to a Judicial Review Board. Any or all of the sanctions outlined below may be applied. Sanctions include, but are not limited, to the following:

- * Up to 1 semester Disciplinary Probation
- * Up to 6 hours Community Restitution
- * Educational Sanctions
- * Written Warning
- * Monetary Damages, if applicable
- * Fines
- * Parental Notification

- * Wellness Center Referral
- * Specific sanctions as outlined in the Fire Safety, Alcohol, Drug, Smoking, Residence Hall, or Destruction of Property section outlined below, if applicable.

Level II Violations

Level II Violations may be adjudicated in an Informal Resolution, Conduct Review Meeting or by the Judicial Review Board. The Director of Residence Life and/or the Vice President of Student Life may also adjudicate Level II Violations. Any or all of the sanctions outlined below may be applied. Sanctions include, but are not limited to, the following:

- * Up to 1 year Disciplinary Probation
- * Up to 12 hours Community Restitution
- * Educational Sanctions
- * Monetary Damages, if applicable
- * Written Warning
- * Fines
- * Parental Notification
- * Wellness Center Referral
- * Removal from College housing (without refund of room and board)
- * Disciplinary Suspension (without refund of tuition, room, board and fees)
- * Specific sanctions as outlined in the Fire Safety, Alcohol, Drug, Smoking, Residence Hall, or Destruction of Property section outlined below, if applicable.

Level III Violations

Level III Violations may be adjudicated in a Conduct Review Meeting or by the Judicial Review Board. The Vice President of Student Life may also adjudicate Level III Violations. Any or all of the sanctions outlined below may be applied. Sanctions include, but are not limited to, the following:

- * Up to 1 year Disciplinary Probation
- * Up to 20 hours Community Restitution
- * Educational Sanctions
- * Monetary Damages, if applicable
- * Fines
- * Parental Notification
- * Wellness Center Referral
- * Removal from College housing (without refund of room and board)
- * Disciplinary Suspension (without refund of tuition, room, board and fees)
- * Disciplinary Expulsion (without refund of tuition, room, board and fees)
- * Specific sanctions as outlined in the Fire Safety, Alcohol, Drug, Smoking, Residence Hall, or Destruction of Property section outlined below, if applicable.

Violation Specific Sanctions

The following sanctions may apply to the specific violations of the student conduct code identified below.

Alcohol Sanctions	
First Offense	\$75 Maximum Fine, parental notification, educational sanction
Second Offense	\$150 Maximum Fine, parental notification, Disciplinary Probation, Wellness Center referral, possible Suspension or Expulsion

Note: Level II or III Alcohol offenses may receive additional or more serious sanctions on the first or second offense.

Drug Sanctions	
First Offense	\$200 Maximum Fine, parental notification, Wellness Center referral, possible Suspension or Expulsion
Second Offense	\$500 Maximum Fine, Suspension or Expulsion

Note: Selling or distributing illegal drugs or controlled substances will result in suspension or expulsion from the College. Green Mountain College will cooperate and collaborate with the Vermont State Police or other law enforcement entities, Department of Liquor Control and/or the U.S. Drug Enforcement Agency in an attempt to maintain a safe and secure College community. Green Mountain College may also initiate contact with law enforcement authorities for suspected alcohol and/or drug violations by students.

Fire Safety Sanctions	
Tampering with smoke detector	\$100 Maximum Fine and additional judicial action
Tampering with fire safety equipment	\$200 Maximum Fine, cost of repair, additional judicial action
Failure to evacuate during a fire alarm	\$150 Maximum Fine
Pulled fire alarm, not in response to a fire	\$1000 Maximum Fine, Expulsion
Vermont State Police or other law enforcement authority will be contacted to investigate and, if applicable, charge and/or arrest students connected with suspicious fires, tampering with fire safety equipment, or inappropriately pulled alarms.	

Residence Hall Policy Fines and Fees	
Changing rooms without authorization	\$100 Maximum Fine
Damages	Cost of Damage for individual/building
Improper checkout	\$100 Maximum Fine
Improper or unauthorized storage	\$100 Maximum Fine
Possession of College furniture	\$100 Maximum Fine
Propped doors	\$50 Maximum Fine
Pets	\$750 Maximum and removal of pet(s)
Room lockouts	\$10 Maximum
Unauthorized lofts	\$200 Maximum Fine
Unauthorized residence hall items	\$100 Maximum fine and confiscation
Failure to vacate at close of semester	\$100/day Maximum

Addition: Failure to Comply

\$100 Maximum Fine and Community Restitution

Destruction of Property Sanctions	
Charge for repair/replacement of property and labor	\$1000 Maximum Fine
Possible removal from residence halls or suspension/expulsion for Level II and Level III violations	

Smoking Violation Sanctions	
First Offense	Verbal or Written Warning
Second Offense	\$50 Maximum Fine

Third Offense	\$100 Maximum Fine and additional judicial action
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Please note, if smoking violation occurs within the residence hall or other College building, it is considered a Fire Safety violation and will be adjudicated as such.

APPEALS

The College's appeals system operates within strict guidelines regarding grounds of appeal. Regardless of the method of original adjudication, the appeals process is as follows:

Grounds for Appeal

For a case to merit appeal, one of the following criteria must be met:

- * a procedural irregularity so substantial as to have likely altered the outcome of the meeting
- * new information that could not have been known or brought forward at the time of the meeting that is so substantial as to have likely altered the outcome of the meeting
- * a sanction that is grossly out of line with the violation

Options Available to the Appellate Officers

- * affirm the finding of responsibility and/or sanction
- * affirm the finding of responsibility but alter or reduce the sanction if deemed appropriate given the information presented by the appeal
- * alter or reduce the sanction if the original sanction is grossly out of line with the violation
- * remand the decision back to the original adjudicating Student Life staff member or Judicial Review Board in the case of new information or procedural error
- * take other action deemed appropriate in the discretion of the appellate officer.

The Process of Appeal

1. A student has seven (7) business days following written notification of sanctions to present a formal written appeal to the appropriate appellate officer or the Judicial Review Board (see below) that includes the grounds for appeal and the substantive relevant information.
2. The appellate officer reviews the appeal and makes a decision based on the options outlined above.
3. The appellate officer notifies the student in writing of his/her decision within seven (7) days of receipt of the formal written appeal.
4. The decision of the appellate officer is final and not subject to appeal.

Appellate Officers

1. The Director of Residence Life is the appellate officer for decisions rendered by the Assistant Directors of Residence Life.
2. The Vice President of Student Life is the appellate officer for decisions rendered by the Director of Residence Life.
3. The Vice President of Student Life is the appellate officer for decisions rendered by the Judicial Review Board.
4. The President is the appellate officer for suspension and expulsion decisions rendered by the Vice President of Student Life.

DISCIPLINARY RECORDS

Judicial records are created for all student incidents in which disciplinary charges are alleged. These records are maintained and purged according to the following guidelines:

1. Records involving alleged violations in which the student was charged and found not responsible, or in which charges were subsequently dropped, are, absent extenuating circumstances, retained in the official judicial records for a period of one year, then destroyed.
2. Records involving alleged violations in which a finding of responsible was determined are held in the official judicial records at the College in the Division of Student Life for seven (7) calendar years beyond the meeting date.
3. Records are retained indefinitely at the College's discretion.

Note: All outstanding judicial charges and/or sanctions must be resolved before a student may graduate from the College or before a withdrawn student may be readmitted to the College. Students with unresolved judicial charges and/or sanctions may have an