

Initiating a Complaint and Student Procedural Rights

Any University student, faculty member or staff member who believes that a student has violated the Code of Student Conduct may file a report with the Dean of Students Office, the Department of Public Safety, or with the Office for Residence Life.

Dean of Students Office

Dougherty Hall
Room 213
(610) 519-4200

Department of Public Safety

Garey Hall
Ground Floor
(610) 519-6979

Office for Residence Life

Stanford Hall Ground Floor
(610) 519-4154/4155

The individual filing the report is referred to in this Code as the Reporter. The individual who is alleged to have been subjected to the misconduct is referred to as the Complainant. In some cases, the Complainant and the Reporter may be the same person. The University may act, in its sole discretion, as the Complainant through a designated staff member or members. After the report is made, the Department of Public Safety investigates the report, as necessary. If a complaint is filed, and once the investigation is complete, the Dean of Students and/or their designate (Conduct Review Officer) will review the complaint and determine whether or not, if proven, the allegations would constitute a violation of the Code. If so, the Complainant will meet with the Dean of Students or the Conduct Review Officer to review the complaint and to discuss the procedures available to them.

This meeting will take place promptly after a complaint is filed.

The individual complainant could:

1. Request the University to pursue action under the Code of Student Conduct; and/or
2. Make a report to the police department with jurisdiction; and/or
3. Make a statement for the record with the Dean of Students Office, Department of Public Safety, or the Office of Residence Life.

The individual Complainant will normally have three business days after this meeting to decide whether or not to request the University to pursue the complaint, although exceptions to this timeline may be granted in the discretion of the University. The University reserves the right to exercise discretion on taking disciplinary action against students.

Student Procedural Rights

Once a complaint has been initiated under the Code, the Conduct Review Officer will schedule a meeting with the accused student (hereafter referred to as the "Respondent"). The Conduct Review Officer will provide the rights and options available as well as the potential sanctions for the alleged violation in question.

During the meeting, the alleged violations of the Code of Student Conduct are discussed, and the Respondent is afforded the opportunity to review the facts which form the basis for the allegation. If a student fails to respond to notice of a meeting with the Conduct Review Officer, they may find the student responsible in their absence and sanction the student accordingly, and/or place a hold on the student's records until the meeting takes place.

Rights of the Respondent

1. The right to choose whether or not to participate in disciplinary proceedings, with the understanding that findings and sanctions may be imposed with or without such participation;
2. The right to notice of the allegation that a violation of the Code has taken place;
3. The right to notification of disciplinary proceedings related to the complaint and of prompt time frames anticipated for major stages of the complaint process;
4. The right to notice of the factual allegations which form the basis for the complaint;
5. The right to a prompt and impartial response and resolution of complaints;
6. The right to have the University or Complainant bear the burden of proof by a preponderance of the evidence;
7. The right to present relevant statements, materials and witnesses during disciplinary proceedings;
8. The right to review all written statements and materials presented at the proceedings;
9. The right to notification of any finding of responsibility;
10. The right to be free from retaliation for participating in the University's investigation and fact-finding process; and
11. The right of appeal consistent with the provisions of this Code.

Rights of the Complainant

1. The right to choose whether or not to participate in disciplinary proceedings;
2. The right to notification of disciplinary proceedings and of prompt time frames anticipated for major stages of the complaint process;
3. The right to notice of the factual allegations based on any response by the Respondent;
4. The right to a prompt and impartial response and resolution of the complaint;
5. The right to present relevant statements, materials and witnesses during the disciplinary proceedings;
6. The right to review all written statements and materials presented at the proceedings;
7. The right to notification of the outcome of the complaint as set forth herein;
8. The right to be free from retaliation for filing a complaint or participating in the University's investigation and fact-finding process; and
9. The right of appeal consistent with the provisions of this Code.