The University has established the *Statement of Student Rights and Responsibilities: Student Code of Conduct*. The code of conduct intends to provide students a framework for appropriate decisions and behaviors as part of the university community and outlines the university's disciplinary system for inappropriate behavior. The Code applies to student behavior both on and off campus, regardless of age. It is available on Cal's website in the Student Handbook, which starting in Fall 2012 is only available online, and also on the Office of Student Conduct's webpage. Students are responsible for being familiar with the code and abiding by it as a condition of attendance at Cal U.

**Why does the university need a disciplinary process?**

The disciplinary process administered through the Office of Student Conduct is intended to be educational by helping students reflect on their decisions and actions. Part of this is helping students understand what impact their decisions have on themselves and others, as well as their ability to achieve career and personal goals. Hopefully a deeper understanding of these issues will give students an impetus for making better decisions in the future. The disciplinary process also allows the university to hold students accountable for their actions, and the process can be used to remove students whose behavior demonstrates a lack of regard for the university community.

**Who can file a report?**

Any interested party can file a report alleging inappropriate behavior by contacting the Office of Student Conduct at 724-938-4439 or in person at 230 Natali Student Center. The majority of reports came from the University or borough police and Residence Life staff however. When making a report, a person will need to supply specific information including names, locations, dates, times and a summary of the event. While reports will be accepted from third parties, information will be needed from those directly involved.

**What happens if a report is filed against a student? What is the disciplinary process?**

The disciplinary process begins when a report is filed and will generally follow the steps below (more detail on the process is included in the code of conduct):

- The report will be reviewed to determine if reasonable cause exists to believe the code of conduct was violated.
If reasonable cause exists, a designated hearing officer (usually the Associate Dean for Student Conduct, Student Conduct Graduate Assistant or Residence Hall Director) will investigate the report.

A preliminary meeting will be held with the hearing officer and the student alleged to have violated the code of conduct. This meeting allows the student to present his/her side of the story and the report will usually be shared by the hearing officer.

The hearing officer will make a preliminary decision about whether s/he believes the code of conduct was violated and what appropriate sanctions (consequences) are after meeting with the student and gathering other appropriate information.

The student will be given an opportunity to accept the hearing officer’s preliminary decision or request a meeting of the University Conduct Board.

- If the preliminary decision is accepted, the disciplinary process is concluded and the student is responsible for completing the assigned sanctions.
- If a meeting of the University Conduct Board is requested, the meeting will be scheduled and the student will meet with the board to present his/her story. The board is composed of faculty, staff and student representatives and will review the information gathered by the hearing officer and presented by the student to determine whether a violation occurred and appropriate sanctions.

The student can appeal the decisions of the University Conduct Board to the Vice President of Student Affairs if it is believed there were procedural errors during the process, new information has been discovered, there is a lack of information to support the board’s decision or the severity of the sanction does not match the severity of the violation. The Vice President’s decision on an appeal is final.

**Why does the code of conduct apply to off campus behavior?**

The first reason is any decision can impact a student’s academic performance, interfering with a student achieving his/her career goals. Secondly, students are considered representatives of the university in the local community and inappropriate behavior can reflect poorly on the university’s reputation. Lastly, some inappropriate behavior can negatively impact other members of the university community and their academic performance, in which cases, addressing the inappropriate behavior can help mitigate negative impacts on others.

**How does the university’s disciplinary process relate to the criminal system?**

Cal’s disciplinary process is an administrative process within the university and is completely separate from the legal system. The disciplinary process does not follow the
same procedures as courts and the code of conduct is different from local, state or federal laws. Students whose actions violate the law as well as the code of conduct may go through both the university disciplinary process and the criminal justice system. The disciplinary process is not required to wait for the criminal system to be completed before it begins so a student may complete the disciplinary process prior to, or at the same time, he/she may have a criminal hearing. The disciplinary process is private and information gathered there is not shared with others including police, prosecutors or judges. Also, as different systems, different decisions could be reached so a student could be found responsible for violating the code of conduct, but found not guilty in court, or vice versa.

**How does the local community respond to inappropriate behavior?**

California borough employs a professional police force to enforce local, state and federal laws. Borough officers patrol and respond to emergency calls in town as any other police force does, including incidents involving students. The borough police force is separate from the university, although they will call University Police for assistance when needed and University Police may call borough officers for assistance. California borough maintains an active website at [http://californiapa15419.com](http://californiapa15419.com) that includes a link for local ordinances, many of which apply to students by addressing appropriate behavior and rental properties. Students should be aware of Ordinance 531 in the Adopted folder under the Ordinance link. This ordinance was passed in December 2011 and outlines the borough’s limits on possessing open alcohol containers in public and disorderly houses or gatherings. California Borough Police will also report incidents involving students to the Office of Student Conduct, usually resulting in the initiation of the disciplinary process.

**Will a student in need of medical attention be disciplined?**

Usually not. Pennsylvania passed a medical amnesty law last year that prohibits police from citing underage drinkers who seek medical assistance for alcohol law violations. Other violations, such as disorderly conduct, could still be issued if appropriate. Prior to the state enacting this law, Cal had established a Limited Immunity clause in the code of conduct. Limited Immunity from alcohol or drug code violations applies to students admitting to drinking or drug use when seeking medical assistance or reporting being victims of violence. However, students found needing assistance or those involved in multiple incidents may not qualify for Limited Immunity.

**Where is the code of conduct available?**

The code of conduct is available on Cal’s website in the Student Handbook and the Student Conduct webpage ([www.calu.edu/current-students/student-services/office-of-student-conduct/index.htm](http://www.calu.edu/current-students/student-services/office-of-student-conduct/index.htm)). Starting with the Fall 2012 semester, Cal will no longer be
printing hard copies of the Student Handbook so it is important that students and parents check the website and review the information in the Student Handbook. This information includes university policies and procedures that may change from year to year; and it is the student's responsibility to know applicable policies, including the code of conduct.

**Can the results for the same infraction be different for different students?**

Yes. Since the disciplinary process is intended to be educational, different approaches may be used with different students. Part of the hearing officer's job is to evaluate the student's knowledge, attitude and decision-making abilities. Different students involved in the same incident may demonstrate differences in how they feel about their decisions and what steps they have considered or taken to make better decisions. The hearing officer's evaluation of this reflection will guide his/her decisions on assigning sanctions and may result in the hearing officer feeling one student may need a different approach or information to guide the student in future situations.

**What are the biggest disciplinary issues?**

Like most college campus, Cal's most frequent violations are alcohol related. The code of conduct addresses alcohol use and possession both on and off campus for those under 21. It is important to understand that this includes "knowingly being in the presence of alcohol." The university includes this as an alcohol violation because being around alcohol, even if one isn't drinking, increases the risks of being involved in interpersonal violence and contributes to noise and other problem behaviors.

**Will I be told if a report is filed against my student?**

Usually not. The disciplinary process is covered under the university's Confidentiality of Records Policy, which is based on the Family Educational Rights and Privacy Act (FERPA) governing release of educational records. Therefore, disciplinary records are not normally released to others without the student's permission with the exception of alcohol and drug violations. Parents or guardians are informed if a student is found responsible for violating the university's alcohol and/or drug sections of the code of conduct after the disciplinary process has been concluded. Students may also authorize the sharing of disciplinary records, including having a support person or advisor with them during any meetings.

**What if a student is having a problem that doesn't violate the code of conduct or the student doesn't want to file an official report?**

In addition to administering the disciplinary process, the Office of Student Conduct can assist students with alternative processes to resolve disputes such as mediating a
disagreement, advising students on handling problems on their own and acting as a go-between. Not every situation may be addressed through these alternative processes depending on the specifics, especially if there is danger to others, but these alternative processes can provide options to students.

**What happens if a student does not participate in the conduct process?**

Students can play multiple roles in the conduct process – witness, reporter or accused. Students are not required to participate in the conduct process. Although acting as a witness or reporting inappropriate behavior helps the overall university community, the university will not force a student into one of these roles. If a student is alleged to have violated the code and chooses not at participate, the process will move forward and decisions on responsibility and consequences will be made without the student’s side being heard or considered. These decisions are not eligible to be appealed and the student will be obligated to comply with these decisions or face additional disciplinary action.