STUDENT CODE OF CONDUCT
AND STUDENT DISCIPLINE SYSTEM

PREFACE

MCPHS University expects its students to act in a mature and responsible manner. The goal of the Student Discipline System is to support the educational mission of the University by ensuring an orderly University environment conducive to learning and teaching as well as supportive of acceptance, integrity and scholarly work. The Student Discipline System is an educational tool with the purposes of holding students accountable for Code of Conduct violations, educating students regarding unacceptable behaviors in the MCPHS University community and guiding students towards a greater sense of personal responsibility.

A. MCPHS University recognizes that students are entitled to respect, consideration and guaranteed freedoms of speech, assembly and association under the constitution. MCPHS University further recognizes students’ rights within the institution to freedom of inquiry and the responsible use of University services and facilities.

B. Students at MCPHS University have a responsibility to act in a manner that promotes the well-being, respect, safety and security of all members of the University community.

C. It is the responsibility of students to know and understand individual department policies as well as University policies published in the Student Handbook. These policies include, but are not limited to policies stated in the Residence Hall Agreement/Contract, Academic Honesty Policy, Electronic Communications Policy, Discrimination Policy, Protection from Harassment Policy, Smoking Policy, Parking Policy, Hazing Policy, Alcohol Policy and Drug Abuse Policy.

D. The Student Code of Conduct is applicable to any student enrolled in or accepted for an academic program, regardless of the number of credits carried and also applies to any recognized student organization.

E. The Student Code of Conduct applies to student conduct from the time of admission through graduation which occurs on the MCPHS University campus in any MCPHS University leased spaces or at any University sponsored event regardless of location. The Student Code of Conduct applies to student conduct at off-campus locations when the security, integrity or reputation of the University are related to the student’s behavior. The Dean of Students will determine on a case by case basis when the Student Code of Conduct is applied to off-campus student behavior.

F. Students who allegedly violate the Student Code of Conduct or other University regulations become subject to disciplinary review and action through the Student Discipline System.

G. Students may be accountable to both civil authorities and to MCPHS University for conduct, which constitutes violations of local, state and federal law and/or the Student Code of Conduct or other University policies. University disciplinary procedures at MCPHS
University may be carried out prior to, simultaneously with or following civil or criminal proceedings off-campus at the discretion of the Dean of Students, or designee. University disciplinary proceedings will not be subject to challenge on the ground that civil or criminal charges involving the same incident have been dismissed, reduced or pending. When a student has been charged with a civil or criminal violation(s) of law, MCPHS University will neither request nor agree to special consideration for the student solely because of his or her status as a student.

H. The Student Code of Conduct and Student Discipline System are published in the Student Handbook in order to give students general notice of prohibited conduct. The Student Code of Conduct should be read broadly and is not designed to define misconduct in exhaustive terms.

I. The Student Code of Conduct and Student Discipline System are not to be regarded as contracts between students and MCPHS University. MCPHS University reserves the right to amend any provision of the Student Code of Conduct and Student Discipline System at any time. MCPHS University will publish amendments in relevant campus publications.

J. Any conduct which may have been influenced by a student’s mental state (irrespective of the ultimate evaluation), or the use of alcohol or other drugs shall not in any way limit the responsibility of the student for the consequences of his or her actions.

K. A “disciplinary hold” may be placed on a student’s academic record at the University prior to a disciplinary hearing. Students with a disciplinary hold may not be permitted to register, request transcripts, receive a diploma, add or drop courses, or participate in other University activities without permission from the Dean of Students. A charged student may not take a leave of absence or withdraw from the University before the resolution of the charge(s), unless he/she has been granted permission by the Dean of Students. In such circumstances, the student’s readmission will be contingent upon the resolution of the charge through the University’s discipline system.

L. A class day is defined as a day when classes are in session. A business day is defined as a day when MCPHS University administrative offices are open.

**STUDENT CODE OF CONDUCT**

The following conduct shall constitute violations of the Student Code of Conduct:

2. Personal Conduct

2.01 Obstruction or disruption of teaching, administration, disciplinary system or other University activities or unauthorized activities.

2.02 Conduct, regardless of where it occurs, that is in violation of federal, state and/or local law or University policies that brings into question ones’ suitability as a member of the University community.

2.03 Theft, attempted theft, wrongful utilization of goods or services, possession of stolen property or University property or property of any member of the University community or outside individual/agency.

2.04 Damaging, destroying or defacing, or attempting to damage, destroy, or deface University property, property related to activities of the University, property of any member of the University community, property of outside individual/agency, to include affiliated clinical training sites.
2.05 Harassment by personal vilification, including such harassment on the basis of gender, race, color, disability, religion, age, sexual orientation or national or ethnic origin.

For these purposes, speech or other expression constitutes harassment by personal vilification if it:

a. Is intended to insult or stigmatize an individual or a small number of individuals on the basis of their gender, race, color, disability, religion, age, sexual orientation, national or ethnic origin, or other personal characteristic; and

b. It is addressed directly to the individual or individuals whom it insults or stigmatizes; and

c. It makes use of insulting or “fighting words” or nonverbal symbols.

In the context of discriminatory harassment by personal vilification, insulting or “fighting words” or nonverbal symbols are those which by their very utterance tend to incite to an immediate breach of the peace, and which are commonly understood to convey direct and visceral hatred or contempt for human beings on the basis of their gender, race, color, disability, religion, age, sexual orientation, national or ethnic origin, or other personal characteristic.

2.06 Discrimination on the basis of race, religion, color, age, sexual orientation, sex, disability, veteran status, marital status or national origin.

2.07 Exhibiting conduct which is lewd, indecent, or obscene, or which is patently offensive to an individual, academic community or clinical practice setting.

2.08 Disrupting the academic and/or clinical pursuits of fellow students, faculty, proctors, or clinical preceptors, or infringing upon the privacy, rights, or privileges of other persons.

2.09 Conveying confidential patient information outside the confidential space of the preceptor’s practice setting without authorization by an individual faculty member or clinical preceptor.

2.10 Promoting, wagering, receiving monies for wagering, or gambling for money or property in any form on University premises, affiliated premises, or related to University activities.

2.11 Unauthorized solicitation.

2.12 Failure to abide by the Posting policy; including unauthorized posting and/or distribution of flyers, bulletins or posters (improperly posted and/or posted without approval).

2.13 Failure to abide by the Gambling and/or Raffle policy.

2.14 Failure to abide by the Good Neighbor policy.

2.15 Failure to abide by the Electronic Communications policy and/or the MCPHS eMail Policy.

2.16 Failure to adhere to University and/or residence hall Guest policies.

2.17 Failure to register an event or to abide by an event plan as documented in an Event Registration Form.

2.18 Failure to abide by the End of the Semester Event policy.

2.19 Failure to abide by Residence Hall “Courtesy Hours” or “Quiet Hours” policies.
3. Physical Safety and Environmental Health

3.01(a) Physical abuse of another person.

3.01(b) Harassment of another person or threats of injury or harm to oneself or another person or any action which may subject oneself or another person to physical or mental injury.

3.02(a) Sexual assault on another person or threats of any injury or harm of a sexual nature to another person.

3.02(b) Sexual harassment of another person.

3.03 Possession, storage, or discharging firearms, including explosives, fireworks, knives, or other weapons of any nature or description as outlined in the Massachusetts Criminal Law, Section 269, paragraph 10 (i.e., bows, arrows, slingshots, airguns, martial arts devices, etc.), or other dangerous items or substances.

3.04 Creating a fire hazard, bomb or a dangerous situation which endangers others including false reports of fire or bombs, failing to evacuate, as well as tampering with, damaging or removing fire safety equipment.

3.05 Failure to abide by the Hazing policy.

3.06 Trespassing, unauthorized entry into any University building, structure, or facility related to University activities, or attempt to do the same.

3.07 Using, making or causing to be made any key or keys for any building, laboratory facility or room of the University, or room on premises related to University activities unless authorized by an administrator in charge; or attempting to do same.

3.08 Failure to abide by the University policy prohibiting animals in the residence hall.

3.09 Failure to abide by University policy governing smoking.

3.10 Failure to abide by University policy governing parking.

3.11 Playing sports where restricted.

3.12 Possession of prohibited items in the residence halls as outlined in the Residence Hall Agreement/Contract.

3.13 Failure to maintain community health and living standards as outlined in the Residence Hall Agreement/Contract.

4. Personal Identification and Representation

4.01 Falsification of one’s identity or that of another.

4.02 Failure to abide by the Identification policy which includes failure to wear and/or show student identification, and/or verbally state one’s identity upon request to a properly identified official or member of the MCPHS University staff (including RAs, Food Service, Bookstore and Security staff).

4.03 Misrepresenting oneself or another as a University official or campus organization.

4.04 Altering, transferring, forging, tampering with or falsifying any University or
affiliated clinical practice site record or document or knowingly submitting false
information for incorporation in such records.

4.05 Failure to comply with a disciplinary action or cooperate, meet with, or respond to
a reasonable request of a University official (including student employees while
performing the duties of their job).

4.06 Lying or falsification within the process of the Student Discipline System.

4.07 Unauthorized use of the University name.

5. Alcohol and Drugs

5.01 Failure to adhere to University policies governing alcohol.

5.02 Failure to adhere to University policies governing drugs.

STUDENT DISCIPLINE SYSTEM
Matters Before the Disciplinary System
Matters brought before the Disciplinary System for review and possible action may take on a
variety of forms; including but not limited to written complaints, oral complaints, grievances,
referrals from outside individuals/agencies (e.g., Police Department), etc. Any member of the
MCPHS University Community or outside individual/agency may submit a written complaint
against a currently enrolled student.

All matters/complaints will be referred to the Dean of Students, or designee, who may take one
or more of the following steps:

1. Dismiss the matter/complaint
2. Schedule an Administrative Conference
3. Schedule a Level I Hearing
4. Schedule a Level II Hearing
5. Impose interim restrictions

Attorneys or parents/guardians are not permitted to participate or be present in an Administrative
Conference, a Level I Hearing, or a Level II Hearing. Charges involving serious physical
assault, weapons or sexual assault will be heard through a Level II Hearing.

Dismiss the Matter/Complaint
If, after investigation of a complaint or alleged violation of the Student Code of Conduct, the
Dean of Students or designee determines that the matter does not involve offenses in the Student
Code of Conduct or the matter is accompanied by inadequate information, then the matter or
complaint will be dismissed from the Student Disciplinary System.

Schedule an Administrative Conference
For a student who accepts responsibility for offenses he/she committed AND those offenses
would be referred to a Level II Hearing, the student will first be referred to an Administrative
Conference. An Administrative Conference is a discussion between the charged student and the
Dean of Students or designee in which the student affirms his/her responsibility for the charged
offenses. The Dean of Students or designee will assign sanctions for the offenses. If the student
accepts the assigned sanctions, he/she will sign an Administrative Conference Document
indicating acceptance of responsibility for the charged offenses and acceptance of the sanctions
as assigned and detailed in the document. By accepting responsibility and the assigned sanctions,
the student waives his or her right to appeal and the Administrative Conference Document is the final decision regarding the case. If the student no longer accepts responsibility for the offenses as charged or does not agree to the sanctions as assigned by the hearing officer, the case will be assigned to a Level II Hearing.

Schedule a Level I Hearing
Incidents or complaints referred to a Level I Hearing do not involve suspension or expulsion as possible sanctions but do include the potential sanctions of warning, fine, restitution, community service, mandated health and counseling referrals, campus restrictions, disciplinary probation, deferred loss of residence, loss of residence and deferred suspension. For more detailed information regarding hearing sanctions, please go to the Sanctions section.

Schedule a Level II Hearing
Incidents or complaints referred to a Level II Hearing involve the possible sanctions of suspension or expulsion in addition to the possible sanctions for a Level I Hearing. For more detailed information regarding hearing sanctions, please go to the Sanctions section.

Impose Interim Restrictions
1. The Dean of Students, or designee, may impose immediate restrictions upon a student with pending disciplinary action without prior notice whenever there are sufficient facts to show that the charged student’s continued presence on the campus endangers the physical safety or well being of others or himself/herself or disrupts the educational process of the University.

2. Interim Restrictions may include, but are not limited to suspension from class/University and/or campus housing, limitation of access to designated housing facilities and/or campus facilities by time and location, restriction of communication with named individuals within the University community and/or the requirement to secure advanced authorization to engage in a specified activity. Interim Restrictions may also include the restriction to be present on campus for class attendance only.

3. The Dean of Students or designee will communicate with a student directly (in a meeting or by telephone) in order that the student be able to present his or her own version of the facts to the Dean or his/her designee. The Dean or his/her designee will make a final Interim Restrictions decision based upon campus and/or student health and safety and/or educational disruption concerns and this Interim Restrictions decision will be final.

4. Violations of Interim Restrictions may result in suspension or dismissal from MCPHS University.

Level I Disciplinary Hearings
1. The Level I disciplinary hearing is an informal meeting chaired by a hearing officer. It is an opportunity for a student to provide relevant case information to the hearing officer. The objective is to discuss the charges and to assess a student’s responsibility for allegedly violating the Student Code of Conduct and to determine sanctions for responsibility as appropriate.

2. Level I Hearings will be conducted as soon as possible after an incident or complaint has been reported. Delays in the scheduling of Level I hearings may occur for the following reasons: 1.) the hearing officer and student agree to meet later, 2.) a later hearing date is necessitated by a large number of students involved in a case, or 3.) there is an ongoing investigation regarding the case. Charged students may request one postponement of the level I hearing to be granted at the discretion of the hearing officer.
3. When multiple parties are involved in the same incident, the Dean of Students, or designee will decide whether the cases will be heard together or separately.

4. Level I Hearings are closed to the public and confidential in nature.

5. Any person, including the charged student, who disrupts a Level I Hearing or who fails to adhere to the rulings of the hearing officer, may be excluded from the Level I Hearing.

6. The decision of the Level I Hearing officer will be made on the basis of whether it is more likely than not that the charged student violated the Student Code of Conduct.

7. Level I Hearings may be recessed at any time provided they are reconvened within five class days.

8. Any new information brought forth in a Level I Hearing which allegedly violates the Code of Conduct may result in future charges imposed on any involved student.

Rights of All Parties in Level I Disciplinary Hearings

1. Charged students will be entitled to:
   a. Written notice of charges, the name of the person(s) filing the complaint, and the time and place of the Level I Hearing,
   b. The opportunity to present his/her case;
   c. Not answer any questions or make any statements during a Level I Hearing. Such silence will not be used against the charged student, however, the outcome of the Level I Hearing will be based upon the information (or lack thereof) presented during the Level I Hearing;
   d. Request an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors may be personally selected by the student but must have had training through the Dean of Students Office. Advisors are not permitted to address the Level I Hearing Officer and may not participate directly in any Disciplinary Hearing;
   e. Be informed in writing within ten (10) class days of the decision;
   f. The opportunity to appeal the decision within five (5) class days (see Appeals Section).

Failure to appear for the Level I Hearing will result in the hearing being conducted in the charged student’s absence. The charged student may provide the names of witnesses (character witnesses are not permitted to attend hearings but may submit written statements) and may request additional information about the disciplinary process.

2. Persons filing a complaint will be entitled to:
   a. Notice of the time and place of the Level I Hearing and the opportunity to testify;
   b. Request an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors may be personally selected by the student but must have had training through the Dean of Students Office. Advisors are not permitted to address the Level I Hearing Officer and may not participate directly in any Disciplinary Hearing;

3. Alleged victims of non-forcible sex offenses referred to Level I Hearings will be entitled to:
   a. Notice of the time and place of the Level I Hearing and the opportunity to testify;
   b. Submit a victim impact statement to explain the emotional, physical, financial, educational and/or other impact(s) the incident has had on the alleged victim’s life.
   c. Request an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors may be personally selected by the student but must have had training
through the Dean of Students Office. Advisors are not permitted to address the Level I Hearing Officer and may not participate directly in any Disciplinary Hearing;

d. Notice of the decision;

e. The opportunity to appeal the decision based on a procedural error.

Level II Disciplinary Hearings

1. Level II Hearings are formal hearings to assess a student’s responsibility for allegedly violating the Student Code of Conduct and to assess sanctions for responsibility as appropriate.

2. Charges involving serious physical assault, weapons or sexual assault will be heard through a Level II Hearing.

3. Level II Hearings will be conducted as soon as possible after an incident or complaint has been reported. Delays in the scheduling of Level II Hearings may occur for the following reasons: a.) the hearing officer and student agree to meet later, b.) a later hearing date is necessitated by a large number of students involved in a case, or c.) there is an ongoing investigation regarding the case. Charged students may request one postponement of the scheduled Level II Hearing date to be granted at the discretion of the hearing officer.

4. When multiple parties are involved in the same incident, the Dean of Students, or designee will decide whether the cases will be heard together or separately.

5. Level II Hearings are closed to the public and confidential in nature.

6. Only evidence introduced at the Level II Hearing will be considered in determining a charged student’s responsibility. Level II Hearings are only heard by trained Student Affairs staff.

7. The decision of the Level II Hearing officer will be made on the basis of whether it is more likely than not that the charged student violated the Student Code of Conduct.

8. Any person, including the charged student, who disrupts a Level II Hearing or who fails to adhere to the rulings of the hearing officer, may be excluded from the Level II Hearing.

9. Level II Hearings may be recessed at any time provided they are reconvened within five class days.

10. Any new information brought forth in a Level II Hearing which allegedly violates the Code of Conduct may result in future charges imposed on any involved student.

Rights of All Parties in Level II Disciplinary Hearings

1. Charged students will be entitled to:

   a. Written notice of charges, the name of the person(s) filing the complaint, a copy of the complaint (if available), the time and place of the Level II Hearing, and the names of all witnesses who will testify,

   b. The opportunity to present his/her case, question the complainant and witnesses (if available), present witnesses on their behalf;

   c. Not answer any questions or make any statements during a Level II Hearing. Such silence will not be used against the charged student, however, the outcome of the Level II Hearing will be based upon the information (or lack thereof) presented during the hearing;

   d. Request an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors may be personally selected by the student but must have had training through the Dean of Students Office. Advisors are not permitted to address the Level II
Hearing Officer and may not participate directly in any Disciplinary Hearing

e. Be informed in writing within ten (10) class days of the decision;
f. The opportunity to appeal the decision within five (5) class days (see Appeals Section).

Failure to appear for the Level II Hearing will result in the hearing being conducted in the charged student’s absence. The charged student may provide the names of witnesses (character witnesses are not permitted to attend hearings but may submit written statements) and may request additional information about the disciplinary process.

2. Persons filing a complaint will be entitled to:
   a. Notice of the time and place of the Level II Hearing and the opportunity to testify;
   b. Request an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors may be personally selected by the student but must have had training through the Dean of Students Office. Advisors are not permitted to address the Level II Hearing Officer and may not participate directly in any Disciplinary Hearing;

3. Alleged victims of violence (including forcible sex offenses and non-forcible sex offenses) will be entitled to:
   a. Notice of the time and place of the Level II Hearing and the opportunity to testify;
   b. Submit a victim impact statement to explain the emotional, physical, financial, educational and/or other impact(s) the incident has had on the alleged victim’s life. This statement may be read into the disciplinary hearing record;
   c. Be advised by an advisor who is a full-time faculty or professional staff member of MCPHS University. Advisors can be personally selected by the student but must have had training through the Dean of Students Office. Advisors are not permitted to address the Level II Hearing officer and may not participate directly in any disciplinary hearing;
   d. Notice of the decision;
   e. In cases involving sexual assault, the alleged victim will be entitled the same rights as the charged student and to testify and respond to questions in a closed recorded session;
   f. Opportunity to appeal the decision based on a procedural error.

Sanctions

1. In determining a sanction, the responsible student’s present demeanor and past disciplinary history/prior violations, nature and severity of the offense, the severity of any damage, injury or harm resulting and other factors may be considered.

2. The hearing officer may impose any one or more of the following sanctions:
   a. Warning. An official written notice that the behavior has been inappropriate. This notice is considered part of a student’s disciplinary record in any future disciplinary action.
   b. Fine. A fine imposed for alcohol and/or other drug violations, which will be used towards alcohol and/or other drug education and alternative programming or for failure to attend mandatory meetings, or other offenses.
   c. Restitution. Financial compensation for damages or offenses. May not exceed three (3) times the value.
   d. University/Educational Community Service. Assignment of an appropriate project or attendance at an educational workshop that will benefit the University community, responsible student or others.
e. Referral. A student may be referred to Counseling Services, Health Services or other appropriate offices or local agencies (e.g., Law Enforcement Agencies, Licensure Boards) when deemed appropriate by the Dean of Students, or designee.

f. Restriction. Denial of access to any campus facility, activity, class or program, or denial of student privileges.

g. Disciplinary Probation. A period of time during which a student’s or organization’s behavior is subject to close examination. Students are prohibited during this time from holding an elected or appointed office in any recognized student organization.

h. Deferred Loss of Residence. A delayed removal from College operated residence halls for a period of up to two semesters. Any proven offense during this period may result in immediate loss of residence.

i. Loss of Residence. Removal from the residence halls.

j. Deferred Suspension. A delayed removal from class/the University for a period up to two semesters. Any proven violation during this period may result in immediate suspension for a specific period of time.

k. Suspension.* Removal from class/the University for a specified period of time ranging up to a maximum of one year. Suspended students must remove themselves from the campus totally. Students suspended from the University may not attend classes or participate in university-sponsored programs during their suspensions. The expiration of the suspension period is no guarantee of readmittance.

l. Deferred Loss of Recognition. A delayed removal of recognition as a recognized student organization. Any proven violation during this period will result in immediate loss of recognition for a specified period of time.

m. Loss of Recognition. During this time, a recognized student organization may not associate itself with the University by using the University name, facilities, and/or other rights and privileges of recognized student organizations. The expiration of the loss of recognition period is no guarantee of re-recognition.

n. Expulsion.* Permanent removal from the University.

o. Other sanctions. Other sanctions may be imposed instead of or in addition to those specified above.

Failure to fulfill sanctions may result in an administrative hold on the student’s account.

*These sanctions can only be imposed as a result of an Administrative Conference or a Level II Hearing.

Prescribed Sanctions
Sanctions for Alcohol Violations

The following minimum sanctions have been developed to educate students and ensure an environment that supports the academic mission of the University. Violations will be viewed as cumulative over the course of a student’s enrollment at the University.

The University’s response to recognized student organiza-tions and/or individual students found in violation of the alcohol policy will result in the following minimum sanctions:

First Offense: $100.00 payment to the Alcohol Abuse Prevention Program Fund for each person involved and an Alcohol Education Workshop assignment.
Second Offense: $200.00 payment to the Alcohol Abuse Prevention Program Fund for each person involved and one of the sanctions below for each person involved:

a. 15 hours of educational/University service with an assigned reflection paper.

b. Required attendance at an alcohol education workshop.

c. Three mandated counseling sessions from the MCPHS Counseling Services office or from an off-campus appropriately credentialed health provider of the student’s choice for an alcohol use assessment. If a student seeks mandated counseling from an off-campus provider, the student does so at his/her own expense.

Third Offense: $350.00 payment to the Alcohol Abuse Prevention Program Fund for each person involved and one of the sanctions below for each person involved:

a. 30 hours of educational/University service with an assigned reflection paper and required attendance at an alcohol education workshop.

b. Three mandated counseling sessions from the MCPHS Counseling Services office or from an off-campus appropriately credentialed health provider of the student’s choice for an alcohol use assessment. If a student seeks mandated counseling from an off-campus provider, the student does so at his/her own expense.

Additionally, students may be subject to a hearing resulting in loss of residence (housing) for the current and subsequent years. Three alcohol violations by a student will automatically require a review of housing privileges for that student.

“Trophy bottles” or empty alcohol containers that are for show are not allowed in the residence hall. The presence of trophy bottles constitutes as an alcohol violation and will result in a $50.00 fine.

Sanctions for Recognized Student Organizations
The University’s response to recognized student organizations found in violation of the alcohol policy will result in any of the following minimum sanctions:

Deferred Loss of Recognition
A deferred loss of recognition as a recognized student organization. Any further violation during this period of deferred loss will result in immediate loss of recognition for a specified period of time.

Loss of Recognition
During this period of time, a recognized student organization may not associate itself with the University by using the University name, facilities, funds, and/or other rights and privileges of recognized student organizations. The expiration of the loss of recognition period is no guarantee of re-recognition. A student organization desiring to gain re-recognition, must submit the required written request (to become a recognized student organization) as outlined in the Student Handbook.

Educational/University Service
Recognized student organizations will be assigned an appropriate project or attendance at an alcohol education workshop.

Other Sanctions
If violations occur, individual students and sponsoring organizations may face civil prosecution, which can result in fines and/or imprisonment and will be subject to the Student Discipline System. The University may impose additional sanctions as appropriate including notification to
Sanctions for Smoking Violations

First Offense: $150.00 fine and Written Warning – payment made to the Alcohol Abuse/Smoking Education Fund

Second Offense: $250.00 fine and Disciplinary Probation – payment made to the Alcohol Abuse/Smoking Education Fund

Third Offense: Level II Disciplinary Hearing with full range of sanctions available.

Appeals

1. Students wishing to appeal a decision must do so in writing within five (5) class days of receiving notice of the results of the hearing.

2. All requests for an appeal are to be submitted to the Dean of Students, or designee.

3. Appeals for all Level I Hearings will be forwarded to the appropriate appellate officer (the Dean of Students, Associate Dean of Students, Assistant Dean of Students, or Director of Residence Life) in a hierarchical manner. Appeals for Level II Hearings will be forwarded to the appropriate appellate officer (the Vice President of Academic Affairs/Provost or designee or Dean of Students) in a hierarchical manner.

4. Appeals will be considered based on the following criteria: a. procedural error (this means the process was not followed as stated in the Student Handbook); b. finding is not supported by the evidence; c. the sanction is excessive or inappropriate.

5. The appellate officer will review the information from the previous hearing.

6. The appellate officer may determine that:
   a. There are no grounds for the appeal, thus upholding the decision or
   b. That the sanction is excessive, inappropriate, or inadequate and alter it accordingly, or
   c. Return it to the prior level for further appropriate proceedings or
   d. Conduct another hearing and render a decision that upholds the previous decision, modifies the decision or dismisses the case.

7. Should an appellate officer determine that conducting a hearing is appropriate, a formal appeal hearing will be conducted following the same system as set forth for disciplinary hearings.

8. Appellate decisions are final.

Hearings When Classes Are Not In Session

In a situation when discipline cases must be addressed during exams or when classes are not in session (e.g., holidays, etc.) or in the case of off-campus academic programs, disciplinary hearings will be the responsibility of the Dean of Students, or designee. Rather than class days, notice, etc., will be given in terms of business days.

Records

The Dean of Students Office will maintain student discipline records for 7 years after a student graduates. All records pertaining to suspensions and expulsions may be maintained indefinitely. Disciplinary records are not considered to be part of a student’s permanent record maintained by the University. MCPHS transcripts do not indicate university student disciplinary actions, including suspension or expulsion.