

# Office of Student Affairs (../../index.html)



MENU

## The Code of Non-Academic Conduct

*Approved by President Bennet, July 1999; revised, May 2004; revised and approved by President Roth, May 2010*

### Introduction

The Code of Non-Academic Conduct was written in light of the following passage excerpted from the Joint Statement on the Rights and Freedoms of Students: “The institution has an obligation to clarify those standards of behavior that it considers essential to its educational mission and its community life. These general behavioral expectations and the resultant specific regulations should represent a reasonable regulation of student conduct, but the student should be as free as possible from imposed

limitations that have no direct relevance to his/her education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings should be instituted only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a Student Handbook or a generally available body of institutional regulations.”

Obviously, no code could anticipate every form of conduct detrimental to the University. Each member of the University community, therefore, is expected to pay close attention to the Joint Statement on the Rights and Freedoms of Students and to remember that a reasonable, considerate, and courteous attitude toward all others in the community is the primary goal and the best guideline.

It should be remembered that Wesleyan also has an obligation to uphold the laws of the larger community of which it is a part. Adjudication of alleged violations of the Code of Non-Academic Conduct issue from a board comprised of students. The board ensures consistent interpretation and sanctions for violations while serving as a constant reminder of communal principles. While the activities covered by the laws of the larger community and those covered by Wesleyan’s rules may overlap, it is important to note that the community’s laws and Wesleyan’s rules operate independently and that they do not substitute for each other. Wesleyan may pursue enforcement of its own rules whether or not legal proceedings are under way or in prospect and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether University rules have been broken. Conversely, the University makes no attempt to shield members of the Wesleyan community from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the Wesleyan community does not exempt anyone from local, state, or federal laws, but rather imposes the additional obligation to abide by all of Wesleyan’s regulations.

As a point of information, it should be mentioned that all members of the University community are expected to adhere to the regulations while on campus or engaged in University activities regardless of where those activities occur. For information regarding possible violations, or to review the reporting process for Title IX issues, please see University Policies—Policy Prohibiting Discriminatory Harassment and Sexual Misconduct, beginning on page 20.

*The University should have a range of sanctions of graduated severity to deal with infractions of varying seriousness. Insofar as possible, sanctions should fit the offense in a common-sense manner. In fall 2012, the University implemented a point system to bring greater clarity to what students may expect if they are found to have violated regulations.*

*The following grid contains the point ranges the judicial board will consider for particular violations (#). If a case arises where a student or group is charged with multiple violations, the board will have the discretion to consider the greatest range indicated by all of the alleged violations (for example, if there are two violations with ranges of 2-6 and 1-3 respectively, the board will consider the range of points as 1-9). The total range of points goes from 1 to 10. If a student accumulates 10 or more points, the board will likely recommend a separation from the University for a specified period of time.*

**The point ranges outlined below will be followed except in mitigating and aggravating circumstances where the impact of student behavior indicates a judicial response outside of the published range. While the number of points one receives are only used for internal purposes, judicial incidents and resulting sanctions are reported to graduate schools for as long as those records are maintained.**

*\* Restitution for property damage may be included in the sanction up to two times the cost of repair or replacement.*

*\*\* distribution/sale of drugs on or off campus will result in 4-10 points.*

*In Addition to any Other Sanctions:*

*1-4 total accumulated points will result in a student receiving a “disciplinary warning”*

*5-9 total accumulated points at any time will result in a student being on “disciplinary probation”*

*10 or more accumulated points will result in a separation of the student from the University through either suspension or dismissal*

## **Code of Non-Academic Conduct Regulations**

**1 DISTURBANCE OF THE PEACE**—The infringement upon the right to privacy of any member of the community is prohibited. Disorderly and disruptive conduct and/or the persistent disturbance of a reasonable level of peace and quiet is also a violation.

Students should be aware that repeated violation of this regulation could result in administrative reassignment to another residential unit or area.

*[1-3 points]*

**2 HARASSMENT AND ABUSE**—Harassment and abuse, directed toward individuals or groups, may include at least the following forms: the use or threat of physical violence, coercion, intimidation, and verbal harassment and abuse. Making repeated unwanted contact with another person could also be considered a violation. Wesleyan University’s commitment to nondiscrimination means that intentional discriminatory harassment may be punished more severely than nondiscriminatory or unintentional forms of harassment. (See University Policies—Policy Prohibiting Discriminatory Harassment and Sexual Misconduct, page 20.)

*[2-10 points]*

**3 SEXUAL MISCONDUCT/SEXUAL ASSAULT**—Sexual misconduct, including, but not limited to, sexual assault, sexual exploitation, stalking, and retaliation, is prohibited. (See [University Policies—Policy Prohibiting Discriminatory Harassment and Sexual Misconduct](#)) ([./old/universitypolicies/sexualharassment.html](#)).

*[5-10 points]*

**4 PROPERTY**—The unauthorized use, or the abuse, destruction, or theft of University property or the property of any of its members, guests, or neighbors is prohibited. This includes but is not limited to all tunnels, roofs, and areas under construction. This regulation prohibits the unauthorized appropriation or “borrowing” of common property for personal use.

*[1-8\* points]*

**5 FALSE INFORMATION**—Knowingly furnishing false information to a University officer or member of any constituted hearing board acting in performance of his/her duties is prohibited.

*[1-4 points]*

**6 MISUSE OF DOCUMENTS**—Forgery, alteration, or the unauthorized possession or use of University documents, records, or instruments of identification is prohibited.

*[2-10 points]*

**7 TAMPERING WITH LOCKS AND DUPLICATION OF KEYS**—Tampering with locks in University buildings, unauthorized possession or use of University keys, and alteration or unauthorized duplication of University keys are prohibited.

*[1-4 points]*

**8 FIRE PROTECTION SYSTEMS**—Tampering with fire extinguishers, fire alarm boxes, or smoke or heat detectors anywhere on University property is prohibited. Additional information about fire safety procedures may be found at [wesleyan.edu/firesafety](http://wesleyan.edu/firesafety).

*[2-5 points]*

**9 RESTRICTED ITEMS/FIRE HAZARDS**—The following are considered fire hazards and are prohibited within any University-owned or -operated facility:

**a. STARTING A FIRE** anywhere on University property without explicit permission from the Office of Public Safety is prohibited.

*[1-4 points]*

**b. STORING FLAMMABLE MATERIAL**, canned heat (Sterno brand cooking fuel), flammable liquids, charcoal grills, and other open-flame devices, except in areas such as kitchens or laboratories that are specifically designed for their use. Likewise, candles and flammable decorations are also prohibited.

*[1-3 points]*

**c. COOKING/HEATING DEVICES** are prohibited in all student residential facilities (except kitchens).

*[1-3 points]*

**d. CERTAIN DECORATIVE ITEMS** (e.g., candles, halogen lamps, tapestries) are also prohibited in student residences. A detailed listing of items not allowed in student residences is provided in the “Terms and Conditions” of the housing contract.

*[1-3 points]*

**e. EXPLOSIVES, AMMUNITION, INCENDIARY DEVICES** —Personal possession, storage, or use of firecrackers, fireworks, fire bombs, smoke bombs, blasting caps, ammunition, or any other explosive or incendiary device is prohibited anywhere on the

Wesleyan campus or while one is engaged in any University-connected activity. Ammunition for use in sporting activities must be stored in the Office of Public Safety.

*[2-10 points]*

**f. WEAPONS**—Personal possession or use of operable firearms, air guns, or other weapons is prohibited on the Wesleyan campus or while participating in University activities.

*[4-10 points]*

**10 RECKLESS ENDANGERMENT**—Creating condition(s) or an environment that endangers, or has the potential to endanger, other members of the community or property is prohibited. Failure to take reasonable constructive action to remedy such conditions may also constitute a violation.

*[2-10 points]*

**11 PETS**—Pets are not permitted in any student housing with the exception of fish in 10-gallon tanks or smaller. No other pets or animals are permitted in student residences at any time, even if for a brief visit. Students and their roommates who have a pet or animal found in their residence are subject to the following: First Offense: \$300 fine and referral to the Community Standards Board; Second and Subsequent Offenses: \$500 fine and further judicial action up to and including suspension. Regular follow-up visits will be made to ensure the animal has been removed. Students who, because of a disability, seek approval for an emotional support animal must contact Accessibility Services in order to submit a request. This is a formal process that requires appropriate supporting documentation. Students who bring an emotional support animal to campus prior to receiving approval from Accessibility Services and Residential Life, are subject to fines and judicial action.

Students with disabilities who require the use of a service dog are encouraged to contact Accessibility Services to discuss the service animal policy prior to residence.

*[1-3 points]*

**12 DISRUPTIONS**—The following “ground rules” for political freedom on campus are excerpted from the booklet “Academic Freedom and Civil Liberties of Students in College and University,” published by the American Civil Liberties Union in 1970.

## GROUND RULES

- Picketing, demonstrations, sit-ins, or student strikes, provided they are conducted in an orderly and non-obstructive manner, are a legitimate mode of expression, whether politically motivated or directed against the college administration, and should not be prohibited. Demonstrators, however, do not have the right to deprive others of the opportunity to speak or be heard, take hostages, physically obstruct the movement of others, or otherwise disrupt the educational or institutional processes in a way that interferes with the safety or freedom of others.
- Students should be free, and no special permission should be required, to distribute pamphlets or collect names for petitions concerned with campus or off-campus issues.
- Protests, sit-ins, demonstrations, student strikes, and other forms of expressions also violate the Code of Non-Academic Conduct when they:
  - Disrupt or obstruct curricular, co-curricular, or administrative/operational activities of the University
  - Deny the rights of students, faculty, staff, or guests of the University
  - Inhibit others from moving freely on any part of the University campus, property owned or leased by the University, or to areas where they desire or need to pursue their goals
  - Disrupt the proper use of University offices or facilities
  - Endanger the safety of any person on University property
  - Destroy or damage property
  - Violate statutory health and safety regulations

See [University Policies— Disruptions \(./old/universitypolicies/disruptions.html\)](http://old.universitypolicies/disruptions.html) for further clarification and guidelines.

*[1-10 points]*

**13 DRUGS AND ALCOHOL**—The University prohibits underage and unlawful possession, use, abuse, or distribution of illicit drugs and alcohol. This prohibition includes, but is not limited to, the following:

**a.** The possession, use, manufacture, distribution, or dispensing of illegal drugs or controlled substances by any member of the Wesleyan community. This includes the misuse or abuse of any medications prescribed by a physician to another individual. Students should be advised that University personnel may confiscate drug paraphernalia (including bongos, water pipes, etc.). Such items will be tested for drug residue and the owner held responsible for a drug policy violation if appropriate.

*Addition to Alcohol and Other Drugs Policy:* While both medical and recreational marijuana is legal in Connecticut for people over the age of 21, the law excludes college campuses, and marijuana continues to be a federally-prohibited drug (<https://www.campusdrugprevention.gov/content/drug-scheduling-and-penalties>) under the Controlled Substances Act (CSA) (<https://www.dea.gov/drug-information/csa>). The federal Drug-Free Workplace Act and the Federal Drug-Free Schools and Communities Act (<https://www.congress.gov/bill/101st-congress/house-bill/3614>) both continue to prohibit marijuana and other illicit drugs as a condition of Wesleyan receiving federal funds for financial aid, research, etc. Because marijuana continues to be prohibited on campus, use and possession of any kind is not allowed and it is not considered a reasonable accommodation under the ADA for students with disabilities. Students are encouraged to reach out to the Davison Health Center, WesWell, CAPS or their own medical providers to explore alternative treatments.

*[1-5\* points]*

**b.** Underage possession or consumption of alcohol anywhere on University property or at University-sponsored events.

*[1-3 points]*

**c.** Distribution of alcohol to underage persons anywhere on University property or at University-sponsored events. Hosts of social events where alcohol is distributed may be held responsible for any such illegal distribution committed by their guests.

*[1-4 points]*

**d.** The possession of false identification.

*[1-2 points]*

**e.** Possession of open containers of alcohol is prohibited at all times and at all campus locations, except in private residential settings where the residents are of legal age or during registered events. Alcohol is not permitted in common spaces of program houses and residence halls. In addition, the possession of an open container or consumption of alcohol on City property, streets, and sidewalks is prohibited by City ordinance. **NOTE:** Members of the Wesleyan community who are of legal drinking age may consume alcohol on Foss Hill during daylight hours.

*[1-2 points]*



**f.** The sale, distribution, or dispensing of alcohol without a permit in any premises, building, apartment, or other place used by any club, association, social, or fraternal society or organization to the members thereof, their guests, or other persons.

*[1-3 points]*

**g.** Operating a motor vehicle while under the influence of alcohol and/or drugs.

[5-10 points]

**h.** Because the safety and welfare of students is Wesleyan's priority, the university has a medical amnesty policy for medical emergency situations involving excessive drinking and/or drug use. This policy applies to: 1) students requesting medical assistance for oneself; 2) students requesting medical assistance for another person, and 3) students for whom medical assistance was provided.

If emergency services or Public Safety are called to a situation and medical assistance is deemed necessary, the university expects the student to accept transportation to the hospital for medical attention.

If it is determined that the medical amnesty policy applies to a situation, the students involved will typically not face a formal judicial hearing if they agree to meet with a health educator and participate in any recommended educational assignments or referrals. Failure to complete these requirements may result in disciplinary actions. The Amnesty Policy may not apply to students who engage in other Code violations, such as property damage, harassment and abuse or reckless endangerment.

If a student requires medical attention for alcohol or drugs a second time, the student will be referred to the formal student conduct process.

[0 points if there is no formal judicial hearing]

**14 FAILURE TO COMPLY**—Members of the community are expected to comply with reasonable requests made by University personnel acting within the capacity of their responsibilities, including requests for adequate identification. Public Safety officers should be allowed to enter private residential spaces to address suspected policy violations. Officers may enter private residential spaces without residents' permission only with the approval of the vice president for student affairs (or designee).

*[1-4 points]*

**15 DEPARTMENT REGULATIONS**—Members of the community are expected to abide by duly established and promulgated non-academic regulations. This is intended to cover the operating regulations of all University programs and facilities. These include, but are not limited to, policies for Residential Life, Public Safety, Information Technology, and all the other policies.

- a. Social Event Registration *[1-3 points]*
- b. Unregistered Guest *[1-2 points]*
- c. Smoking in Residence Hall *[1-2 points]*
- d. Quiet Street Noise Violation *[1-3 points]*
- e. Physical Plant/Restricted Items *[1-3 points]*