

Bates: Student Affairs

The College Code of Student Conduct and Disciplinary Processes

Bates takes pride in the responsibility of its students and the social and educational atmosphere of its campus.

Bates College students are held responsible for their conduct at all times. Any student who engages in academic or social misconduct shall be subject to student conduct action by the Office of Student Support & Community Standards and/or the Student Conduct Committee.

The College reserves the right to withdraw from any student the privilege of attending college at Bates for any lawful reason that the College deems appropriate.

The following considerations constitute the foundation of the College's justification for establishing expectations of student conduct, codifying those expectations, and adopting equitable processes for assessing student conduct.

1. The College's mission as a private residential educational institution establishes its identity as an independent community with a distinctive history and culture.
2. The Charter and By-Laws of the College charge the faculty with responsibility for the welfare of students and the conditions under which they are to live and learn.
3. The College's standards of conduct and the procedures for determining responsibility for misconduct reflect its particular mission and history. These standards and procedures do not attempt to duplicate civil and criminal legal processes, nor do they attempt to substitute for them. As an institution structured to accomplish its stated educational mission, the College has an independent interest in upholding standards of academic and social conduct, and these expectations may differ from those found in society at large. The College is committed to fundamental fairness in its student conduct procedures.
4. By the action of matriculation and registration at Bates College, students voluntarily enter an educational and residential community with standards of academic honesty and respect for persons and property. In choosing to enroll in the College, students become responsible in their conduct to those standards as stated in the Student Conduct Code.

The College may address student academic and social misconduct through its own processes and apply sanctions governing the terms of membership in the College. The College reserves the right to deal with misconduct whether or not law enforcement agencies are involved and/or criminal charges may be pending.

Part I: Bates College Code of Student Conduct

The purpose of the Code is to express community standards of honesty, respect for persons and property, and responsible use of freedom. In addition, we seek to support each student in accessing the resources they need to be well. The Code reflects the College's mission and identity, and it exists to guide conduct, safeguarding and promoting the College's educational activity.

Students are responsible for reading and reviewing the Code of Student Conduct, and for understanding the responsibilities they assume by enrolling in the College.

For purposes of handling student conduct matters, a "student" is defined as someone who has matriculated and has not formally severed recognized student status with the College. Students retain this status throughout their careers at Bates, including academic terms, scheduled vacations, summer months, periods of leave, or off-campus study.

Student conduct action may not be brought against someone who has formally severed recognized student status with the College or who has graduated from the College except when such an individual may once again be a recognized student. The College reserves the right to at any time bar any non-current member of the Bates community from being on campus or participating in College-sponsored activities. In situations where it may not be possible to resolve a case prior to a student's graduation, the President (or designee) may cause the student's degree to be withheld until the case is fully resolved.

The College reserves the right to investigate and sanction alleged misconduct even when it occurs off campus. The College usually will apply the Code in instances where the off-campus misconduct:

1. occurs in connection with a College-sponsored event or when students are acting as representatives of the College, or
2. directly affects another member of the Bates community, or
3. suggests a potential danger or threat to others.

It is important that students know where to turn when they have questions, and for the College to be confident that those to whom they turn understand the student conduct system. In addition to the language of the Code itself, the College makes available a variety of resources: The Office of Student Support and Community Standards, members of the faculty, the Judicial Educators, and Junior Advisors and Residence Coordinators (JAs and RCs). If a student has a general question about student conduct policy, JAs and RCs are able to provide helpful and accurate answers

and may refer more detailed questions to other campus resources. For more detailed information, students may speak with the Judicial Educators, who have extensive familiarity with the student conduct process and who are prepared to explain it to students and faculty who become involved in any aspect of a student conduct matter. The Judicial Educators are not associated with the Office of Student Support and Community Standards and do not determine any element of a case, but serve as an independent, informed resource for students (see Part III, A.3., below).

A. Bates College Statement on Academic Integrity

Bates College is an academic community deeply engaged in inquiry and intellectual exchange and is committed to core principles of academic freedom, academic integrity and rigorous, creative scholarship. We recognize that intellectual and artistic exchange depend on a mutual respect for independent inquiry, reflection and expression. Faculty, staff, and students alike are therefore dedicated to fostering an environment that upholds the highest standards of fairness, integrity, and respect in all their academic endeavors.

As contributors to an ongoing scholarly and creative conversation that depends upon thoughtful and fair acknowledgment and treatment of the inquiries, reflections, and expressions of others, each member of the Bates community is expected to use and represent the work of others fairly and honestly; to acknowledge the work of others fully and accurately through proper attribution and citation; and to produce their own work unless collaboration is permitted. Faculty and staff members are expected to meet these standards in all their work as described in the employee and faculty handbooks; students are subject to the policies and procedures described below.

In educating students in the values, dispositions, and responsibilities of independent thinkers and scholars, the Bates faculty recognizes that certain scholarly practices reflect complex tasks that require instruction and practice. Faculty are committed to teaching these critical practices. Students, in turn, are responsible for learning these scholarly practices and demonstrating them in all their work; they are not only a means of showing learning but of developing genuine understanding, not only the mark of an independent scholar but the way to become one.

This policy statement outlines these principles and practices, roles, and responsibilities. Potential consequences for students are described in the [Bates College Academic Integrity Procedures](#).

Violations of Academic Integrity

Violations of principles and practices of academic integrity fall into two subcategories: (1) plagiarism and misuse of sources and (2) cheating.

1. Plagiarism and Misuse of Sources

Plagiarism is the use without proper attribution of someone else's words, ideas or other work as if it were one's own. Failure to properly indicate and acknowledge the work of others can lead a reader, listener or viewer to think that information, research, ideas, words, images, data, artistic and creative elements, or other work are the student's own efforts, when they are not. Plagiarism significantly departs from accepted standards in the academic community and misleads others into thinking the work is the student's own.

Misuse of sources, like plagiarism, reflects failure to properly credit the work of others but involves errors, mistakes, incomplete, or inadequate attempts and other errors in citation, quotation, and attribution that would not seriously mislead others into thinking the work is the student's own.

Plagiarism and misuse of sources carry different consequences as described in [Bates College Academic Integrity Procedures](#).

The responsibility to give credit for material that would not qualify as common knowledge applies to almost all types of assignments and situations, not just papers, and not only to final work but also submitted drafts. Work in which students must acknowledge sources and the contributions of others includes but is not limited to draft and final versions of the following:

- talks and other oral presentations
- visual aids, presentation slides, or other media tools
- websites, Web pages, webcasts, and other multimedia work
- artistic, musical, and other creative work
- lab reports
- problem sets
- thesis chapters, papers, proposals, literature reviews, abstracts, annotated bibliographies, and other writing
- exams, including in-class and take-home exams.

2. Cheating

Cheating involves violating recognized norms for academic inquiry or specific norms established by faculty for particular assignments or using other methods, including technology, to gain unearned academic advantage. Examples of cheating include but are not limited to the following:

- unauthorized collaboration

- using materials not permitted during an exam, when writing a paper, or in completing other assignments
- receiving assistance beyond what is permitted
- manufacturing or falsifying data
- submitting the same work to satisfy the requirements of two different courses without getting permission from the instructor of the second course or permission from both instructors if the same work is submitted in two courses during a single semester
- knowingly providing assistance of any kind to another person who is attempting to cheat or plagiarize

Violations of academic integrity are among the most serious offenses that students can commit; any violation may result in consequences at both the course and institutional levels. Procedures, findings, and consequences for violations of academic integrity may depend on specific circumstances, such as the student's grade level, educational background, prior violation of academic integrity policies, attempts made to cite or acknowledge sources, and the amount and type of work at issue. Procedures and potential consequences for students are described in [Bates College Academic Integrity Procedures](#).

B. Social Misconduct

Bates College students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in any disturbance, interferes with the rights of others, damages property, or is individually or as a member of a group involved in unacceptable social behavior on or off campus may be subject to student conduct action by the Office of Student Support & Community Standards and/or the Student Conduct Committee.

General Categories of Social Misconduct

Cases of social misconduct usually fall into one of several general categories. While not exhaustive, the following categories illustrate the expectations of the College and provide examples of misconduct subject to student conduct action. Many of these categories, and the accompanying examples, have a counterpart in the State of Maine Criminal Code. The stipulated definitions of state and local criminal codes and the processes of the criminal justice system are not part of the Bates Code of Student Conduct. Addressing a violation of the College's Code of Conduct does not exempt the individual from prosecution by proper authorities under criminal or civil code, and criminal or civil prosecution does not exempt the individual from being held accountable under the College's Code of Student Conduct.

1. Actions Against Persons

Conduct which involves force, threat of force, or intimidation directed at an individual or group of individuals may constitute an “action against persons” violation.

Examples of actions against persons violations include:

Assault

- This includes any unwanted physical contact, as well as fighting and physical altercations.

Sexual Misconduct

- Please refer to the College’s [Equal Opportunity, Non-Discrimination, and Anti-Harassment Policy](#) for detailed definitions regarding sexual misconduct violations (e.g., rape, sexual assault, dating violence, domestic violence, and stalking) and the procedures for adjudicating alleged violations.

Hazing

- Following Ch. 159 of Maine Public Laws, 1983, Bates prohibits injurious hazing, defined as “any action or situation which recklessly or intentionally endangers the mental or physical health of a student. . . .” Specifically, hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption or other substances to excess, or (4) violates any College policy. An act may be considered hazing regardless of the person’s consent to participate.

Harassment, Intimidation, or Bullying

- This includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the educational environment, or damage to property. Such acts may be committed in person, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites.
- For conduct concerns that may be related to a protected class (race, gender identity, sexual orientation, ability, national origin, religion, or other identity), please refer to the College’s [Equal Opportunity, Non-Discrimination, and Anti-Harassment Policy](#) for detailed definitions and the procedures for adjudicating alleged violations.

2. Actions Against Property

Conduct which results in damage to property of another individual or of the College, or conduct which improperly converts another's property to personal use may constitute an "action against property" violation.

Examples of actions against property violations include:

Theft

- To steal or knowingly possess stolen property or any item reasonably thought to be lost and not abandoned.

Damaging the property of another person or of the College

- Students may be subject to student conduct action for damage to the property of another person or College property, including their own rooms, in addition to providing restitution for any monetary costs assessed by another person or the College to repair such damage.

Illegally entering College facilities

- This includes unauthorized possession, use, or duplication of College keys or cards, passwords, or other means of access.

3. Dangerous or Disorderly Conduct

Conduct that is dangerous to self or others, or conduct that creates a disturbance or disrupts the ability of the College to carry on its essential functions may constitute a "dangerous or disorderly conduct" violation. In accordance with the Drug-Free Schools and Communities Act, the College's standards of conduct prohibit the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees, on the College's property, or as part of any of its activities.

Examples of dangerous or disorderly conduct violations include:

Illegally possessing, using, or distributing any scheduled drugs

- Unlawful possession, distribution, or use of illegal drugs and narcotics, including amphetamines, marijuana, cocaine, heroin, and LSD, renders a student liable to disciplinary action, including confiscation of materials, student conduct action up to and including suspension and dismissal, and/or referral to local police authorities.

Violating the College's alcohol policy