BOSTON COLLEGE

OFFICE OF THE DEAN OF STUDENTS

STUDENT CODE OF CONDUCT

2022-2023

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1.0 OVERVIEW OF THE CONDUCT SYSTEM

The Office of the Dean of Students coordinates the student conduct system and oversees all matters relative to the conduct and behavior of Boston College students in order to maintain a community conducive to the overall mission of Boston College.

1.1 Statement of Purpose

The purpose of the student conduct system is to help foster an environment that promotes the intellectual, personal, ethical, psychological, social, and spiritual development of all students. In keeping with the mission of Boston College, a conduct system should be, first and foremost, educational in nature. However, the rights of others within the campus community may require severe, but appropriate responses to augment student learning and help protect the rights of others. Such a system has among its goals personal development, moral and ethical enrichment, value formation, and citizenship.

1.2 Authority of the Administration

The student conduct system is administered by the Vice President for Student Affairs through the Office of the Dean of Students, overseen by the Dean of Students. The Dean of Students or designee reserves the right to review the sanctions imposed at any conduct hearing to assure their appropriateness. Boston College reserves the right to change or supplement any policies within the Student Code of Conduct.

1.3 Student Rights

In the case of conduct procedures, students have the right to:

- be informed of any charges of misconduct,
- have an opportunity to respond to the charges,
- hear evidence in support of the charges,
- present evidence against the charges, and
- be informed of the outcome of a conduct proceeding.

1.4 Jurisdiction

The Student Code of Conduct applies to all Boston College students and student organizations. A student is defined as a person enrolled or registered for study at Boston College for any academic period, irrespective of the student's presence on campus. Persons who are not officially enrolled but have been enrolled and plan to continue as students at the University may also be considered students. This includes but is not limited to, students on a personal, medical, or academic leave of absence, and students suspended from the University.

The Student Code of Conduct applies to Boston College students while they are on campus, off-campus, online, or abroad. Students residing in Boston College residential facilities are also bound by the policies and procedures of the Conditions for Residency, which include fire safety and security policies. The Conditions for Residency and other residential policies can be viewed on the Office of Residential Life's Community Expectations webpage.

1.5 Standard of Proof

The purpose of conduct proceedings is to investigate the facts of the matter and to determine responsibility for alleged violations. The focus of inquiry is whether the student is "responsible" or "not responsible" for violating the Student Code of Conduct. The standard of proof for a finding of responsibility is a "preponderance of evidence," meaning that the evidence indicates that it was more likely than not that the conduct violation occurred. Formal rules of evidence are not applicable, and deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to a student or the University results.

There may be instances where a student is found responsible for a "lesser-related" violation than the one listed in their notice letter. This may occur if the allegations giving rise to the lesser-related violation stem from the same facts and circumstances as described in the notice letter. For example, a student charged with "Drug Sales" may be found responsible for the lesser-related violation of "Possession and/or Use of Drugs" or a student charged with "Physical Violence" may be found responsible for the lesser-related violation of "Disorderly Conduct."

2.0 ADMINISTRATIVE PROCEDURES AND POLICIES

Boston College operates in compliance with legal requirements and University policies. These academic policies and procedures guide the activities of all students, faculty, and staff. The Office of Student Services is responsible for communicating any changes to these academic policies and procedures.

2.1 Student Conduct Records

When a student is found responsible for violation(s) of the Student Code of Conduct, a conduct record will be established and maintained in the Office of the Dean of Students. Student conduct records will be maintained, in accordance with federal regulations, for a minimum period of seven years following the incident. The Office of the Dean of Students may also maintain records for any pending or unresolved conduct matters. Students who receive sanctions of University Suspension or Dismissal may have their conduct records maintained indefinitely. University Suspension or Dismissal sanctions are noted on the student's academic transcript indefinitely.

When a student withdraws from the University with pending conduct charges, a hold may be placed on the student's account until the matter is resolved, or the Dean of Students or designee may proceed with an adjudication process as described in Section 4.0.

2.2 Parent/Guardian Notification

The Office of the Dean of Students or designee, at the Dean's discretion, will notify parents/guardians in writing of conduct matters to the extent permitted by law. The Office of the Dean of Students may inform a student's parents/guardians of any finding of responsibility and related sanctions for violations of federal, state, or local laws governing the possession or use of alcohol or controlled substances.

2.3 Interim Administrative Action

The Dean of Students or designee may take interim administrative action when a student is deemed to threaten the health, safety, or well-being of the University community, threaten or impair the effective functioning of the University, or when a student has been charged with a serious criminal offense. Interim actions may include summary suspension from the University, removal from University housing, suspension of privileges, and other similar measures.

Interim administrative action is not a disciplinary sanction. It is intended to help protect the University and members of the community until a matter can be investigated, adjudicated, or otherwise resolved and remains in effect only as long as the Dean of Students or designee determines there is a need for it or until the matter has been investigated, adjudicated, or otherwise resolved. In the case of interim action imposed as a result of criminal charges, the action may remain in effect until the matter is resolved both on and off campus.

Examples of behavior that may lead to summary suspension from the University include, but are not limited to, physical violence, sexual misconduct, disruption of the educational or civil living environment of the University, significant damage to property, and possession and distribution of controlled substances.

2.4 Temporary No Contact Order

In instances where it has been determined by a University administrator that contact between a student and one or more individuals is likely to negatively affect the safety or well-being of the community or individuals involved, a Temporary No Contact Order may be issued. The order, specific to a person and/or location, prohibits the student(s) subject to the order from having any further direct or indirect contact, including, but not limited to, contact via email, mail, text messages, social media, or telephone, as well as third-party contact, for the duration of one week (seven days).

A Temporary No Contact Order may be issued by the Administrator On-Call (AOC), Senior Administrator On-Call (SAOC), or a staff member in the Office of the Dean of Students. During the seven-day period, the Office of the Dean of Students will determine whether the issuance of a longer-term Stay Away Order is warranted. The Temporary No Contact Order is issued as an initial response to a complaint and does not necessarily indicate that a violation of the Student Code of Conduct has occurred.

2.5 University Stay Away Order

The Office of the Dean of Students may issue a University Stay Away Order to a student when interaction between that student and one or more individuals is likely to negatively affect the safety or well-being of the community or individuals involved.

The Order, specific to a person and/or location, prohibits the student from having any further direct or indirect contact with the other individuals, including, but not limited to, contact via email, mail, text messages, social media, or telephone, as well as third-party contact. If two students are involved, the Stay Away Order is generally mutual. At the discretion of the Office of the Dean of Students, a Stay Away Order may result in mandated changes to a student's academic schedule, on-campus employment, co-curricular or other activities, and/or residential assignments. A University Stay Away Order does not necessarily indicate that a violation of the Student Code of Conduct has occurred.

3.0 STUDENT CONDUCT PROCEDURES

The student conduct system exists to protect the rights of the Boston College community and provide a fair process for resolving student conduct complaints.

3.1 The Complaint or Report of an Incident

A student will become involved with the conduct system as a result of alleged violations of the Boston College Student Code of Conduct. Violations will usually be documented through a complaint or report submitted by a Residential Life staff member, Boston College police officer, off-campus community liaison, neighbor, fellow student, University official, or local police department. Anyone who has grounds to initiate a complaint regarding any Boston College student may do so by submitting the Office of the Dean of Students Report of Alleged Violation Form.

The Office of the Dean of Students reserves the right to not proceed with complaints not submitted within a reasonable time frame.

3.2 Pursuit of Alleged Violations

The Office of the Dean of Students reserves the right to investigate and pursue all alleged violations of the Student Code of Conduct that come to the Office's attention, including cases in which the students or other community members affected by the violation choose not to file or pursue an allegation. In such cases, a University administrator with knowledge of the matter may act as the complainant. In circumstances where the complainant is unavailable, or the complaint does not involve a University program or activity, the Office reserves discretion as to whether or not to pursue alleged violations. If criminal charges are pending in a matter, the Office of the Dean of Students has the discretion to pursue the adjudication or to defer the adjudication while a criminal investigation is pending.

3.3 Responding Student Notification

A student who is the subject of a report will be contacted by the Office of the Dean of Students or designee. Designees, subsequently referred to as hearing officers, may include, but are not limited to, staff members in the Office of the Dean of Students and the Office of Residential Life. The responding student will be sent a written, verbal, or electronic notice of a hearing in which their presence is required. A student who does not respond to a request to schedule a hearing or fails to appear for such a scheduled meeting may have the case heard in the student's absence or have an administrative hold placed on the student's status until the meeting occurs.

3.4 Advisors

Students may be accompanied by an advisor of their choice at any conduct hearing or meeting related to an alleged violation. Hearings will not be scheduled or postponed based upon the availability of a student's advisor. If a student plans to have an advisor present at a hearing, the student must notify the hearing officer, in writing, at least two business days before the hearing. If a hearing is scheduled with less than two business days' notice, the student is responsible for requesting additional time to obtain an advisor if needed.

The role of the advisor at meetings and hearings is limited. Advisors may not ask questions, interject, coach, advocate for, or otherwise speak on a student's behalf during a meeting or hearing. The student and advisor can confer at any point, but the advisor may not formulate specific questions, responses, or statements for the student. Violations of the guidelines may result in a warning being issued to the advisor by the hearing officer. Repeated violations may result in the advisor being asked to leave the meeting or hearing.

The University reserves the right to have legal counsel present at any hearing to serve as an advisor to the hearing board or hearing officer. The chairperson or hearing officer and legal counsel may consult anytime during the hearing.

Boston College officials involved in the Student Conduct System will address only general procedural matters with attorneys serving as advisors; all other matters will be referred to the Office of the General Counsel. The students involved in a conduct matter are expected to communicate directly with the University on their own behalf and in their own words with respect to any substantive questions, concerns, or other matters.

3.5 Witnesses

If a student wishes to provide witnesses, the student must inform the Office of the Dean of Students, in writing, and provide the names and contact information of the witnesses. Only witnesses who can attest to the facts of the incident are permitted to be a part of the hearing process. General character witnesses are not permitted. It is the responsibility of the student to notify witnesses of the date, time, and location of the hearing.

The Office of the Dean of Students has the authority to request the presence of witnesses to provide information to the hearing officer or board. Student witnesses who fail to cooperate with the hearing process or fail to cooperate with the investigation of a complaint may be subject to discipline by the Office of the Dean of Students.

3.6 Privacy

All parties involved in a conduct matter, including the respondent, complainant, witness, advisors, and hearing officers, are expected to respect the privacy of other participants. Any unauthorized disclosure of private information by participants to persons not involved in the hearing process as direct participants, advisors, or responsible administrators may be dealt with as a subsequent charge or as grounds for dismissal from the hearing. As a general rule, hearings are closed to individuals not directly involved.

3.7 Notification of Decisions

The responding student will generally be sent written notification of any decisions and/or sanctions reached as a result of a hearing within ten (10) business days after a hearing. In cases involving allegations of sexual misconduct or of a crime of violence, the Office of the Dean of Students will notify both the respondent and the complainant of the decision and the status sanction imposed.

Hearing results may be shared with relevant academic deans and other University officials who have a legitimate educational interest in such results.

3.8 Appeals

Students may submit an appeal of a decision reached in a conduct matter brought under the Student Code of Conduct, whether the decision was the result of an administrative hearing, a hearing board, or any other conduct proceeding administered under the auspices of Student Affairs.

Grounds for Appeal: Appeals may not be submitted to request a review or modification of sanctions. Appeals will be accepted solely on one or both of the following grounds:

1. Violation of Procedure: An appeal will be accepted if the student demonstrates that the University committed a material procedural error that likely adversely affected the result of the conduct adjudication. Minor or inconsequential deviations from procedure do not give rise to an appeal right.
2. Previously Unavailable Information: An appeal will be accepted if the student is able to provide evidence that was unavailable to the student at the time of the adjudication process and that would likely affect the finding.

How to File an Appeal: Students must submit an appeal within five (5) business days of the student receiving notification of the resolution of the case. Appeals must be written and submitted by the student rather than an advisor or representative. Appeals can be submitted utilizing the Appeals Form.

Review of Appeals: A member of the Office of the Dean of Students or designee acts as an "Appeals Officer" in these cases. The Office of the Dean of Students or designee may, in the exercise of reasonable discretion, defer imposed sanctions while an appeal is being considered.

The Appeals Officer will review the appeal to determine if it meets the required grounds. In so doing, the Appeals Officer may consult with the hearing officer, hearing board participants, investigator(s), and/or other University administrators involved in the adjudication, and may review evidence.

The Appeals Officer will endeavor to make a decision on the appeal within ten (10) business days; however, the Officer may require additional time, in which case the student will be notified. If the Appeals Officer finds that the student has adequately demonstrated proper grounds for appeal, the Officer will determine whether to require the case be re-heard in whole or in part by the original or a new hearing officer, board, or investigator(s), or may review the matter and determine that an adjustment in the findings or sanctions is appropriate.

The decision of the Appeals Officer is final.

4.0 ADJUDICATION PROCESSES

Boston College employs several types of student conduct adjudication processes. The Dean of Students or designee determines which process will be used, with consideration given to the nature of the case and particular circumstances, including its complexity and severity and the availability and type of evidence. All processes aim to resolve cases impartially and treat all individuals involved in the process with respect and objectivity. Any conduct process may be conducted virtually, in whole or in part, at the discretion of the Office of the Dean of Students.

Except to the extent required in the case of a virtual process, students are not permitted to record or use any type of electronic device at any hearing or meeting related to the incident. Devices include, but not limited to, laptop computers, tape or digital recorders, phones, or other recording devices.

The hearing officer or chairperson has the authority to maintain decorum in the hearing and has the discretion to determine whether to exclude testimony, evidence, or any question that the hearing officer or chairperson reasonably determines is not relevant to making a finding in the case or are inappropriate.

The student conduct processes, include:

- Administrative Hearings;
- Student and Administrative Hearing Boards;
- Sexual Misconduct Procedures; and
- Title IX Harassment Procedures

4.1 Administrative Hearings

An administrative hearing is a hearing that generally consists of a meeting or meetings with a single hearing officer to adjudicate a disciplinary charge. An incident that involves more than one student may be resolved through a single hearing at the discretion of the hearing officer. The hearing officer may meet with the parties and witnesses separately, and may gather evidence separately from the meetings.

Students have a right to be informed of the charges and hear relevant evidence gathered, present witnesses, have an advisor of their choice, and present other evidence on their behalf. A case may potentially be held for further information, referred to a hearing board, or resolved through a determination by the hearing officer.

4.2 Hearing Boards

Hearing boards determine responsibility and recommend sanctions, which are either approved or amended by the Dean of Students or designee.

Boston College has two distinct hearing boards: The Student Conduct Board and the Administrative Hearing Board. The Student Conduct Board is comprised of students while the Administrative Hearing Board is comprised of administrators, faculty, and/or staff.

Chairpersons of hearing boards convene the boards, determine the order of hearing cases (e.g., witnesses, duration of testimony), determine the appropriateness of questions and/or testimony, and serve as the principal liaisons between the boards and the Office of the Dean of Students. The chairperson has final procedural authority during the hearing.

Click here to review the current procedures for both the Student Conduct Board and the Administrative Hearing Board.

4.2.1 Student Conduct Board

The Student Conduct Board (SCB) is composed of student members and chairpersons. Students are selected for the SCB through an application and interview process by the Office of the Dean of Students. Chairpersons generally have at least one prior semester of service as a board member, and are selected by the Office of the Dean of Students.

A panel of a minimum of three voting members of the Student Conduct Board will hear individual cases. Decisions that can be reached by the Student Conduct Board are "responsible" or "not responsible." A simple majority vote of the panel is required to render a decision. If the decision is "responsible," the Board may recommend sanctions up to and including suspension from the University.

Board members must disclose any real or perceived conflict of interest between themselves and any party and may not hear a case if they cannot be impartial at its hearing.

4.2.2 Administrative Hearing Board

The Administrative Hearing Board (AHB) is composed of University administrators, faculty, and/or staff. All Board members are trained by the Office of the Dean of Students. Chairpersons for the Administrative Hearing Board are designated by the Office of the Dean of Students and receive additional training.

A panel of a minimum of three voting members of the Administrative Hearing Board will hear individual cases. Decisions that can be reached by the Administrative Hearing Board are "responsible" or "not responsible." A simple majority vote of the panel is required to render a decision. If the decision is "responsible," the Board may recommend sanctions up to and including suspension or dismissal from the University. In addition, the Board, may recommend other administrative measures or remedies.

Board members must disclose any real or perceived conflict of interest between themselves and any party and may not hear a case if they cannot be impartial at its hearing.

4.3 Title IX and Sexual Misconduct Procedures

The University's Title IX Harassment Policy and the Student Sexual Misconduct Policy describe how allegations of Sexual Harassment and Sexual Misconduct are adjudicated, and the scope of conduct addressed under each policy. The policies also provide information regarding the University's response efforts related to sexual harassment and sexual misconduct by students, including descriptions of prohibited conduct, reporting options, supportive measures, the formal complaint process, the informal resolution process, possible remedies and sanctions, and other information.

5.0 SANCTIONS

Sanctions will be designed to deter students from similar future behavior, prevent further misconduct, address the misconduct's effect on the community, promote safety, and provide education. Sanctions are commensurate with the severity of the violation, at the sole discretion of the Office of the Dean of Students or designee.

Certain behaviors may be so harmful to the University community that they may require serious sanctions, such as removal from University housing, removal from specific courses or activities, suspension, or dismissal from the University. Such behaviors include, but are not limited to, incidents of sexual assault, serious drug policy violations, fire safety violations, bias motivated conduct, and physical violence.

5.1 Status Sanctions

Students found responsible for violations of the Student Code of Conduct will typically have a change in their conduct-related status. This change can take many forms based upon the nature of the violation, and typically progress in seriousness with subsequent violations. All status sanctions are issued at the discretion of the Dean of Students or designee. These sanctions refer to a student's University conduct status and are generally imposed for a specified period of time. A student's previous conduct history is a factor in determining appropriate sanctions for subsequent violations of the Student Code of Conduct. Subsequent violations of the Student Code of Conduct while on an active probationary status will generally result at a minimum in the next higher level of probationary sanction being levied. These statuses are as follows:

- Conversational Resolution is a sanction generally utilized for first-time, low-level violations. Conversational Resolutions are meant to provide students an opportunity to discuss behavioral expectations of Boston College as well as to strategize ways to prevent further misconduct through student decision-making. Students are generally afforded the conversational resolution only once during their tenure.

- Administrative Warning is a formal notification to a student documenting that a violation of the Student Code of Conduct has occurred. It serves as an official warning to the student that subsequent violations of the Student Code of Conduct may result in higher-level sanctions.

- Probationary Statuses remain active for a specified period of time and serve as a formal notification that the activity in question is unacceptable. During this time, the student is given the opportunity to modify unacceptable behavior, to complete specific assignments, and to demonstrate a positive contribution to the University community. Additionally, if continued or other inappropriate behavior follows, higher-level sanctions may be issued. Probationary statuses remain part of a student's conduct record even after the term of the probation.

The hearing officer may, at their discretion, limit or exclude certain privileges available to a student on probation. Depending on the seriousness of the violation and/or the prevalence of the behavior, the following probationary statuses may be issued:

- Disciplinary Probation is the lower-level probationary status, which indicates that similar or more severe violations of the Student Code of Conduct may result in University probation, loss of privileges, and/or housing suspension.

- University Probation is the highest level of probationary status, which indicates that similar or more severe violations of the Student Code of Conduct may result in deferred suspension, suspension, or dismissal from the University.

- Deferred University Suspension indicates that a student is placed on notice that any subsequent violations of the Student Code of Conduct will generally result in suspension or dismissal from the University.

- Deferred University Dismissal indicates that a student is placed on notice that any subsequent violations of the Student Code of Conduct will generally result in dismissal from the University.

- University Suspension requires that the student no longer be present on any Boston College owned or leased property for a specified period of time. While on suspension, a student may not take courses to advance a Boston College degree. Students cannot be readmitted until after the date their suspension ends, nor may they register or pre-register for the following semester's courses or housing.

  In addition, students who have been suspended from the University may lose certain privileges upon their return, at the discretion of the hearing officer. Students returning from University Suspension will generally have a sanction of University Probation for one full year upon their return to campus. A notation stating "suspended for disciplinary reasons" will be indicated on the student's transcript.

- University Dismissal requires that the student completely and permanently sever any and all connection with Boston College; this includes all Boston College activities, services, facilities, grounds, and undergraduate, graduate, and professional schools. A notation stating "dismissed for disciplinary reasons" will be indicated on the student's transcript.

5.2 Other Sanctions

- Alcohol and Drug Education Program: Students who have a drug or alcohol violation or a violation where alcohol or drugs may have been an aggravating factor may be sanctioned to an Alcohol and Drug Education (ADE) Program. Students sanctioned to an ADE Program will pay the associated fee for the provision of the program. See the Center for Student Wellness for descriptions of ADE programs.

- Psychological and/or Substance Abuse Evaluation and Treatment: This referral requires that the student meet with a licensed mental health clinician to undergo a general psychological and/or substance abuse evaluation. The evaluation should include recommendations for subsequent treatment and the student will be required to comply with these recommendations. The student will need to sign a release so the clinician can confirm that the evaluation was completed and share any recommendations for subsequent treatment.

- Revocation of Privileges: This is a limitation on, or ban on participating in, one or more University activities, services, and facilities for a specified period of time. Privilege revocations include, but are not limited to, loss of leadership positions, exclusion from study abroad programs, loss of guest privileges, exclusion from student event participation, and loss of social gathering registration privileges.

- Revocation of Housing Privileges: Revocation of housing privileges may include loss of University housing temporarily or permanently, restriction from certain buildings or areas of housing, and other housing-related restrictions.

- Administrative Placement: A student may be administratively placed, assigned to a room, and/or required to relocate to a different residence hall or area.

- Fines: Certain offenses may result in monetary sanctions. These sanctions will be applied to a student's account.

- Financial Restitution: Compensation to the injured party, payment for damages, and/or "court costs" for hearing appearances of the police.

- Delay of Degree: The University reserves the right to delay the awarding of a degree.

- Revocation of Degree: The University reserves the right to revoke any degree, and such revocation would be noted on the student's academic transcript.

- Failure to Complete Sanctions: If a student fails to comply with or fails to complete an imposed sanction by the established deadline, the student may face additional action, including more progressive sanctioning, a hold on the student's account, and/or a fine of $100 (per incomplete sanction if applicable).

5.3 Formative Sanctions

Formative sanctions are used alone or in conjunction with warnings and probation to hold students accountable for their behavior as well as to provide a venue for education, follow-up conversations, reflections, and meaningful contributions to the greater community.

- Peer Conversation Program: The Peer Conversation Program allows students to be referred to a peer for informal, meaningful conversation. The goal of the program is to provide students with an opportunity to reflect on their experiences with fellow students who have been trained to engage in reflective conversations and appropriately assist students in navigating their Boston College experience.

- Conversation Project: The Conversation Project is a collaborative effort to organize and systematize how students meet with faculty and professional staff to have informal, meaningful conversations. The Conversation Project aims to provide a resource for students and to give them an opportunity to share in a "safe environment," reflect upon their experience, and identify pathways to foster future success.

- Educational Project/Paper: A student is required to engage in a specific educational project, such as writing a reflective paper, conducting research or a project, or creating a bulletin board in an area relevant to the offense.

- Friday Night Heights: Friday Night Heights is a collaborative workshop between the Boston College Office of the Dean of Students, the Boston Police Department, and Allston-Brighton PAUSES. The workshop promotes citizenship, civility, and responsibility by educating students on their civic responsibilities, the risks, and the consequences of enabling underage drinking, and helping students to devise strategies for preventing problematic behaviors off-campus.

- Staying on Track: Staying on Track is an educational program that helps students reflect on their behavior and consider the consequences of their future decisions. This program also helps students to consider their future goals and whether their actions are in alignment with those goals.

- Roads Retreat: The Roads Retreat is a formative sanction that provides students an opportunity to reflect on their experience at Boston College thus far. In particular, students are provided an opportunity to think about ways that their behavior may be inconsistent with their core values and belief system. The retreat includes talks from BC alums, small-group discussions, a staff panel, reflections, journaling, and an opportunity to speak with a conversation partner.

6.0 OVERVIEW OF BEHAVIORAL EXPECTATIONS

Being a member of the Boston College community is a privilege, which comes with the responsibility to act in accordance with all institutional rules and policies. The Student Code of Conduct exists to make students aware of these behavioral expectations and to articulate the process of addressing violations of these expectations.

As a Jesuit, Catholic institution, Boston College is committed to the holistic development of its students, and part of this commitment is instilling integrity, encouraging right decision-making, and fostering self-accountability.

Consistent with Boston College's commitment to student formation, students are expected to engage in self-reflection and to grow intellectually, socially, and spiritually. The goal of the Student Code of Conduct is to facilitate this growth by educating and fostering the civility, community, and social decorum expected at an institute of higher education.

7.0 GENERAL PROVISIONS

7.1 Academic Policies

Students are expected to maintain high standards of integrity in their academic work and comply with the University's academic policies and procedures. See the University's Academic Integrity Policies within the University Catalog.

7.2 Complicity

Students shall not assist, facilitate, or encourage a violation of the Student Code of Conduct or other applicable University policy.

7.3 Conditions for Residency

Students residing in Boston College residential facilities are bound by the policies and procedures of the Student Code of Conduct as well as the Conditions for Residency. These documents, along with other Residential Life policies, can be found on the Office of Residential Life's Community Expectations webpage.

7.4 Guest Policy

Students are responsible for ensuring that their guests know and adhere to the Student Code of Conduct and all other applicable University policies and procedures. Students are responsible for the behavior of their guests and may be held accountable for violations committed by their guests, including restitution for damage to University facilities or other restitution as necessary. The host may be found responsible for a guest's conduct even if the host is not a participant in the activity or has left the guest(s) alone. Students residing in Boston College residential facilities must follow all guest policies promulgated by the Office of Residential Life.

7.5 Immunization Requirements

Students must comply with Massachusetts State Law and Boston College policies requiring proof of required immunizations by specified dates. This includes, but is not limited to, COVID-19 vaccinations and boosters. Immunization requirements are managed by University Health Services.

7.6 Social Media

Students who make use of any social media platform must abide by the platform's user terms and conditions, this Student Code of Conduct, and all other applicable University policies. The University may hold students accountable for any violations of those terms and conditions or policies of which it becomes aware, though the University is not obligated to monitor social media.

7.7 Off-Campus Expectations

Students living off-campus are responsible for the conduct and activities occurring at their residences at all times, including the conduct and activities of guests, whether or not the students are active hosts or direct participants in the conduct or activity. Students must comply with the requests and directives of University officials, law enforcement, and other public officials. Students must also submit their local (off-campus) addresses to Boston College and attend mandatory meetings.

7.8 Other Violations

The University reserves the right to bring disciplinary charges against a student for behaviors not specifically identified in the Student Code of Conduct. This includes, but is not limited to, violations of the general expectations of students outlined in this document as well as violations of any other published or posted University rule or University policy.

8.0 SUBSTANCE USE AND ABUSE POLICIES

Boston College abides by all local, state, and federal laws with regard to alcohol and drug use and requires that all students do the same, in addition to adhering to the University's policies. In some cases, the University has established greater restrictions on drugs and alcohol than applicable law; in such cases, students are expected to comply with the University policy.

8.1 Alcohol Policy

Students under the age of 21 years are prohibited from possessing, using, being in the presence of, purchasing, transporting, selling, and/or distributing alcohol.

Regardless of legal drinking age, all students are prohibited from:

- possessing or consuming an open container of alcohol in on- or off-campus public or common areas (e.g., Campus Green, outdoors, lounges, hallways, etc.);
- consuming alcohol resulting in the need for medical attention. Situations where an individual seeks medical attention for him/herself or for another Boston College student will be handled according to the "Seeking Help for Alcohol- and Drug-Related Emergencies Policy" outlined in Section 8.3;
- engaging in drunkenness and disorderly conduct;
- possessing, furnishing, consuming, or serving from a large quantity or common source of alcohol (i.e., kegs, beer balls, punch bowls);
- hosting or participating in the rapid consumption of alcohol, including high-risk drinking games;
- enabling underage alcohol consumption. Students will be considered to be enabling the underage consumption of alcohol if they possess or have alcohol present in their residence for use by others, regardless of who purchased or acquired the alcohol. Students are also responsible for misconduct if they passively allow illegal alcohol use within their residence hall room or off-campus residence, or otherwise provide a setting that allows for the underage consumption of alcohol; and
- driving while under the influence of alcohol.

For specific guidelines pertaining to alcohol use and abuse within the residence halls, refer to the Conditions for Residency.

8.2 Drug Policy

The University prohibits the possession, manufacturing, use, consumption, being in the presence of, providing, sale, or distribution of drugs as well as the possession, manufacturing, use, or sale of drug paraphernalia, including vaporizers. Additionally, the intent to purchase, facilitate a purchase, sell, deliver, or manufacture drugs is prohibited. Driving while under the influence of drugs is also prohibited.

Students are also responsible for misconduct if they passively allow drug use to occur within their residence hall room or off-campus residence, or otherwise provide a setting that allows the possession, use, consumption, manufacturing, providing, sale, or distribution of drugs or drug paraphernalia.

The University reserves the right to sanction students in cases in which indicators of drug use are present, but where no drugs are recovered. These indicators may include, but are not limited to, symptoms of drug intoxication, the odor or residue of prohibited drugs, the presence of drug paraphernalia, attempts to mask odors, or other evidence of behavior designed to avoid detection.

The term "drugs" broadly includes, without limitation, any stimulant, intoxicant (other than alcohol), nervous system depressant, hallucinogen, or other chemical substance, compound, or combination when used to induce an altered state, including any otherwise lawfully available product used for any purpose other than its intended use (e.g., the misuse of prescription drugs, over-the-counter drugs, or household products).

The term "drug paraphernalia" broadly includes any material, product, instrument, or item used to create, manufacture, distribute, use (ingesting, inhaling, or otherwise introducing any drug into the body), or otherwise manipulate any drug and includes, but is not limited to, hypodermic needles, syringes, bongs, vaporizers, or pipes.

The University generally classifies drugs into three broad categories:

- marijuana
- illicit drugs
- misused prescription drugs

Marijuana: Although Massachusetts law permits the recreational use of marijuana by adults over the age of 21, Boston College does not. The possession, use, consumption, manufacturing, sale, or distribution of drugs, including marijuana, by students or employees is prohibited. Federal law prohibits the possession, use, purchase, or sale of marijuana or THC, including edibles. This policy complies with the requirements of the federal "Drug-Free Schools and Communities Act." Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Boston College must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on campus and as part of its activities and programs. Under federal law, this includes any amount of marijuana.

Illicit Drugs: Cocaine, heroin, ecstasy (MDMA), amphetamines, methamphetamines, hallucinogens (i.e., LSD, psilocybin mushrooms), and similar substances are considered to be illicit drugs due to the severe negative health and safety outcomes associated with their use.

Misuse of Prescription Drugs: Misuse of prescription drugs, including opiates/pain-killers (i.e., morphine, oxycodone), stimulants (i.e., Ritalin), sedative-hypnotics (i.e., barbiturates, anxiolytics), and other psychoactive drugs, is prohibited. This includes taking a medication that is not prescribed to the individual, taking more than the prescribed dose of a medication, sharing or distributing medication with individuals who are not prescribed such medication, or taking a prescription medication for a reason other than the intended use (i.e., to produce a "high").

8.3 Seeking Help for Alcohol- and Drug-Related Medical Emergencies

The health and safety of Boston College students is of paramount concern. Thus, all students are expected and encouraged to seek immediate assistance for themselves or others in situations where help is needed due to intoxication or drug ingestion.

Boston College will support and encourage this help-seeking behavior by treating the situation as a health and safety matter, rather than a conduct matter, when students contact emergency responders or University officials (e.g., Resident Assistant, Boston College Police) for assistance. Additionally, anyone who seeks help or calls for help on behalf of another student may not be subject to action through the conduct system.

- Students who seek and receive medical attention in such situations will be required to complete certain educational and/or counseling interventions and will also be subject to all fees related to their medical care. Failure to complete these referrals would be treated as a conduct matter.
- Students who demonstrate consistent and repeated patterns of alcohol- and drug-related medical emergencies may require further medical review and/or treatment, and may be subject to disciplinary action.

Regardless of help-seeking behavior, students may be held accountable for misconduct accompanying or incidental to the use and/or abuse of alcohol or other substances. For example, disorderly behavior, violence, property damage, or distribution or intent to distribute may be treated as conduct violations and responded to accordingly.

9.0 RESPECT FOR PERSONS

To foster the sense of community that is vital for an educational institution to function as a marketplace of ideas, to foster student development, and to encourage cognitive growth, all members of the campus community must respect the rights and contributions of other members of the community. Students are expected to be open to learning, meaningfully engage with difference, and care for others. Boston College expects its students to honor the inherent dignity of other members of our community by being considerate, sensitive, understanding, and concerned for the welfare of others.

9.1 Bias Motivated Conduct

Bias motivated conduct is prohibited. The term "bias motivated" refers to behavior and/or language that demonstrates bias against persons or groups because of those persons' or groups' actual or perceived race, religion, disability, sexual orientation, nationality, gender, ethnicity, or status as a member of any other protected class.

Under this Student Code of Conduct, bias motivated conduct is any conduct, whether verbal, written, or physical, that constitutes a violation of the Code of Conduct and is in whole or in part motivated by bias, or is coupled with evidence of bias motivation. Examples may include defacement of posters or signs, threatening or intimidating comments or messages, vandalism to personal or University property, or similar acts.

If bias is found to be present, bias motivated conduct will generally be deemed to be an aggravating circumstance to the underlying violation of the Student Code of Conduct. Consequently, a finding of bias motivated conduct may result in a more severe sanction than would be given for the conduct violation without evidence of bias motivation. In some cases, bias motivated conduct may constitute discriminatory harassment or sexual misconduct and may give rise to other conduct charges accordingly.

9.2 Discriminatory Harassment

Discriminatory harassment is prohibited. See the Discriminatory Harassment Policy for definitions of prohibited conduct. Sexual harassment is defined and addressed under Section 9.7.

9.3 Hazing

Any form of hazing is prohibited by University policy and Massachusetts State Law.

9.4 Physical Violence

Physical violence includes, but is not limited to, any physical contact that results in harm or was intended to cause harm, and any fighting/brawling, slapping, spitting, shoving, or restraining. Students are expected to avoid physical conflicts at all times. Under no circumstance is physical violence an acceptable means to resolve problems, disputes, or interpersonal relations.

9.5 Retaliation

Boston College prohibits retaliation of any kind against any individual filing a complaint or participating in an investigation or conduct hearing involving a Boston College student. Behavior that may be considered retaliatory includes, but is not limited to:

- discouraging an individual from reporting an incident;
- discouraging witness participation;
- threatening, harassing, or intimidating a participant in a conduct process; and
- intentionally causing negative consequences for a participant in a conduct process or for a participant's personal relationships or social circles.

9.6 Threats

Threats are any actions that stigmatize, intimidate, or compromise another individual's emotional or mental well-being or cause another to reasonably fear for their safety. Threatening actions may include, but are not limited to, verbal communication, physical gestures, written or electronic communications, imagery, and property damage.

9.7 Title IX and Sexual Misconduct

All forms of sexual harassment and sexual misconduct including, without limitation, sexual assault, dating violence, and stalking, are prohibited by Boston College. The University maintains a Title IX Harassment Policy, which addresses conduct constituting sexual harassment under Title IX, as well as the Student Sexual Misconduct Policy, which addresses non-Title IX sexual harassment and misconduct. Each policy includes explanations and definitions for the conduct covered under the policy, as well as the applicable adjudication process.

10.0 RESPECT FOR PROPERTY

The efficient and mutually beneficial functioning of an educational community requires the responsible use of all property, including buildings, green spaces, tangible goods, intellectual property, technology, and equipment. Respect for property also involves helping to foster a positive and supportive environment. A sense of security, tranquility, and accomplishment are all essential to the learning endeavor. This principle requires students to respect personal and institutional property inside and outside the Boston College community.

10.1 Information Technology Use

Students must abide by all University policies governing the use of technological resources, including the Use of Technological and Information Resources Policy and the Copyright Compliance Policy.

10.2 Property Damage

Property damage includes any damage, destruction, vandalism, or defacement of property. A student found responsible for property damage may be required to reimburse the University and/or the property owner for the damage or loss, in addition to receiving conduct sanctions.

10.3 Theft/Possession of Stolen Property

Theft is the unauthorized taking, appropriation, use, or possession of property belonging to another person or entity. Failing to tender payment for services rendered may also constitute theft. Found property should be presumed lost and delivered to an appropriate University authority immediately. Failure to return found property to an appropriate authority may constitute theft.

11.0 RESPECT FOR THE COMMUNITY

Students are expected to conduct themselves with the social decorum and respect for the rights of others required of an educational institution. Upholding the reputation of the University through proper citizenship within the community is essential in maintaining the educational and developmental reputation of the institution, which is vital in preserving the standing of Boston College within our global community.

11.1 Community Disturbance

Each student is expected to demonstrate responsible citizenship and to not participate in or create conditions that disrupt the peace of the University or the larger community. Community disturbances include, but are not limited to, excessive or unreasonable noise, excessively large parties, and behavior that interferes with the normal operation of the University or University-sponsored events.

11.2 Disorderly Conduct

Disorderly conduct is any behavior that is reasonably likely to disturb the peace, disturb or infringe the rights of other people, damage property, or result in harm to others or the community. Disorderly conduct may include, but is not limited to, unreasonable, reckless, disruptive, lewd, or unruly behavior, and may involve rude or abusive language.

11.3 Failure to Comply

Students must comply with the requests and directives of University officials, law enforcement, and fire or other public officials acting in the performance of their duties, and students must identify themselves to these persons when requested to do so. Boston College identification cards are the property of the University and must be presented to authorized University officials upon request. Students are expected to comply with all applicable University and departmental policies and directives, whether or not expressly included in the Student Code of Conduct, including any guidelines or directives concerning COVID-19 or other public health emergencies. Students are also required to complete all sanctions issued as part of the conduct process by the specified due dates.

11.4 Fire-Related Misconduct

Any conduct that creates a fire or creates a foreseeable risk of fire is prohibited, even if no fire is intended or does occur, including, but not limited to, smoking, burning trash, starting a bonfire, igniting door decorations or materials on a bulletin board, or possessing or using fireworks.

In addition, the misuse, disabling, covering, or tampering with fire-protection devices such as extinguishers, smoke detectors, and alarms is prohibited. Setting off a false alarm and tampering with fire/safety equipment may result in University suspension. Failure to evacuate during a fire alarm is also prohibited.

The Office of the Dean of Students, in conjunction with the Office of Residential Life, assigns certain minimum sanctions for violations of the fire safety policies that occur in residence halls. A complete and current list of safety and security policies for the residence halls, as well as sanctions for violations, is available on the Office of Residential Life's Community Expectations webpage.

11.5 Gambling

All forms of gambling are prohibited. This includes, but is not limited to, bookmaking or pool setting for profit, promoting or setting up a lottery for money or property, or winning or losing money or other valuables by play or hazard at any game.

11.6 Misrepresentation of Identity

In Massachusetts it is a felony to falsely make or alter a driver's license or other form of identification. It is also a criminal offense in Massachusetts to use or carry a false identification card. It is considered a misrepresentation of identity for any Boston College student to:

- alter, deface, or falsify an identification;
- obtain, conspire to obtain, or possess fake identification;
- manufacture or distribute fraudulent IDs (including attempting or assisting); or
- implicitly or explicitly present themselves as another person or affiliated entity.

Additional actions which may be considered a misrepresentation of identity include, but are not limited to, forgery, the alteration/misuse of any University document, fraudulent acts, or the creation and use of fake online accounts to harass or harm others.

11.7 Providing False Information

Students may not intentionally provide false or inaccurate information or records to a University official or other authority. This includes, but is not limited to, providing a false report of an emergency, crime, or code violation, falsely denying an affiliation with the University, providing false statements during a conduct or other University proceeding, or falsely activating a campus Emergency Blue-Light Call Box.

11.8 Sexual Activity

All students have a responsibility to respect the values and traditions of Boston College as a Jesuit, Catholic institution, including adhering to the Church's teachings with respect to sexual activity. Consequently, incidents of sexual intercourse outside the bonds of matrimony may be referred to the Student Conduct System.

11.9 Smoking

Students are required to abide by the University Tobacco and Smoke-Free Policy, which prohibits the use of tobacco and smoking on University property. According to the policy, smoking includes the burning, inhaling, or exhaling, by means of any kind of lighted pipe, cigar, cigarette, hookah, vaporizer, or other device, of any tobacco or other plant product, including marijuana.

11.10 Student Demonstrations

Student Demonstration Policy: Boston College has a longstanding commitment to protecting the right to free expression, including the right to protest. Discourse is central to the life of the university and we encourage students to engage in dialogue in a spirit of mutual respect, civility and care. At the same time, we prioritize the safety and well-being of students who take part in demonstrations and rallies and of other members of our campus community who are affected by these events. Additionally, we must seek to carefully balance the sometimes competing interests of the University and its community to engage in learning, teaching, research and other University-sponsored activities, and to promote the distinctive mission of Boston College without undue disruption or interference.

To ensure that public demonstrations do not violate directly or indirectly the rights of others by preventing or disrupting the ordinary operation of the University, all activities in the nature of a public speech, rally, demonstration, march, protest or other coordinated event ("demonstrations") must be registered and approved in advance by the Associate Vice President for Student Engagement and Formation or designee. Boston College reserves the right to condition the time, place and manner of proposed demonstrations, and to withhold approval of proposed demonstrations which reasonably appear to be organized by or on behalf of persons or organizations that are not affiliated with Boston College, or which are intended or deemed likely to disrupt or interfere with University operations, or to adversely impact the mission of Boston College, especially its Jesuit, Catholic dimensions.

Process of Approval: To ensure they are organized by and for members of the University community, all demonstrations must have a University-affiliated Organizer, whether one or more enrolled students or the authorized officers of a recognized student organization. The Organizer must meet with the Associate Vice President for

Student Engagement and Formation or designee to coordinate the event and is encouraged to schedule this meeting well in advance. The planned demonstration may be scheduled no less than 2 business days after this meeting. The purpose of the meeting is to review the details of the proposed demonstration including proposed time, place, manner and size of the event. If the Organizer is planning the event on behalf of a recognized club or organization, the advisor to the club or organization should attend this meeting as well.

Reservation of campus space for any approved event is contingent upon availability. To maintain an academic environment free from disruption during class time, the University has established a policy on amplified sound (which may be found in the Student Organization Manual). Under this policy, amplified sound may not be used in areas near academic and administrative buildings or worship and reflection spaces - including O'Neill Plaza - until after 5:00 pm. If a student wishes to register a demonstration and use amplified sound prior to 5:00 pm, this request will be considered and, if approved, an alternative location that is not located near academic and administrative buildings or worship and reflection spaces will be identified. The Organizer of the event is responsible for all costs associated with the event (including security if deemed necessary by the University). If the Organizer believes they may encounter budget limitations, they should reach out to the Associate Vice President for Student Engagement and Formation or designee as early as possible to plan for event costs.

If approved, the event must be conducted in accordance with any special conditions outlined in the approval, the guidelines set forth below, all applicable policies set forth in the Code of Student Conduct, as well as local, state, and federal law. The Organizer is responsible to take reasonable steps to ensure compliance with these requirements by all participants, and may be held accountable for violations of such requirements by any persons involved in the demonstration.

By way of example only, demonstrations involving any of the following activities will be deemed disruptive and unacceptable:

- Obstruction or disruption of the affairs of the University or daily operation of the University including, without limitation, teaching, research, public presentations, administration, conduct procedures, worship activities or events, athletic or dramatic events, special University-wide or alumni events, or placement or recruitment services.
- Unauthorized entry to a University facility or grounds and/or failure to leave a University facility or grounds when requested to do so by a representative of the University.
- Obstruction of the entrance or exit to a University facility or a campus roadway.

Organizing or participating in a demonstration without prior authorization may result in conduct action.

11.11 Unauthorized Entry

Students may not intrude on or enter into another person's property without permission. This includes unauthorized entry into restricted University buildings or areas, including athletic facilities, construction sites, and student rooms or offices, even if unlocked, as well as any restrictions that the University imposes for specific events (e.g., during tailgating, Marathon Monday, and Senior Week events). Tampering with locks to University buildings, unauthorized possession or use of University keys, and alteration or duplication of University keys and access cards is prohibited. Climbing on any University building or University-owned structure or being present on building roofs is prohibited.

11.12 Violations of Local, State, or Federal Law

Any violation of local, state, or federal law may be considered a violation of this Student Code of Conduct.

11.13 Weapons, Firearms, and Dangerous Devices

Possessing or carrying on campus a firearm, loaded or unloaded, ammunition, or any other weapon, including, but not limited to, a knife, bow, gun, BB gun, paint ball gun, soft air gun, slingshot, or laser beam is prohibited. The possession of chemical sprays (e.g., Mace, pepper spray, or their derivatives) on the Boston College campus without the authorization of the Chief of the Boston College Police is also prohibited. Improper use or possession of any weapon off-campus is also prohibited.

Prop/Theatrical Weapons: Possession of a device that could be reasonably mistaken for a weapon (such as a toy gun, starter gun, or theatrical prop) is prohibited on campus, unless approved in advance by the Boston College Police and the Office of the Dean of Students.