

RHODE ISLAND SCHOOL OF DESIGN

CODE OF STUDENT CONDUCT

POLICIES AND PROCEDURES

I. Purpose

Each person at the Rhode Island School of Design (“RISD” or the “College”) makes a choice to be here - to learn, study, teach, create, work, visit, or volunteer. RISD assumes those individual choices to be free, informed, careful, and thoughtful decisions. As members of the RISD community, students are engaged in the concurrent pursuits of academic and artistic excellence and learning social responsibility. The purpose of this Code of Student Conduct (“Code”) is to establish standards for the ways in which the student community interacts in those pursuits, and the policies, procedures and consequences for choosing not to meet the community’s expectations and/or uphold these standards.

The main goal of the Code of Student Conduct is to help students take responsibility for their actions and learn from their choices and actions. The Code of Student Conduct is not a criminal code and does not operate like one. RISD’s expectations of students are significantly higher than the bare minimum prescribed by law. Conduct that is legal by federal or state laws may still be considered unacceptable within the RISD community.

The standards, policies, procedures, and consequences set forth in this Code of Student Conduct are intended to serve as a component of RISD’s educational mission – to guide students in their growth as members of the RISD and broader communities.

II. Statement of Rights

Every student enrolled at RISD has a right to conditions that are conducive to learning and favorable to the pursuit of higher education. These rights include the right to learn or make; the right to a safe and healthy environment; a reasonable right to privacy; the right to pursue grievances; and reasonable and fair processes in resolving alleged violations of this Code of Student Conduct.

Additionally, students have the right to inspect and review their education records in accordance with procedures prescribed in The Family Educational Rights and Privacy Act (FERPA), which is a United States federal law that defines and protects the privacy of student educational records. For the full policy and terms, please see the annual FERPA Notice found at <https://risd.coursedog.com/academic-policies/student-records/ferpa>

III. Applicability

By choosing to become a member of the RISD Community, students are responsible for their conduct throughout the duration of maintaining “Student” status as defined below and are expected to comply with the Code of Student Conduct during the academic year, semester break periods, and any time between enrollment periods.

The Code of Student Conduct shall apply to a student's conduct on-campus and off-campus which includes, but is not limited to participating in a College academic, social, educational, cultural, or athletic RISD-sponsored program. See Section V.C.2 for application to online student behavior. **Student behavior that occurs on or off campus that violates the Code of Student Conduct and/or adversely impacts the College and/or College community may be subject to the student conduct process.**

RISD does not officially monitor any of its students' online activity. However, in the event that an administrator is made aware of content inconsistent with community standards a student may be asked to meet with a college official and may be subject to further action through the student conduct process.

While a member of the RISD community, students continue to be subject to federal, state, and local laws. Further, students living or participating in study abroad programs and activities may also be subject to international laws. While federal, state, and local laws are separate and independent from the Code of Student Conduct and impose different standards, violations of these laws may also constitute violations of the Code of Student Conduct. In such instances, RISD may take an action under the Code of Student Conduct independent of any other legal proceeding involving the same conduct, and may impose consequences for violation of the Code of Student Conduct even when such other proceedings are not yet resolved or are resolved in the student's favor.

The student conduct process may be initiated when a student's behavior allegedly violates criminal law, the Code of Student Conduct, and/or any other applicable RISD Policy. The student conduct process may be carried out prior to, simultaneously, or following a civil or criminal proceeding, at the discretion of the Director of Student Conduct + Community Standards. Agreements or findings under the Code of Student Conduct shall not be subject to change despite the disposition of any civil or criminal proceedings, including when criminal charges regarding the same acts that prompted the student conduct adjudication process, are dismissed, reduced, or resolved in favor of or against the criminal law defendant.

The Code of Student Conduct applies when an individual becomes a "Student" of RISD as defined and may be applied up to and including Commencement day,

The Code of Student Conduct adjudication process may be applied when a RISD student withdraws from the College during the initiation or continuation of the student conduct adjudication process and/or when RISD does not learn of an alleged violation until after the student graduates, withdraws, takes a leave of absence, or is otherwise absent from RISD.

International students on F-1 visas should be aware that violations of the Code of Student Conduct can affect their immigration status in the United States as well as their eligibility for Optional Practical Training ("OPT"). For questions regarding F-1 status, please contact the Office of International Student and Scholar Affairs ("ISSA").

IV. Definitions

- A. "Student" refers to an individual who has gained admission, paid an acceptance fee, registered, or entered into any other contractual relationship with RISD for any form of instruction, whether or not for credit. For purposes of the Code of Student Conduct, "student" status begins at the time of admission, payment, registration, or contractual agreement, even if the student has not yet arrived on campus or commenced instruction, and continues until Commencement day when at such time the student graduates or otherwise completes the relevant program, officially and permanently withdraws from RISD, or is expelled. A student who has taken a leave of absence, is on a medical leave, or has been suspended either academically or for student conduct reasons continues to be considered a "student" with respect to the Code of Student Conduct.
- B. "Campus" refers to all lands, buildings, and facilities owned, leased, operated, and/or used by RISD.
- C. "Members of the RISD community" refers to RISD students, faculty, staff, volunteers, and visitors to the RISD campus; and people and entities within the boundaries of the RISD campus.
- D. "Student Organization" refers to any student organization or athletic team that is a coordinated group of students with common interests, goals, or missions, managed and led by students under the direction and guidelines of the Center for Student Involvement and or any other RISD office.
- E. "Complainant" is an individual who is alleged to be the victim of conduct that could constitute a violation of the Code of Student Conduct.
- F. "Respondent" is an individual who has been alleged to be the perpetrator of conduct that could constitute a violation of the Code of Student Conduct.
- G. "Advisor" An Advisor's role is to provide guidance and support for students involved in student conduct matters. The advisor's role is to provide support, guidance and/or advice only to the student involved; the advisor may not participate as, or on behalf of, the student. An Advisor may be a student, faculty, or staff member. Parents or guardians do not serve in a Conduct Advisor role, even if they are employees of the college. Training on the Student Handbook and student conduct procedures is strongly recommended for an individual serving in the Conduct Advisor role. Anyone with a law degree or a licensed attorney may only be permitted to serve as a Conduct Advisor in College Student Conduct meetings or hearings where students are:
 - 1. Involved in incidents involving that include but are not limited to: sexual assault, sexual harassment, domestic violence, dating violence, and stalking (see Equity and Compliance procedures for specific advisor information)
 - 2. Involved in incidents when there is a concurrent criminal charge.

With the exception of Equity and Compliance processes, The Associate Dean of Students must give prior approval in all instances where licensed attorneys or the presence of anyone with a law degree is requested.

H. "Retaliation" is defined as any adverse action or threat taken or made against an individual, including through third parties, for making a report of a policy violation or participating in any investigation or proceeding related to any policy. This provision applies to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate. Examples of this conduct include, but are not limited to, threatening, intimidating, harassing, or any other conduct that would discourage a reasonable person from seeking services, receiving protective measures and/or accommodations, and/or reporting policy violations. Retaliation also includes maliciously and purposefully interfering with, threatening, or damaging the academic, professional, or living environment of another individual before, during, or after the investigation and resolution of a report of a policy violation in response to and/or on account of the report of the policy violation.

I. "Preponderance of evidence" is the standard of proof used to determine all student conduct matters. Preponderance of evidence is a less rigorous standard than the "beyond a reasonable doubt" standard and "clear and convincing" standard (both used in U.S. criminal proceedings) and means that "it is more likely than not" that the respondent(s) engaged in the alleged misconduct.

V. Student Conduct + Community Standards

RISD expects its students and student organizations to conduct themselves as members of a community engaged in the concurrent pursuits of academic and artistic excellence and learning social responsibility. Students are expected to comply not only with legal requirements, but also with additional, higher standards (listed in this Code of Student Conduct). RISD expects that all students will treat each other, staff, and faculty with empathetic consideration at all times. Choosing to be a member of the RISD community is a privilege, and the student conduct process will determine if a student's conduct warrants the revocation or modification of that privilege.

Equity and inclusion are central tenets in this community. As a result, Rhode Island School of Design aspires to promote inclusion and opposes discrimination and the effects and impacts of bias (including, but not limited to racism, sexism, heterosexism, classism and ableism). We recognize these aspirations as ongoing and institution-wide, involving collective commitment and accountability. The actions outlined below represent behaviors that undermine the integrity and effectiveness of the college community and are therefore prohibited. The examples of prohibited conduct that follow are illustrative and serve as a normative guide; they should not be construed as an exhaustive or comprehensive list. All students/student organizations must do the following:

- A. Comply with all federal, state, and local laws;
- B. Comply with all general RISD rules and policies, which include but are not limited to the policies found on RISD websites, documents (unless otherwise noted), and all policies that can be found at <http://policies.risd.edu> pertaining to the following:
 - [Academic Misconduct](#)
 - [Alcohol and Substance Abuse](#)

- [Anti Hazing Policy](#)
- Computer Use
- Consensual Relationships
- Dining Regulations
- Drone Policy
- Environmental Health and Studio Safety policies (["http://info.risd.edu/EHS/"](http://info.risd.edu/EHS/))
- Good Neighbor Policy
- Installation Site Policy
- Medical Cannabis Policy
- Posting Policy
- Protest & Demonstration Policy
- [Nondiscrimination Policy & Procedures](#)
- [Residence Life policies](#)
- Service and Emotional Support Animal Policies
- [Spray of Applied Materials \(Adhesives, Paint, Finishes, Fixatives\) Policy](#)

C. Students/ Student Organizations are expected not to engage, or attempt to engage, in any other form of conduct they should reasonably know is unacceptable within the RISD community. Legitimate criticism or other statements of opinion, expressed in a thoughtful manner, or even rude or obnoxious behavior or speech –whether inside or outside the classroom – is not necessarily a violation of this provision. Determination of whether particular conduct violates this policy is made on a case-by-case basis, in light of all the known facts and circumstances. *The College may take action on conduct that it deems to be inappropriate, regardless of whether it rises to the level of a violation of law.*

Examples of such unacceptable conduct include, but are not limited to, the following:

1. Interference with teaching, learning, and other activities: prohibited conduct includes
 - (a) disrupting, obstructing, or interfering with teaching, learning, or other RISD-related activities, and other legitimate activities of other members of the RISD community; or
 - (b) breaching the peace of other members of the RISD community.
2. Harm to others: prohibited conduct includes
 - (a) engaging in harassing, abusive, threatening, intimidating, endangering, fear-provoking, dishonest, deceptive, coercive, or harmful behavior toward others (including but not limited to verbal, written, graphic, or electronic means including social media posts, the use of artificial intelligence, hazing, or statements or actions of bias or hate against any protected class/status); or
 - (b) causing physical harm to another person on or off college premises, at college-sponsored activities, or causing reasonable belief of such harm.

For the purposes of this policy, harm to others is defined as verbal, written, online, and/or physical conduct that a reasonable person would determine to be severe, persistent, or pervasive, impacts educational opportunities and does not include constitutionally protected activity. This section of the Code is not intended to restrict or discourage constitutionally protected speech, including opinion, criticism, satire, or expression that may be offensive, unpopular, or controversial, provided such activity complies with applicable laws and reasonable time, place, and manner restrictions. Posting or spreading demonstrably false information about another member of the community that damages reputation may not always be subject to college disciplinary action; however, this does not prevent an individual's pursuit to remedy the potential effects by way of legal action through the civil courts.

3. Discrimination and Discriminatory Harassment (including Sexual Misconduct)

RISD prohibits discrimination and discriminatory harassment on the basis of race, color, religion, age, sex, sexual orientation, gender identity or expression, disability, national origin, veteran status, and/or genetics or any other protected categories. In addition, the College is committed to addressing sexual misconduct when it impacts our campus community.

Discrimination and discriminatory harassment, including sexual misconduct, are processed under RISD's [Nondiscrimination Policy](#). This Policy and its Procedures are overseen by Equity & Compliance and enforced by this Code of Student Conduct.

Types of sexual misconduct may include, but are not limited to: sexual harassment, dating violence, domestic violence, sexual assault, sexual exploitation, stalking/cyberstalking, and any other sexual misconduct defined in RISD's Nondiscrimination Policy.

Scope and enforcement of sanctions for students found in violation of either of these policies resides within the Office of Student Conduct + Community Standards. Visit [Equity & Compliance's website](#) for more information about the procedures and policies (including policy definitions).

4. Weapons

(a) Using (b) displaying; or (c) possessing objects or substances whose primary purpose is to cause or threaten harm, inflict a wound, cause injury, or incapacitate, and/or has no valid educational purpose (i.e., that is not a tool used for making art) is expressly forbidden.

This includes but is not limited to firearms, 3D printed weapons (regardless of functionality), pellet guns, ammunition, slingshots, billy clubs, metal knuckles, bludgeons, switchblade knives, bowie knives, hunting/fishing knives, or concealing or carrying any knife with a blade longer than 3 inches (as defined by Rhode Island law), explosives (which include, but are not limited to fireworks), dangerous chemicals

such as tear gas or mace, instruments that launch projectiles, any toy or model of a weapon(even if otherwise permitted by law); or using any other objects or chemicals to cause or threaten harm. However, while not allowed in residence halls, chemical spray repellants intended for personal self-defense use may be permitted on campus.

Note: Students wishing to use items that would fall into this category for projects or assignments (whether or not their faculty member is aware/has given permission, or signed off on the project) should first seek permission to do so via the submission of an [installation permit](#) and follow those guidelines prior to using or bringing the item to campus for their project. Please note that the submission of a request does not grant permission, and prior approval must be granted.

5. Drugs, alcohol, and other harmful substances

(a) Using, possessing, and/or distributing **drugs or drug paraphernalia**, or other substances in a manner that is prohibited by law or RISD policy, that is for purposes other than those for which they are intended, or that otherwise is potentially harmful to oneself or others is prohibited. The misuse and distribution of prescription drugs is also a violation of campus policy. Though legal in Rhode Island for those 21 and over, Cannabis and [Prescribed medical Cannabis](#) is not permitted on campus as RISD complies with the Drug-Free Schools and Communities Act (a U.S. federal law) in order to receive funding from the U.S. government. *For the purposes of the Code, drugs include but are not limited to: cannabis (including edibles), molly (MDMA), cocaine, synthetic drugs, and salvia. Drugs also include prescription drugs that have not been lawfully prescribed for the individual and the misuse of legally prescribed drugs by the individual to whom the drugs were prescribed. Drug paraphernalia include, but are not limited to bongs, water pipes, glass pipes or any smoking pipe, apparatus, grinder or vaporizer used for drugs; or*

(b) Using, possessing, or distributing **alcohol**, or other substances in a manner that is prohibited by law or RISD policy. As provided in RISD's "Medical Amnesty" policy (<https://policies.risd.edu/student-life/medical-amnesty-policy/>) students who voluntarily and proactively seek help regarding their own, or another's use of such substances will not be charged for such use under this provision.

6. Harm to property/theft

(a) Stealing;(b) destroying; (c) damaging; (d) defacing; or (e) misusing RISD property or services and or the property or services of others; or (f) possessing or using others' property or services without their authorization. (g) Conduct which endangers the safety of the RISD community, including, but not limited to, tampering with Automatic External Defibrillators (AED), fire-warning devices, fire protection systems, portable fire extinguishers and other fire safety equipment;

setting a fire on college property; use of cooking equipment in unauthorized areas of the residence halls;

Students who find items left unattended are expected to report those items to RISD Public Safety at their earliest convenience.

7. Unauthorized entry

- (a) Entering or remaining in RISD buildings, classrooms, labs, offices, facilities, or other premises, without, or in excess of, appropriate authorization from RISD;
- (b) possessing, duplicating, or using keys or key cards which have not been properly issued to the user to any RISD buildings, facilities or other premises, without, or in excess of, appropriate authorization from RISD. This includes but is not limited to: dining facilities, classrooms, administrative offices, administrative buildings, balconies, fire escapes, and roofs of RISD property; or
- (c) Trespassing or attempting to gain unauthorized access to non-RISD owned private property.

8. Failure to comply/non-compliance

- (a) Failure to comply with the reasonable instructions or warnings of RISD officials who are acting in accordance with their duties; or
- (b) obstructing them in the course of performing their duties;
- (c) failing to leave a building when an alarm sounds or when directed;
- (d) refusing to provide identification when requested by a campus official; or
- (e) failure to comply with the terms of any consequences imposed under the Code of Student Conduct or as a result of an Equity and Compliance process, any behavioral contracts entered into under or apart from the Code of Student Conduct, and or any Temporary or No Contact Directive is prohibited.

This includes but is not limited to complying with instructions from RISD staff and faculty, RISD Public Safety, Residence Life Staff including Resident Advisors, and or any other persons acting on behalf of the college.

9. Dishonest conduct

- (a) Furnishing false information;
- (b) making a false report to RISD officials;

- (c) falsifying, altering, or misusing RISD records;
- (d) any violation of the [Academic Code of Student Conduct](#);
- (e) using or possessing a RISD ID other than one's own;
- (f) VIDEOTAPING OR RECORDING (which includes but is not limited to audio or visual) another person in an environment where one would reasonably expect privacy (including but not limited to: classrooms, offices, work environments, residence halls, bathrooms, etc.) without their consent; or
- (g) creating recordings of any meetings, class lectures or critiques without the express consent of the meeting holder and participants, instructor, lecturer, guest critic or other persons who are being sought to be recorded is considered to be a violation of this Code of Student Conduct.

10. Interference with the Code of Student Conduct administration (retaliation)

- (a) Interfering with participation or administration of the Code of Student Conduct; or
- (b) retaliating against anyone for participating in the administration of the Code of Student Conduct is forbidden.

A choice by a community member to not participate in any part of the student conduct process will not delay the resolution of alleged violations through the student conduct system.

11. Unauthorized Animals – Allowing entry of any unauthorized animal into a building owned, leased, controlled or operated by RISD. See [Animals on campus](#), [Service](#) and [Emotional Support](#) animal policies for guidelines concerning animals as well as [Residence Life Policies](#) for guidelines in the residence halls .

VI. Procedures

Because the Code of Student Conduct is embedded in an educational community context, its policies and procedures are different from federal, state, and local laws and procedures. The following procedures generally will be followed in reviewing and determining allegations of misconduct under the Code of Student Conduct. Cases involving or including charges of nondiscrimination as well as Academic Misconduct will be reviewed and determined under separate RISD Procedures (available at <https://students.risd.edu/living-risd/equity-compliance>) and <https://risd.coursedog.com/academic-policies/academic-misconduct> respectively).

Additionally, students referred to the formal conduct process via the Academic Code of Conduct as a result of an alleged violation of Academic Misconduct will not be given a Choice of Action form. The procedures specific to Academic Misconduct are outlined in the Academic Code of Student Conduct: <https://risd.coursedog.com/academic-policies/academic-misconduct>.

At RISD's discretion, any of these procedures may be supplemented or modified provided that the Respondent is given reasonable notice of the violations alleged, a description of the evidence supporting those alleged violations, and an opportunity to be heard with respect to those alleged violations.

A. Initiation of Complaint

Any member of the RISD community may submit a report of an alleged violation of Student Conduct + Community Standards via the on-line form (<http://incidentreport.risd.edu>) or to the Office of Student Conduct located on the 3rd floor of Carr House, the Public Safety Office at 30 Waterman Street, or the Office of Residence Life in the First Year Quad. Emergencies should be reported to Public Safety immediately either by calling (401) 454-6666 or using the "RAVE App." Reports should be submitted as soon as is practical following discovery of the suspected misconduct. Absent extraordinary circumstances, with the exception of reports of that would fall under RISD's Nondiscrimination Policy, reports for all other violations must be submitted within six (6) months following discovery of the alleged violation of the community standard. The determination to act on a complaint is at RISD's sole discretion.

B. Assignment Conduct Administrator

Upon receipt, a complaint will be forwarded to the Director of Student Conduct + Community Standards. If the Director of Student Conduct decides that there is evidence of an alleged violation that warrants referral to the conduct process, the director will decide which resolution path under the code of conduct is appropriate for the complaint (see VII Definitions of process) . Once the resolution path is decided, the complaint will be assigned to a Conduct Administrator ("CA") for review, investigation, and a determination. Any full-time staff member within the Division of Student Life may serve as a Conduct Administrator.

C. Review and Investigation

- The Conduct Administrator will review the report to determine whether it clearly alleges a violation of Student Conduct + Community Standards under the Code of Student Conduct and or other RISD Policies. If so, this will begin the student conduct process. The process may include meeting with others who may have relevant information; obtaining written statements from relevant persons; and/or seeking other potentially relevant records or information.
- Respondents, witnesses, and other relevant persons will be contacted to schedule their meeting(s) with the assigned Conduct Administrator and all communication regarding conduct procedures and meetings will be through the student's RISD email account or the account on file if the student has already graduated.
- All members of the RISD community are expected to cooperate with the conduct process. Please note that a RISD community member choosing not to participate will not necessarily delay the process.

- During a meeting, the student may view the information being presented and will have the opportunity to ask questions and give information.
- Not all complaints will result in a finding of responsibility under the code of conduct. However, RISD and Student Conduct and Community Standards reserves the right at their discretion to meet with individuals or groups whose behavior falls short of the expectations of behavioral standards set forth by this code and RISD's community standards.

E. Failure to respond/participate in process

Failure to respond to a request for a preliminary meeting within three (3) business days from the date of the request will not delay the conduct process. In such cases, the Conduct Administrator may proceed to the assignment of an outcome in accordance with Section VI "Consequences," without the Respondent regarding the allegation(s). Additionally, the Conduct Administrator may elect to have the charges heard by a Conduct Board instead of an Administrative Conference (see below, for definition) at any time before the start of an Administrative Conference.

F. Deferral of Process Pending Legal (Criminal/Civil) Action

If a student is charged with a criminal or civil violation involving the same incident, the Respondent may request up to a thirty calendar (30) day postponement of the Student Conduct Process. The respondent must make this request in writing to the Associate Dean of Students within three (3) business days following the date of the informational meeting and must provide a rationale for the request. If granted, the Associate Dean of Students or designee may determine that it is appropriate for interim measures to be implemented during the time allotted for a postponement on a case-by-case basis. The interim measures will remain in effect until the student conduct process is completed, including any appeal requests. It will be the responsibility of The Director of Student Conduct + Community Standards or designee to reinstate the student conduct process at the conclusion of the thirty (30) day postponement.

VII. DEFINITIONS OF PROCESSES:

Allegations referred to the Code of Student Conduct are adjudicated in one of the several ways outlined below.

Students receive adjudication information via their RISD campus mail. Students are expected to check their RISD email accounts daily; a student's failure to do so or failure to respond to any kind of notice or request from a RISD official (as stated above in section VI. E of Procedures) will not prevent the student conduct process from proceeding.

- A. Mediation - This is an informal process in which parties involved in an interpersonal conflict may attempt to resolve the conflict with the assistance of a neutral, third-party mediator who guides the discussion and does not impose a solution. Mediation is an

option if both the Complainant and the Respondent are willing to approach mediation in a spirit of cooperation, and if they and the Conduct Administrator all agree that it is the appropriate resolution type. If mediation is selected, the Director of Student Conduct + Community Standards will designate a mediator. Mediation is only appropriate for interpersonal issues and is not appropriate for policy violations including, but not limited to, violations of RISD's Nondiscrimination Policy.

A successful mediation will usually result in a written agreement between the parties outlining the resolution they have achieved. If the mediator determines at any point that further mediation is inappropriate, if the mediation is unsuccessful, or if the mediation agreement is violated, the matter may be referred to the formal student conduct process.

- B. Community Conference: Students who take responsibility for engaging in prohibited conduct that has caused harm (e.g., theft, property damage, community disruptions) may be offered the opportunity to participate in a community conference. These proceedings bring students who have caused harm together with harmed parties, community members, and co-facilitators to explore ways that the harm can be redressed and mitigated. This process is voluntary for all parties. If the harmed party decides not to participate, the case may be referred to an Administrative Conference or Conduct Board, depending on the particular circumstances. If the responsible party decides not to participate, the case will be referred to an Administrative Conference.
- C. Administrative Conference
 - In an Administrative Conference, the complaints are heard and determined by one or more Conduct Administrators.
 - Similar to Conduct Board Meetings, Respondents and the Conduct Administrator may present and question witnesses. Witnesses must have relevant information pertaining to the case and that relevant information must be made known to the appropriate hearing officer 48 hours prior to the hearing date. "Character witnesses" (a person who attests to another's moral conduct and good reputation) are not permitted in the hearing procedures which includes submitting emails or letters of support to Conduct + Community Standards or to the assigned Conduct Administrator. The Conduct Administrator applies the preponderance of the evidence standard of proof.
 - A Respondent's failure or refusal to appear, participate, and cooperate at or prior to an administrative conference will not prevent the Conduct Administrator from adjudicating the case, as stated earlier, in the "choice of action" section. Ignoring, disregarding, or not opening and reading the notice shall not be an excuse for failing to appear, participate, or cooperate.
 - The Conduct Administrator may elect to have the complaints heard by a Conduct Board instead of an administrative conference at any time before the start of the administrative conference.
 - Students may elect to have an advisor/support person with them during their Administrative Conference. A student may bring one advisor of their choice from the RISD community. The Office of Student Conduct and Community Standards can provide an advisor from the RISD community if a student requests.

Submission of Advisor information must be made three (3) business days prior to the date of the hearing. In the event that a student has been charged with criminal charges related to the alleged violation(s) of the Student Code of Conduct, or is participating in an Equity and Compliance process the student may be permitted to have an attorney as an advisor. **Advisors & Support people follow the guidelines outlined in section C.3. Board Meeting > Advisors.**

- The Conduct Administrator may refuse to allow a requested witness if the Hearing Administrator determines that the expected testimony is not sufficiently relevant to the charges, would be duplicative of other narratives, or would otherwise not be significantly helpful to the review and determination of the charges. The Hearing Administrator may also call additional witnesses.

D. Conduct Board Meeting

- In a Conduct Board Meeting, complaints are heard and adjudicated by a voting board that consists of at least (4) four members, likely including (1) one faculty member, (1) one staff member, and (2) two students, with (1) one student serving as the Board Chair. In most cases the Board Chair does not vote in the deliberation. In the event of a tie vote, however, the Board Chair will cast the deciding vote.
- The Director of Student Conduct + Community Standards or designee is present during the Conduct Board Meeting and serves as an advisor to the board.
- The Director of Student Conduct + Community Standards selects the faculty, staff, and student members of the Conduct Board from a pool of faculty members selected by the faculty, from a pool of staff members selected by the Associate Dean of Students, and from a pool of students selected by the Office of Student Conduct + Community Standards in conjunction with the Office of Student Life.
- If a sufficient number of members from the board are unavailable or unable to participate, the Director of Student Conduct + Community Standards may appoint an *ad hoc* committee of faculty, staff, and students to a Conduct Board to be approved by the Associate Dean of Students. In this case, it is possible that the Board will not include representation from all three category groups.
- No one with a significant conflict of interest or bias with respect to the case to be heard may serve on a Board case. Board members are expected to recuse themselves, if after consultation with the Director of Student Conduct + Community Standards, there is a conflict of interest or bias. Prior knowledge of the participants in the case or of the conduct that is the subject of the case does not in itself constitute a conflict of interest or bias.
- RISD's Conduct Board Meetings follow an investigatory model, with the Board Chair rather than the parties leading the hearing. Conduct Board hearings generally follow the outline of procedures listed below which are different than that of an Administrative Conference:

1. Notice

- The Respondent will be given written notice of the charges to be discussed at the preliminary meeting and heard later at their board hearing. The place and time of the hearing is typically communicated at a later date via the student's RISD email (see Choice of Action: Section VI.D).
- If the student does not attend a preliminary meeting, the notice (charges, date of hearing, place and time of hearing) will be sent to the respondent's RISD email address.
- Ignoring, disregarding, or not reading the notice will not delay or stop the formal conduct process.

2. General Conduct of and Participation in Conduct Board Meeting

- The meeting will be administered by the Board Chair, who will determine the order and method of the proceeding. The Board Chair facilitates the meeting to ensure all conduct within the meeting is conducive to the review and determination of the charges. The Board Chair may dismiss from the hearing any person who engages in disruption, harassment, intimidation or other unconducive conduct.
- The hearing will normally be closed to anyone other than the Respondent, the Complainant, and their respective advisors. The Chair may permit others to attend if they deem the requested presence may be relevant to the review and determination of the charges.

3. Advisors

- Both the Complainant and the Respondent are permitted to have an advisor of their choosing attend the hearing to guide and accompany them throughout the process. A student may bring one advisor of their choice from the RISD community. The Office of Student Conduct +Community Standards can provide an advisor from the RISD community if a student requests. In the event that a student has been charged with criminal charges related to the alleged violation(s) of the Student Code of Conduct, or is participating in an Equity and Compliance process the student may be permitted to have an attorney as an advisor. The requesting student should note the name, relation to the requesting student, and if applicable whether or not the person holds a law degree or is a licensed attorney (legal counsel is only permitted to serve as an advisor to a student for cases involving a concurrent criminal charge or an Equity and Compliance process), submission of Advisor information must be made three (3) business days prior to the date of the hearing(see advisors in definitions of more details)
- Advisors have a passive role while attending a hearing. They may not speak on behalf of the Complainant, the Respondent, any witnesses, and they may not directly address the Board.

- The role of the advisor is to support and accompany the student throughout the investigation, adjudication, and appeal process. The students involved in the case speak on their own behalf throughout the student conduct process and participation is limited solely to the students involved and the witnesses. The Chair reserves the right to dismiss the advisor at any time from the proceedings if the Advisor's behavior is in direct conflict with the guidelines in this Code.
- All communication regarding the case is done directly with the students through their risd.edu email.

d. Witnesses

- Both the Complainant and Respondent may request the presence of witnesses at the hearing. Requests must be submitted in writing to the Director of Student Conduct + Community Standards from the student's RISD email address to the Director's RISD email address at least forty-eight (48) hours before the hearing. The request must describe the requested witnesses' expected testimony.
- The Director of Student Conduct + Community Standards may refuse to allow a requested witness if the expected testimony is not sufficiently relevant to the charges, would be duplicative of other testimony, or would otherwise not be significantly helpful to the review and determination of the charges. The Director may also call additional witnesses.
- RISD faculty, staff, and students are strongly encouraged to comply with calls to serve as witnesses, but their failure to do so will not prevent a hearing from proceeding unless the Director of Student Conduct + Community Standards determines that proceeding in their absence would materially impair the Conduct Board's ability to review and determine the charges.

e. Presentation of Information

- The rules of evidence used in civil or criminal trials are not applicable to hearings under the Code of Student Conduct.
- The Board Chair may ask the Conduct Administrator (usually the Director of Student Conduct + Community Standards) to present a summary of the investigation and any relevant incident reports, witness statements, or other relevant documents. The Board Chair may present additional information and call any other witnesses that the Director believes to be relevant and appropriate. The Chair will facilitate the manner, nature, and order of questioning. The Chair may exclude any information and testimony that is determined to be irrelevant, duplicative, or otherwise inappropriate to the resolution of the case.
- Board hearings are recorded for the purposes of appeals, and maintained as outlined in RISD's [records retention policy](#).

- Witnesses may be questioned by the Chair as well as members of the Conduct Board. The Conduct Administrator may ask questions of the participants.
- The parties may suggest lines of questioning to the Chair but will not be permitted to question witnesses directly unless the Chair, in their discretion, determines that doing so would significantly aid in the review and determination of the charges.
- If the Chair deems it appropriate for reasons of safety, witnesses may be questioned outside the physical presence of the Respondent, provided that the Respondent is able to hear the witness's statement and responses to questions, and have opportunity to respond to those statements and responses.
- Information concerning the Respondent's prior Student Conduct record, if any, will not be presented to the Conduct Board unless and until the Conduct Board has determined to recommend that the respondent be found in violation of one or more Student Conduct + Community Standards or policies.
- At the conclusion of the presentation of information and witnesses the Respondent and, if applicable/present, the Complainant may make concluding comments.

f. Deliberation and Recommendations

- Following the presentation of information and witnesses, the Conduct Board will make a determination on the alleged violations based on a preponderance of the evidence ("more likely than not") standard of proof.
- If the recommendation is that the Respondent be found responsible for one or more violations, the Conduct Board will also recommend appropriate outcomes to be imposed and may seek and hear additional information including the Respondent's prior conduct record, if any, and any further comments from the respondent before the assignment of an outcome.
- The Conduct Board engages in its deliberations in a closed session with the Director of Student Conduct + Community Standards but without the Respondent/Complainant, any of their advisors, or witnesses.
- The Chair will make their recommendation in writing to the Director of Student Conduct + Community Standards.
- Any recommendation made by the Board to the Director of Student Conduct + Community Standards that results in suspension or expulsion must be approved by the Associate Dean of Students or their designee.

g. Final Determination

- A notification of the outcome will be sent to the Respondent's RISD email account by the Director of Student Conduct + Community Standards. If there are

further steps, an appointment may be made to discuss those next steps in the process.

- The Complainant may also be notified of the final determination to the extent permitted by the [Family Educational Rights and Privacy Act](#).

h. Appeals

1. Right of and Grounds for Appeal

Complainants and Respondents who have participated in the student conduct process have the right to appeal. Disagreement with or dissatisfaction with the final determination will be considered insufficient grounds for an appeal. Such appeal may be made only on one or more of the following grounds and submitted and written by the student:

- a. There was significant procedural error of a nature sufficient to have materially and detrimentally affected the outcome.
- b. There is significant new evidence of which the Respondent was not previously aware, that the Respondent could not have discovered through the exercise of reasonable diligence, and the absence of which was sufficient to have materially and detrimentally affected the outcome.
- c. The consequences imposed are grossly disproportionate to the violations found to have occurred.

2. Appeal Process

Any appeal must be submitted via the [Appeals form](#) within three (3) business days of the date of the notification letter. In the absence of a timely appeal, the original outcome or determination will be final and conclusive. A statement of appeal must be in writing, must specify the grounds on which the appeal is based, and must explain in detail all relevant information. No appeals will be accepted that are authored by or sent from third parties (e.g., parent, attorney, advisor, friend, instructor).

Upon receipt of an appeal that meets these requirements, an Appeals Administrator may at their discretion make a decision on the basis of the statement of appeal and the record; consult with the Conduct Administrator, or anyone else they deem appropriate; and/or grant the Respondent a conference to explain their appeal in person. On that basis, the Appeals Administrator may then accept or reject the appeal in whole or in part under specified conditions and/or may refer the case back to the Conduct Board for further or new proceedings, in whole or in part, with or without conditions in which case the conduct process starts from the beginning and following the process outlined in Definitions of Process.

The Appeals Administrator will endeavor to make a decision on the appeal within ten (10) business days; however, the Appeals Administrator may require additional time, in which case the appealing student will be notified. Notification of the resolution of the Appeal Administrator's decision will be made in writing and sent to the appealing student's RISD email account. The Appeal Administrator's decision is considered final. The non-appealing party may also be notified of the resolution of the appeal to the extent permitted by the Family Educational Rights and Privacy Act.

3. Deferral of Outcomes Pending Appeal

As stated above, Students have three (3) business days from the date of their outcome letter to appeal their decision. Outcomes will not be imposed while an appeal is pending and students should continue to attend classes and do their course work. In cases where a student has been separated from the college (Suspension or Expulsion) as a result of a student conduct process, should the Vice President for Student Life or designee determine, based on the information available to them that the continued presence of the respondent in the college community poses a threat to any person, or to the stability and continuance of normal college functions the appealing student may be removed from campus immediately (in conjunction with their outcome) to await an appeal decision off campus.

VIII. Outcomes

Outcomes or consequences issued under the Code of Student Conduct are intended to be educational in nature and should be commensurate with the violations found to have occurred.

While determining consequences, the Conduct Administrator or Conduct Board may take into account factors including, but not limited to, past misconduct by the student (only after a conduct process decision has been made with respect to the current case), past failure of the student to comply fully with previous consequences, the actual and potential harm caused by the violation, the degree of intent and motivation of the student's behavior, and the severity, pervasiveness, and impact of the conduct that constituted the violation. Acceptance by the student of responsibility for their misconduct, steps voluntarily undertaken to remedy the harm caused by the misconduct, and evidence of positive growth and learning by the student upon reflection of the misconduct may also be taken into account.

Impairment resulting from the voluntary use of alcohol or other illicit drugs (drugs not prescribed by a physician for medical purposes) will be considered as an aggravating, and not a mitigating, factor. In other words, this kind of decision-making impairment may be a factor that is considered in any determination, but may not be used to excuse the behavior or the alleged incident of misconduct.

RISD students are held to a higher standard of behavior than a court of law. To that end, students are responsible for knowing, completing, and/or adhering to any and all deadlines, dates, and assignments as determined by a Conduct Administrator or a Conduct Board. It is not the responsibility of the Conduct Administrator/Board to notify, follow up with, or subsequently remind a student to complete a consequence. Failure to complete outcomes may result in additional consequences under the Code of Student Conduct.

One or more of the following consequences may be imposed when a student has been found to have violated the Code of Student Conduct. The outcomes listed below are not listed in the order in which they may be assigned; rather, they are presented in order of severity and may be imposed following a finding of responsibility, as deemed appropriate by the decision-maker, irrespective of the student's prior conduct history:

A. OUTCOME STATUSES

1. Formal Warning – Written notice that further, repeated, or other misconduct may result in more serious consequences. While sometimes issued independently, warnings are usually coupled with "Educational Outcomes" as outlined in Section VIII.B3.
2. Behavioral Probation Level 1 ("BP1") – A status indicating that a student has been found responsible for a violation of RISD Policy and/or the Student Code of Conduct when either the number or nature of their policy violation(s) is sufficiently concerning that an additional policy violation will most likely result in a change of student enrollment status. This sanction will be in effect for a specified period of time and indicates that if the student is again found in violation of RISD Policies and/or Student Code of Conduct during the period of this status, a sanction of Disciplinary Probation Level 2 or greater will likely be issued.

Additionally, a student on any Behavioral Probation status may be prohibited from holding any leadership positions (for example, Orientation Leader, Resident Advisor, Student Alliance member, student club officer, or sports team captain) or participating in RISD-sponsored social or recreational events and activities and/or other similar activities in which the student represents RISD.

3. Behavioral Probation Level 2 ("BP2") – Formal notice that a student's status at the College is in jeopardy as a result of one or more violations of the Student Code of Conduct. This sanction will be in effect for a specified period of time and indicates that if the student is found in violation of RISD Policy and/or Student Code of Conduct during the period of this status, the imposed sanction may include Loss of Housing, Suspension from the College, or Expulsion from the College.
4. Suspension from RISD – The temporary separation of a student from RISD for a specified period of time, at the end of which the student may petition for reinstatement. During the specified period, the student may not enroll in RISD classes, may not participate in any RISD-sponsored events and activities (which include, but are not limited to, academic or co-curricular activities), will be denied all other privileges

normally afforded students, must vacate the campus by a specified time, and may not reenter the campus or be present on campus, without the written permission of the Associate Dean of Students, or designee. RISD students who are cross-registered at Brown University may (in consultation with Brown) be removed from those classes as well and/or RISD may choose to not accept the credits earned through cross registration during the suspension. The student may also be required to fulfill additional specified conditions before readmission will be granted. Students suspended from RISD as a result of a student conduct process typically are not eligible for a refund. Receiving financial aid (including work-study or on-campus employment), is not a factor considered relevant to a student conduct decision. Students are encouraged to contact Student Financial Services to determine any impact on their student account.

5. Expulsion from RISD – The permanent separation of the student from RISD, without possibility of readmission. A student who has been expelled may not enroll in RISD classes, may not participate in any RISD-sponsored events and activities, will be denied all other privileges normally afforded students, must vacate the campus by a specified time, and may not reenter the campus or be present on campus without the written permission of the Associate Dean of Students or designee. Students expelled from RISD as a result of a student conduct process typically are not eligible for a refund, to re-enroll at a later date, or to apply for employment with the college. Receiving financial aid (including work-study or on-campus employment), is not a factor considered relevant to a student conduct decision. Students are encouraged to contact Student Financial Services to determine any impact on their student account.

B. ADDITIONAL OUTCOMES

1. Restitution – A requirement that the student compensate those whose property has been damaged or destroyed by the student's actions, for the partial or complete monetary cost of such damage/destruction. It should be noted that this outcome is not the same as imposing a fine. Imposition of fines are not permissible under the RISD Code of Student Conduct + Community Standards.
2. Modification or loss of housing privileges – The modification or revocation of a student's privileges to live in and/or visit RISD housing facilities and/or the relocation of a student's on-campus housing, either temporarily or permanently. A student who is subject to such modification, revocation, or relocation will not be entitled to a refund of housing charges.

Note: Students with residency requirements, such as first year and second year students, if removed from housing, unless otherwise stated, will result in suspension from the institution as it is a requirement for enrollment at RISD.

3. Educational Outcome – An educational outcome can include, but is not limited to, work assignments, service to the College, or other related assignments. All educational outcomes must have the prior approval of the Director of Student Conduct + Community Standards, or their designee and should where possible, relate to the violation in which the student was found responsible.
4. Other consequences or restrictions – Any other consequences, restrictions, or conditions deemed appropriate under the circumstances of the student's

misconduct, such as required letters of apology (when deemed appropriate), reflection statements, mandatory participation in relevant programs or evaluations, no-contact or no-entry requirements, loss of specified privileges, registration holds or restrictions, revocation of a degree, and/or, to the extent permitted by the Family Educational Rights and Privacy Act, notification to the student's parents or guardians.

IX. Additional Standards, Procedures, and Consequences

In addition to the sanctions or consequences listed in the previous section, the following consequences may also be imposed by the Board or Hearing Officer:

- A. Informal Warning – An oral or written warning issued by a Residence Life or other Student Life staff member, Public Safety Officer, or other RISD official resulting from a student's misconduct. An informal warning is not considered to be a formal disciplinary outcome, and may or may not be considered in subsequent formal procedures.
- B. Interim Suspension, Restriction, or Prohibition – A temporary sanction or consequence may be imposed, with cause, prior to any formal resolution process as outlined in the Code of Student Conduct. A student may be prohibited from all or designated portions of campus, restriction from participation in designated programs and activities, or being prohibited from having contact with designated persons during the process of the adjudication of a proceeding under the Code of Student Conduct.

Interim consequences may be imposed by the Associate Dean of Students, or designee whenever they have reasonable cause to believe that the student poses a significant risk of substantial harm to the health, safety, or well-being of others or to property, and may include and be subject to any additional terms and conditions that the official imposing the consequence deems necessary or appropriate in light of the potential harm.

Additionally, when an interim suspension, restriction or prohibiting action is put in place, a student may lose the ability to continue in student leadership positions (e.g., Student Alliance, Resident Advisor, Orientation Leader, Club President/Leader) and/or take part in campus sponsored activities, which include but are not limited to clubs or social programming. Reinstate of these privileges is at the discretion of the Associate Dean of Students, or their designee.

Any interim measure will be applied and remain in effect until the conclusion of the relevant proceeding, the appeal, or such earlier time as the official imposing the consequence determines.

A student who has received an interim consequence may petition the Vice President for Student Life or their designee at any time to request modification or removal of the consequence by emailing studentlife@risd.edu. Any such petition must include supporting evidence that the reasons for the imposition of the consequence no longer exist, will not recur, and the student meets all normal requirements for readmission. Upon receipt of such a petition, the Vice President for Student Life will evaluate the request and may consult with the student and/or others as they deem appropriate. The

Vice President for Student Life may, on that basis, deny the petition, grant the petition in whole or in part under specified conditions, or grant the petition in whole or in part without condition.

- C. Removal from Class (InterimMeasure) – RISD Faculty may, at their discretion, remove a student from the academic classroom, studio or other educational experience if a student's behavior, conduct, or communication is disruptive to the instructor's ability to provide academic instruction or maintain decorum in the class. It should be noted that this is not considered to be an official dismissal from the course, but only for the class period or experience in which the student was disruptive.
- D. Withdrawal from a Class (Permanent Measure) – The Vice President for Student Life, or designee, may withdraw a student on a permanent basis from a class upon request by the relevant faculty member and/or Department Head if the student has engaged in substantial disruption of the class to the detriment of teaching and learning, has continued to do so after warning, and is unwilling or unlikely to stop doing so voluntarily.