



University of  
**Pittsburgh** | Bradford

# Student Code of Conduct

Effective February 14, 2025

**Division of Student Affairs**

<https://www.upb.pitt.edu/dean-students-office>

## Contact Information

**For questions or information regarding the Student Code of Conduct, the Conduct Process and Procedures, the Level I Appeals Process, or the Level II Appeals Process, please contact:**

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[upb.studentaffairs@pitt.edu](mailto:upb.studentaffairs@pitt.edu)

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## Introduction

Being a member of the University of Pittsburgh at Bradford community is a privilege. This privilege comes with the responsibility to act in accordance with all institutional rules and policies. This *Student Code of Conduct (Code)* provides information on behavioral expectations and outlines the process to address Violations of these expectations.

The Board of Trustees has the authority to establish regulations and standards for Students. Responsibility for these regulations and standards is delegated to the Chancellor and in turn to specified administrative officials. The Board of Trustees and University administrators acknowledge and affirm the rights and responsibilities of Students – as members of society, as guaranteed, and expressed by federal, state, and local laws.

The *Code* is subject to change at the discretion of the University. All Students are expected to familiarize themselves with and are required to abide by the provisions of the current *Code*. To ensure you have the most recent version, visit <https://www.upb.pitt.edu/dean-students-office>. Copies of the *Code* are available at the Dean of Students Office, 220 Frame-Westerberg Commons.

**This *Code* is not a contract.**

Academic integrity issues fall within the authority of the Division of Academic Affairs and the University's Academic Integrity Policies.

## Non-Discrimination Statement

The University of Pittsburgh values equality of opportunity and prohibits unlawful discrimination. Find the full Notice of Non-Discrimination within [University Policy CS 07 Nondiscrimination, Equal Opportunity, and Affirmative Action](#).

## Application, Scope, and Jurisdiction of the *Code*

Students and/or Registered Student Organizations may be charged with *Code* Violations. Additionally, individual members of Registered Student Organizations may be held accountable for *Code* Violations when they participate in any Violation committed by the Registered Student Organization.

Students are expected to conduct themselves as responsible members of the University community. Students and Student Organizations who violate the *Code* will be subject to disciplinary action by the University, when such conduct takes place on University Property or in the course of a University-sponsored or University-supervised activity.

*Conduct off-campus also may be subject to disciplinary action* by the University if that conduct:

1. threatens the health, welfare, safety, or educational environment of the University community or any individual member thereof, or otherwise disrupts the neighboring environments; and/or
2. is considered by the University to be a serious offense that would negatively reflect upon the Student's character and fitness as a member of the Student body; and/or
3. is an incident occurring within the University of Pittsburgh at Bradford Police jurisdiction.

Regional campuses may have campus-specific policies and procedures which should be consulted as applicable.

## **Student Conduct Record Retention Policy**

The Dean of Students Office maintains conduct records for a period of seven (7) years from the date of the incident. For all pending incidents and incidents resulting in Housing Dismissal, Disciplinary Suspension or Disciplinary Dismissal, the conduct record is maintained permanently.

## **Student Conduct Expungement**

Giving current/former Students the opportunity to expunge a responsible finding for a conduct violation reflects the philosophy that Students learn from their interactions with the conduct process and that self-reflection and self-knowledge can produce change in individuals. Each case is unique, and the decision to approve an expungement will be based on individual circumstances.

Even though a student's conduct violation may be expunged, both the student and the University may need to disclose the expunged record to third party requestors. For example, requestors performing background checks on students, such as study abroad programs, potential employers, Medical Boards or Bar examiners, etc.

The decision to disclose an expunged record will be based on the scope of the inquiry. All disclosures of student conduct records shall be made in accordance with the [Family Educational Rights and Privacy Act](#).

### **Expungement Process**

Current/former Students may apply to have a responsible finding of a conduct violation(s) expunged if the following criteria have been met:

- Two calendar years have elapsed since the incident date.
- The sanctions did not include Suspension or Dismissal.
- The student completed all sanctions on time.

Discretion to expunge a responsible finding for a conduct violation(s) rests with the Vice President and Dean of Student Affairs (VPSA) or their designee. Applications for expungement are reviewed by VPSA or their designee after the student has submitted a completed application for expungement along with any relevant supporting documentation, such as a reference letter, grade transcript, evidence of personal growth, a sustained commitment to abiding by the *Student Code of Conduct* and/or any other facts and circumstances the student would like the Dean of Students Office to consider.

***If a Student violates the Code after the responsible finding for a conduct violation(s) has been expunged, their expunged finding(s) will be reinstated.***

# CHAPTER 1. Student Rights and Responsibilities

## Student Rights within the University Community

With the approval of the Board of Trustees, the University affirms the following Student rights and privileges:

- To engage in discussion, make inquiries, exchange thought and opinion, publish and exchange findings and recommendations; to speak, write or print freely on any subject; and to sponsor speakers of their choice, in accordance with the guarantees of our Federal and State Constitutions, subject only to the right of the University to make reasonable rules and regulations related thereto.
- To associate with whomsoever they please.
- To engage in the educational process.
- To engage in peaceful, orderly, and non-destructive picketing, protests, and demonstrations, to the extent they do not violate public law and do not interfere with the educational process or the rights of other members of the University.
- To be free from discrimination on the basis of race, color, religion, national origin, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, genetic information, disability, or status as a veteran.
- To be secure in their persons, living quarters, papers, and effects from unreasonable, unauthorized, or illegal searches and seizures; and in the event of a legally authorized search, whenever possible to have present a University official and the Student against whom the legally authorized search is directed.
- To be free from violence, force, the threat of force, entrapment, and coercion.
- To organize one's own personal behavior as long as such behavior does not violate public law or the rights of others and does not interfere with the educational process.
- To be informed of the standards and the norms of conduct established by the University and the right to have advance notice of any Sanctions for violations thereof.
- To have the benefit of fair and equitable procedures for determining the validity of charges of alleged Violations of the University standards of conduct. All procedures shall be structured to facilitate reliable determination of truth or falsity of charges while providing due process and fundamental fairness to all persons.
- To retain unaltered status as a member of the University community and to be present on campus and attend classes during the consideration of any disciplinary matter, except for reasons relating to the safety and well-being of members of the University community or University Property or a Student's physical or emotional safety and well-being.
- To petition for redress of a grievance arising from negligent, malicious, or irresponsible actions of a member of the University community.
- To have University records reflect only such information as is reasonably related to the educational process of the University.
- To be informed of the existence, custodianship, and general character of all personal records maintained by the University.
- To inspect all personal records, except as determined to be confidential according to properly established criteria.
- To have protection from disclosure of personal records to unauthorized persons. Information will not be released outside of the University community without expressed consent or waiver by the Student involved, except under valid legal compulsion or where there is clear and present danger to a member of the University community, in which case the Student will be informed of such release.
- To establish and elect a representative democratic student government which is accountable to the University and the Student community.

- To be heard and have one's views considered at appropriate levels of the decision-making process within the University community.
- To use designated University facilities as individuals and members of Registered Student Organizations for extracurricular activities sponsored by Registered Student Organizations and Student groups, subject to the priority of academic needs and to reasonable University rules and regulations regarding use of facilities.

## **Student Rights under FERPA**

The Annual Notification of Rights under the Family Education Rights and Privacy Act (FERPA) as well as more information about the University's FERPA policy and procedures, is available through the Office of Compliance, Investigations and Ethics on the Oakland Campus, the Office of Enrollment Services on the Bradford Campus, and University Policy AC 04 Access to and Release of Education Records.

### **Guardian Notifications for Drug and Alcohol Violations**

FERPA permits the University to notify parent(s)/guardian(s) when a Student who is under the age of twenty-one (21) is found responsible for or admits to an alcohol or other drug Violation.

Notification to parent(s)/guardian(s) of such violations is part of a strategy to connect parent(s)/guardian(s) with appropriate University representatives to reduce the risk of University Students developing patterns of behavior that may jeopardize their academic success, health, or well-being. Under special circumstances, professional staff at the University may use their discretion to determine whether this notification is in the best interest of the Student.

#### **When and how parent(s)/guardian(s) will be notified:**

Parent(s)/guardian(s) may be notified via a written letter when the appeals period has ended, and a Student is found responsible for an alcohol or other drug Violation. This does not include Students who are sanctioned solely for being "knowingly present" during drug and/or alcohol Violation(s).

#### **Who should parents/guardians contact if they have any questions?**

The Guardian Notification Letter will identify who to contact for additional information. Before calling for more information, the University encourages parent(s)/guardian(s) to speak to their Student to see if the Student requires any assistance and to encourage the Student to make responsible choices that will help the Student avoid future conduct Violations. If parent(s)/guardian(s) want to speak with staff, they should have their Student provide written permission to the staff member who signed the guardian notification letter.

## **Student Identification Requirements**

Students are required to carry their valid University ID (Panther card) at all times. Students are required to present their valid University ID when requested by an authorized University official. Certain residence halls require resident Students to swipe their valid University ID to gain access into their assigned residence halls.

## **Communication Requirements**

Hearing Officers will communicate with students primarily via University-sponsored email accounts. This *Code* also will be sent to University-sponsored email accounts at the beginning of each Fall and Spring semester. All other updates can be found on the website. Students are responsible for checking their University email accounts on a regular basis.



## CHAPTER 2: Medical Amnesty

The University of Pittsburgh at Bradford's primary concern is for the health, safety, and well-being of Students. All Students are expected to seek immediate assistance for themselves or others in situations where someone is experiencing an emergency due to alcohol or other drug use. Failure to summon, or limiting the ability of someone else to summon, emergency assistance for a Student experiencing an emergency due to alcohol or drug use, may result in University and/or criminal charges.

### Scope

1. Medical Amnesty may apply when the violations under the *Code of Conduct* involve alcohol or other drugs.
2. Medical Amnesty eliminates responsibility for *Code* Violations outlined above for the reporter and/or the individual experiencing the medical emergency.
3. Medical Amnesty mitigates University conduct consequences for Registered Student Organizations that call for emergency assistance.

Medical Amnesty does not prevent disciplinary action for other Violations of the *Code*, including, but not limited to unlawful distribution of alcohol or other drugs, harassment, hazing, possessing or using false identification, causing or threatening physical harm, sexual misconduct, or damage to property.

### Medical Amnesty Process

In order for Medical Amnesty to apply to the reporter, the reporter must complete the following steps:

1. Contact appropriate University or emergency officials, identify themselves and report the incident.
2. Remain with the individual(s) needing assistance until emergency officials arrive.
3. Cooperate with University and emergency officials as requested.
4. Complete all assigned programs or interventions within the designated time frame.
5. Notify the Hearing Officer responsible for the case that all steps have been completed.

Medical Amnesty may not apply until verification of completion has occurred.

In order for Medical Amnesty to apply to the individual who experienced the medical emergency, this individual must complete the following steps:

1. Cooperate with University and emergency officials as requested.
2. Complete all assigned programs or interventions within the designated time frame.
3. Notify the Hearing Officer responsible for your case that all steps have been completed.

Medical Amnesty may not apply until verification of completion has occurred.

Even when Medical Amnesty applies, the University and/or Student may need to disclose information regarding the application of Medical Amnesty, including but not limited to study abroad programs, potential employers, professional governing bodies (ex. Bars or Medical Boards), or another University through an admissions process. While the main goal of Medical Amnesty is to encourage Students to make healthy decisions and to seek medical attention when they or one of their peers are in distress, repeated requests for Medical Amnesty will be addressed on a case-by-case basis.

Application of Medical Amnesty by the University does not prevent criminal action by police or civil action by third parties. The Commonwealth of Pennsylvania's alcohol and other drugs "Good Samaritan" laws may be applicable.

## CHAPTER 3: University of Pittsburgh Anti-Hazing

The University of Pittsburgh does not tolerate hazing. Any student, student organization, team, or other persons associated with a student organization found responsible for hazing under this policy, whether occurring on or off campus, may face disciplinary action from the University, and may also face criminal charges under state law including [\*\*The Timothy J. Piazza Antihazing Law, 18 Pa. C.S. § 2801, et seq.\*\*](#)

### **Hazing Definition**

For purposes of this definition, any activity as described in the below definition which is directly or indirectly made a condition of initiation into, admission into, affiliation with, or continued membership in an organization shall be presumed to be “forced” activity, regardless of whether the individual was willing to participate in such an activity. Therefore, any Student who causes or participates in hazing may be subject to appropriate University discipline and/or may be subject to criminal prosecution.

### **Hazing is defined as follows:**

A person commits hazing if the person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces a minor or student to do any of the following:

1. Violate Federal or State criminal law;
2. Consume any food, liquid, alcoholic liquid, drug or other substance which endangers the mental or physical health or safety of a student;
3. Engage in physical activity, including whipping, beating, branding, calisthenics or exposure to the elements which endangers the mental or physical health or safety of a student;
4. Engage in mental activity, including sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment which endangers the mental or physical health or safety of a student;
5. Engage in sexual activity, which endangers the mental or physical health or safety of a student;
6. Endure any other activity that creates a risk of bodily injury to the student.

### **Organizational Hazing is defined as follows:**

A Registered Student Organization commits organizational hazing if the organization intentionally, knowingly or recklessly promotes or facilitates a Violation of hazing or aggravated hazing.

### **Aggravated Hazing is defined as follows:**

Conduct that would amount to hazing but that results in serious bodily injury or death. This may include instances where those responsible for hazing acted with reckless indifference to the health and safety of a student. Causing, coercing, or forcing the consumption of alcohol or other drugs that results in serious bodily injury or death is an example of aggravated hazing.

### **Hazing Adjudication Process**

The Office of Compliance, Investigations & Ethics (CIE Office) will work collaboratively with the University of Pittsburgh Police Department in the investigation of alleged hazing events.<sup>1</sup>

Ultimately, all reports of hazing will be referred to the Office of Compliance, Investigations & Ethics (CIE) for internal investigation following or during a police investigation. The investigative procedures can be found [here](#).

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<sup>1</sup> In addition, the CIE Office is responsible for publishing the University’s bi-annual hazing report.

## **Reporting**

Several options are available for you to report hazing. Students and others are encouraged to report incidents, and suspected incidents of hazing. Reports may be made to Campus Police (814-368-3211), or the Office of Compliance, Investigations and Ethics at (412-383-4553), [compliance@pitt.edu](mailto:compliance@pitt.edu). You may also report hazing using the [Pitt Concern Connection](#) either by submitting an online form, calling the report phone number, or submitting a report via text.

Although the University encourages students and others to make formal reports, including contact information for the reporter, you may file an anonymous report with the University Police tip line and/or the Pitt Concern Connection. Anonymous reports greatly limit the University's ability to respond to and investigate the report.

As noted above, all hazing allegations should be reported to the University of Pittsburgh Campus Police Department and/or the CIE Office. In addition, hazing related to any University of Pittsburgh at Bradford athletics teams may also be reported to the Director of Intercollegiate Athletics and Recreational Sports at 814-362-5093 or the Assistant Director of Athletics at 814-362-5086. Hazing related to any University of Pittsburgh at Bradford fraternity and sorority life chapter organization or any University of Pittsburgh at Bradford student organization may also be reported to the Coordinator of Student Engagement at 814-362-7654.

## **Interim Measures**

As part of the University's response to a report of hazing, and regardless of whether there has been a request for formal disciplinary or law enforcement action, the University may impose interim measures or offer accommodations to address issues that impact the Complainant or Respondent's educational, living or work environments. These interim measures can often be put in place very quickly, prior to the resolution of any complaint, investigation, or criminal proceeding.

Once imposed, the University will take necessary action to enforce the implemented measures. Anyone who becomes aware of, or has a concern about, a Student's failure to follow any University-imposed interim measure or accommodation, should report this concern to the Dean of Students Office at 814-362-7651 or [upb.studentaffairs@pitt.edu](mailto:upb.studentaffairs@pitt.edu).

## **Advisor or Support Person**

Both a Complainant and a Respondent are entitled to one advisor or support person of their choice, and the advisor or support person may accompany the party to any meeting or proceeding under these processes. However, the advisor or support person shall not be permitted to participate directly in the process. This includes advisors who are also attorneys. An advisor or support person may not stand in place of either the Complainant or the Respondent, and information regarding the progress of the inquiry or investigation will only be shared with the Complainant or Respondent, and not the advisor of choice. If the advisor or support person has any questions, they should contact the Assistant Vice Chancellor for the Office of Compliance, Investigations & Ethics, not the individual investigator. In keeping with the University's desire to resolve hazing complaints in a timely manner, the University reserves the right to proceed with any meeting regardless of the availability of the Student's/Registered Student Organization's advisor or support person.

## **Investigative Process**

The investigation of hazing allegations involves a prompt and equitable investigation conducted by an investigator assigned by the Office of Compliance, Investigations & Ethics (CIE Office). The investigation is a fact-finding process, giving all parties notice and the opportunity to be heard, to identify witnesses and to offer evidence, and to pose questions to parties and witnesses.

The process will generally progress as follows:

1. Once a report is received, the Investigator will attempt to interview witnesses and identify relevant parties, including any Complainants or Respondents.
2. Following the completion of initial interviews, the investigator will notify the Assistant Vice Chancellor for Compliance, Investigations & Ethics as to whether or not the allegations, if substantiated, would constitute a violation of the *Code* related to hazing.
  - a. If the investigator's notification indicates that such an allegation, if substantiated, would not constitute a violation, the Assistant Vice Chancellor for Compliance, Investigations & Ethics may close the investigation and that decision shall be final, barring new information.
  - b. In the event that the investigator's notification indicates that the allegations, if substantiated, would constitute a violation of the *Code*, the investigator shall conduct a full investigation.

Steps in the investigation may involve the following actions:

- i. Notification to Respondent and Complainant that an investigation is underway
  - ii. Interviewing members of Registered Student Organizations
  - iii. Interviewing witnesses, including the Respondent(s) and Complainant(s)
  - iv. Providing the parties with the opportunity to identify relevant witnesses
  - v. Providing the parties with the opportunity to review and comment on a summary of their interview. Parties shall have five (5) days to review and comment.
  - vi. Collecting evidence
  - vii. Documenting all evidence collection and interviews
  - viii. Collaborating with multiple departments to gather relevant information
3. Reasonable rules of relevancy will guide the investigator in evaluating evidence/witness statements.
  4. Following the gathering and evaluation of evidence, the investigator will prepare a report of investigation. The parties will have an opportunity to review, in the Office of Compliance, Investigations & Ethics, the report of investigation. The report of investigation will include the relevant information provided by the Complainant, Respondent, and any witnesses, as well as reference other relevant evidence gathered during the investigation which will be considered in determining responsibility for allegations of hazing. Within five (5) business days of the date that the report of investigation was first made available for review, the Complainant and Respondent must submit verbally or in writing to the Investigator any comments (including additional statements, proposed witness questions and additional evidence) concerning the summary. This portion of the investigation may be an iterative process.
  5. Following the receipt of any comments on the investigative summary, or after the five (5) day period has lapsed without comment, the Investigator will prepare a final report of investigation that includes a determination of whether it is more likely than not that a hazing violation has or has not occurred. The final written report will include the basis upon which the Investigator reached the determination of responsibility. This determination will be made using the preponderance of the evidence standard, asking whether it is more likely than not that hazing occurred and the *Code* violated.
  6. The report will be provided first to the Assistant Vice Chancellor for Compliance, Investigations & Ethics (AVC CIE) for review and input. The AVC CIE will consult with the Office of University

Counsel and submit the final report to the VPSA or their designee. Once the VPSA or their designee has determined the appropriate sanctions, either the VPSA or their designee will provide the decision letter to both the Complainant and Respondent.

At this time, a copy of the final investigation report will be available in the Office of Compliance, Investigations & Ethics for review.

7. Both the Complainant and the Respondent may submit an appeal to the University Review Board (URB) within ten (10) business days from the date of the decision letter. See the Level II Hearing Appeal Process.

### **Prohibition of Retaliation**

Retaliation is prohibited and will constitute separate grounds for disciplinary action. Retaliation is the act of taking adverse action against any person involved in the investigation process based upon the person's reporting or participation in the process. Retaliation includes behavior on the part of any related person or party.

Although independent action will be taken against anyone engaging in retaliation, any party to the investigation should not encourage such actions and will be held responsible to the extent of their involvement in the retaliation.

An individual who believes they have experienced retaliation should contact the Office of Compliance, Investigations & Ethics ([compliance@pitt.edu](mailto:compliance@pitt.edu)) or submit a concern using the Pitt Concern Connection. Investigations of retaliation in connection with this Chapter follow the investigative procedures outlined above.

## CHAPTER 4: Violations of the *Student Code of Conduct*<sup>2</sup>

A Violation is committed when a Student or a Registered Student Organization:

1. Violates any federal, state or local law(s), or while abroad, violates any international law(s).
2. Engages in conduct that is disorderly, lewd, indecent or a breach of peace; or aids, abets, or procures another to do the same.
3. Possesses, consumes, or is under the influence of alcohol if under the age of 21, or dispenses alcohol to an individual who is under the age of 21.
4. Is knowingly present during the commission of the Violation(s) of "possesses or consumes alcohol if under the age of 21 or dispenses alcohol to an individual who is under the age of 21."
5. Consuming, carrying, or possessing an open container of alcohol in the public right-of-way, or on private property without the consent of the landowner or tenant, except as permitted by law.
6. Operates a motor vehicle while impaired by or under the influence of alcohol or other drugs.
7. Uses, misuses, possesses, distributes, manufactures, sells, or is under the influence of narcotics, hallucinogens, dangerous drugs, controlled or illicit substances except as permitted by law, or possesses paraphernalia which can be demonstrated to be linked to drug activity, such as pipes with drug residue. This includes the misuse of over-the-counter substances.  
The use or possession of marijuana (medical or otherwise) in the workplace and on campus is restricted by federal laws, such as the Safe and Drug Free Schools and Communities Act and Drug-Free Workplace Act. Accordingly, the University of Pittsburgh at Bradford prohibits use or possession of marijuana on campus.
8. Is knowingly present during Violation(s) of "uses, misuses, possesses, distributes, manufactures, sells, or is under the influence of narcotics, hallucinogens, dangerous drugs, controlled or illicit substances except as permitted by law, or possesses paraphernalia which can be demonstrated to be linked to drug activity, such as pipes with drug residue."
9. Without authority or consent, limits or restricts the freedom of a person to move about in a lawful manner.
10. Physically abuses, injures or endangers a person's health, welfare or safety.
11. Threatens, intimidates, coerces, or uses physical force in a manner which causes another person to be reasonably apprehensive or which endangers a person's health, welfare or safety.

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<sup>2</sup> Please note that just because the expression of an idea or point of view may be offensive or inflammatory, it is not necessarily a Violation of the *Code*. The University values freedom of expression and the open exchange of ideas, and the expression of controversial ideas and differing views is a vital part of the University's mission.

12. Engages in Harassment. Harassment includes unwelcome conduct, through verbal, physical, or electronic means, that based on totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from their education program or activity (i.e., creates a hostile environment). This provision is not intended to prohibit constitutionally protected activity. To the extent that such conduct is connected to allegations of harassment on the basis of a protected class, it will generally be adjudicated as a violation of the applicable policy and not this provision.
13. Violates the [Sexual Misconduct Policy](#) including, but not limited to:
  - a. Sexual Assault
  - b. Relationship Violence
  - c. Sexual Harassment
  - d. Stalking/Cyberstalking
14. Violates the [Title IX Policy](#) including, but not limited to:
  - a. Sexual Assault
  - b. Relationship Violence
  - c. Sexual Harassment
  - d. Stalking/Cyberstalking
15. Assists in the Violation of the [Title IX Policy](#).
16. Violates the University of Pittsburgh [Anti-Hazing Statement](#).
17. Assists in the Violation of the University of Pittsburgh [Anti-Hazing Statement](#).
18. Operates, provides assistance to, or perpetuates activities that give the impression or appearance that a group is a Registered Student Organization, when that group has not registered as a student organization, has lost or been denied University registration or recognition, or has been dissolved as a consequence of responsibility for Code and/or other policy Violations, even if operating under a different name.
19. Violates or assists in Violation of any University policy, procedure or guideline including, but not limited to:
  - a. University of Pittsburgh Non-Discrimination, Equal Opportunity, and Affirmative Action Policy
  - b. University of Pittsburgh at Bradford Registered Student Organization guidelines
  - c. University of Pittsburgh at Bradford Alcohol Policy
  - d. University of Pittsburgh Drug Free Workplace/Drug Free Schools Policy
  - e. University of Pittsburgh at Bradford Smoking Policy
  - f. University of Pittsburgh at Bradford Fraternity and Sorority Life policies
  - g. Housing and Dining Services Contract, Student Organization policies, or Club Sports policies
  - h. Any Computing Services and Systems Development policies
  - i. Any provision of the University of Pittsburgh at Bradford Chalking and Posting Guidelines
  - j. Any provision of the University of Pittsburgh at Bradford On-Campus Demonstration Guidelines
  - k. Any other policy, procedure, or guideline of the University whether or not listed in the *Code*

20. Engages in retaliation in connection with any reported violation of this *Code*.<sup>3</sup>
21. Violates any provision of the *Residential Handbook* including but not limited to:
  - a. Quiet Hours
  - b. Visitation
  - c. Health & Safety
  - d. Alcohol Policy
  - e. Prohibited Items
  - f. Other
22. Obstructs, interferes with, or denies another Student's Rights affirmed by the Board of Trustees (See Chapter 1 Student Rights and Responsibilities).
23. Uses, possesses, or manufactures firearms, explosives, weapons, fireworks or other dangerous articles or substances injurious to person or property, or objects that mimic or look/function like these objects, while on University Property; with exception of approved firearm storage according to University procedures.<sup>4</sup>
24. Activates emergency warning equipment, communicates false information regarding any emergency situation, or fails to exit any University property when emergency warnings are issued.
25. Abuses, removes, damages, or alters fire safety equipment, security equipment, and/or exit signs.
26. Ignites or burns materials, including but not limited to incense or candles, without proper authorization, while on University property.
27. Throws anything from windows, balconies, patios, or any other area of any University building.
28. Affixes, implants, or otherwise fastens any object to any University Property floors, ceilings, windows, or walls which might stain, scar, vandalize, or otherwise cause damage to said property.
29. Without proper authorization, lends and/or misuses University identification or keys.
30. Without proper authorization, lends, possesses, abuses, damages, destroys, removes, (mis)uses, misappropriates, or sells the property of another, including, a business or the University.
31. Obtains the personal information of another person by misrepresentation or fraudulent means.

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<sup>3</sup> The process afforded to students accused of retaliation is tied to the underlying allegations. For example, retaliation in connection with hazing, sexual misconduct, sexual harassment, or nondiscrimination will follow the corresponding investigative process for those policies and Code provisions. All other forms of retaliation will follow the conduct process outlined in Chapter 5.

<sup>4</sup> Firearms used for recreation must be stored with UPB Campus Police and Safety. See *Residential Handbook* for related information.



32. Without proper authorization enters or uses property of another, a business, or the University.
33. Forges, alters, takes possession of, duplicates, or uses documents, records, keys, identification, or computer accounts without proper authorization.
34. Fails to present University identification or gives false identification or identifying information upon the request of an authorized University official.
35. Falsifies information or records submitted to a University official or office.
36. Fails without just cause to comply with the lawful direction of a University official, or other lawful authority having just cause and acting in the performance of their duties and authority.
37. Engages in solicitation of any type (including non-University commercial activity) on University Property unless approved in advance by an appropriate University official.
38. Participates in the sale or misuse of class materials including but not limited to recordings, papers, examinations, or any other class materials.
39. Disrupts or prevents the peaceful and orderly conduct of classes, lectures, quiet study, speaker presentations, and/or meetings or deliberately interferes with the freedom of any person to express their views.
40. Engages in any act or preparation intended to result in a *Code* Violation, which, if not prevented, would have resulted in the completion of the act intended.
41. Obstructs or interferes with the apprehension or investigation of a Student who may be involved in the commission of a *Code* Violation.
42. Intimidates, coerces, influences, or attempts to do the same against a person who is participating or has participated in any University process or proceeding.
43. Disrupts or interferes with the conduct process.
44. Makes or distributes any photograph, audio or video recording of any person in Violation of federal, state, or local law.
45. Engages in games of chance in Violation of federal, state, or local law.
46. Fails to comply with guidance set forth by the University, federal, state, and/or local authorities, or host governments while abroad regarding public health and/or safety.

# CHAPTER 5: Process and Procedures: From Referral to Resolution

## Applicability

Except as specified herein, this chapter does not apply to alleged violations of the Sexual Misconduct policy (CS 20) or Title IX policy (CS 27). Alleged conduct under those policies are addressed in Chapter 6 and 7, respectively.

Student Rights within the University Community are listed in Chapter 1 of this *Code*.

## Commonly Used Terms

**Adjudication:** Completion of any investigative, hearing, and/or accompanying Appeal process

**Complainant:** A University community member who files a referral that alleges a Violation of the *Code*

**Conduct Referral:** A report alleging Violations of the *Code*

**Level I Hearing:** A meeting to determine an alleged Violation of the *Code* where a Respondent may receive a Sanction up to and including Disciplinary Probation or Housing Suspension

**Level II Hearing:** A meeting or series of meetings to determine an alleged Violation of the *Code* where a Respondent may receive a Sanction up to and including Disciplinary Dismissal

**Respondent:** Student/Registered Student Organization alleged to have violated the *Code*

## Process and Procedures

### A. Filing a Conduct Referral

The University's Conduct Process is initiated when a University member files a Conduct Referral against a Student/Registered Student Organization alleging that there has been a Violation of the *Code*. Any University Member who has witnessed, has been subject to, or has knowledge of a potential Violation of the *Code* may contact the Dean of Students Office to complete a Conduct Referral.

Conduct Referrals which allege Violations of Hazing will proceed under Chapter 3 of this *Code*.

Conduct Referrals which allege Violations of the [Sexual Misconduct Policy \(CS 20\)](#) or [Title IX Policy \(CS 27\)](#) will proceed under Chapter 6 and Chapter 7 (respectively) of this *Code*.

### B. Review of the Conduct Referral and Initiation of the Conduct Process

Once a Conduct Referral is submitted, the VPSA or their designee will determine whether the behavior alleged in the Conduct Referral, if substantiated, would constitute a *Code* Violation. In some instances, the VPSA or their designee may need to meet with an alleged Complainant or Respondent prior to making a determination.

If it is determined that the Conduct Referral alleges a *Code* Violation, the VPSA or their designee will decide if the Conduct Referral will proceed under the Level I or Level II Process. Once this determination is made, the VPSA or their designee will notify the Respondent of the next steps in the conduct process by sending an email to the Respondent's University e-mail address.

Most Conduct Referrals proceed under the Level I Hearing Process and are heard by the Dean of Students Office or Residence Life staff (collectively hereinafter referred to as "Hearing Officers"). Generally, after filing the Conduct Referral, Complainants do not participate in the Level I Hearing Process.

The Level II Hearing Process is facilitated by the Dean of Students Office. This process is utilized when:

1. The alleged Violations may result in Sanctions including: Disciplinary Suspension, Disciplinary Dismissal or Dismissal from University Housing; or
2. The Respondent is a Registered Student Organization except hazing reports as outlined in Chapter 3; or
3. Deemed appropriate by the Dean of Students Office.

### **C. Interim Action**

Prior to initiation of the conduct process, the VPSA or their designee may take limited or temporary action to restrict a student or student organization, only to the minimum extent necessary, when there is reasonable cause to believe that the student or student organization's participation in University activities or presence at specified areas of the campus may lead to conduct that threatens the health, safety or well-being of any person, property or University operations.

Examples of behavior that may lead to interim action include, but are not limited to, being charged with a serious criminal offense, physical violence, sexual assault, significant damage to property, significant disruption of the University educational or living environments, and possession and/or distribution of controlled substances.

Interim actions remain in effect only as long as the VPSA or their designee determines there is a need for such action **or** until the matter has been investigated, adjudicated, or otherwise resolved in accordance with the *Code*.

Within ten (10) business days of an interim action, the Student/Registered Student Organization may request, in writing, that the VPSA reconsider the interim action. This request must include the reasons why the Student/Registered Student Organization believes the interim action should be lifted. The VPSA will consider the request and advise the Student/Registered Student Organization of any modification to the interim action within five (5) business days of submission of the request. The interim action remains in place during the VPSA's review.

Interim action does not replace the conduct process, which shall proceed as outlined in this *Code*.

### **D. General Information for Respondents and Complainants in Level I and II Hearing Processes and Appeals**

In addition to the Rights affirmed by the Board of Trustees, while Respondents have the right to decline to testify against themselves, the Level II Conduct Hearing Board **may** draw an appropriate inference from lack of participation. The Hearing Officer or Level II Conduct Hearing Board will use a preponderance of the evidence standard (meaning more likely than not) when deciding if a Respondent is responsible for a Violation of the *Code*.

Legal rules regarding wording of questions, hearsay, and opinions, as well as legal rules regarding admissibility of evidence will not be formally applied. Legal motions will not be entertained, but reasonable rules of relevancy will apply. Reasonable limits may be imposed on the number of factual and/or character witnesses and amount of cumulative evidence that may be introduced.

Respondents/Complainants have the right to call witnesses during the hearing process. If a Respondent chooses not to participate in any stage of the hearing process, Adjudication may proceed, and Sanctions may be imposed.

If you have a disability and would like to request an accommodation during the conduct process, you are encouraged to contact the Hearing Officer and the Coordinator of Equity and Accessibility, 221 Frame-Westerberg Commons, 814-362-7609, [cjh187@pitt.edu](mailto:cjh187@pitt.edu) as early as possible in the process. The Coordinator of Equity and Accessibility will engage in the interactive discussion and determine reasonable accommodations for the conduct process.

## **E. Support People**

While not necessary or required, Complainants and Respondents in both the Level I and Level II conduct process are permitted to be accompanied by no more than two support people of their choice. Support people may ask questions regarding the process prior to the hearing. Support people may accompany a party throughout the process but are not authorized to actively participate in the hearing.

Any person who was involved in the conduct at issue or might be called as a witness in a case cannot be a support person in that case.

Information regarding processing of a referral will only be shared while the Complainant/Respondent is present.

## **F. Level I Hearing and Appeal Process**

### **Level I Hearing Process:**

1. The Hearing Officer will read the alleged Violations and allow Respondent to review the Conduct Referral.
2. The Respondent will have the opportunity to ask questions and to present relevant information through personal and/or witness testimony and/or documents.
3. The Hearing Officer(s) may ask questions regarding any information provided.
4. Using a preponderance of the evidence standard, the Hearing Officer(s) will determine if the Respondent is responsible for violating the *Code* and if so, will inform the Respondent of the imposed Sanctions, either at the conclusion of the Level I Hearing or within a reasonable time thereafter.
5. If the Respondent *is found responsible for violating the Code*, the Respondent will have the option to:
  - a. Accept the findings and imposed Sanctions.
  - b. Accept the findings, but reject and appeal the imposed Sanctions.
  - c. Reject the findings and imposed Sanctions and appeal both.
6. If the Respondent is *found not responsible* for violating the *Code*, no Sanctions will be imposed.
7. If the Respondent fails to attend the Level I Hearing, the Hearing may proceed in the Respondent's absence and Sanctions may be imposed.

### **Level I Appeal Process:**

Respondents seeking to appeal a Level I Hearing must file an appeal form with the Dean of Students Office within ten (10) business days of the date of the Hearing decision letter. A link to the appeal form can be found in the decision letter. The reason for appeal must fall within the scope of review. The scope of review shall be limited to statements and facts supporting one or more of the following questions:

1. Whether Rights affirmed by the Board of Trustees have been denied.
2. Whether Level I Hearing procedures were not followed in a manner that would have affected the decision.
3. Whether there was an absence of a rational connection between the facts found and the findings.
4. Whether the issued sanctions are substantially disproportionate to the severity of the Violation.
5. Whether new evidence is presented which was not available or discoverable during the Level I process that if available at the time would have significantly altered the findings or sanctions.

Once the Dean of Students Office receives a request for an appeal, the VPSA will review the request and notify the Respondent whether the appeal will be heard. If the appeal is to be heard, the VPSA or their designee will notify the Respondent of the date, time, and place of the appeal meeting. Decisions following the appeal meeting are final.

## **G. Level II Hearing and Appeal Process**

### **Level II Pre-Hearing Process**

When a Conduct Referral falls under the Level II Hearing Process, the Dean of Students Office will schedule a Disciplinary Conference with the Respondent. The purpose of the Disciplinary Conference, which may occur over a period of several meetings, is to 1) allow the Hearing Officer to discuss the alleged Violation(s) with the Respondent; 2) make recommended Sanction(s), and 3) provide the Respondent the opportunity to choose their response to the Conduct Referral, as defined below:

- a. Accept responsibility for violating the *Code*, accept the recommended Sanction(s) and waive the Level II Hearing and Appeal Process.
- b. Accept the general nature of the Violation(s) and proceed before the Level II Conduct Hearing Board for a Sanctions-Only Hearing.
- c. Not accept responsibility and proceed before the Level II Conduct Hearing Board for a Full Hearing.

If the Respondent elects to proceed with a Level II Hearing, the Dean of Students Office will answer questions regarding the procedures and format of the student conduct process, will schedule the Level II Hearing, and will provide other assistance as appropriate.

Both the Complainant and Respondent will receive an e-mail notification of the date, time, and place of the Level II Hearing. If a party has been sent notice in accordance with the *Code*, and fails to appear at the scheduled date, time, and place, the Level II Hearing may be held in the party's absence.

### **Witnesses**

The Complainant and Respondent may provide the Hearing Officer with a witness list, containing a brief description of each witness's proposed testimony. This description must be submitted to the Hearing Officer not less than five (5) business days prior to the Level II Hearing date. It is the responsibility of the Complainant and Respondent to coordinate any witness's participation in the Level II Hearing. The Hearing Officer may provide reasonable assistance in facilitating witness participation.

Where necessitated by fairness, the Hearing Officer may make arrangements for recorded, telephonic, or written testimony for use in a proceeding.

Both Complainants and Respondents may review, not less than three (3) business days prior to the Level II Hearing date, any approved witness list submitted by the opposing party. To schedule such a review, Complainants and/or Respondents must contact the Dean of Students Office to make an appointment.

### **Evidence**

The Complainant and Respondent will have the opportunity to submit evidence that they intend to introduce at the Level II Hearing. Such evidence must be submitted to the Hearing Officer not less than five (5) business days prior to the Level II Hearing date. Not less than three (3) business days prior to the Level II Hearing date, both Complainant and Respondent shall have the opportunity to review all evidence that has been approved for use in the hearing. To schedule such a review, the Complainant and/or Respondent must contact the Dean of Students Office to make an appointment.

## **Level II Hearing**

The VPSA or their designee will serve as Hearing Moderator for Level II Hearings.

The Hearing Moderator will convene the Level II Hearing and introduce the parties involved in the proceeding. The Complainant or Respondent may object to the participation of any member of the Level II Conduct Hearing Board or to the procedures, and the Hearing Moderator will make any necessary decisions regarding the validity of such concerns or objections. The Hearing Moderator shall read the alleged Violations.

The Complainant or Respondent will have the opportunity to state their case, offer evidence, and call, question, and cross-examine witnesses. During any presentation, the Hearing Moderator and Level II Conduct Hearing Board Members also will have the opportunity to ask questions to the Complainant, Respondent, and any of their witnesses.

At the conclusion of all testimony, the Complainant and Respondent will be given the opportunity to offer a closing statement which may include information regarding the imposition of sanctions.

## **Deliberations for Sanctions-Only Hearing**

1. Level II Hearing will conclude and all participants except Level II Conduct Hearing Board will be dismissed.
2. Level II Conduct Hearing Board will deliberate in private.
3. Level II Conduct Hearing Board will create a written record of Sanctions to recommend to the VPSA.

## **Deliberations for Full Hearing**

1. Level II Hearing will conclude and all participants except Level II Conduct Hearing Board will be dismissed.
2. Using the preponderance of the evidence standard, members of the Level II Conduct Hearing Board will deliberate in private until a finding regarding responsibility is reached.
3. If the Respondent is found responsible, the Level II Conduct Hearing Board will deliberate and create a written record of findings and Sanctions to recommend to the VPSA.

## **Hearing Outcome**

The Level II Conduct Hearing Board's findings and/or recommendation(s) will be sent to the VPSA. **The VPSA may increase, decrease, or otherwise change the recommended Sanction(s)** if they believe that the totality of circumstances, including but not limited to University precedent, justifies such a change.

The decision of the VPSA shall be sent to the Respondent and appropriate University officials through University email and will set forth any findings regarding responsibility and sanctions.

Respondents have ten (10) business days from the date of the VPSA's decision to file a petition for appeal. At any time, the Respondent may schedule an appointment with the Dean of Students Office to review their conduct record.

## **Addressing Bias Incidents through the Conduct Process**

The University of Pittsburgh is committed to maintaining a campus environment free from unlawful discrimination and harassment. As such, all referrals filed with the Dean of Students Office will be reviewed to

determine if the reported information suggests or demonstrates that the alleged *Code* violation was motivated by bias. Any violation of the University of Pittsburgh at Bradford *Student Code of Conduct* motivated by a University community member's race, color, religion, national origin, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, genetic information, disability, status as a veteran or any other protected group status identified in the University's Non-Discrimination, Equal Opportunity and Affirmative Action Policy, will be deemed an aggravating circumstance, and will result in the issuance of enhanced sanctions up to, and including, disciplinary dismissal from the University, and/or the addition of educational sanctions designed to address the demonstrated bias.

## **Application of Sanction Enhancement**

### **Process for Level I Referrals**

If a referral contains information that the underlying conduct may have been motivated by bias, the referral will be forwarded to the Dean of Students Office. At the Respondent's hearing, a Hearing Officer will first determine whether the Respondent is responsible for the alleged underlying *Code* Violation. Upon a finding of responsibility, the Hearing Officer will identify appropriate Sanctions for the underlying Violation. To determine if the underlying *Code* Violation was motivated by bias, the Hearing Officer will consider the referral and all information collected during the hearing. Upon a finding that bias was a motivating factor, the Hearing Officer will elevate the original sanction and/or add sanctions, to address the demonstrated bias.

### **Process for Level II Referrals**

If a referral contains information that the underlying conduct may have been motivated by bias, the referral will first be discussed with the respondent at a Disciplinary Conference, as described under the "Level II Pre-Hearing Process" found on page 22 of this *Code*. During this Disciplinary Conference, the Hearing Officer will review all information contained in the referral and will discuss the alleged Violation(s) with the Respondent. If the Hearing Officer, taking as true all facts contained in the Conduct Referral, finds that the alleged underlying *Code* Violation was motivated by bias, the Hearing Officer will elevate and/or add to the sanction recommendation. The Respondent will then have the opportunity to choose their response to the Hearing Officer's recommended sanction in accordance with the steps outlined under "Level II Pre-Hearing Process."

If the Respondent accepts the Hearing Officer's recommended sanctions, the Respondent will waive the right to a Level II Hearing and the Appeal Process and agree to complete all sanctions as directed.

If the Respondent elects a full hearing, the referral will proceed under the full hearing process. The Conduct Board will determine whether the Respondent is responsible for the alleged underlying *Code* violation(s). To determine if the underlying *Code* Violation was motivated by bias the Conduct Board will consider the referral and all information collected during the hearing. If the Conduct Board finds that bias was a motivating factor for the Respondent's Violation, the Conduct Board will recommend the application of Sanction Enhancement.

The Conduct Board will forward their findings and recommendation to the VPSA. The VPSA, considering the totality of circumstances and University precedent, will apply Sanction Enhancement.

If the Respondent accepts responsibility for the alleged underlying conduct violation, and elects a sanctions-only hearing, the referral will proceed under the sanctions-only hearing process. The Conduct Board will consider the Respondent's acceptance of responsibility and will assign sanction(s) to the accepted violation(s). To determine if the underlying *Code* violation was motivated by bias the Conduct Board will consider the

referral and all information collected during the hearing. If the Conduct Board finds that bias was a motivating factor for the Respondent, the Conduct Board will recommend the application of Sanction Enhancement. The Conduct Board will forward their findings and recommendation to the VPSA. The VPSA, considering the totality of circumstances and University precedent as may be applicable, will apply Sanction Enhancement.

### **Addressing Bias Reports that Fall Outside of the Conduct Process**

There may be situations where a report is focused on an expression of language, ideas or points of view which an individual or community found to be offensive or inflammatory, but where such expression does not rise to harassment and/or is not connected to any other underlying *Code* violation, or outside the protection of First Amendment rights. In these situations, where the reporting individual(s) or the community requests support, Student Affairs will work with the reporting individual(s) and/or community to determine the appropriate intervention. To report incidents of bias, visit the [Pitt Concern Connection](#).

## **Level II, Hazing, Sexual Misconduct and Nondiscrimination Appeal Process**

### **Petition to Appeal and Petition to Postpone Sanctions**

Appeal petitions related to Level II Hearings may be filed by Respondents. Appeal petitions related to Sexual Misconduct Violations may be filed by either the Complainant or the Respondent. Persons filing an appeal have ten (10) business days from the date of the Hearing decision letter to file their petition with the University Review Board (URB) at [URBmoderator-UPB@pitt.edu](mailto:URBmoderator-UPB@pitt.edu). Appeal petitions must include a thorough statement and all facts or evidence which support one or more of the following (Scope of Review):

1. Whether Rights affirmed by the Board of Trustees have been denied.
2. Whether established procedures were not followed in a manner that would have affected the decision.
3. Whether there was an absence of a rational connection between the facts found and the findings.
4. Whether the issued sanctions are substantially disproportionate to the severity of the Violation.
5. Whether new evidence is presented which was not available or discoverable during the process that if available at the time would have significantly altered the findings or sanctions.

As discussed under University Review Board procedures, the URB Moderator and applicable URB members will make their determination of whether to proceed with an appeal based on submitted documentation only.

In addition, persons filing an appeal may also request postponement of sanctions pending appeal. Such requests must explain why the imposition of sanctions must be postponed. The question to be answered in determining whether to postpone sanctions is, whether the immediate imposition or postponement of the sanctions will unfairly prejudice either party (the Complainant or the Respondent), pending a final determination of appeal.

All decisions regarding the postponement of sanctions will be made within five (5) business days of the receipt of such a request and will be communicated to appropriate parties in writing through the URB Moderator.

### **URB Procedures for Reviewing Petition to Appeal**

The URB Moderator, in consultation with one Student and one faculty member of the URB, will review petitions and determine whether the petition meets all requirements for filing an appeal; whether the petition raises a question within the Scope of Review; and, whether the appeal will proceed. In cases involving Sexual Misconduct, the URB Moderator will consult with two faculty members of the URB. The URB Moderator and applicable URB members will make their determination of whether to proceed with an appeal based on submitted documentation only.



Where the URB has determined that an appeal's petition does not fall within the Scope of Review, the URB Moderator and two URB members will render and submit a written opinion and recommended dismissal of appeal, accompanied by the record, to the University of Pittsburgh at Bradford President for review and consideration. Upon completion of this review and consideration, notice of the outcome will be given to the Respondent. In cases involving Sexual Misconduct, both the Complainant and Respondent will receive notice of the outcome of the review of the petition to appeal.

### **URB Procedures for Proceeding with an Appeal**

Where it has been determined that a petition falls within the Scope of Review, the URB Moderator will notify the applicable parties that an appeal has been initiated.

The URB Moderator will then schedule an appeal proceeding. Applicable parties to the appeal proceedings will receive a copy of the appeal petition and procedures and written notification of the time, date, and place of the proceeding.

The appeal will be conducted under the procedural guidance of the URB Moderator, who also shall determine the composition of the URB panel.

The URB panel, in its discretion, may elect to decide an appeal based solely on the submission of documents from the applicable parties, without oral argument. The URB appeal process does not include testimony from witnesses.

If the URB, in its discretion, decides to allow oral argument, applicable parties will be given reasonable time to present their position. A party may refer to any records, documents, or recordings from a prior proceeding and may present written argument. A party may question the other about their argument, except in cases involving Sexual Misconduct. Members of the URB panel and the URB Moderator may question the parties.

The URB panel may remand a matter to the Dean of Students Office or the Office of Civil Rights and Title IX for further proceedings when the URB panel determines that there are insufficient written findings or prejudicial procedural error. In other cases, the URB panel, by a majority, shall forward a written opinion, recommended action, and complete record to the University of Pittsburgh at Bradford President or their designee. There may be an accompanying minority opinion.

Once a decision is made by the President or their designee, applicable parties will be notified.

### **URB Structure**

The URB shall be a standing body of University members appointed for staggered terms of two years.

Appointment shall be made in the following manner.

1. A sufficient number of faculty members elected by the University Senate.
2. Five (5) graduate/professional students appointed by the Graduate and Professional Student Association.
3. Five (5) undergraduate students.
  - a. Two (2) appointed by the General Studies Student Council.
  - b. Three (3) appointed by the Undergraduate Student Government.

In matters involving sexual misconduct, no students shall be on the panels. Initiated appeals shall be heard by a review board of members. Except in cases involving sexual misconduct, the URB shall be composed of two faculty members and three students.

**URB Moderator**

Administrator(s), who shall serve as the URB Moderator, authorized to:

1. Conduct the administrative and procedural operation of the URB.
2. Determine the appropriateness and completeness of Petitions to the URB in consultation with one student and one faculty member of the URB.
3. Provide advice and assistance to University community members regarding the processing of an appeal.
4. Select members from the URB membership to serve on review boards.
5. Moderate all proceedings before the URB.

# CHAPTER 6: Sexual Misconduct Process and Procedures

This Chapter is a supplement to University Policy [CS 20 Sexual Misconduct](#).

This chapter references procedures pertaining to the University's prohibition against sexual misconduct. This chapter does not apply to the University's prohibition of "Sexual Harassment" as specifically defined in and addressed in Chapter 7 and under Policy CS 27.

**Complainant:** A University community member who files a referral that alleges a Violation of the *Code*.

**Respondent:** Student alleged to have violated the *Code*.

## **Reporting Sexual Misconduct and University Response**

Several options are available for you to report sexual misconduct.

- You may file a complaint with the Office of Civil Rights and Title IX. This office generally investigates complaints of sexual misconduct against members of the University community, including faculty, staff, and students (412) 648-7860.
- You may file a report through Pitt Concern Connection on the University Website.
- You may file a criminal complaint by contacting Campus Police (814) 368-3211 or City of Bradford police (911).
- Although the University encourages Complainants to make formal reports as outlined above, you may file an anonymous complaint using the Pitt Concern Connection or on the Campus Police web site. See <https://www.upb.pitt.edu/administrative-offices/campus-police-and-safety/anonymous-tip-line>. Anonymous reports greatly limit the University's ability to respond to and investigate the report.

As part of the University's response to a report of sexual misconduct, and regardless of whether there has been a request for formal disciplinary or law enforcement action, the University may impose interim measures or offer accommodations to address issues that impact the Complainant or Respondent's educational, living or work environments. These interim measures can often be put in place very quickly, prior to the resolution of any referral, investigation, or criminal proceeding.

Once imposed, the University will take necessary action to enforce the implemented measures. Anyone who becomes aware of, or has a concern about a Student's failure to follow any University-imposed interim measure or accommodation, should report this concern to the Dean of Students Office at (814) 362-7651 or [upb.studentaffairs@pitt.edu](mailto:upb.studentaffairs@pitt.edu).

## **Interim Measures, Accommodations, and Resource Assistance for Complainants and Respondents**

To quickly address a situation, the University, where it determines appropriate, may impose a wide range of measures or offer accommodations, on a limited or temporary basis, to any Complainant or Respondent. Such measures or accommodations may include:

- Any interim action as stated in Chapter 5
- A No Contact Order
- Change in University-related class or work schedules or job assignments
- Change in University-owned housing; assistance from University staff in completing housing relocation
- Restricting a Student's access to certain University facilities or activities pending resolution of a matter
- Access to academic support services such as, but not limited to, tutoring
- Rescheduling of exams and assignments
- Availability of alternative course completion options including, but not limited to, the opportunity to change class schedules by transferring course sections or withdrawing without penalty
- Voluntary leave of absence
- Any other interim measure or accommodation necessary and appropriate to facilitate the Complainant's or Respondent's access to educational opportunities
- Assistance with contacting the appropriate police department

- Access to counseling services, including assistance in arranging an initial appointment, on and/or off-campus
- Access to and assistance with obtaining necessary medical services
- Assistance in contacting community resources such as the YWCA Bradford or other support services
- Assistance in contacting legal resources/legal support
- Guidance/support filing a report through the Office of Civil Rights and Title IX and/or the criminal justice process

### **Advisor or Support Person**

Both a Complainant and Respondent are entitled to one advisor or support person of their choice, and the advisor or support person may accompany the party to any meeting or proceeding under these processes. However, the advisor or support person shall not be permitted to participate directly in the Informal or the Formal resolution process. This includes advisors who are also attorneys. An advisor or support person may not stand in place of either the Complainant or the Respondent, and information regarding the progress of the inquiry or investigation will only be shared with the Complainant or Respondent, and not the advisor of choice. If the advisor or support person has any questions, they should contact the Associate Vice Chancellor for Civil Rights and Title IX, not the individual investigator.

In keeping with the University’s desire to resolve sexual misconduct complaints in a timely manner, the University reserves the right to proceed with any meeting regardless of the availability of the Student’s advisor or support person.

### **Informal Resolution**

The Informal Resolution process is a voluntary process, available to Complainants, which attempts to reach a resolution without initiating the Formal Complaint Process and a specific finding of a University Policy and/or *Code* Violation. This process can include the application of Interim Measures, as referenced below. Under the Informal Resolution process, no disciplinary action is taken. Rather, the Title IX Liaison will review the facts and circumstances of the situation with the Complainant and based on the severity of the alleged incident make a determination on whether the Informal Resolution process is an appropriate response. In this process, the Title IX Liaison or their designee will contact the parties involved separately, review the allegations presented and develop an action plan to address the conduct.

A Complainant may choose to start with the Informal Resolution process in an attempt to resolve the issue and then choose to move to the Formal Complaint Process if needed or desired. A written record of any measures, meetings or communications from this Informal Resolution process will be kept on file in the Office of Civil Rights and Title IX. The Office of Civil Rights and Title IX maintains all informal resolution process records and files for seven years. Once an incident has been resolved through the Informal Process the matter is closed. A Violation of any action plan instituted under the informal resolution process may trigger the Formal Complaint process or disciplinary action under the *Code*.

The University will also consider additional interim measures appropriate to the situation at hand. When necessary, the University may make any “interim” measure permanent. The imposition of interim measures or accommodations does not affect the ability of the Complainant to pursue disciplinary action.

### **Formal Complaint Process and University-Initiated Investigations**

The Formal Complaint process is initiated when the Complainant provides a signed statement that includes a brief description of the alleged incident and, to the extent known, the Respondent’s name(s) and the date, time and location of the incident (hereinafter “Complaint”). The Formal Complaint process may also be initiated by the University under appropriate circumstances. The Formal Complaint process involves a prompt, and equitable investigation conducted by an Investigator. The investigation is a fact-finding process, giving all parties notice and the opportunity to be heard, to identify witnesses and to offer evidence, and to pose questions to parties and witnesses. Interim measures may be applied at any time throughout the Formal Complaint process.

The Formal Complaint process will generally progress as follows:

1. Once the Complaint is received or the University otherwise initiates the Formal Complaint process, an Investigator will interview the Complainant.
2. Following the completion of their interview with the Complainant, the University Investigator will prepare an initial inquiry memorandum and notify the Assistant Vice Chancellor for Compliance, Investigations & Ethics and the Associate Vice Chancellor for Civil Rights and Title IX as to whether or not the allegations set forth in the Complaint, if substantiated, would constitute a violation of the University's Sexual Misconduct Policy, and accordingly, a violation of the *Code*.
  - a. If the Investigator's notification indicates that such allegations, if substantiated, would not constitute a Violation of the University's Sexual Misconduct Policy, the Associate Vice Chancellor for Civil Rights and Title IX may dismiss the Complaint, and that decision shall be final, barring new information. The Associate Vice Chancellor for Civil Rights and Title IX shall provide Complainant and Respondent(s) with written notice of such dismissal.
  - b. In the event that the Investigator's notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a Violation of University policy, or the Assistant Vice Chancellor for Compliance, Investigations & Ethics and/or the Associate Vice Chancellor for Civil Rights and Title IX determines that the matter should be investigated, the Investigator will conduct a fact-finding investigation. Steps in this investigation will include, as appropriate:
    - The Respondent will be provided with written notification of investigation and made aware that a Formal Complaint has been submitted to the Office of Diversity & Inclusion. The Respondent will be provided with an opportunity to review the Complaint at the Office of Compliance, Investigations & Ethics.
    - The Complainant will be provided with written notification that a full investigation of their Formal Complaint is underway.
    - The University Investigator will interview relevant witnesses and review relevant physical, documentary, or other evidence.
    - As described below, each party will be given an opportunity to identify relevant witnesses. In order to have a prompt and equitable process, the investigator may provide deadlines for providing information. Delays in providing witness contact information and/or evidence may impact the University Investigator's ability to consider these elements.
3. The University Investigator may consider the credibility of the parties and witnesses and relevant information, including evidence of pattern. Both parties may provide information and names of witnesses to the University Investigator. The University Investigator will not apply rules of evidence followed in court proceedings and will not entertain legal motions. Legal rules pertaining to the wording of questions, hearsay, and opinions will not be applied. Reasonable rules of relevancy will guide the University Investigator in deciding on the admissibility of evidence and witness statements. Reasonable limits may be imposed on the number of factual witnesses and the amount of cumulative evidence that may be introduced.
4. After the Complainant(s) and/or Respondent(s) have been interviewed by the University Investigator, each will be provided with an opportunity to review a written summary of their own interview. The Complainant and Respondent will then have five (5) business days from the date the summary is made available to review their own interview summary and provide any comments or new evidence to the Investigator. Comments will be reviewed and retained in the investigative file, but may not necessarily result in a change to the summary.
5. After the Investigator concludes gathering and evaluating evidence, including witness interviews, a report of investigation will be prepared. At this time, the Complainant and Respondent will have an opportunity to review, in the Office of Compliance, Investigations & Ethics, the report of investigation. The report of investigation will include the relevant information provided by the Complainant, Respondent, and any witnesses, as well as reference other

relevant evidence gathered during the investigation which will be considered in making a determination regarding the alleged University's Sexual Misconduct Policy and/or *Code* Violation. Within five (5) business days of the date that the report of investigation was first made available for review, the Complainant and Respondent must submit verbally or in writing to the Investigator any comments (including additional statements, proposed witness questions, and additional evidence) concerning the summary. This portion of the investigation may be an iterative process.

6. Following the receipt of any comments on the investigative summary, or after the five (5) day period has lapsed without comment, the Investigator will prepare a final report of investigation that includes a determination of whether it is more likely than not that a Violation has or has not occurred. The final written report will include the basis upon which the Investigator reached their determination of responsibility. This determination will be made using the preponderance of the evidence standard, asking whether it is more likely than not that the University's Sexual Misconduct Policy has been violated.
7. The report will be provided first to the Assistant Vice Chancellor for Compliance, Investigation & Ethics for review and input. The AVC for CIE will consult with the Office of University Counsel and submit the final report to the Associate Vice Chancellor for Civil Rights and Title IX. The Associate Vice Chancellor for Civil Rights and Title IX will forward to the VPSA or their designee the final report along with proposed or recommended Sanctions. The VPSA or their designee will have discretion to accept or alter the recommended Sanction(s), if they believe that the totality of circumstances, including but not limited to University precedent, justifies such a change. Once the VPSA has made a determination on Sanctions, either the Office of Civil Rights and Title IX or the VPSA or their designee will provide the decision letter, to both the Complainant and Respondent. At this time, a copy of the final investigation report will be available in the Office of Compliance, Investigations & Ethics for review.
8. Both the Complainant and the Respondent may submit an appeal to the University Review Board (URB) within ten (10) business days from the date of the decision letter. See the Level II Hearing Appeal Process.

### **University's Prohibition of Retaliation**

Retaliation is prohibited and will constitute separate grounds for disciplinary action. Retaliation is the act of taking adverse action against a Complainant, a Respondent, or any other person involved in the process based on the person's reporting or participation in the process under the Sexual Misconduct Policy. Retaliation includes behavior on the part of the Respondent or the Complainant and other related persons, including, but not limited to, acquaintances, friends, and family members. Although independent action will be taken against anyone engaging in retaliation, the Complainant and the Respondent should not encourage such actions and will also be held responsible to the extent of their involvement in the retaliation. An individual who believes they have experienced retaliation should contact the Office of Civil Rights and Title IX, the Office of Compliance, Investigations & Ethics, and/or submit a report to the Pitt Concern Connection, and the University will investigate the complaint. If the University determines that evidence exists to support that retaliation occurred, appropriate action will be taken regardless of the outcome of the underlying sexual misconduct complaint. Investigations of retaliation in connection with this Chapter will follow the investigative procedures outlined above.

### **Filing with External Agencies**

Any person may file a complaint with the U.S. Equal Employment Opportunity Commission or the U.S. Department of Education's Office for Civil Rights. Inquiries may also be directed to the Office for Civil Rights of the U.S. Department of Education at (800) 421-3481 or by email at [OCR@ed.gov](mailto:OCR@ed.gov).

# CHAPTER 7: Sexual Harassment Process and Procedures

## Reporting Sexual Harassment and University Response

This Chapter is a supplement to University Policy [CS 27 Title IX](#).

This Chapter applies to the University's administration of allegations that constitute "Sexual Harassment" (as defined by University Policy CS 27 Title IX consistent with Title IX of the Educational Amendments of 1972 and associated regulations). Allegations that do not constitute Sexual Harassment may fall under another section of the *Student Code of Conduct*, including Chapter 6, which addresses Sexual Misconduct that does not otherwise constitute Sexual Harassment.

## Commonly Used Terms

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

**Respondent:** An individual who has been reported to be a perpetrator of conduct that could constitute Sexual Harassment

**Sexual Harassment:** Conduct on the basis of sex occurring in the United States and occurring in or related to a University Education Program or Activity that satisfies one or more of the following: (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity; or (3) Sexual assault, dating violence, domestic violence, or stalking (as these terms are defined in Policy CS 27).

**Please Note:** Other forms of sexual harassment and sexual misconduct that are not otherwise included in this definition are still considered misconduct in violation of University Policy CS 20 and Chapter 6 of this *Code*.

## Reporting Sexual Harassment

Anyone can report incidents of Sexual Harassment through any of the following channels:

- Reports can be made directly (in person, by mail, by telephone, by electronic mail, or by using the online reporting form) to the Office of Civil Rights and Title IX using any of the following contact information:

Address:	Office of Equity, Diversity and Inclusion 18 <sup>th</sup> Floor, Cathedral of Learning 4200 Fifth Ave Pittsburgh, PA 15260
Phone:	(412) 648-7860
Email:	<a href="mailto:titleixcoordinator@pitt.edu">titleixcoordinator@pitt.edu</a>

- To the [Pitt Concern Connection](#) via website at <https://www.coi.pitt.edu/resources/pitt-concern-connection-report-concerns>, phone at 800-468-5768, or text at 412-903-3456.
- To the Office of Compliance, Investigations, and Ethics ([compliance@pitt.edu](mailto:compliance@pitt.edu))

To make criminal reports of Sexual Harassment and/or sexual misconduct, individuals may contact Campus Police by phone at (814) 368-3211 or, in the case of emergency, by calling 911. Criminal reports are not investigated as outlined herein as such reports will, instead, be investigated by the police and other relevant authorities. Individuals are, however, permitted and encouraged to report incidents of Sexual Harassment and sexual misconduct both to the Office of Civil Rights and Title IX and the police.

The University will keep confidential the identity of any Complainant of sex discrimination, including any Complainant who files a Formal Complaint of Sexual Harassment, as well as the identity of any Respondent or other witness, except as may be permitted or required by law, or to carry out the purposes of Policy and Procedure CS 27, including to conduct any investigation, hearing, or judicial proceeding arising hereunder.

## Filing a Formal Complaint

Once a report of Sexual Harassment is received by the Office of Civil Rights and Title IX, the office will work with the Complainant to determine whether the Complainant wishes to file a Formal Complaint. While a Formal Complaint is not required to provide the Complainant with Supportive Measures (discussed further below), a Formal Complaint is required to

proceed with the Formal Grievance Process or an Informal Resolution. If the Complainant declines to file a Formal Complaint, the Title IX Coordinator may separately sign a Formal Complaint and refer the matter to the Office of Compliance, Investigations & Ethics for investigation and ultimately, adjudicate the report of Sexual Harassment. While reports of Sexual Harassment can be made by anyone, Formal Complaints may only be filed by a Complainant or a Title IX Coordinator.

If no Formal Complaint is filed, the Office of Civil Rights and Title IX will still offer Supportive Measures to the Complainant, but the University is not legally permitted to issue any sanctions against the Respondent related to the report of Sexual Harassment as there can be no adjudication or finding related to the report absent the filing of a Formal Complaint.

If the Office of Civil Rights and Title IX receives allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances, the Formal Complaints shall be consolidated and investigated and/or resolved through one single process.

### **Supportive Measures**

Upon receipt of a report of Sexual Harassment, whether or not the Complainant decides to move forward with filing a Formal Complaint, the Office of Civil Rights and Title IX shall offer to the Complainant Supportive Measures and facilitate the implementation of such Supportive Measures to protect the safety and well-being of the Complainant. If a Formal Complaint is filed, Supportive Measures will also be made available as appropriate to any involved party.

The University will maintain as confidential any Supportive Measures provided to the parties, to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures.

### **Emergency Removal**

Under extraordinary circumstances, the University may remove a Respondent prior to adjudication of any Formal Complaint under the Sexual Misconduct Policy or Interim Title IX Policy if, after undertaking an individualized safety and risk analysis, the University determines that the Respondent poses an immediate threat to the physical health or safety of any individual arising from the allegations of Sexual Harassment. When issuing an emergency removal, the University will provide the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

### **Initial Response to a Formal Complaint**

The University intends to resolve Formal Complaints of Sexual Harassment in a reasonably prompt manner, though delays in the process may arise from time to time. When a Formal Complaint is filed, the University will examine, adjudicate, and/or resolve the matter consistent with Policy and Procedure CS 27 and this Chapter.

#### **A. Notice of Formal Complaint**

Upon receipt of a Formal Complaint alleging Sexual Misconduct, the Office of Compliance, Investigations & Ethics will provide written notice to any known Complainant(s) and Respondent(s) outlining the following:

- University Policy and Procedure CS 27
- The allegations potentially constituting violation of University Policy CS 27, including identification of Complainant(s) and Respondent(s), the conduct allegedly constituting Sexual Harassment, and date and location of the alleged incident, if known.
- The standard of evidence being the preponderance standard, as well as a statement the Respondent is presumed not responsible (but that this presumption does not imply that the allegations did not occur or that a Respondent is truthful or that a Complainant is lying).
- The right of both parties to have an Advisor of choice.
- The right of both parties to review evidence consistent with this Chapter.
- The relevant section of the *Code* and/or University policies and guidelines related to knowingly making false statements or knowingly submitting false information.

The written notice shall be provided to Respondent and Complainant at least five (5) business days prior to any initial interview conducted by an investigator related to the Formal Complaint for parties to have sufficient time to prepare for the initial interview.

In addition to the notice of Formal Complaint, all applicable parties shall receive notices of any additional allegations discovered and/or investigated in the course of the investigation of the Formal Complaint, as well as the date, time, location, participants, and purposes of any live hearing or other proceeding at which the party is expected or permitted to attend.



## **B. Initial Inquiry**

Upon receipt of a Formal Complaint alleging Sexual Misconduct, the Office of Compliance, Investigations & Ethics will conduct an initial inquiry, as discussed in University Policy CS 27. If the Formal Complaint contains allegations that constitute Sexual Harassment, those allegations will be resolved consistent with University Policy and Procedure CS 27.

It should be noted that an investigation may reveal facts or circumstances not otherwise known at the time of the initial report or filing of the Formal Complaint. If any facts or circumstances relevant to the evaluation of the Formal Complaint are discovered as the matter proceeds, it may be necessary for the Office of Compliance, Investigations & Ethics to reevaluate which University policy is appropriate and applicable to the matter. To the extent a matter is determined to fall under a different policy than that which was originally believed to be applicable, the parties and other additional individuals, as appropriate, will be notified and the matter will proceed under the University procedure corresponding with the appropriate University policy in accordance with that evaluation.

## **C. Dismissal of Formal Complaint**

If a Formal Complaint contains allegations that do **not** constitute Sexual Harassment as defined in University Policy CS 27 or the Formal Complaint otherwise does not meet the requirements of University Policy CS 27, the Formal Complaint or individual allegations therein will be dismissed under University Policy CS 27. A Formal Complaint or individual allegations therein may be dismissed under University Policy CS 27 for reasons including, but not limited to the following:

- if the conduct alleged does not constitute Sexual Harassment;
- if the conduct alleged was not within or otherwise related to a University Education Program or Activity;
- if the conduct alleged did not occur against a person in the United States; or
- if the Complainant notifies the Title IX Coordinator in writing that the Complainant wishes to withdraw the Formal Complaint or allegation(s) therein.

If a Formal Complaint or individual allegations therein are “dismissed,” the allegation will still be examined to determine whether it is appropriate to adjudicate under a separate University Policy (including University Policy CS 20 Sexual Misconduct and University Policy CS 07 Nondiscrimination, Equal Opportunity, and Affirmative Action).

## **D. Appealing Dismissal of Formal Complaint**

When a Formal Complaint is “dismissed” under University Policy CS 27, the University will notify the parties in writing and will provide the reasons for the “dismissal.” Within ten (10) business days upon being provided written notice for the “dismissal”, either the Complainant or the Respondent can appeal the “dismissal” on any of the following bases:

- (1) Procedural irregularity that affected the outcome of the matter;
- (2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- (3) The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The appeal of a dismissal of a Formal Complaint or allegations therein will be reviewed by an individual designated by the Title IX Coordinator who is appropriately trained and who was not involved in the original determination leading to the dismissal of the Formal Complaint or allegations therein. If the appealing party cites to any conflict of interest or bias on the part of the Title IX Coordinator as a basis for the appeal, the Vice Chancellor for Equity, Diversity and Inclusion (VC-OEDI) shall be responsible for designating the individual who shall review the appeal.

## **Informal Resolution**

At the election and agreement of the Complainant(s) and Respondent(s), the University will facilitate an Informal Resolution of the Formal Complaint unless otherwise prohibited (i.e. when the Complainant is a University Student and the Respondent is a University employee). This process can be pursued at any time prior to a determination of responsibility of the Formal Complaint.

Informal Resolutions will be appropriate processes crafted by the parties in consultation with the Office of Civil Rights and Title IX.

Once the parties agree upon using the Informal Resolution process, the parties will receive notice of the process agreed upon and both Complainant and Respondent will sign and submit a consent form to proceed through the Informal Resolution process. Once the signed consent forms are submitted, the parties must continue with the Informal Resolution process until the matter is resolved. The parties will not be able to withdraw or alter the terms of the agreed upon Informal Resolution process, however a party may

withdraw from the Informal Resolution Process at any time *prior* to agreeing to the Final Informal Resolution and resume the Formal Grievance Process as outlined herein. Parties will not have any opportunity to appeal any result of an Informal Resolution.

## **Formal Grievance Process**

### **A. Investigation**

If the initial inquiry resulted in a recommendation for a full investigation, an assigned investigator with the Office of Compliance, Investigations & Ethics shall gather evidence and witness statements related to the allegations in the Formal Complaint. The assigned investigator shall not be the Title IX Coordinator, Decision-Maker, or Appellate Decision-Maker.

The investigation will involve the collection and review of relevant evidence, including documents, electronic data, tangible objects, and/or any other material pertinent to the allegations. All available evidence shall be identified and documented. Where possible, all available evidence shall be collected and maintained in electronic format. Both Complainant and Respondent will have an equal opportunity to present evidence to the investigator.

The investigation will involve the identification and interviewing of witnesses with relevant information. Both Complainant and Respondent will have an equal opportunity to suggest witnesses to be interviewed.

Neither the investigator nor the Decision-Maker may access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the applicable party provides voluntary, written consent to do so for the purposes of a grievance process.

The Complainant and Respondent are permitted to bring one Advisor of their choice and one Support Person of their choice to any/all meetings with the investigator. Neither Advisors nor Support Persons are permitted to participate in any meetings with the investigator, but they can be present for the counsel and support of the party.

### **B. Review of Evidence**

Prior to the completion of the investigative report, the investigator shall provide both Complainant and Respondent with an equal opportunity to inspect and review any evidence that is directly related to the allegations in the Formal Complaint that is obtained as part of the investigations (including witness summaries), regardless of whether that evidence is deemed relevant by the investigator.

Parties will be permitted to submit a written response to the evidence for the investigator to consider. This written response is due ten (10) business days from the date upon which the parties were provided access to the evidence referenced above.

### **C. Investigative Report**

At the conclusion of the investigation and, after reviewing the written submission of the parties (if any), the investigator shall prepare an investigative report. The report shall fairly summarize the allegations and all relevant evidence. The report shall also include a description of the procedural steps taken during the investigation, including notifications sent to parties, interviews, site visits, and methods used to gather evidence.

Once complete, the investigative report will be provided to the Decision-Maker as well as both the Complainant and the Respondent (and their Advisors of choice). Parties will be permitted to submit to the Decision-Maker a written response to the investigative report. This written response is due ten (10) business days after the date upon which the parties were provided the investigative report. The hearing shall take place no sooner than one (1) business day after the written responses to the investigative report are due to the Decision-Maker.

### **D. Hearing**

A live hearing will take place related to the allegations of Sexual Harassment. The live hearing shall follow procedures and rules of decorum outlined by the Office of Civil Rights and Title IX and provided to the parties and their Advisors prior to the hearing.

The hearing may be conducted in-person or, at the election of either party or the discretion of the University, virtually, so long as both parties and the Decision-Maker can, at all times, see the witness and/or individual speaking. The only individuals permitted to attend the live hearing are the Complainant(s), Respondent(s), the parties' respective Advisors, witnesses, the Decision-Maker, any other person required by the University to conduct the hearing, and any other person required by law. A recording (either audio or audio-video) or a transcript of any live hearing will be made available to the parties for review.

The hearing is overseen by the Decision-Maker, who will make a determination as to whether the Respondent is responsible for violating University Policy CS 27. The Decision-Maker shall not be the Title IX Coordinator, Investigator or Appellate Decision-Maker.

For purposes of the hearing, parties can bring an Advisor of their choosing. If a party declines to select an Advisor, the University will assign one for the hearing. At the hearing, parties, through their Advisors, will have the opportunity to cross-examine all witnesses and the other party. Note: direct cross-examination conducted by a party is not permitted; all cross-examination must be conducted by Advisors. If a party or witness fails to participate in the hearing or otherwise does not make themselves available for cross-examination, the Decision-Maker is not permitted to consider any statement made by that party or witness (at the hearing or during prior investigation) in reaching a determination. The Decision-Maker cannot draw any inference regarding responsibility of the Respondent based solely on a party or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Only relevant questions may be asked of a party or witness. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence are offered to prove someone other than the Respondent committed the conduct alleged in the Formal Complaint, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege are prohibited unless the person holding such privilege has waived the privilege. To the extent the Decision-Maker prohibits any questions as being irrelevant, the Decision-Maker must explain their rationale.

#### **E. Determination of Responsibility**

After the hearing is complete, the Decision-Maker will decide, after fairly considering all relevant evidence they are permitted to consider in accordance with University Policy and Procedure CS 27, by a preponderance of the evidence, the outcome of each allegation in the Formal Complaint concerning whether the Respondent has violated University Policy CS 27. The Decision-Maker shall issue a decision on the allegations contained in the Formal Complaint in the form of a written determination of responsibility.

The written determination shall include:

- (1) Identification of the allegations potentially constituting Sexual Harassment
- (2) Description of the procedural steps taken from receipt of Formal Complaint through determination, including notifications to the parties, interviews with parties/witnesses, site visits, methods used to gather evidence, and hearings held;
- (3) Findings of fact supporting the determination;
- (4) Conclusions regarding the application of Policy CS 27 to the facts;
- (5) Statement of, and rationale for, the result as to each allegation, including determination regarding responsibility, any disciplinary sanctions the recipient imposes on the Respondent, and whether remedies designed to restore or preserve the Complainant's equal access to University's Education Program or Activity will be provided; and
- (6) The appeal process.

The written determination of responsibility shall be provided to both Complainant and Respondent on the same day. The determination of responsibility becomes final either on the date that the written determination regarding the appeal, if any, is provided to the parties, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

#### **F. Sanctions**

If the Decision-Maker determines, by preponderance of the evidence, that University Policy CS 27 was violated, the written determination of responsibility containing all information listed above, other than the sanction(s), shall be submitted to the appropriate chair, dean, director, supervisor, responsibility center head, or designee to make a determination regarding the appropriate sanction(s). The appropriate chair, dean, director, supervisor, responsibility center head, or designee will then provide the sanctions determination to the Decision-Maker, who will incorporate the sanctions into the written determination of responsibility before distributing same to the parties. Sanctions will not be imposed until the grievance process is complete, including, as applicable, until time for an appeal of the outcome runs out or until a determination is made regarding any such appeal.

The University may impose a wide range of Sanctions for violations of University Policy CS 27, including, but not limited to disciplinary reprimand, educational meetings, suspension, dismissal, and/or termination. These examples are provided for the purpose of notice and do not reflect the probability that any particular outcome will occur.

## **G. Appeals**

After the written determination of responsibility is provided to the parties, either the Complainant or Respondent can appeal the determination. Appeals will not involve a full rehearing or a redetermination of the facts of the matter, but will review only whether the decision erred in one of four (4) limited grounds on which an appeal may be filed (collectively referred to as the “Scope of Review”), which are as follows:

- (1) Procedural irregularity that affected the outcome of the matter;
- (2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (3) The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (4) The sanction(s) are substantially disproportionate to the severity of the violation.

The Complainant and Respondent shall have ten (10) business days from the receipt of the written determination of responsibility to file a petition for appeal, this appeal shall include a written statement in support of or challenging the outcome and must include a basis for the appeal that cites one or more of the grounds listed under the Scope of Review. The appeal petition must include a thorough statement and all facts or evidence which support the appeal. To the extent either party bases all or part of any appeal on an alleged error or conflict of interest on the part of the Office of Civil Rights and Title IX or any other individual involved with the grievance process, the Office of Civil Rights and Title IX shall have the opportunity to respond to the writing within ten (10) business days of being provided with the appeal petition(s).

A panel of three (3) members of the University Review Board (“URB”) shall act as the Appellate Decision-Makers. One of the members of the URB shall be deemed the URB Moderator. None of the Appellate Decision-Makers shall be University students, the Title IX Coordinator, the Investigator, or the Decision-Maker from the original hearing.

Upon receipt of an appeal petition, the URB shall first determine whether the appeal properly falls within the Scope of Review. If the URB determines the appeal does not fall within the Scope of Review, the URB shall send written notice of the outcome to the party that submitted the petition for appeal. Where it has been determined that an appeal petition falls within the Scope of Review, the URB Moderator will notify the applicable parties that an appeal has been initiated and will provide all parties with the submitted appeal petition(s) and applicable procedures. The URB may elect to resolve the appeal based solely on the written submissions. To the extent the URB decides that a hearing is necessary or would aid in the resolution of the appeal, the URB shall schedule a hearing and notify all applicable parties.

Once the URB reaches a decision as to the outcome of an appeal (whether based solely on the written submission or after a hearing is held), the URB shall issue a written decision describing the result of the appeal and the rationale for the result. The outcome of the appeal shall be provided to all applicable parties on the same day.

Generally, if the URB finds that an appeal is valid and overturns the outcome of the original Decision-Maker based on appeal basis #1 (procedural irregularity), #2 (new evidence), or #3 (conflict of interest or bias), the Appeals Board will refer the appeal back to the appropriate stage of the grievance process to effectively permit the correction of the error. Generally, the Appeals Board should complete its work within thirty (30) business days.

## **Retaliation**

The University strictly prohibits retaliation against anyone involved as a party or witness in the process of adjudicating a Formal Complaint under this University Policy CS 27. Retaliation includes, but is not limited to, acts on behalf of the University or any person designed to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. The University will investigate all acts of reported retaliation. Complaints alleging retaliation may be filed according to the University grievance procedures as found in University Procedure CS 27.

All reports supported by evidence, regardless of the outcome of the underlying Formal Complaint of Sexual Harassment, will be referred for disciplinary action and resolution pursuant to the procedures outlined in Chapter 6, relating to Sexual Misconduct.

The exercise of rights protected under the First Amendment do not constitute retaliation prohibited under this section.

# CHAPTER 8: Nondiscrimination Process and Procedures

## Reporting Discrimination and University Response

This Chapter is a supplement to University Policy [CS 07 Nondiscrimination](#).

This chapter references procedures pertaining to the University's prohibition against discrimination.

**Complainant:** A University community member who files a referral that alleges a violation of the *Code*.

**Respondent:** Student alleged to have violated the *Code*.

### **Several options are available for you to report discrimination.**

- You may file a complaint with the Office of Civil Rights and Title IX at (412) 648-7860. This office generally investigates complaints of sexual misconduct against members of the University community, including faculty, staff, and students.
- You may file a report through [Pitt Concern Connection](#).
- You may file a criminal complaint by contacting Campus Police at (814) 368-3211 or local police by calling 911.
- Although the University encourages Complainants to make formal reports as outlined above, including providing contact information for the reporter, you may file an anonymous complaint using the Pitt Concern Connection. Anonymous reports greatly limit the University's ability to respond to and investigate the report.

As part of the University's response to a report of discrimination, and regardless of whether there has been a request for formal disciplinary or law enforcement action, the University may impose interim measures or offer accommodations to address issues that impact the Complainant or Respondent's educational, living or work environments. These interim measures can often be put in place very quickly, prior to the resolution of any referral, investigation, or criminal proceeding.

Once imposed, the University will take necessary action to enforce the implemented measures. Anyone who becomes aware of or has a concern about a student's failure to follow any University-imposed interim measure or accommodation, should report this concern to the Dean of Students Office at (814) 362-7651 or [upb.studentaffairs@pitt.edu](mailto:upb.studentaffairs@pitt.edu).

## Interim Measures, Accommodations, and Resource Assistance for Complainants and Respondents

To quickly address a situation, the University, where it determines appropriate, may impose a wide-range of measures or offer accommodations, on a limited or temporary basis, to any Complainant or Respondent. Such measures/accommodations may include:

- Any interim action as stated in Chapter 5
- A No Contact Order
- Change in University-related class or work schedules or job assignments
- Change in University-owned housing
- Assistance from University staff in completing housing relocation

## Advisor or Support Person

Both a Complainant and a Respondent are entitled to one advisor or support person of their choice, and the advisor or support person may accompany the party to any meeting or proceeding under these processes. However, the advisor or support person shall not be permitted to participate directly in the Informal or the Formal resolution process. This includes advisors who are also attorneys. An advisor or support person may not stand in place of either the Complainant or the Respondent, and information regarding the progress of the inquiry or investigation will only be shared with the Complainant or Respondent, and not the advisor of choice. If the advisor or support person has any questions, they should contact the Associate Vice Chancellor for Civil Rights and Title IX, not the individual investigator.

In keeping with the University's desire to resolve discrimination complaints in a timely manner, the University reserves the right to proceed with any meeting regardless of the availability of the Student's advisor or support person.

## Informal Resolution

The Informal Resolution process is a voluntary process, available to Complainants, which attempts to reach a resolution without initiating the Formal Complaint Process and a specific finding of a University Policy and/or *Code* violation. This process can include the application of Interim Measures, as referenced below. Under the Informal Resolution process, no disciplinary action is taken. Rather, an Investigator will review the facts and circumstances of the situation with the

Complainant and based on the severity of the alleged incident make a determination on whether the Informal Resolution process is an appropriate response. In this process, the Investigator will contact the parties involved separately, review the allegations presented and develop an action plan to address the conduct.

A Complainant may choose to start with the Informal Resolution process in an attempt to resolve the issue and then choose to move to the Formal Complaint Process if needed or desired. A written record of any measures, meetings or communications from this Informal Resolution process will be kept on file in the Office of Civil Rights and Title IX. The Office of Civil Rights and Title IX maintains all informal resolution process records and files for seven years. Once an incident has been resolved through the Informal Process the matter is closed. A violation of any action plan instituted under the informal resolution process may trigger the Formal Complaint process or disciplinary action under the *Code*.

The University will also consider additional interim measures appropriate to the situation at hand. When necessary, the University may make any “interim” measure permanent. The imposition of interim measures or accommodations does not affect the ability of the Complainant to pursue disciplinary action.

### **Formal Complaint Process and University-Initiated Investigations**

The Formal Complaint process is initiated when the Complainant provides a signed statement that includes a brief description of the alleged incident and, to the extent known, the Respondent’s name(s) and the date, time and location of the incident (hereinafter “Complaint”). The Formal Complaint process may also be initiated by the University under appropriate circumstances. The Formal Complaint process involves a prompt, and equitable investigation conducted by an Investigator. The investigation is a fact-finding process, giving all parties notice and the opportunity to be heard, to identify witnesses and to offer evidence, and to pose questions to parties and witnesses. Interim measures may be applied at any time throughout the Formal Complaint process.

#### **The Formal Complaint process will generally progress as follows:**

1. Once a Complaint is received or the University initiates a Formal Complaint process, an Investigator will interview the Complainant.
2. Following completion of the interview with the Complainant, the University Investigator will complete an initial inquiry memorandum notifying the Assistant Vice Chancellor for Compliance, Investigations & Ethics and the Associate Vice Chancellor for Civil Rights and Title IX as to whether or not the allegations set forth in the Complaint, if substantiated, would constitute a violation of the University’s Nondiscrimination Policy, and accordingly, a violation of the *Code*.
  - a. If the Investigator’s notification indicates that such allegations, if substantiated, would not constitute a violation of University’s Nondiscrimination Policy, the Associate Vice Chancellor for Civil Rights and Title IX may dismiss the Complaint and that decision shall be final, barring new information. The Associate Vice Chancellor for Civil Rights and Title IX shall provide Complainant and Respondent(s) with written notice of such dismissal.
  - b. In the event that the Investigator’s notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of University’s Nondiscrimination Policy, or the Assistant Vice Chancellor for Compliance, Investigations & Ethics and/or the Associate Vice Chancellor for Civil Rights and Title IX determines the matter should be investigated, the Investigator will conduct a fact-finding investigation.

Steps in this investigation will include, as appropriate:

- Respondent will be provided with written notification of investigation and be made aware that a Formal Complaint has been submitted to the Office of Diversity and Inclusion. Respondent will be provided an opportunity to review the Complaint at the Office of Compliance, Investigations & Ethics.
  - Complainant will be provided with written notification that a full investigation of their Formal Complaint is underway.
  - The University Investigator will interview relevant witnesses and review relevant physical, documentary, or other evidence.
  - As described below, each party will be given an opportunity to identify relevant witnesses. In order to have a prompt and equitable process, the investigator may provide deadlines for providing information. Delays in providing witness contact information and/or evidence may impact the University Investigator’s ability to consider these elements.
3. The University Investigator may consider the credibility of the parties and witnesses and relevant information, including evidence of pattern. Both parties may provide information and names of witnesses to the University Investigator. The University Investigator will not apply rules of evidence followed in court proceedings and will not entertain legal motions.

Legal rules pertaining to the wording of questions, hearsay, and opinions will not be applied. Reasonable rules of relevancy will guide the University Investigator in deciding on the admissibility of evidence and witness statements. Reasonable limits may be imposed on the number of factual witnesses and the amount of cumulative evidence that may be introduced.

4. After the Complainant(s) and/or Respondent(s) have been interviewed by the University Investigator, each will be provided with an opportunity to review a written summary of their own interview. The Complainant and Respondent will then have five (5) business days from the date the summary is made available to review their own interview summary and provide any comments or new evidence to the Investigator. Comments will be reviewed and retained in the investigative file but may not necessarily result in a change to the summary.
5. After the Investigator concludes gathering and evaluating evidence, including witness interviews, a report of investigation will be prepared. At this time, Complainant and Respondent will have an opportunity to review, in the Office of Compliance, Investigations & Ethics, the report of investigation. The report of investigation will include the relevant information provided by the Complainant, Respondent, and any witnesses, as well as reference other relevant evidence gathered during the investigation which will be considered in making a determination regarding the alleged University's Nondiscrimination Policy and/or *Code* violation. Within five (5) business days of the date that the report of investigation was first made available for review, Complainant and Respondent must submit verbally or in writing to the Investigator any comments (including additional statements, proposed witness questions and additional evidence) concerning the summary. This portion of the investigation may be an iterative process.
6. Following the receipt of any comments on the investigative summary, or after the five (5) day period has lapsed without comment, the Investigator will prepare a final report of investigation that includes a determination of whether it is more likely than not that a violation has or has not occurred. The final written report will include the basis upon which the Investigator reached their determination of responsibility. This determination will be made using the preponderance of the evidence standard, asking whether it is more likely than not that the University's Nondiscrimination Policy has been violated.
7. The report will be provided first to the Assistant Vice Chancellor for Compliance, Investigations & Ethics for review and input. The AVC for CIE will consult with the Office of University Counsel and submit the final report to the Associate Vice Chancellor for Civil Rights and Title IX. The Associate Vice Chancellor for Civil Rights and Title IX will forward to the Vice President and Dean for Student Affairs or their designee the final report along with proposed or recommended Sanctions. The VPSA or their designee will have discretion to accept or alter the recommended Sanction(s)s, if they believe that the totality of circumstances, including but not limited to University precedent, justifies such a change. Once the VPSA or their designee has made a determination on Sanctions, either the Office of Civil Rights and Title IX or the VPSA or their designee will provide the decision letter, to both the Complainant and Respondent. At this time, a copy of the final investigation report will be available in the Office of Compliance, Investigations & Ethics for review.
8. Both the Complainant and the Respondent may submit an appeal to the University Review Board (URB) within ten (10) business days from the date of the decision letter. See the Level II Hearing Appeal Process.

### **University's Prohibition of Retaliation**

Retaliation is prohibited and will constitute separate grounds for disciplinary action. Retaliation is the act of taking adverse action against a Complainant, a Respondent, or any other person involved in the process based on the person's reporting or participation in the process under the University Nondiscrimination Policy. Retaliation includes behavior on the part of the respondent or the complainant and other related persons, including, but not limited to, acquaintances, friends, and family members. Although independent action will be taken against anyone engaging in retaliation, the complainant and the respondent should not encourage such actions and will also be held responsible to the extent of their involvement in the retaliation. An individual who believes they have experienced retaliation should contact the Office of Civil Rights and Title IX and/or submit a report to the Pitt Concern Connection, and the University will investigate the complaint. If the University determines that evidence exists to support that retaliation occurred, appropriate action will be taken regardless of the outcome of the underlying sexual misconduct complaint. Investigations of retaliation in connection with this Chapter will follow the investigative procedures outlined above.

## Appendix A: Sanctions

The University may impose a wide range of Sanctions for Violations of this *Code*. Any of these Sanctions may be used outside of the conduct process as an interim action to help ensure the health, welfare, safety, or educational environment of the University community or any individual member thereof, or to otherwise limit disruptions to neighboring environments. Sanctions may be imposed by the VPSA or their designee. A record of imposed Sanctions will be maintained in the Dean of Students Office and any other appropriate office(s) to which the Sanction(s)/interim action(s) apply.

If a Student fails to complete Sanctions, a hold may be placed on the Student's account and/or the Student may face additional *Code* Violations. Registered Student Organizations that fail to complete Sanctions may face additional *Code* Violations.

Some Sanctions may affect both University and non-University opportunities, including, but not limited to studying abroad, participation in a Registered Student Organization, and employment.

### Individual Student Sanctions

**Community Engagement** — Students are required to complete community engagement that directly addresses the impact of their behavior. These projects involve meaningful collaboration with affected parties or community organizations to restore trust and relationships. Student is responsible for providing verifiable documentation that community engagement has been completed.

**Conduct Hold** — A restriction placed on a Student's account which may prevent activities, including, but not limited to, registering for classes and/or the issuance of a housing contract. A Conduct Hold permits the release of academic transcripts.

**Counseling Assessment (General or Substance Use)** — Assessment by University Counseling Services; may include recommendations for additional resources.

**Reprimand** — A written and/or oral warning to Students about their behavior.

**Disciplinary Probation** — A designated period of time during which a Student's status is conditioned upon future behavior. The issuance of additional sanctions may occur if the Student is found to be in Violation of any University regulation during the probationary period. During the probationary period, a Student may be excluded from representing the University in intercollegiate athletics, holding a Student officer or similar position, or other extracurricular University activities. Such loss of privilege(s) will depend on each individual set of circumstances.

**Disciplinary Suspension** — A termination or restriction of a Student's ability to register for classes for a period of time. During the Disciplinary Suspension, a Student is excluded from classes and all other University privileges or activities. The Student will be *Persona Non Grata* from all University Property during the suspension and may not enter or use University Property unless the Student receives permission from the VPSA or their designee. Prior to returning, the Student must contact the Dean of Students Office to discuss the Student's return to campus. In accordance with University Policy AC 67 Termination of Registration, there may be no financial adjustment made to tuition or fee charges for Students who are Disciplinary Suspended/Dismissed.

**Disciplinary Dismissal** — This action results in the permanent separation of the Student from the University, its programs and facilities. Upon Dismissal, the Student is placed on *Persona Non Grata* status from all University Property and is not permitted to enter or use University Property unless the Student receives permission from the VPSA or their designee. In accordance with University Policy AC 67 Termination of Registration, there may be no financial adjustment made to tuition or fee charges for Students who are Disciplinary Suspended/Dismissed.

**Educational Sanction** — The Respondent is required to complete a project or activity designed to promote learning and prompt changes to behavior and prevent further misconduct. Educational outcomes may include but are not limited to, workshops, seminars, meetings, assignments, and substance use assessments.

**Fine** — A monetary Sanction that may be applied to any violation of the *Code*. Fines may be in addition to any restitution owed.



**Information Technology Resource Probation** — Designated period of time during which a Student’s access to University technology is conditioned upon a Student’s future behavior. The issuance of additional sanctions may occur if the Student is found to be in Violation of any University technology regulations during the probationary period.

**Information Technology Resource Suspension** — Temporary loss of part or all of a Student’s access to information technology resources for specified period of time. No refund of any fees charged/applied to information technology resources will be made.

**Information Technology Resource Termination** — A permanent loss of part or all of a Student’s access to information technology resources. No refund of any fees charged and applied to information technology resources will be made.

**Involuntary Change of Housing Assignment** — A written directive to relocate a resident to an alternative housing accommodation within a specified period of time which is imposed by the VPSA or their designee. Involuntary Change of Housing Assignment is imposed to help ensure the safety and well-being of a member of the University community, to help ensure the Student’s own physical or emotional safety or well-being, to protect the security and structure of University Property, or to help ensure that a building/floor has a community environment that is conducive to academic success.

**Judicial Educator** — Completion of an educational module(s) on a topic(s) relevant to the specific conduct Violation(s).

**No Contact Order** — A directive to cease and desist from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including, but not limited to personal contact, e-mail, telephone, texting, social media or any electronic or other means, or through third parties. Should the Student fail to cease contact, the Student will be subject to additional action, up to and including suspension and/or dismissal from the University. Additionally, failure to follow the No Contact Order may result in criminal arrest or initiation of criminal action. No Contact Orders may also be issued outside of the conduct process. In those instances, the No Contact Order would not be considered a Sanction.

**Persona Non Grata** — An exclusion from a facility or area for a specified period of time or until otherwise notified. During this time, the Student will not be permitted to enter or use the specified University Property for visitation, meals, employment, or any other purpose. This status also includes exclusion from the specified property’s lobbies and patios. Should the Student appear in any of the specified areas, the Student will be subject to arrest. Persona Non Grata may also be issued outside of the conduct process. In those instances, the Persona Non Grata would not be considered a Sanction.

**Reflection** – A project or activity designed to promote self-reflection on one’s actions and the impact of those actions on others.

**Restitution** — Written directive to make compensation for damaged, destroyed, or misused property of another or the University.

**Substance Abuse Evaluation** – Mandatory substance abuse evaluation completed through Counseling Services.

**Suspension of Privileges** — A loss of specific privileges for a specified period of time.

**Termination of Privileges** — A permanent loss of specific privileges.

**University Housing Probation** — A designated period of time during which a Student’s residence in University owned housing and/or University contracted housing is conditioned upon future behavior. Additional sanctions may be issued if the Student is found to be in Violation of any university regulation during the probationary period. During the probationary period, a resident may be excluded from participation in extracurricular University owned housing activities and may be excluded from holding any appointed or elected position within the on-campus housing community.

**University Housing Suspension** — A temporary loss of residence in University housing for a specified period of time. The Student will be Persona Non Grata from all campus housing during the period of suspension. This status means the Student will not be permitted to enter or use campus housing for visitation, employment, or any other purpose.

**University Housing Dismissal** — A termination from any University housing. Upon dismissal the Student will be Persona Non Grata from all such housing. This status means the Student will not be permitted to enter or use University owned and/or University contracted housing for visitation, employment, or any other purpose.

## Registered Student Organization Sanctions

**Alternative Sanction** — A mandated Sanction to be created and assigned.

**Community Engagement** — Requirement to complete community engagement projects. These projects must involve meaningful collaboration with affected parties or relevant community organizations to restore trust and relationships.

**Educational Programming** — An educationally-driven Sanction to be created and assigned by the Hearing Officer. The Registered Student Organization may be responsible for costs associated with the programming. A program plan must be pre-approved by a designated member of the Student Affairs staff.

**Fines** — A monetary Sanction that may be applied to any violation of the *Code*. Fines may be in addition to restitution owed.

**Membership Review** — Members shall be reviewed by national organization and/or alumni to determine which members may continue their participation. If there is no national organization or alumni associated with the RSO, then the Office of Student Engagement or Dean of Students Office will determine what individual/entity will manage the review.

**Mock Social Event** — A program designed to assist Registered Student Organizations in hosting a social event that complies with established risk management and social event policies.

**Reprimand** — Written/oral notice to a Registered Student Organization that its behavior violated the *Student Code of Conduct*.

**Restitution** — Written directive to make compensation for damaged, destroyed, or misused property of another or the University.

**Restriction of Privileges** — A loss of specific privileges for a specified period of time, including, but not limited to:

- a. Receive or retain University funds
- b. Participate in any intercollegiate activities
- c. Participate in any social event
- d. Participate in any activities where alcohol is present
- e. Sponsor any speaker or guest on campus
- f. Educate new members
- g. Sponsor, co-sponsor, and/or participate in recruitment activities
- h. Use/rent University vehicles
- i. Use University facilities
- j. Solicit and/or sell on campus
- k. Other loss of specified privileges

**Risk Management Programming** — Functions sponsored by a Registered Student Organization, which educate members of the organization and/or other organizations on successful event planning and management in adherence to University and any relevant national risk management policies. A program plan must be pre-approved.

**Social Probation** — The loss of privileges to host, sponsor, co-sponsor, and/or participate in any social activities.

**Suspension of Registration** — A cessation of organizational operations for a specified period of time.

**Termination of Registration** — Revocation of registration of the Registered Student Organization's status or the chapter's charter as a recognized University fraternity or sorority, with no established date or conditions for reinstatement. The Registered Student Organization/chapter shall cease its operation at the University of Pittsburgh at Bradford.

# Appendix B: Title IX and Sexual Misconduct Resources and Information

The University of Pittsburgh values the safety and health of all members of the Pitt community and seeks to foster an environment in which Students and employees treat other persons with respect, civility, and dignity. Any behavior that involves sexual misconduct or harassment, relationship violence, or stalking of another person is prohibited. Sexual misconduct can be a Violation of criminal law, Title IX, other laws, and this *Code*.

The University has the authority to take disciplinary action for conduct occurring on campus and off campus when the conduct, among other things, effects the educational environment or threatens the safety of the University community. The University will provide a prompt, fair, and impartial investigation and resolution.

## Getting Help: What To Do If You Are Assaulted

### IMMEDIATELY AFTER AN INCIDENT

#### • Physical Safety:

Your immediate safety is the top priority. As quickly as possible, find a safe place away from the perpetrator or any other potential danger.

You are encouraged to seek medical attention as soon as possible for your own physical health and to preserve all physical evidence. You can receive treatment at any medical facility; however, hospital emergency departments may be in the best position to treat you and collect physical evidence. Please note that not all hospitals employ trained sexual assault nurse examiners (SANE). Bradford Regional Medical Center generally has SANE nurses available. SANE nurses are registered nurses who have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse. Also, be aware that all hospitals are required by law to report to the police any injury that is the result of a crime. This does not obligate you to file formal criminal charges. Victims may also seek support at the YWCA Victims Resource Center.

#### • Preserving Physical Evidence:

In the aftermath of a sexual assault, although it may not be foremost on your mind, the preservation of evidence is strongly encouraged. Even if you do not think you want to pursue a criminal or civil proceeding, preserving evidence keeps your options open in case you change your mind. To preserve evidence, do not shower, douche, or change clothes or bedding before you seek medical attention. Also, if oral contact took place, do not brush teeth, smoke, or eat. Optimally, evidence collection should occur within 72 hours of the assault, but many hospitals will attempt to collect evidence 7-10 days after an assault. There are medical facilities in the area that can assist you, including:

Bradford Regional Medical Center, 116 Interstate Parkway, Bradford PA 16701 814-368-4143

- **Contact the Police:** You are encouraged to call the University of Pittsburgh at Bradford Campus Police Department (814-368-3211) or the McKean County **911** Center and report the situation. The Police are trained and able to assist in obtaining other physical evidence, such as video surveillance.

## Confidentiality

The University encourages victims of sexual misconduct to talk to somebody about what happened and to seek the support they need to address their individual situations. Telling someone will also allow the University to respond appropriately.

You may have concerns about confidentiality, and you should know that different employees on campus have different abilities to maintain a Complainant's confidentiality. *If you are still unsure about confidentiality requirements after reviewing the following explanation, please contact the Title IX Coordinator.*

## Different Types of Employees and their Confidentiality Responsibilities

### A. Privileged and Confidential Resources

#### *Professional Counselors: Counseling Services (CS) and Health Services (HS)*

Counseling Services (CS) and Health Services (HS) at the University of Pittsburgh at Bradford keep reports of sexual misconduct confidential. However, they generally report de-identifying information to the University of Pittsburgh at

Bradford Police Department for Clery reporting. This de-identified report – which does not include information that would directly/indirectly identify the Complainant – includes nature, date, time, and general location of an incident.

Before filing any de-identified report, the CS and HS staff will take reasonable efforts to make sure that the report contains no personally identifying details.

In addition, a Complainant who speaks to a professional or non-professional counselor or advocate must understand that if they only want to share de-identified information, the University will unlikely be able to conduct an investigation into the particular incident or pursue disciplinary action against the Respondent.

However, the Complainant who at first requests that only de-identified information be shared, may later decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated. CS/HS staff will provide the Complainant with assistance if the Complainant wishes to do so.

### **Contact information for Pitt-Bradford Counseling Services and Health Services:**

Counseling Services and Health Services are located in Suite 226 of the Frame-Westerberg Commons. Call 814-362-5272 to schedule an appointment with either office.

### **Counseling Services**

Counseling Services is the primary mental health service for Students enrolled at the University of Pittsburgh at Bradford. Counseling Services offers a variety of mental health services and is committed to promoting the health, as well as the personal, academic, and career development of all Pitt-Bradford students. In addition, Counseling Services provides crisis intervention, consultation, and referral services.

### **Health Services**

Health Services provides ongoing confidential medical treatment for any physical problems related to an assault. Health Services can assess for pregnancy risk, test and treat for sexually transmitted infections, and assess, treat, and/or offer/give referrals for physical injuries.

## **B. Exceptions to Confidential Communications**

While Counseling Services and Health Services personnel may maintain a Complainant's confidentiality as described above, they may have reporting or other obligations under state law. For example, Pennsylvania law requires mandatory reporting to law enforcement in cases involving minors and certain crimes.

If the University determines that the Respondent(s) pose(s) a serious and immediate threat to the University community, the University of Pittsburgh at Bradford Campus Police may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the Complainant.

There are other times when the University may override a request for confidentiality (See "Requesting Confidentiality" below.)

## **C. Reporting to Responsible Employees and Confidentiality**

The majority of Pitt employees are responsible employees unless their job requires professional confidentiality, as in the case of mental health counselors, physicians, nurses, and clergy. A "responsible employee" is a University employee who has the actual or reasonably perceived duty to report or authority to help address incidents of sexual misconduct.

With respect to confidentiality, a responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the survivor– including, if known, the names of the survivor and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A responsible employee should not share information with law enforcement without the survivor's consent or unless the victim has also reported the incident to law enforcement, or if there is a health or safety emergency. Please visit [diversity.pitt.edu](https://diversity.pitt.edu) for additional information on responsible employee role.

## Requesting Confidentiality from the Office of Civil Rights and Title IX

The Director for Civil Rights and Title IX will evaluate requests for confidentiality.

Once the Director for Civil Rights and Title IX receives notice of an incident, the Complainant may request that any disclosed information remain confidential and that no investigation into a particular incident be conducted or disciplinary action taken. The Director for Civil Rights and Title IX will weigh this request against the University's obligation to investigate all matters of sexual misconduct and to provide a safe, non-discriminatory environment for all Students, including the Complainant. In most cases, the Director can respect a Complainant's request for anonymity.

If the University honors the request for anonymity, a Complainant must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent(s) may be limited.

Although rare, there are times when the University may deny a Complainant's request for confidentiality in order to help protect the greater campus community, including the Complainant, and provide a safe, non-discriminatory environment for all Students.

When weighing a Complainant's request that no investigation or discipline be pursued, the Director for Civil Rights and Title IX will consider a range of factors, including, but not limited to, the following:

- The increased risk that the Respondent will commit additional acts of sexual or other violence, such as:
  - whether there have been other sexual misconduct complaints about the same Respondent;
  - whether the Respondent has a history of arrests or records from a prior University indicating a history of violence;
  - whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
  - whether the sexual violence was committed by multiple Respondents;
- whether the sexual violence was perpetrated with a weapon;
- whether the Complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

Depending on the totality of the circumstances, the presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these or similar factors are present, the University will likely respect the Complainant's request.

**If the University determines it must investigate the incident**, the University will inform the Complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the party's well-being, and will take ongoing steps to protect both parties from retaliation or harm and work with the parties to create a safety plan. Retaliation, whether by Students or University employees, will not be tolerated. The University will also:

- assist both the Respondent and Complainant in accessing other available resources, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other security and support, which could include issuing an interim or permanent no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the Respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the Complainant of the right to report a crime to campus or local law enforcement and provide the victim with assistance if the victim wishes to do so.

Because the University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action. Such action may include increased monitoring, supervision or security in locations where the reported sexual violence occurred; increased education and prevention efforts, including to targeted population groups; climate assessment and victimization surveys; and/or revision of University policies and practices.

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which Students disclose incidents of sexual misconduct, are not considered notice to the University of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Similarly, participation in a research study, or writing submitted for a class, are not considered notice to the University.

## **University Sexual Misconduct Resources Explained**

### **Counseling Services**

Counseling Services is the primary mental health service for Students enrolled at the University of Pittsburgh at Bradford. Counseling Services offers a variety of mental health services and is committed to promoting the health, as well as the personal, academic, and career development of all Pitt-Bradford students. In addition, Counseling Services provides crisis intervention, consultation, and referral services.

Counseling Services is located in Suite 226 of the Frame-Westerberg Commons. Phone: 814-362-5272.

### **Health Services**

Health Services provides ongoing confidential medical treatment for any physical problems related to an assault. Health Services can assess for pregnancy risk, test and treat for sexually transmitted infections, and assess, treat, and/or offer/give referrals for physical injuries.

Health Services is located in Suite 226 of the Frame-Westerberg Commons. Phone: 814-362-5272.

### **Additional Resources**

University of Pittsburgh at Bradford Students can contact their resident assistant (RA), resident director (RD), or other residence life staff member for support. A member of the residence life staff is on-call 24 hours a day. RAs, RDs, and residence life staff are responsible employees and have reporting obligations to the Office for Civil Rights and Title IX.

Any member of the University community also may contact the University’s Title IX Liaisons. Title IX Liaisons provide resources and information regarding University investigations into allegations of sexual misconduct.

Kara Kennedy, Title IX Student Liaison	<a href="mailto:kjk3@pitt.edu">kjk3@pitt.edu</a>	814-362-5057
Dr. David Fitz, Title IX Faculty/Staff Liaison	<a href="mailto:dfitz@pitt.edu">dfitz@pitt.edu</a>	814-362-5119

Community resources include:

24-Hour Sexual Assault/Domestic Violence Hotline	888-822-6325	YWCA Victims Resource Center
Crisis Hotline	800-459-6568	The Guidance Center

### **Title IX Explained**

Title IX of the Education Amendments of 1972, a Federal law, was historically associated with actual or perceived gender-based disparities in athletic programs. However, it is a far broader law. Title IX actually covers all aspects of educational and academic-related programming and prohibits gender discrimination. Importantly, Title IX prohibits sexual misconduct which may affect the educational or campus environment.

The law provides that:

***No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance.***

Title IX prohibits gender-based discrimination in all University of Pittsburgh programs and activities, including, but not limited to, recruiting, admissions, financial aid, academic programs, student services, counseling, guidance, advising, grievance procedures, discipline, course/class assignments, grading, recreation, athletics, housing, meal services, and employment.

### **Some Examples of Unlawful Practices Under Title IX May Include:**

- **Sexual Harassment** (as defined in CS 27) – Conduct on the basis of sex occurring in the United States and occurring in or related to a University Education Program or Activity that satisfies one or more of the following: (1) An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person

to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity; or (3) Sexual assault, dating violence, domestic violence, or stalking.

**Please Note:** Other forms of harassment, including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that are not otherwise covered in this definition are still considered misconduct in violation of University policy under Policy CS 20 Sexual Misconduct.

- **Sexual Misconduct** – rape, sexual assault, sexual battery, sexual exploitation, sexual coercion, forcible fondling, and any other form of non-consensual sexual activity (including when an individual is not in a condition to give legal consent).
- **Stalking** – repeatedly following, harassing, threatening or intimidating another individual using such methods including, but not limited to, telephone, mail, electronic communication, and social media.
- **Domestic Violence** – in addition to physical abuse, also includes emotional, verbal and economic abuse.
- **Dating Violence** – in addition to physical abuse, also includes emotional, verbal and economic abuse.
- **Retaliation** – adverse academic, social, employment or other actions against anyone reporting a Violation or participating in an investigation of any Sexual Misconduct and/or Title IX allegation.

In addition to being considered discriminatory, *sexual violence is criminal activity*.

### **Definitions of Sexual Misconduct**

A summary of important definitions related to sexual misconduct and relationship violence can be found on the Title IX website at: <https://www.diversity.pitt.edu/education/sexual-misconduct-prevention/guide-talking-about-relationships-consent-and-sexual>

### **Prevention**

Pitt is deeply committed to eradicating all forms of sexual misconduct on campus. The University works with campus partners to facilitate sexual violence prevention programming throughout the year.

### **New and Transfer Students**

Incoming students are required to attend mandatory programs during orientation week, where students are provided with information regarding University policies, expectations and resources.

### **Relationship Violence Awareness Month**

Special events and programming take place every October to draw attention to relationship violence. Throughout the month, the University promotes training around healthy relationships.

### **Sexual Assault Awareness Month**

A variety of programs occur each spring during Sexual Assault Awareness Month with the goal of supporting survivors and providing education aimed at eradicating sexual misconduct on Pitt's campus.

### **New and Ongoing Employee Education**

Provided through both online and in-person modules, employees receive training on prevention and reporting sexual misconduct at orientation and on an annual schedule.

### **Campus Police Seminars**

Members of Campus Police are trained in responding to and investigating sex offenses, domestic violence, and stalking incidents. Campus Police provide special programs on sexual assault and other safety issues to student groups upon request.

## Appendix C: Glossary

**Adjudication**: Completion of any investigative or hearing process and/or any accompanying appeal process.

**Complainant**: A University community member who files a referral that alleges a Violation of the *Code*.

**Conduct Referral**: A report alleging Violations of the *Code*.

**Consent**: An informed decision made freely and actively by all parties to engage in mutually acceptable sexual activity. Consent is given by clear words or actions. Consent may not be inferred from silence, passivity, or lack of resistance alone. Existence of a current or previous dating, marital, and/or sexual relationship is not sufficient to constitute consent to future or additional sexual activity. Consent to one type of sexual activity does not imply consent to other types of sexual activity. Consent can be withdrawn at any time by any one party.

Someone who is unconscious, asleep, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition, and individuals under the age of sixteen (16), cannot give consent. Consent cannot be obtained by force, intimidation, threat, coercion, isolation, or confinement. Agreement obtained under such conditions does not constitute consent. A person's use of alcohol and/or other drugs does not eliminate responsibility to obtain consent.

**Disciplinary Conference**: A meeting with a Hearing Officer to discuss alleged Violation(s) of the *Code* and determine if sufficient information exists to move forward through the conduct process. When sufficient information exists, this conference, which may occur over several meetings, will be used to determine if the Respondent will accept general responsibility and the recommended Sanctions or will proceed to a Level II Hearing.

**Full Hearing**: A Level II Hearing before a Conduct Hearing Board to determine whether a Respondent is responsible for violating the *Code* and whether Sanctions should be recommended to the VPSA. (Refer to Level II Hearing in Chapter 5.)

**Hearing Officers**: Individuals, including but not limited to, Office of Student Conduct staff, Hearing Board members, Student Judicial Board members or Residence Life/Housing staff who have the authority to adjudicate cases.

**Level I Hearing**: A meeting with a Hearing Officer to determine responsibility for alleged Violation(s) of the *Code* where a responsible finding would result in sanctions up to/including University Housing Suspension. (Refer to Level I Hearing in Chapter 5.)

**Level II Conduct Hearing Board**: Conduct Hearing Board authorized to adjudicate Level II cases; may include students and/or University faculty and staff members. Three members will participate in each Level II hearing. In extraordinary circumstances where complexity of factual issues and/or matters of law so dictate, the Pitt-Bradford President may appoint an ad hoc hearing body to hear cases. Any proceeding before such an ad hoc body shall provide due process and ensure the rights of Students.

**Level II Conduct Process**: Meeting/series of meetings to determine an alleged Violation of the *Code* where a Respondent may receive a Sanction up to/including Disciplinary Dismissal. The process begins with a Disciplinary Conference, but may end in one of the resolutions below:

- **Disciplinary Conference**: Meeting with a Hearing Officer to discuss an alleged Violation of the *Code* and determine if sufficient information exists to move forward through the conduct process. When sufficient information exists, this conference, which may occur over several meetings, will be used to determine if the Respondent will accept general responsibility and recommended Sanctions or will proceed to a Level II Hearing.
- **Sanctions-Only Hearing**: A Level II Hearing before the Conduct Hearing Board, in which the Respondent admits general responsibility for Violation(s) of the *Code* but does not agree to hearing officer's recommended Sanctions. Conduct Hearing Board, after considering Respondent's testimony and/or evidence, recommends Sanctions to the VPSA.
- **Full Hearing**: A Level II Hearing before the Conduct Hearing Board, to determine whether the Respondent is responsible for violating the *Code* and whether Sanctions should be recommended to the VPSA.



**Registered Student Organization:** Any student group registered through the Office of Student Engagement (OSE).

**Respondent:** Student/Registered Student Organization alleged to have violated the *Code*.

**Sanctions-Only Hearing:** Level II Hearing before Conduct Hearing Board, in which Respondent admits responsibility for Violation(s) of the *Code*, but does not agree to hearing officer's recommended Sanctions. Conduct Hearing Board, after considering Respondent's testimony and/or evidence, will recommend Sanctions to the VPSA. (Refer to Level II Hearing in Chapter 5.)

**Student:** All individuals taking courses at the University, pursuing undergraduate, graduate, or professional studies, degree and non-degree seeking, as well as individuals enrolled in non-credit courses/programs. *Code* jurisdiction also includes individuals who have accepted an offer of admission to the University; former Students who withdrew or otherwise left the University whose alleged violations occurred during the time they were Students; and individuals who are on leave of absence from the University, or who are not officially registered/enrolled for a particular term, but have a continuing relationship with the University.

**Student Conduct Peer Review Board (SCPRB):** Hears cases involving Violation(s) of the *Code* which will not result in disciplinary suspension or dismissal; may determine responsibility and issue sanctions. SCPRB provides due process for Students while protecting the rights of all members of the University community. SCPRB is staffed by Students in good academic standing, all SCPRB members receive appropriate training, and no SCPRB member will serve on a panel when they have direct interest, prior involvement in or knowledge of incidents under consideration, or where Respondent identifies the member as having possible bias.

**University Member:** Any individual affiliated with the University of Pittsburgh including but not limited to all full and part time faculty, staff, students, fellows, and interns on all campuses.

**University Property:** All property (real, intellectual, and/or personal) owned, leased, controlled, or utilized by the University.

**University Review Board (URB):** The University Review Board (URB) is the duly authorized appellate body which serves as an advisor to the Pitt-Bradford President, or their designee.

**Violation:** Behavior or attempts to engage in behavior inappropriate to the University community for which disciplinary action may be instituted. May include violations of federal, state, or local law, and/or any rule, policy, or *Code* provision of the University of Pittsburgh.



The University of Pittsburgh, as an educational institution and as an employer, values equality of opportunity, human dignity, and racial/ethnic and cultural diversity. Accordingly, as fully explained in University Policy CS 07, the University prohibits and will not engage in discrimination or harassment on the basis of race, color, religion, national origin, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, genetic information, disability, or status as a veteran. The University also prohibits and will not engage in retaliation against any person who makes a claim of discrimination or harassment or who provides information in such an investigation. Further, the University will continue to take affirmative steps to support and advance these values consistent with the University's mission. This policy applies to admissions, employment, access to and treatment in University programs and activities. This is a commitment made by the University and is in accordance with federal, state, and/or local laws and regulations.

For information on University equal opportunity and affirmative action programs, please contact: University of Pittsburgh, Office of Civil Rights and Title IX Compliance (and Title IX, 504 and ADA Coordinator), 31st Floor Cathedral of Learning 4200 Fifth Ave Pittsburgh, PA 15260 (412) 648-7860.

For complete details on the University's Nondiscrimination, Equal Opportunity, and Affirmative Action Policy, please visit [www.policy.pitt.edu](http://www.policy.pitt.edu). For information on how to file a complaint under this policy, please refer to University Procedure CS 07.