



# Richard Bland College

*of* WILLIAM & MARY

**Richard Bland College**  
**Code of Conduct 2020-2021**

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# Student Code of Conduct

The Richard Bland College (RBC) community shares a commitment to achieving our educational mission, vision, and strategic goals. The William & Mary Board of Visitors and the RBC President bear ultimate responsibility and authority; however, faculty, staff, and students share a responsibility to help maintain on campus, in the classrooms, and in the residence halls, an environment that supports the pursuit of academic learning and activities, respect for others, and the opportunity for personal growth and development. The College expects students and student organizations to abide by the Student Code of Conduct both on and off campus. The Student Code of Conduct for students applies to conduct that occurs on college property, at college sponsored events and activities, and to off-campus conduct when the conduct adversely affects the College community and the pursuit of its objectives. The Student Code of Conduct will be applied to behavior occurring off campus on a case-by-case basis. This Student Code of Conduct exists to provide an environment conducive to the mission, vision, and values of the institution. Through this Code, the College seeks to guide the development of personal responsibility, respect for others, and mature behavior. The students' observance of college regulations and policies is important, as is the observance of public laws. The *Code of Virginia* contains public laws governing the conduct of all citizens and also contains specific provisions relating to colleges and universities. Violations of the *Code of Virginia* may result in the application of the College's Student Code of Conduct procedures, which may result in a student's expulsion from RBC.

**For complaints relating to student or employee related acts of sexual or gender-based harassment and other forms of interpersonal violence, pursuant to Title IX, please refer to the RBC website at <https://www.rbc.edu/my-rbc/title-ix/> for applicable policies and procedures.**

## Disciplinary Standards and Procedures

By authority of the William & Mary Board of Visitors, the RBC President has delegated the responsibility and authority for overseeing enforcement of policies governing student life to the Student Conduct Coordinator. The policies are designed to enable the College to protect itself and its members against the conduct of those who would impair or infringe upon the disciplinary rules of the College. The policies and procedures were formulated through the process of shared governance. This fact in no way abrogates the authority granted by the Board of Visitors to the RBC President and designee(s) to determine, manage, and maintain a system of discipline and safety in the College community. The Board of Visitors or the RBC President may alter or modify the rules concerning student conduct and discipline at any time.

The Student Conduct Board process is authorized to make a determination as to whether a student's conduct violates the Student Code of Conduct and/or the Honor Code. The applicable criterion of review is the preponderance of the evidence standard. Evidence is presented by the parties and/or witnesses called by the parties. The evidence presented may be in the form of, but is not limited to: (a) oral or written testimony from parties or witnesses; (b) affidavits and

depositions; (c) police reports and memoranda; (d) properly signed court documents; and/or (e) other taped or written statements.

## **Types of Hearings**

The Department of Student Success has three type of hearings that are employed for conduct violations. The three types of hearings are: Conduct Conferences, Administrative Hearings and Student Conduct Board Hearings.

### ***Conduct Conferences***

The Department of Student Success reserves the right to informally hear minor violations of policies as deemed appropriate by the Student Conduct Coordinator. The goal of Conduct Conferences is to engage in productive conversation regarding issues/concerns and modifications to behavior.

### ***Administrative Hearing***

The Department of Student Success reserves the right to administratively hear violations of policies as deemed appropriate by the Student Conduct Coordinator. Students will be afforded the same basic rights of notice as with Student Conduct Board Hearings. The Administrative Hearing Officer shall be assigned by the Director of Student Success. Decisions by the Administrative Hearing Officer may be appealed to the appellate authority. Decisions made after an appeal are final.

### ***Student Conduct Board Hearing***

The Department of Student Success reserves the right formally hear violations through a Student Conduct Board Hearing. The Student Conduct Board upholds the College's Student Code of Conduct and Honor Code to provide an environment conducive to the mission, vision, and values of the institution through the resolution of student conduct incidents and education.

1. **Student Conduct Board Composition:** The Student Conduct Board shall be comprised of no more than six members, not including the Chair. At the beginning of each semester, staff will be requested to volunteer, faculty will be recommended by the Faculty Assembly, and students will be recommended by faculty to the Student Conduct Coordinator. All Board members must also be approved by the RBC President. There must be at least three members of the Board present at a hearing, and of those three, one member must be a faculty member, one must be a student, and one must be an administrator. The Chair of the Student Conduct Board, a non-voting member, will be designated by the RBC President. To help ensure neutrality, the Student Conduct Coordinator shall conduct regular training to maintain a current listing of eligible board members. Board members cannot be approved without having received the Student Conduct Board Training.
2. **Chair responsibilities:** the Chair is responsible for the overall performance and flow of the Student Conduct Board, which includes the following:
  - a. Serve as spokesperson for the Student Conduct Board.
  - b. Ensure all procedures are followed by the Board.

- c. Complete a report detailing the recommendation of the Board and present to the Director of Student Success.
3. **Student Conduct Board Member Duties and Responsibilities:** All Board members are responsible for following hearing procedures and ensuring that all parties involved are treated fairly and provided due process. The following are to occur:
  - a. Arrive on time and be present during the entire hearing.
  - b. Review all materials thoroughly.
  - c. Ask open-ended questions.
  - d. Be open-minded and willing to consider all the information being presented.
  - e. Listen carefully to each person and withhold all judgment until all facts and information have been presented and considered.
  - f. Allow for thorough discussion before an additional question is asked.
  - g. Before making a decision, review hearing information and compare to the Student Code of Conduct, or Honor Code for alleged Honor Code violations, to verify a violation occurred.
  - h. Be open, creative, and thorough when determining sanctions.
  - i. Keep the hearing comment sheet confidential.
  - j. Refrain from discussing the case outside of the general proceeding other than for legitimate educational and business purposes.
  - k. Maintain the confidentiality of the record following submission to the Chair of the Board.

## **Rights and Duties of the Respondent**

### **1. Rights and Duties of the Respondent**

- a. **Right to Freedom from Harassment and Retaliation.** The right to be free from harassment, intimidation, and coercion, including attempts to change testimony. Any violations of this right may be considered a serious violation of the Student Code of Conduct.
- b. **Right to Pre-hearing Notice.**
  - i) The right to notice of a pre-hearing meeting as soon as practical and not less than 24 hours prior to the meeting in the instance a student is to be seen by the Student Conduct Board. If a student does not appear for the pre-hearing meeting, a hold will be placed on their account.

- ii) The right to receive written notice of the formal charges and of the date, time, and location of any administrative or Student Conduct Board hearing no fewer than 72 hours in advance of the hearing.
  - iii) If a student does not appear after being properly notified of the date, time, and location of the hearing, the Student Conduct Board may proceed with the hearing in the absence of the student.
- c. **Right to Know the Evidence to be Presented.** The Respondent will have the opportunity to inspect, review, and request copies of all evidence to be considered by the hearing panel at least 48 hours prior to the hearing. The Respondent may be required to sign an agreement that they will not make copies of or disseminate the work product of an instructor or other materials containing information about other students that are protected under the Family Educational Rights and Privacy Act and must return the materials immediately after the hearing. The Respondent will be instructed that failure to abide by the agreement may be considered a serious violation of the Student Code of Conduct.
- d. **Right to Assistance.** The right to the presence of a silent supporter (who may be legal counsel) and one immediate family member to attend the hearing. Neither the silent supporter nor the family member may participate in the hearing in any manner.
- e. **Right to Confidentiality.** The Respondent has the right to confidentiality regarding all matters related to the alleged violations except from those who have a legitimate educational interest in the information under the Family Educational Rights and Privacy Act. Violations of that right may be considered an infraction of the Student Code of Conduct.
- f. **Right to Receive Post-hearing Notification.** The right to be notified of the outcome of the hearing following post-hearing review by the Director of Student Success in coordination with the Chair of the Student Conduct Board within five working days after the conclusion of the hearing.
- g. **Rights within the Hearing.**
  - i) The right to the presumption of innocence until the panel has found the student in violation by a preponderance of the evidence.
  - ii) The right to a separate hearing on each charge if multiple unrelated charges have been filed.
  - iii) The right to request a separate hearing if two or more students are charged with the same offense.
  - iv) The right to present evidence relevant to the charges and, if necessary, possible sanctions and to request the presence of necessary witnesses. The number of witnesses may be limited by the Chair if the Chair finds the proposed testimony will duplicate that of the other witnesses or the proposed testimony is immaterial. The Respondent may submit written statements from witnesses in lieu of personal appearances.

- v) The right to ask relevant question of all witnesses.
- vi) The right to a closed hearing, and the right to request an open hearing.
- h. Right to be Free from Conflict of Interest.**
  - i) The right to have the Reporting Party or witnesses barred from participating in the matter in any other capacity.
  - ii) The right to request that a Board member be removed from the Board on the grounds of possible bias or conflict of interest. The Respondent must provide reasons as to why the Board member in question is unable to hear the case fairly, and the decision whether to grant the request is left to the Chair, who, were such a request is rejected, will provide a written explanation.
- i. Right to Prepare for Appeal.** The right to review the documentary evidence and recording in preparation for an appeal. The review must occur in the presence of a member of the Director of Student Success's staff.
- j. Right to Waive any Rights.** The Respondent has the right to sign a knowing and voluntary waiver of any of the rights accorded.
- k. Duty to Cooperate.** The Respondent will reasonably cooperate with the investigation and, if necessary, hearing. This duty includes answering questions fully and honestly and presenting requested information; however, the Respondent has the right not to answer questions if they are facing charges in criminal court for the same or similar behavior. Lying in the course of an investigation or hearing may be considered a separate violation of the Student Code of Conduct. This duty also includes complying promptly with requests for meetings or information.

## **Rights and Duties of the Reporting Party**

- 1. Right to Freedom from Harassment and Retaliation.** The right to be free from harassment, intimidation, and coercion, including attempts to change testimony. Any violations of this right may be considered a serious violation of the Student Code of Conduct.
- 2. Duty to Preserve Confidentiality.** The Reporting Party will keep all matters regarding the conduct or honor case confidential except from those who have a legitimate educational interest in the information under the Family Educational Rights and Privacy Act.
- 3. Right to Know the Outcome of the Case.** Faculty reporters will have the right to know the outcome of the case, both following the hearing, and if applicable, the appeals process. This right does not extend to all case materials. Due to the protections afforded student records, this provision does not extend to those who do not have a legitimate educational interest in receiving the information.
- 4. Right to Know Grounds for Dismissal of Case.** Faculty reporters will have the right to know the basis for dismissal of a particular case, regardless of the stage at which the case is dismissed, if such knowledge serves a legitimate educational purpose.

5. **Right to Request Student not Participate in End of Semester Evaluations.** A faculty member who reports a student for a potential violation of the Honor Code or Student Code of Conduct will have the right to request that the student be excluded from conducting a formal end of semester evaluation.
6. **Duty to Cooperate.** The Reporting Party will cooperate reasonably with the investigation and, if necessary, hearing. This duty includes answering questions fully and honestly and presenting requested information and complying promptly with requests for meetings or information.

## **Rights and Duties of Witnesses**

1. **Right to Freedom from Harassment and Retaliation.** The right to be free from harassment, intimidation, and coercion, including attempts to change testimony. Any violation of this right may be considered a serious violation of the Student Code of Conduct.
2. **Duty to Preserve Confidentiality.** Witnesses will keep all matters regarding the case confidential.
3. **Duty to Cooperate.** Student witnesses will reasonably cooperate with the investigation and, if necessary, hearing. This duty includes answering questions fully and honestly and presenting requested information; however, the witness has the right not to answer questions if they are facing charges in criminal court for the same or similar behavior. Lying in the course of an investigation or hearing may be considered a separate violation of the Honor Code. This duty also includes complying promptly with requests for meetings or information.

**All participants have the responsibility to be completely truthful with the information they share at all stages of the process. Any individual who knowingly or intentionally provides false information as part of a report, investigation, or hearing will be subject to discipline in accordance with the procedures set forth in the applicable Student Handbook, Policy Manual, or Faculty Handbook. This provision does not apply to information that is not substantiated or proven by a preponderance of the evidence.**

## **The Role of an Advisor**

The Respondent and Complainant (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be legal counsel) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The college shall not prohibit family members of a party from attending the hearing if the party requests such attendance but may limit each participant to having one family member present. Neither the family member nor the Advisor may participate in the hearing in any manner.



# Student Conduct Procedures

The Department of Student Success uses the following procedures to address behavior that is alleged to have violated college policy. It should be noted that not all situations are of the same severity. Furthermore, these procedures are flexible and are not followed exactly the same in every situation, though consistency in similar situations is a priority. The procedures used in particular cases are determined at the sole discretion of the Department of Student Success.

## *Reporting Suspected Violations*

1. The Department of Student Success will accept a referral of a suspected Code violation from any person. Any student, faculty/staff may submit a referral via email to [conduct@rbc.edu](mailto:conduct@rbc.edu) or complete the [Incident Report Form](#).
  - a. Any referral alleging an Honor Code violation that originates from a person other than the faculty member overseeing the academic exercise in question will be forwarded to the faculty member for action consistent with the procedures.
2. After reviewing the referral, the Student Conduct Coordinator, will determine whether sufficient information exists to allege that a respondent engaged in any prohibited conduct listed in this Code and, if so, will determine which violations apply. This review may include meeting with the person(s) that submitted the complaint or an investigation to gather further information.

## *Resolution Options*

Any of the following resolution options may be offered to a respondent at the discretion of the Student Conduct Coordinator, or designee. When more than one respondent is involved in the same incident, administrative meetings and/or hearings may be combined, though separate findings will be made for each respondent.

1. **Conduct Conference.** Respondents are provided with an informal opportunity to discuss the referral during a conduct conference with the Student Conduct Coordinator. RBC email is the official communication method used for all Code proceedings, including when classes are not in session and during academic break periods.
2. **Administrative/Conduct Board Hearing.** If an alleged violation of the code has occurred, the respondent will be afforded an opportunity for a hearing with either the Student Conduct Coordinator or appropriate panel (such as the Student Conduct Board). Respondents will normally be sent a notice for a hearing no less than 72 hours prior to the occurrence of any hearing. Any such boards must receive adequate training from the Department of Student Success. Respondents scheduled to participate in the hearing should receive the following:
  - a. Written notice of the charges in advance of a Conduct Board /Administrative Hearing no less than 72 hours prior to the occurrence of the hearing;
  - b. Reasonable access to any referrals, reports, other supporting documentation or media that is relevant to the pending allegations;
  - c. An opportunity to present relevant information on one's own behalf during the hearing;

- d. To challenge the objectivity of a Conduct Board member/Student Conduct Coordinator due to reasonable cause that they may be biased or have conflict of interest;
- e. To be accompanied by a silent supporter (ex., advisor/legal counsel);
- f. The opportunity to present witness/witness statements and question any witness present;
- g. To receive notice of the outcome of the hearing;
- h. To receive the opportunity to appeal the decision of the hearing body/Student Conduct Coordinator;
- i. f) Other rights as outlined in the Rights and Duties of the Respondent.

### ***Hearing Outcome***

The Student Conduct Coordinator or Director of Student Success will provide a written outcome via the respondent's RBC email address after the Student Conduct Coordinator or panel has determined whether the respondent is responsible or not responsible for the alleged policy violations. If the respondent is found responsible, the correspondence will describe any sanctions imposed.

### ***Postponement of a Hearing***

A respondent's request to postpone a hearing must be emailed to the Student Conduct Coordinator no later than 24 hours prior to the respondent's scheduled hearing. Requests to postpone a panel hearing should be emailed to the Student Conduct Coordinator. A hearing may be rescheduled if the request is for reasonable cause. Postponement will be allowed under the following conditions: (1) class conflict, (2) respondent unable to produce witnesses on their behalf of the scheduled date of hearing, (3) respondent has a family emergency, (4) respondent is too ill to attend the hearing, (5) respondent cannot attend due to a religious holiday. Hearings are not normally postponed because a respondent's work schedule conflicts with the scheduled hearing.

### ***Honor Code Violations Procedures***

Faculty members who believe that a student may have engaged in an Honor Code violation are encouraged to consult with the Department of Student Success regarding the applicability of this Code, potential courses of action, and guidance on imposing appropriate sanctions.

1. Faculty should submit a referral to the Department of Student Success via email to [conduct@rbc.edu](mailto:conduct@rbc.edu) of the alleged violation's discovery. The referral should include, when available a description of the information giving rise to the allegation, the names of any witnesses, and any other relevant information, documents or correspondences concerning the allegation. The referral should indicate whether the student and faculty have reached a voluntary resolution or if the matter is being referred for a hearing. Faculty are encouraged to meet with the student prior to submitting a referral in order to discuss the allegation and/or seek a voluntary resolution.
  - a. Voluntary Resolution. If the faculty member meets with the student and the faculty member is satisfied that the incident can be effectively resolved with a grade sanction or other sanction as deemed appropriate by faculty member:

- i) The faculty member will assign an appropriate grade sanction, usually an F for the assignment or exam during which the Honor Code violation occurred.
- ii) The faculty member will email a referral to the Department of Student Success at [conduct@rbc.edu](mailto:conduct@rbc.edu) after meeting with the student. Submitting written referrals is essential to the College's ability to address patterns of Honor Code violations, and to developmentally determine appropriate sanctions based on the totality of the student's record.

## **Additional Student Conduct Procedures Information**

### ***Standard of Proof***

The preponderance of the evidence standard will be used to determine responsibility for violations of policies in the Student Code of Conduct. Preponderance of the evidence means that based on the information available to determine if it is "more likely than not" that a violation occurred.

## **Student Conduct Board Appeal Process**

If the Respondent wishes to appeal the decision of the Student Conduct Board, they must submit an official letter of appeal to the appellate authority, as designated by the RBC President, within five working days of receiving the Board's notice on the hearing decision and sanction(s). The basis for an appeal will be limited to particular criteria as follows:

- Whether the hearing process was conducted fairly in accordance with RBC policies and procedures.
- Whether the hearing decision was based on sufficient facts.
- Whether the sanctions imposed were appropriate.
- To consider new information that is sufficient to alter the decision.
- New information and/or facts that were not known to the Respondent at the time of the original hearing.

### ***Student Conduct Board Appeal Outcomes***

The Chief Development Officer ("appellate authority") will provide to the respondent a written decision within 5 business days of receiving the appeal either denying the appeal or granting the appeal. The possible outcome of the appeal could be as follows:

1. Uphold all decisions made by the Student Conduct Board/Hearing officer: in this case, all of the board/hearing officer's original decisions regarding responsibility and sanctions remain in effect.
2. Reverse all decisions made by the Student Conduct Board/hearing officer: in this case, all of the conduct board/hearing officer's original decisions regarding responsibility and sanctions are overturned.
3. Modify any of the decisions made by the student conduct board/hearing officer: examples of possible modifications include changing a decision of "responsible" to "not responsible" or changing sanction requirements. Examples of sanction modifications include: decreasing community service hours from 20 hours to 5 hours.
4. Send the case back to the student conduct board/hearing officer for a new hearing: for example, in a case where significant new information has come to light that was not known by the respondent at the time of the hearing, the appeal outcome may be for a new student conduct board/administrative hearing to be conducted. If the respondent is found responsible for a violation through the second hearing, he/she again has the right to submit an appeal of the hearing outcome.

## **Student Code of Conduct Violations**

Student conduct violations are divided into three distinct classifications: Conduct Against Community, Conduct Against Property, and Conduct Against Person. The following acts or omissions are prohibited. Examples of proscribed conduct below are not all inclusive. The College is within its rights to address any areas of misconduct that could constitute a threat to the safety of the campus community.

### **Alcohol and Drugs**

Use, possession, manufacturing, or distribution of alcoholic beverages, or public intoxication is prohibited, including on any owned, leased, or licensed campus property or at any college-related event. Students are not permitted to possess any alcohol paraphernalia, and/or rapid consumption items. Examples include alcohol containers for the purpose of decoration/display, beer bonds, posters promoting underage drinking. Use, possession, manufacturing, or distribution of any drug(s) and/or drug paraphernalia, or other controlled substances except as expressly permitted by law is prohibited on-campus, including any owned, leased or licensed campus property or at any college-related event. Students should review the alcohol and drug policy in Appendix I of the Student Handbook.

### **Endangering Health or Safety**

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens, provokes, or endangers the health or safety of any person, including violation of the College's Policy Prohibiting Discrimination, Harassment and Retaliation, are prohibited. Taunting or physically harassing or harming wildlife or other animals or creating an unsafe or hazardous environment involving wildlife or other animals on property owned or controlled by the College is prohibited.

## **Hazing**

Hazing is prohibited. Hazing is an act which endangers the emotional, mental, financial, or physical health or safety of a student, or which destroys or removes public or private property, for initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. Apathy or acquiescence in the presence of hazing is not considered a neutral act; they are violations of this rule. The express or implied consent of the victim, tradition, and intent of such acts are not valid defenses. Hazing incidents are a violation of the *Code of Virginia* and are a Class 1 misdemeanor. Hazing which causes bodily injury shall be reported to the Commonwealth's Attorney of Dinwiddie or Prince George County, who shall take such action as they deem appropriate.

## **Weapons**

The possession, carrying, storage, or maintenance of any weapon including, but not limited to firearms, tasers, air guns, slingshots, knives (longer than three inches) by any member of the campus community, except law enforcement officials and other individuals authorized under the [Weapons Policy](#), is prohibited on college property. Any individual who is reported or discovered to possess a weapon on college property or maintains or stores a weapon on college property in violation of this prohibition will be asked to remove it immediately. The presence of a prohibited item will result in disciplinary action, which may include termination from employment for employees or expulsion from the College for students.

### **Prohibited conduct includes, but is not limited to the following:**

1. Illegal or unauthorized possession of weapons, explosives, fireworks, or dangerous chemicals or combustibles on college premises. The resident must be with their visitor when they arrive to be signed in.
2. Use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear in others.
3. Possession of counterfeit, replica, or blank-firing firearms or realistic-looking toy firearms, knives, or swords. Students who live in residence halls may possess kitchen knives; however, such knives must be stored out of sight when not in use.
4. Possession of pellet, paint, water, toy guns such as water/Nerf guns, stun guns, tasers, and BB guns.

**Confiscation:** The College reserves the right to confiscate weapons, fireworks, and any instruments, non-conforming toys, or other items that reasonably appear to be weapons or other prohibited items listed above, to hold those items for appropriate disposition, and to refer the possessor for disciplinary action.

Any such individual who is reported or discovered to possess a firearm or weapon on college property will be asked to remove it immediately from college property. Failure to comply may result in a Student Conduct Board referral, an employee disciplinary action, or arrest.

**Self-Defense Items:** Students may possess mace, pepper spray, and other such items that are intended for self-defense purposes only. Use in other ways would constitute a violation of the College's rules, policies, or regulations. Stun guns and tasers are prohibited.

**All students must comply with the College Weapons Policy and with the Richard Bland College Weapons regulation found at Virginia Administrative Code: 8 VAC 115-30-10 through 115-30-30.**

Possession or carrying of any weapon by any person, except a police officer or an individual authorized pursuant to College policy, is prohibited on college property in academic buildings, administrative buildings, student residence and student life buildings, or dining or athletic facilities, or while attending an official college event, such as an athletic, academic, social, recreational, or educational event, or on vessels that are college property. Entry upon such college property in violation of this prohibition is expressly forbidden.

### **Open Flames on Campus**

**Open Flame:** Any activity or device producing a flame, including, but not limited to candles, tiki torches, oil lanterns, butane burners, incense, campfires, bonfires, grills, and fire pits.

**College Property:** Property, vehicle or vessel owned, leased or controlled by Richard Bland College.

Open flames are prohibited on all college property, including within College buildings and facilities, except pursuant to a permit issued by the College.

Exceptions to the requirement for a permit are found below:

1. Activities taking place within the scope of academic coursework when under the supervision of the relevant faculty member;
2. Flames created for the transient purpose of lighting a cigarette, cigar, pipe, or similar smoking article or device, provided such activity is in an authorized location, is otherwise lawful, and the burning or smoking elements are safely and responsibly disposed; and
3. Small celebration candles used briefly and in an appropriate quantity in connection with a celebration, provided such activity is not left unattended, is in an authorized location, is otherwise lawful, and the smoking or burning elements are safely and responsibly disposed.

Directions to apply for an Open Flame Permit are found at <https://www.rbc.edu/policy-manual-2019/campus-safety-and-police-policies/>.

### **Abuse of the Student Conduct System**

Abusing the Student Conduct system is prohibited, including, but not limited to:

1. Failing obey a notice from the Student Conduct Board or College official to appear for a meeting or hearing.

2. Falsifying, distorting, or misrepresenting information before a Student Conduct Board or to any misconduct investigator.
3. Disrupting or otherwise interfering with any conduct conference or hearing.
4. Discouraging or attempting to discourage a person's participation in, or use of, the Student Conduct system.
5. Attempting to or influencing the impartiality of a member of the Student Conduct Board before, during, or after a proceeding.
6. Failing to comply with the sanction(s) imposed by the Student Conduct Board or College Official.
7. Failure to provide, destroying or hiding information during any investigation of an alleged policy violation, or otherwise impeding or obstructing an investigation of suspected Code violations.
8. Attempting to or influencing another individual to violate the Student Code of Conduct.
9. Distributing, announcing, or publicizing confidential disciplinary information without written permission.
10. Failure to comply with instructions provided during any conduct meeting or hearing.

### **Acts of Dishonesty**

Acts of dishonesty are prohibited, which include but are not limited to the following:

1. Cheating, plagiarism, or other acts of academic dishonesty.
2. Providing false information to any College official, faculty member, or staff, including Campus Police.
3. Forging, altering, or any misuse of any college document, record, or instrument of identification.
4. Violating the RBC Honor Code.
5. Possession of any fake, altered, or other identification that belongs to another person.
6. Impersonating any College official.

### **Disorderly Conduct, Disruptive Conduct, or Breach of Peace**

Any conduct that is disorderly, disruptive; a breach of peace; compromises health and safety, or encouraging or attaining another person to breach the peace on college property or at activities and events sponsored by, or participated in by, the College or members of the College community is prohibited. Disorderly conduct includes, but is not limited to offensive behavior (e.g., urinating in public, not being fully clothed in public); public intoxication; and any unauthorized use of any device to make an audio or video record of any person without the

person's knowledge, or without the person's active consent, when this type of recording is likely to cause injury or distress. This includes, but is not limited to furtively taking pictures of another person in a gym, locker room, or restroom.

**Note:** Students are required to be fully clothed when in public areas on campus.

### **Disruption or Obstruction of College Activities**

#### **The following constitutes misconduct:**

1. Participating in an on- or off-campus demonstration, riot, or activity that disrupts the normal operations of the College and/or infringes on the rights of another member of the College community.
2. Leading or inciting others to disrupt a scheduled and/or normal activity on college property.
3. Any conduct which materially interferes with the normal operation of the College.
4. Failing to comply with directions of College officials or law enforcement officers performing their duties and/or failing to identify oneself to these individuals when requested to do so.

### **Violation of Institutional Policies**

Violation of any College policy, rule, or regulation published in hard copy or available electronically on the College website constitutes misconduct.

### **Violation of Law**

Conduct leading to arrest, indictment, or conviction, for violating a local, state, or federal law, regulation, or ordinance may result in disciplinary action if it is determined that such action is necessary for the protection of other members of the College community; for the safeguarding of the educational community; to prevent the disruption of any lawful activity carried on by the College or others on behalf of the College, or activities on college property; and/or if the conduct tarnishes the educational mission and vision of the College.

### **Theft and Property Damage**

The attempted or actual possession of another's property without authorization and/or damaging property of the College, or property of a member of the College community, or other personal or public property, on or off campus. A larceny under \$200.00 is a misdemeanor. If the value of the property exceeds \$200.00, it is a felony. If it is a larceny of \$5.00 or more from off a person, then it is grand larceny, which is a felony.

### **Theft or Abuse of Technology**

The theft and/or abuse of computer facilities and resources, including, but not limited to:

1. Unauthorized download, creation, sale, transfer access, reproduction or distribution of copyrighted material, including, but not limited to audio materials, video materials, or



research materials; or of any course materials, whether copyrighted or not, distributed by the faculty member.

2. Unauthorized entry into any network, computer, or file to use, read, or change the contents, or for any other purpose.
3. Using another person's identification and/or password.
4. Unauthorized use of computing facilities and resources to interfere with the work of another college member, the normal operation of institution computing system, or abuse of other computers facilities and resources.
5. Students shall not use unauthorized devices while completing an assignment.
6. Sending obscene or abusive messages and photographs or videos using computing facilities and resources or similar personal resources.
7. Violating copyright laws using computing facilities and resources.
8. Any violation of the College's Acceptable Use Policy (Student Handbook, Appendix VI).

### **Unauthorized Entrance**

The unauthorized possession, duplication, or use of keys or access cards to any college premises; or the unauthorized entering into, use, or presence in any college premises without authorization.

## ***Conduct Code Section: 100 – Conduct Against Community***

Students shall not endanger the health and safety of the campus community. This includes but is not limited to possession of weapons, acts of dishonesty, infractions of conduct policies, disruptions of the peace, distribution or possession of an illegal drug as defined by the Drug Control Act of the Commonwealth of Virginia, or the distribution or possession of alcohol regardless of age.

### **Subsection 1 – Weapons**

100.0 - Violating the Weapons Policy and/or the Richard Bland College Weapons On-Campus Regulation as written in the Virginia Administrative Code, 8 VAC 115-30-10.

100.1 - Illegal or unauthorized possession dangerous chemicals or combustibles on college premises.

100.2 - Use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

100.3 - Knives longer than three inches are prohibited on campus. Students who live in residence halls may possess kitchen knives for the purpose of cooking; however, such knives must be stored out of sight when not in use.

100.4 - Students may possess mace, pepper spray, and other such items that are intended for self-defense purposes only. Use in other ways would constitute a violation of College rules, policies, or regulations.

100.5 – Use or storage of stun guns and tasers on college property or college-sponsored events.

### **Subsection 2 – Drugs**

101.0 – Possessing or using an illegal drug or other controlled substance without a valid prescription as defined by the Drug Control Act of the Commonwealth of Virginia, or prescription drugs for which one does not have a legitimate prescription, or misuse of non-prescription drugs.

101.1 - Manufacture of an illegal drug or other controlled substance, as defined by the Drug Control Act of the Commonwealth of Virginia.

101.2- The possession and/or use of any drug paraphernalia, i.e. bowls, hookah pipes, bong, “homemade” smoking devices, any other smoking device or smoking paraphernalia

101.3- Sale or distribution of an illegal drug or other controlled substance or possession of an illegal drug or other controlled substance with the intent to distribute as defined by the Drug Control Act of the Commonwealth of Virginia

### **Subsection 3 – Alcoholic Beverages**

102.0 – Possession of an alcoholic beverage on property belonging to or controlled by Richard Bland College including college sponsored events or trips.

102.1 – Possession, and/or use of alcohol paraphernalia, and/or rapid consumption items. This includes displaying alcohol beverages for decoration/display, beer bong, posters promoting underage drinking.

102.2– Public intoxication, drunkenness, or activities related to the consumption or possession of alcoholic beverages that infringe on the rights of others.

100.3- The possession or use of devices such as beer bong, beer funnel, beer pong tables and other items used in drinking games, and methods including drinking games, used to facilitate the rapid consumption or impact of alcohol are prohibited, regardless of age.

### **Subsection 4 – Acts of Dishonesty**

103.0 – – Knowingly furnishing, or causing to be furnished, false information to Richard Bland College, or a college Official.

103.1 - Violations of the RBC Honor Code.

103.2– Making, possessing, or using any forged, altered, or falsified document, record, or identification.

103.3 - Possession of any fake, altered, or any other identification that belongs to another person.

103.4 - Impersonating any University Official.

### **Subsection 5 – Visitation, Unauthorized Entry & other Residential Policies**

104.0– Violating prescribed visitation policies.

104.1– Guests who remain in another student’s room while illegal visitation is occurring shall be considered a participant and in violation.

104.2– Students will be responsible for informing their guests and nonstudents of College policies and will be held accountable if their guests violate College policies.

104.3– Students shall not enter or remain in a private room, office, or restricted area under the control of another student, faculty member, or College official except by permission or invitation. This includes unauthorized individuals entering a College building, room, or roommate dresser or personal storage that has been locked or by other means restricted.

104.4- Trespassing - Presence: Unauthorized presence (including climbing or scaling) on, in, or within any building or property

104.5 - Residential students and all guests are expected to respect quiet and courtesy hours.

104.6 - Pets and wildlife are not allowed in any residence hall or campus building other than small aquatic fish and service animals. For more information please see [Policy 5110 of the RBC Policy Manual](#).

### **Subsection 6 – Disruption & Disorderly Conduct**

105.0 - Breach of peace, or aiding, abetting or procuring another person to breach the peace on University premises or at University sponsored or affiliated functions.

105.1 – Any conduct which materially interferes with the normal operation of the University, its activities, and/or events.

105.2– Any conduct that is disruptive, reckless, offensive behavior or other forms of disorderly conduct. (e.g., urinating in public, not being fully clothed in public).

105.3– Failure to comply with directions of college officials or other law enforcement officers during the performance of their duties and/or failure to accurately identify oneself to these persons when requested to do

105.4- Failure to comply with directions or guidelines established by college officials to ensure the health, wellness, and safety of students, faculty, staff and our campus.

105.5 – Hall sports (ball playing, bicycles, roller blades, scooters, hoverboards, and skateboards) are prohibited in any campus operated buildings.

105.6 - Participating in riots or disturbances with the purpose to commit or incite actions that present a clear and present danger to others or college property is prohibited.

### **Subsection 7 – Tobacco**

106.0- Possession, Sale or Distribution: Sale and/or distribution of, a tobacco product, nicotine vapor product, and/or alternative nicotine product, as prohibited by Commonwealth of Virginia Law.

106.1- Possession, and/or use of a tobacco product, nicotine vapor product, and/or alternative nicotine product, as prohibited by Commonwealth of Virginia Law.

### **Subsection 8 – Classroom Disruption**

107.0- Classroom disruption, defined as any behavior that substantially interferes with the conduct of a class. Examples may include, but are not limited to, the following: persistent late arrivals or leaving early in a manner that disrupts the regular flow of the class; talking while the instructor is talking; speaking in class without first obtaining recognition and permission to speak; use of electronic equipment such as cell phones, computers, etc. in a manner that disrupts the class; or becoming belligerent or verbally abusive when confronted as a result of their inappropriate behavior.

### **Subsection 9 – Abuse of Student Conduct System**

108.0- Falsifying, distorting, or misrepresenting information presented to the Conduct Coordinator or panel;

108.1- Failure to provide, destroying or hiding information during any investigation of an alleged policy violation, or otherwise impeding or obstructing an investigation of suspected Code violations;

108.2- Disrupting or otherwise interfering with any conduct conference or hearing;

108.3- Failure to comply with instructions provided during any conduct meeting or hearing

108.4- Failing to comply with the sanction(s) imposed by the Student Conduct Board or College Official

108.5- Distributing, announcing, or publicizing confidential disciplinary information, without written permission

108.6- Failing to obey a notice from the Student Conduct Board or College Official to appear for a meeting or hearing

108.7- Discouraging or attempting to discourage a person's participation in, or use of, the Student Conduct system

108.8- Attempting to or influencing the impartiality of a member of the Student Conduct Board before, during, or after a proceeding

108.9- Attempting to or influencing another individual to violate the Student Code of Conduct.

### ***Conduct Code Section: 200 – Conduct Against Property***

Students shall not remove or damage the property belonging to another. This includes but is not limited to destruction of Richard Bland College (RBC) furniture, theft or damage to RBC computer equipment, illegal tampering with firefighting equipment, or violating fire code regulations.

#### **Subsection 1 – Fire Code**

200.0 – The Virginia Fire Code prohibits the use of extension cords, multi-plug adapters, and ungrounded three-prong adapters in the residence halls.

200.1 – Intentionally or negligently, tampering with or damaging fire, safety, or security equipment (including, but not limited to, activating fire alarms, tampering with smoke detectors, setting off fire extinguishers, and moving road signs or traffic equipment).

200.2 – Intentionally or negligently starting or causing a fire which results in bodily injury, and/or significant property damage or disruption to the college community.

200.3 - Inappropriate or dangerous activities involving fires, open flames, candles, matches, or other flammable materials are prohibited in all residence halls, or in any buildings owned or operated by Richard Bland College.

200.4 - Participation in creating or causing a false fire alarm.

200.5– Blocking or in any way preventing the use of fire exit doors, room doors, or building hallways.

200.6– Smoking of any substance (including vapor e-cigarettes is prohibited on Richard Bland College’s campus, including campus buildings, college-owned and leased facilities, properties, grounds and all vehicles owned rented or leased by RBC.

200.7– Hoverboards or items that are deemed a fire hazard or endanger the health & safety of the college community are prohibited on campus.

200.8– Open flames of any kind are not permitted inside campus buildings; this includes incense, candles, and oil burning lamps. Exceptions are made when flames are a part of academic or training related activities and supervised by a college staff or faculty member with appropriate approvals.

200.9– Any failure to evacuate or immediately respond to a fire alarm

#### **Subsection 2 – Property Damage**

201.0– Destroying or damaging, the property of the college or the personal property of another.

201.1– Students shall not remove, exchange, or alter arrangements of any college property without permission from the appropriate authority.

### **Subsection 3 – Computer Equipment**

202.0 – 104.0-Unauthorized download, creation, sale, transfer, access, reproduction or distribution of: copyrighted material, including but not limited to audio materials, video materials, or research materials; or of any course materials, whether copyrighted or not, distributed by the faculty member (such as the faculty member’s notes or PowerPoint presentations, handouts, tests, outlines, and similar materials).

202.1 – Unauthorized use of another individual’s identification and password.

202.2– Unauthorized entry into any network, computer, or file to use, read, or change the contents, or for any other purpose.

202.3– Students shall not use unauthorized devices while completing an assignment.

202.4 - Unauthorized use of computing facilities and resources to interfere with the work of another college member, the normal operation of university computing system or abuse of other computer facilities and resources.

### **Subsection 4 – Student Identification Card**

203.0- Altering, lending, or selling a Student identification card.

203.1- Using a Student identification card by anyone other than its original holder.

203.2- Using a Student identification card in any unauthorized manner.

### **Subsection 5 – Unauthorized Use**

204.0- Unauthorized use of University equipment.

204.1- Unauthorized use of bathrooms, exits, or windows.

204.2- Unauthorized use or duplication of keys.

204.3- Unauthorized entering into or presence in any college premise without authorization.

## ***Conduct Code Section: 300 – Conduct Against Person***

Students shall not engage in violations of conduct directed at an individual or individuals. This includes but is not limited to hazing, fighting, harassment, robbery, and violations of roommate agreements.

### **Subsection 1 – Endangering Health & Safety**

300.0 - Participation in, or soliciting others to participate in, dangerous behaviors, pranks, stunts, or other actions that might result in physical injury to self or others.

300.1-Throwing or launching any object or substance which has potential for damaging or defacing property or causing physical harm or disruption.

300.2 – Conduct that threatens or endangers the health or safety of any person.

300.3 - Any act, intentional or unintentional, which endangers the emotional, mental, financial, physical health or safety of a student, with or without their expressed permission, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization.

300.4 – Attending an event or activity where hazing is occurring is not permitted.

300.5 – Sending or posting obscene, threatening, harassing, or abusive messages is prohibited.

300.6 - Using electronic or other devices to make an audio or video recording of the private activities of any person without their prior knowledge or without their effective consent is prohibited.

300.7 - Online behavior that poses a direct threat to the campus community or otherwise impairs achievement of the educational objectives of the College is prohibited and may result in disciplinary sanctions.

## **Subsection 2 – Harassment**

301.0- Mistreatment of Persons: Harassment or pattern of harassment (e.g., physical, verbal, graphic, or electronic), threats, intimidation, and/or coercion directed toward any person or group of people.

301.1- Mistreatment of Persons - Physical: Physical abuse directed toward any person or group of people.

301.2- Intimidation, defined as implied or articulated threats or acts that cause a reasonable person to fear harm. This includes actions that occur via social media, email, text messaging, or video chat.

## **Subsection 3 – Physical Violence**

302.0- Engaging in any form of physical violence directed toward another person or group of people, except when such response constitutes legitimate self-defense.

302.1- Responding to violence with violence, except when such response constitutes legitimate self-defense.

## **Subsection 4 – Theft and Gambling**

303.0 – Participating in a game for any sum of money or other property of any value is prohibited. Making any bet for a fee, directly or indirectly give or accept anything of value to be wagered or to be transmitted or delivered for a wager is prohibited. This excludes organizational approved fundraising raffles.

303.1 – Possessing, taking or attempting to take the personal property of another without permission (including the knowing possession of stolen property).

### **Subsection 5 – Discrimination and Sexual Misconduct**

304.0—Any act of Non-Title IX sexual misconduct, including sexual assault, sexual exploitation, dating violence, domestic violence and stalking as defined by the College’s Policy Prohibiting Discrimination, Harassment and Retaliation.

304.1 – Any act of misconduct, including intimidation, threats, violence, and harassment directed at a person or group of persons in a protected status or with a protected characteristic.

## **Other Behavioral Policies**

***False Reports:*** The College will not tolerate intentional false reporting of incidents. It is a violation of the Code to make an intentionally false report of any policy violation.

***Being in the Presence of Code Violations:*** A student in the presence of others where a violation of this Code occurs may risk being referred through the Student Conduct process. However, being in the presence of others violating the Code is not in and of itself a violation, absent other factors that may support a violation.

## **Sanctions**

Students are expected to display appropriate behavior at all times. Students who are found responsible for having violated RBC’s on- and off-campus conduct policies while enrolled at RBC will face consequences. Infractions of RBC policy can lead to a warning up to suspension or expulsion from the College.

Sanctioning is a method to provide accountability for one’s actions and educate students on how their actions affect themselves and the College community. Its goal is to increase a student’s awareness level and promote the growth of the student as an effective and productive citizen. Previous sanctions for violation of the Code of Conduct will be considered and may impact subsequent sanctioning decisions. Students who are found in violation of the Code of Conduct will face consequences through appropriate sanctioning. Sanctioning may include, but is not be limited to:

**Letter of Concern** – notification by the College that the student’s behavior was unacceptable and that the behavior needs to change.

**Educational Sanctions** – An educational sanction may consist of the assignment of specific projects to be performed by a student, such as writing a research paper on a specific topic, writing a reflection paper, attending an educational program, or writing reaction papers on a specified topic. Educational sanctions might also include completing mandated alcohol, drug or



other behavioral education programs or enrolling in web based online alcohol and drug education programs.

**Disciplinary Warning**– An official written notification stating unacceptable behavior has occurred and is in violation of College policy and any additional violations will result in more severe sanctions, including probation, or suspension.

**Disciplinary Probation**– Disciplinary Probation is a period of time when a student is not considered to be in good standing within the university. While on probation, students may not be eligible for certain privileges. Please note that further misconduct, especially during the probationary period, will result in a more stringent sanction

**Community Service Sanction Hours** – Students will be assigned a certain number of community service hours to complete as a result of being found responsible for a violation.

**Restitution**– There are fines as a result of violating regulations of the Code of Conduct. Once a student receives a fine, a hold will be placed on their account, preventing the student from registering for classes until the fine is paid.

**Loss of Guest Privileges/Visitation**– Exclusion of specific privileges as may be consistent with the violation committed, for a designated period of time.

**Dismissed from the Residence Halls** – Removal of the Student from the Residence Halls for a specific period of time. Removal from Housing due to Conduct sanctions may result in loss of any room or board paid for that semester. All Residence Hall fees and deposits may be forfeited

**Banned from the Residence Halls**– Removal of the Student from the residence halls for a specific period of time. Students who are removed from the residence hall may be banned from all Residence Hall buildings and property throughout the duration. Removal from housing due to Conduct sanctions may result in loss of any room or board paid for that semester. All residence hall fees and deposits may be forfeited.

**Suspension from Richard Bland College**– A Student, by their actions, has forfeited the privilege of attending Richard Bland College for a specified period of time. Students who reside on campus will have a minimum of 48-hour notice to remove all of their belongings out of the Residence Hall after notification of the suspension is in effect. All Residence Hall fees and deposits may be forfeited.

**Expulsion from Richard Bland College** – A permanent separation from the College. Students who reside on campus will have a minimum of 48-hour notice to remove all of their belongings out of the Residence Hall after notification the sanction expulsion is in effect.

## **Interim Measures and Administrative Actions**

### ***Holds on Student Accounts***

A hold may be applied to prevent course registration and/or graduation when:

1. the student has failed to complete sanctions by assigned deadlines;

2. the student is suspended or expelled from the College;
3. the student failed to show at their pre-hearing;
4. the student is not presently enrolled and a conduct conference or hearing is pending; or
5. the student has a pending conduct case that must be resolved prior to graduation.

### ***Notations on Transcripts/Student Records***

1. Pursuant with the [Code of Virginia § 23.1-900](#), sanctions of Withdrawal, Permanent Dismissal, Indefinite Suspension, and Suspension while under investigation at the college for a sexual offense are posted as notations on the student's transcript. This transcript notation is removed once the school's investigation is complete and the school determines the student did not commit the offense. The notation will be permanent, however, if the school's investigation determines the student did commit the offense in question. This information is communicated from the Department of Student Success to the Records & Registration Office.
2. If a student is suspended from the College, a notation will be placed on the student's record during the period of suspension.
3. If a student is expelled from the college, a notation will permanently will be placed on the student's record.

### ***No Contact Order***

In certain situations, Student Conduct in collaboration with the Department of Campus Police and the Office of Residence Life may issue no contact orders to students for a period of time to prevent communication between two or more students if it is determined that contact between the parties may escalate behavior that may interfere with a person's rightful actions, including but not limited to their safety and security. No contact orders prevent students from face-to-face, electronic, or third-party contact. If a no contact order is issued, all parties involved will receive the order.

### ***Interim Suspension***

Richard Bland College (RBC) may take interim measures, as necessary, to assist or protect the complainant during the investigation, to address the safety of the complainant or any member of the campus community, or to avoid retaliation. If, in the judgment of the Chief of Police, Provost, Director of Student Success, Title IX Coordinator, Assistant Director of Housing & Residence Life, or the Student Conduct Coordinator, the safety or well-being of any member of the campus community may be jeopardized by the presence on campus of the accused individual, any of the aforementioned individuals, in consultation with the RBC President, may provide interim remedies to address the short-term effects of harassment, discrimination, and/or retaliation and to prevent further violations. In the most grievous incidents, the decision may be made immediately by the Chief of Police or the Director of Student Success to initiate interim measures to assist or protect the College community. Richard Bland College will seek the consent of the complainant before taking interim measures to the greatest degree possible, but consent is not required. Interim measures may include but are not limited to, changes in classroom schedules or housing arrangements, no-contact order, bar from campus, escorts on campus, referral and coordination of counseling and health services, and modification of work or academic requirements.

## ***Student Removal from Campus***

Students whose on- or off-campus actions and/or presence on campus poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from the College. A notice and hearing should follow as soon as practicable.

## **Immediate Suspension**

A student identified as violating any of the following policies may be immediately suspended from the residence halls or College campus pending the appropriate hearing. The Student Conduct Coordinator, in conjunction with the Director of Student Success and the Chief of Police shall determine if the student may continue to reside on campus and attend classes throughout the appeals process (until all appeals have been exhausted). This decision is based on the severity of the incident. The student will not be allowed to return to campus if found in violation as charged. It is not necessary to wait for the disposition of legal action related to a criminal offense for the above action to occur.

Any violation of these policies requiring arrest or the issuance of a summons may be carried out simultaneously with the above action. It is not necessary to wait for the completion of the RBC process to arrest the student or to issue the student a summons. All violations falling under these policies are heard by the appropriate administrator(s) on campus.

Richard Bland College has a strict policy for the following violations. An immediate suspension may be imposed on students who are suspected of being directly or indirectly involved with any of the incidences below.

1. Violence to Persons – Engaging in any form of physical violence directed toward another person or group of people, except when such a response constitutes legitimate self-defense.
2. Sexual Misconduct – Coerced sexual intercourse (e.g. rape, date-rape, attempted rape, sodomy, or other sexual acts or misconduct), or when the victim is incapable of consent by reason of age, mental incapacity (including when the person is under the influence of drugs or alcohol and is incapable of giving consent), or physical helplessness.
  - a. All students, faculty, and staff of Richard Bland College are required to complete Title IX training annually.
  - b. **For misconduct involving student or employee based on sexual or gender-based harassment or other forms of interpersonal violence, pursuant to Title IX, please refer to the RBC website at <https://www.rbc.edu/my-rbc/title-ix/> or applicable policies and procedures.**
3. Illegal Drugs – Possession or distribution of an illegal drug as defined by the Drug Control Act of the Commonwealth of Virginia, Chapter 34 of Title 54.1 of the *Code of Virginia*. The list of illegal drugs includes, but is not limited to, marijuana, hashish, amphetamines, LSD compounds, Flunitrazepam/Rohypnol (date rape drug), mescaline, psilocybin, DMT, narcotics, opiates, and other hallucinogens including Spice, K2, and synthetic marijuana.

**Students who are suspected of possessing/using these drugs without proper doctor's prescription may be dismissed from the College and held responsible in accordance with the Drug and Alcohol Policy located in Appendix 1 of this document.**

4. Possession/use of a weapon(s) – using, possessing, or threatening to use a weapon or any object as a weapon.
5. More than three violations of the College's Student Code of Conduct or Honor Code.
6. Other inappropriate or threatening actions that disturb the academic and/or living environment of another student or a group of students.

### **Process for Aforementioned Cases**

1. If the violation requires immediate attention, please call the Richard Bland College Department of Campus Safety and Police at (804) 862-6111 and they will call the Director of Student Success.
2. If the violation is egregious enough to warrant arrest, the accused may be removed from housing and/or campus until the Student Conduct Hearing is convened and the Student Conduct Board submits their recommendations.
3. A findings report is submitted to the Student Conduct Coordinator, the Director of Student Success, and the Chief of Police.
4. The accused is notified through a pre-hearing process that the incident in which they have been allegedly involved has been reported. The notification includes the hearing date, time, and location of the hearing.

If the individual admits they are responsible, sanctions will be administered.

## **Off Campus Misconduct**

Off-Campus Student Misconduct Process: A student's off-campus misconduct and/or actions will be reviewed by the Student Conduct Coordinator on a case-by-case basis. A student's misconduct off-campus that results in a negative reflection on the mission, vision, and values of the institution or is a criminal violation that could constitute a threat to the safety of the campus community would be areas of misconduct that could result in a Student Conduct Board hearing/Administrative hearing or conduct investigation. It is necessary that Richard Bland College review off-campus misconduct as the College has a genuine interest in the character of its students and believes that a student's off-campus behavior reflects his/her ability to be part of an academic community. The Student Conduct Board Process and Procedures for On-Campus Misconduct, Hearing Process, and Appeal Process will be followed for a student whose off-campus misconduct warrants a Student Conduct Board hearing.

# Discrimination, Harassment, and Retaliation Policy

Richard Bland College is committed to fostering an environment in which all members of our community are safe, secure, and free from discrimination and harassment. The complete Richard Bland College Policy Prohibiting Discrimination, Harassment, and Retaliation Policy can be found in the RBC Policy Manual. Within the policy, the following definitions are outlined:

1. **Discrimination** - Inequitable treatment of a person based on one or more of that person's protected characteristics or statuses, excepting any treatment permitted or required by law. -- that excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in an educational program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
2. **Harassment** - Unwelcome conduct directed against a person based on one or more of that person's protected characteristics or statuses, which conduct is so severe or pervasive that it interferes with an individual's employment, academic performance or participation in University programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.
3. **Retaliation** - Retaliation is intimidation, threats, harassment, and other adverse action taken or threatened against (1) any Reporting Party or person reporting or filing a complaint alleging Prohibited Conduct or (2) any person cooperating in the investigation of an allegation of Prohibited Conduct including testifying, assisting, or participating in any manner in an investigation pursuant to this policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of Prohibited Conduct.

Discrimination and harassment violations as described within this manual relate to non-Title IX violations.

# Appendix A: Guide for Alcohol Sanctions

Discretion may be used in applying sanctions in cases where violation is of such a nature to warrant additional or more severe actions. Students dismissed from College are entitled to no refunds of College fees or tuition/room and board.

## **Alcohol Violations**

### **First Offense**

Attend Conduct Conference | *Minimum Sanction:* Warning

### **Second Offense**

Attend Administrative Hearing: | *Minimum Sanction:* Disciplinary Probation | Alcohol/Drug Education Course/Alcohol Educational assignment

### **Third Offense:**

Attend Administrative Hearing: | *Minimum Sanction:* Disciplinary Probation | Alcohol/Drug Education Course/Alcohol Educational Assignment | Community Service Hours/Restitution

# Appendix B: Guide for Drug Sanctions

## Drug Violations for Possession of Drug Paraphernalia

### First Offense

Attend Administrative Hearing | *Minimum Sanction:* Alcohol/Drug Education Course/  
Educational Assignment| Disciplinary Warning

### Second Offense

Attend Administrative Hearing: | *Minimum Sanction:* Disciplinary Probation | Educational  
Assignment| Community Service/Restitution

### Third Offense:

Attend Conduct Board Hearing: | *Minimum Sanction:* Banned from Residence Halls/Suspension  
from RBC

## Drug Violations for Possession or Usage of Marijuana or Other Drugs

### First Offense

Attend Administrative Hearing | *Minimum Sanction:* Alcohol/ Drug Education Course/  
Educational Assignment| Disciplinary Probation

### Second Offense

Attend Administrative Hearing: | *Minimum Sanction:* Disciplinary Probation | Educational  
Assignment| Community Service/Restitution

### Third Offense:

Attend Conduct Board Hearing: | *Minimum Sanction:* Banned from Residence Halls/Suspension  
from RBC

## Drug Violations for Sale, Distribution or Manufacturing of Marijuana or Other Drug Products

### First Offense

Attend Conduct Board Hearing | *Minimum Sanction:* Alcohol/ Drug Education Course/  
Educational Assignment| Disciplinary Probation | Community Service/Restitution

### Second Offense

Attend Conduct Board Hearing: | *Minimum Sanction:* Banned from Residence Halls/Suspension  
from RBC