The Duke Community Standard in Practice:
A Guide for Students
2020-2021
UNIVERSITY’S MISSION STATEMENT

James B. Duke’s founding Indenture of Duke University directed the members of the University to “provide real leadership in the educational world” by choosing individuals of “outstanding character, ability, and vision” to serve as its officers, trustees and faculty; by carefully selecting students of “character, determination and application;” and by pursuing those areas of teaching and scholarship that would “most help to develop our resources, increase our wisdom, and promote human happiness.”

To these ends, the mission of Duke University is to provide a superior liberal education to undergraduate students, attending not only to their intellectual growth but also to their development as adults committed to high ethical standards and full participation as leaders in their communities; to prepare future members of the learned professions for lives of skilled and ethical service by providing excellent graduate and professional education; to advance the frontiers of knowledge and contribute boldly to the international community of scholarship; to promote an intellectual environment built on a commitment to free and open inquiry; to help those who suffer, cure disease, and promote health, through sophisticated medical research and thoughtful patient care; to provide wide ranging educational opportunities, on and beyond our campuses, for traditional students, active professionals and life-long learners using the power of information technologies; and to promote a deep appreciation for the range of human difference and potential, a sense of the obligations and rewards of citizenship, and a commitment to learning, freedom and truth.

By pursuing these objectives with vision and integrity, Duke University seeks to engage the mind, elevate the spirit, and stimulate the best effort of all who are associated with the University; to contribute in diverse ways to the local community, the state, the nation and the world; and to attain and maintain a place of real leadership in all that we do.

- Adopted by the Board of Trustees on February 23, 2001
The information in this bulletin applies to the academic year 2020-2021 and is accurate and current, to the extent possible, as of July 2020. The university reserves the right to change programs of study, academic requirements, teaching staff, the calendar, and other matters described herein without prior notice, in accordance with established procedures.

Duke University is committed to encouraging and sustaining a learning and work community that is free from harassment and prohibited discrimination. The university prohibits discrimination on the basis of race, color, religion, national origin, sex (including pregnancy), gender, gender identity, gender expression, sexual orientation, religion, genetic information, age, disability, or veteran status (collectively, “protected status” or “protected characteristics”); this includes discrimination and harassment based on the perception of an individual's protected status, even if that perception is incorrect. It also prohibits misconduct related to protected status discrimination and harassment, specifically, relationship violence and stalking. This applies to the administration of employment and educational policies, practices, programs, and activities.

Duke University has designated Kimberly Hewitt, Vice President for Institutional Equity, as the individual responsible for the coordination and administration of its nondiscrimination and harassment policies generally. The Office for Institutional Equity is located in Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Durham, North Carolina 27708; 919-684-8222; kimberly.hewitt@duke.edu.

Sexual harassment and sexual misconduct, including relationship violence and stalking, are forms of sex discrimination and prohibited. Duke University has designated Jayne Grandes as the Assistant Vice President for Title IX Compliance. She is also within the Office for Institutional Equity, and can be contacted at 919-660-5766 or jayne.grandes@duke.edu.

Questions or comments about discrimination, harassment, domestic violence, dating violence, and stalking can be directed to the Office for Institutional Equity, 919-684-8222. Additional information, including the complete text of the university's discrimination and harassment policies and appropriate complaint procedures, may be obtained by contacting the Office for Institutional Equity at oie.duke.edu or the Office of Student Conduct at studentaffairs.duke.edu/conduct.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C § 1232g; 34 CFR Part 99, is a federal law that guides the release of students' education records, of which disciplinary records are a part. For additional information about FERPA, see www.ed.gov/policy/gen/guid/fpco/ferpa/index.html.

Duke University is prepared to make reasonable academic adjustments and accommodations to allow students with disabilities full participation in the same programs and activities available to students without disabilities. The Student Disability Access Office assists students with disabilities who are enrolled in Trinity College and the Pratt School of Engineering. In order to receive consideration for reasonable accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA), a student must have a physical or mental impairment that substantially limits one or more major life activities such as, but not limited to, hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, and learning. Substantially limiting refers to an impairment that prevents an individual from performing a major life activity or significantly restricts the condition, manner, or duration under which an individual can perform a major life activity.

Students requesting accommodations under the provisions of Section 504 or the ADA (e.g., academic, housing, etc.) must consult Leigh Fickling, Director, Student Disability Access Office, 919-668-1267 or 919-668-1329 TTY, to explore possible coverage. Students with medical conditions not covered under the provisions of ADA must consult Duke Student Health Services at 919-681-9355 for further information.

Duke University recognizes and utilizes electronic mail as a medium for official communications. The university provides all students with e-mail accounts as well as access to e-mail services from public clusters if students do not have personal computers of their own. All students are expected to access their e-mail accounts on a regular basis to check for and respond as necessary to such communications. Students are also required to provide an accurate local physical address and a cell phone number through DukeHub.

Information that the university is required to make available under the Student Right to Know and Campus Security Acts may be obtained from University Communications at 919-684-2823 or in writing to 614 Chapel Drive, Box 90563, Duke University, Durham, North Carolina 27708.

Duke University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters, doctorate, and professional degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Duke University.

This publication may be accessed online at registrar.duke.edu/university-bulletins/current-bulletins.
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DUKE COMMUNITY STANDARD
THE CONTEXT OF THE DUKE COMMUNITY STANDARD

The honor code at Duke is named the community standard because community is at the center of our conception of what it means to act honorably. Community entails a sense of connectedness to others and their welfare, feeling part of Duke University every day and being responsible for its continual improvement. Community refers as well to a feeling of connection to the city in which we are located. It posits the counterbalancing of group benefit with individual needs and wants, and a Duke identity with the many personal identities based on demographics and interest. The kind of environment we strive to achieve is one in which civility (but not docility) reigns; an environment in which ideas are promulgated, and challenged, in a stimulating give and take; an environment in which learning (whether from peers, faculty, administrators, or others in the Duke and broader communities) is accomplished with openness, honesty, and respect.

Citizens of the Duke community commit to acting with purpose, civility, and intention, both with personal decision-making and with interactions with each member of this community. Choosing to be a citizen of the Duke community means acknowledging the value of each member, participating in active reflection and asking the question: “How do my actions impact others?”

The honor code at Duke is named the community standard because it expresses our institution’s core values and a concomitant set of expectations for behavior. Because behavior is derivative of fundamental values, the standard applies off campus as well as on. The principles it articulates, while lofty in one sense, are firmly grounded in individual decisions made on the ground every day about every aspect of student life, in academic and co-curricular activities alike: in the classroom, residence halls, K-ville, off-campus apartment complexes, Myrtle Beach, Paris, and wherever else students may go. In addition, the standard asks that students not only reflect on their own behavior, as important as that is, but that they also act to encourage the integrity of their peers. By inspiring and supporting each other, students can shape their environment so that it reflects the ideals expressed in the Duke Community Standard.

The Standard, therefore, expresses our goals for student education in the broadest sense and is foundational to undergraduate life at Duke. It is followed by an equally important pledge that students sign as members of the community.

Duke University seeks to engage all students in its tradition of honor, a tradition that defines the institution and helps to guide students during their college careers and beyond. The students here today, who are the beneficiaries of the efforts of those who preceded them, have an extraordinarily important role to play in perpetuating and strengthening this tradition. We welcome, and count on, your involvement.
The Duke Community Standard (DCS) stresses the commitment that students share with all members of the community to enhance the climate for honesty, fairness, respect, and accountability at Duke University. Students affirm their commitment to foster this climate by signing a pledge that includes taking constructive action if they witness or know about behaviors they perceive to be inconsistent with the DCS, which may include violation of university policies. Although there are no disciplinary sanctions associated with the failure to act, students are nonetheless expected to take action—to do something—as a responsibility of membership in the Duke community.

The university recognizes that it is not always easy to act in these situations, but several alternatives are available to suit a student’s level of comfort and confidence. These alternatives are not mutually exclusive.

- Speaking directly with the individual exhibiting the behavior, both to gain clarity about the situation and to inform the individual about the concern.
- Publicly calling attention to the behavior as it is occurring.
- For incidents involving social behaviors, alerting residence hall, Student Affairs, or other university staff. The information provided will give staff an opportunity to address the matter informally or through appropriate formal channels.
- For cases involving academic integrity, alerting the instructor that cheating may be occurring in the course. This alert can be in any form, including anonymous notification, and the reporting student will not be identified. The information provided will allow the faculty member to consider corrective measures, in consultation with the Office of Student Conduct, and to address the topic with the class or suspected student(s).

- Directly alerting staff in the Office of Student Conduct (919-684-6938; conduct@duke.edu), who will confer with the faculty member involved, if an academic issue, or with the reporting student(s), strategizing next steps. Maintaining the confidentiality of the source is possible, but may limit the extent of action that can be taken.

The Duke Community Standard expresses a standard for behavior—a set of expectations of students who claim membership in Duke’s learning community. All incoming undergraduates, upon admittance to Duke, are required to sign a pledge to adhere to these values and to conduct themselves in accordance with these values throughout their undergraduate careers. Likewise, upon completion of each academic assignment, students may be asked to reaffirm their commitment to the Duke Community Standard by signing a statement indicating that they have adhered to the Duke Community Standard in completing the assignment.

The Duke Community Standard, thus, is a statement of principles. The specific policies, or rules and regulations of the university, define the conduct for which students can be held accountable.

**HOW WILL YOU ACT?**

“I will speak out against bigotry and sexism.”

“I will do my best work on assignments and exams without cheating, and if I find myself in a time crunch, I will contact my instructor to discuss options.”

“I will consider the impact of my actions on my neighbors.”

“I will call for medical attention for an intoxicated friend.”

“I will be a champion for academic integrity.”

“I will refuse to participate in activities that conflict with my values and beliefs.”
THE STUDENT CONDUCT SYSTEM

The purpose of the student disciplinary system is to promote honesty, equity, respect, and accountability within the university community and to provide an equitable and effective mechanism for resolving cases in which a student (or student group) is alleged to have violated the standards or policies of the university.

All reports of inappropriate student behavior may be filed with or forwarded to the Office of Student Conduct. Staff within the Office of Student Conduct will determine the most appropriate means by which to handle a report. Resolution may include a Dean's Conference, Adaptable Conflict Resolution, and/or other disciplinary action (see “Types of Resolution” on page 33).

ORGANIZATION

- The Office of Student Conduct is designated to oversee the disciplinary system for students. It also oversees and implements the procedures of the Policy on Prohibited Discrimination, Harassment, and Related Misconduct (PPDHRM) related to undergraduate and graduate students; see oie.duke.edu/knowledge-base/policies-statements-and-procedures.
- Hearing officers are designated to resolve disciplinary matters through adaptive or formal disciplinary resolution.
- The Student Conduct Board (SCB) is designated to resolve formal disciplinary matters that involve complicated circumstances, serious infractions of university policy, and/or repeated misconduct. The SCB is comprised of students, faculty, and staff. Consideration shall be given to the appointment of a board reflective of the population of the university community. Rising juniors and seniors are selected each spring semester to serve as student members. (Once selected, student members will serve for the remainder of their undergraduate careers, as long as they meet expectations.) Student co-chairs are elected by the board. Faculty members are appointed/approved by the Trinity College Dean of Arts and Sciences or the Dean of the Pratt School of Engineering, or designee(s). Staff members are appointed/approved by the Vice Provost/Vice President for Student Affairs.
- The Appellate Board considers appeals of students/student groups found responsible and sanctioned through a panel hearing, and/or complainants in harassment-related cases. The Vice Provost/Vice President for Student Affairs appoints the chair and other members of the Appellate Board, consisting of faculty, staff, and students.
- Disciplinary Advisors are available to assist students/student groups through the disciplinary process. Advisors include students and staff who have been trained and are familiar with the disciplinary system. A list of advisors is available from the Office of Student Conduct.

SCOPE

- The university may respond to any report of behavior that occurred within a student's career, from application to graduation.
- Any student is subject to disciplinary action. This includes students who have matriculated to, are currently enrolled in, are on leave from, or have been readmitted (following a dismissal) to programs of the university.
- The accused (also referred to as the respondent) may also be a cohesive unit of the university, such as a living group, athletic team, or other recognized organization.
- The university reserves the right to respond to any report of alleged misconduct on or off campus.
- Student group leaders most directly responsible may be held accountable for acting as an accomplice through action or negligence to the commission of prohibited acts at a group-identified event.
- In cases of alleged policy violations by a student enrolled in a joint degree program or interdisciplinary coursework within Duke, each school or unit (the home unit and the host unit) may have a stake in the adjudication. Thus, an ad hoc process shall be developed and an ad hoc panel may be formed with representatives from both institutions/units to handle the case. The sanctions may be different for each school or unit.
- For students doing inter-institutional coursework at other institutions, whether domestic or international, or for visiting students enrolled in classes at Duke, the home and the host institutions should confer and decide the process to be followed, which may include combined or separate elements. The sanctions may be different for each institution.
- The Office for Institutional Equity (Smith Warehouse, Bay 8, 919-684-8222) receives reports and handles complaints alleging Title IX sexual misconduct for students, staff, faculty, and all other non-Duke students, as well as complaints alleging discrimination and harassment by any member of the Duke community (including students), under the Duke Policy on Prohibited Discrimination, Harassment and Related Misconduct (PPDHRM), available at oie.duke.edu/knowledge-base/policies-statements-and-procedures. The Office of Student Conduct facilitates the adjudication of discrimination and harassment complaints under the PPDHRM.
GET INVOLVED

The **Student Conduct Board** is a pool of students, faculty, and staff who are selected/appointed to hear referred cases of potential violations of university policy. A three- or five-member panel, typically chaired by a student, hears each case. About 10% of the total caseload of the Office of Student Conduct is referred to a hearing of the Student Conduct Board. The Board has the ability to issue any sanction available through the disciplinary process for a finding of responsibility, including suspension or expulsion. Rising juniors and seniors are eligible to apply. See [studentaffairs.duke.edu/conduct](http://studentaffairs.duke.edu/conduct).

**Disciplinary Advisors** are students and staff trained in the undergraduate disciplinary process. They offer information about how the process works, advice on how to approach each stage of the process, and can support students in attendance at a formal Student Conduct Board hearing. Students of any class year, including first-year students, may apply. See [studentaffairs.duke.edu/conduct](http://studentaffairs.duke.edu/conduct).

The **Duke University Honor Council** is a student-led organization focused on promoting the Duke Community Standard throughout campus. The Honor Council achieves this through outreach campaigns to familiarize students with the Standard as well as through discourse-focused events allowing students to discuss the Standard and its principles in the context of their own personal Duke experience. The Honor Council works closely with administration, the Kenan Institute of Ethics, and prominent student organizations to best create a campus community and culture that highlights values and ethics. For additional information, please visit the Honor Council’s website at [dukehonorcouncil.org](http://dukehonorcouncil.org).
Duke University has high expectations for students' scholarship and conduct. In accepting admission, students indicate their willingness to subscribe to and be governed by the rules and regulations of the university, which flow from the Duke Community Standard. These policies reflect the Duke Community Standard's fundamental values—honesty, fairness, respect, and accountability.

Students acknowledge the right of the university to take disciplinary action, including suspension or expulsion, for failure to abide by the regulations or for other conduct adjudged unsatisfactory or detrimental to the university community.

Students and student groups may be held accountable for any violation of university policy that may or may not be included in this guide, whether on or off campus. In addition to local ordinances and state and federal laws, the following policies govern the student community.

ACADEMIC DISHONESTY

LYING

Lying is communicating untruths or misrepresentations in order to gain an academic or employment advantage. [Wording adopted from the Duke Fuqua School of Business code.]

It includes, but is not limited to:

- falsifying information on documents, such as résumés, applications, or references;
- misrepresenting one's own research;
- providing false or misleading information in order to be excused from classes or assignments; or
- intentionally underperforming on a placement exam.

CHEATING

Cheating is the act of wrongfully using or attempting to use unauthorized materials, information, study aids, or the ideas or work of another. It includes, but is not limited to:

- plagiarism on any assignment;
- giving unauthorized aid to another student or receiving unauthorized aid from another person on tests, quizzes, assignments, or examinations;
- using or consulting unauthorized materials or using unauthorized equipment or devices on tests, quizzes, assignments, or examinations;
- using, consulting, and/or maintaining unauthorized shared resources including, but not limited to, test banks and/or solutions materials;
- altering or falsifying any information on tests, quizzes, assignments, or examinations;
- using any material portion of a paper or project to fulfill the requirements of more than one course unless the student has received prior faculty permission to do so;
- working on any examination, test, quiz, or assignment outside of the time constraints imposed;
- the unauthorized use of prescription medication to enhance academic performance;
- submitting an altered examination or assignment to an instructor for re-grading; or
- failing to adhere to an instructor's specific directions with respect to the terms of academic integrity or academic honesty.

“Plagiarism” occurs when a student, with intent to deceive or with disregard for proper scholarly procedures, presents any information, ideas, or phrasing of another as if they were the student’s own and/or does not give appropriate credit to the original source. Proper scholarly procedures require that all quoted material be identified by quotation marks or indentation on the page, and the source of information and ideas, if from another, must be identified and be attributed to that source. Students are responsible for learning proper scholarly procedures.
Plagiarism may include:

- copying from published sources without adequate documentation ([1] use of quotation marks around verbatim text, or a block quote if verbatim text exceeds 40-50 words; and [2] in-text references or footnotes, both for verbatim text and paraphrased words/ideas);
- citing an incorrect source for attributed work;
- paraphrasing words or ideas of another without giving credit;
- using the same logic/flow/sentence structure of another without giving credit;
- submitting as your own someone else's unpublished work, either with or without permission;
- paying someone else to write a paper for you; or,
- purchasing a pre-written paper.

The term “assignment” includes any work, required or volunteered, submitted for review, academic credit, and/or disciplinary sanction.

All academic work undertaken by a student must be completed independently unless the faculty member or other responsible authority expressly authorizes collaboration with another.

**STEALING**

Stealing is the act of intentionally taking or appropriating the property of another, including academic work, without consent or permission and with the intent to keep or use the property without the permission of the owner or the rightful possessor.

**ACADEMIC FREEDOM**

Freedom of inquiry and the free exchange of ideas are essential for the fulfillment of the university's mission. Academic freedom is a right and responsibility of students as well as faculty. Students who believe that their academic freedom has been abridged should submit a written complaint to their academic dean. The dean may enlist the faculty in establishing the merits or extent of the complaint by appointing a disinterested two-person subcommittee of the Faculty Hearing Committee to provide advice. Cases not resolved by the dean may be brought to the attention of the provost. Students may also seek advice of the student ombudsperson in resolving a complaint.

**ADVERTISEMENTS**

**BANNERS**

Banners on the exterior or interior of the Brodhead Center, East Union Building, Bryan Center, and the Plaza are approved and installed by University Center Activities and Events. Housing and Residence Life approves banners on the exterior/interior of residence halls (contact the appropriate Residence Coordinator). Banners attached to residential buildings are limited to five feet by five feet in dimension (or smaller) and may not cover the windows of a room in a manner that impedes egress. Banners may not have objects hanging from them (normally used to weigh banner down). Only banners or flags can be hung outside of windows. Requests for hanging banners on all other university buildings and light poles must be approved by Facilities Management located at Smith Warehouse, Bay 1 (919-684-2122). Contact Facilities Management, University Center Activities and Events, or Housing and Residence Life for specific guidelines. All exterior banners (including flags) in residential areas must be removed by the last day of classes each semester.

**CHALKING**

Chalking is prohibited on any surface, including, but not limited to, sidewalks, archways, and benches.
POSTERS, ANNOUNCEMENTS, AND BULLETIN BOARDS

The following is a checklist of procedures with reference to the posting of notices on university bulletin boards, building doors, containers, light posts, trees, and sidewalks:

- Posters/flyers must provide information regarding student activities, give information of an academic nature, make announcements pertinent to the business of the university, or supply information to members of the Duke community regarding available campus services or products.
- Posters/flyers must state the name of the sponsoring student group, business, department, or person responsible.
- As appropriate for the surface, staples, thumbtacks, magnets, masking tape, or transparent tape may be used to attach posters/flyers to approved bulletin boards or posting areas. The use of glue, nails, and duct tape or any other heavy-duty tape is prohibited.
- Posters/flyers must never be attached to doors, windows, trashcans, entryways, exteriors of buildings, interior walls, stairway railings, floors, benches or ceilings, nor may they be placed on the windshields of parked automobiles or on sidewalks.
- Posters/flyers may NOT be attached or affixed to any tree or utility pole.
- Posters/flyers (and the fasteners used to attach them) must be removed within three days after the advertised event.
- All posters/flyers may be periodically removed from bulletin boards as part of routine maintenance.

ALCOHOL

HEALTH AND SAFETY INTERVENTION

Because health and safety of students are of primary importance, students are encouraged not only to look out for their own health and safety but also for that of their peers. When a person’s health and/or safety is/are threatened or appear(s) to be in jeopardy, immediate action should be taken to prevent injury/illness/danger. Dial 911 (or 919-684-2444 if you are on campus) for help. Whatever the particular need/problem, it is important to respond in a responsible and timely manner.

Formal disciplinary action for a violation of the Alcohol Policy will not be taken against students for whom medical assistance is sought, or against those who seek medical assistance for themselves or for others, provided that the student/group has not violated university policies that warrant formal disciplinary action.

A student who receives medical assistance may be required to meet with a substance abuse specialist in DuWell for education, assessment, and possible referral for treatment. The student may also be required to complete an educational assignment. Parents of such students may also be notified. A group that facilitates the acquisition of alcohol may also be required to notify its advisor, provide an educational program for members, and/or change its processes for hosting events.

In the event that a student fails to meet with the specialist, chooses not to participate in the outlined expectations, or exhibits a pattern of abusive behavior with alcohol and/or other substances, the student may be subject to formal disciplinary action.

A panel of the Student Conduct Board will be informed of a student who has received “amnesty” under this provision of the Alcohol Policy should the student be subsequently found responsible for a violation of policy related to substance use for purposes of effective sanctioning.

UNIVERSITY-WIDE POLICY

As a community of scholars and learners, Duke University expects those within its community to be responsible with the use of alcohol. This policy shall guide the role of alcohol everywhere on the Duke campus and at all events sponsored by Duke student groups, schools, or administrative units. Students, staff, and faculty members are encouraged to learn about the social, physiological, and psychological consequences of drinking and alcohol abuse. Excessive and high-risk drinking can lead to negative consequences for the Duke community, including assault, illness, injury, litter, noise, property damage, and driving under the influence. All members of the Duke community share responsibility for creating an environment that limits dangerous drinking behaviors and, therefore, reduces the likelihood of these negative outcomes.
The following shall guide the role of alcohol in the Duke community:

• All possession, consumption, and distribution of alcohol at Duke University shall be in accordance with applicable North Carolina state laws.

• Members of the Duke community are responsible for behaving in a manner that is not disruptive or endangering to themselves or others. Being under the influence of alcohol shall not be a mitigating factor for an individual’s behavior.

• When persons under 21 years of age can reasonably be expected to be present at an event, proper precautions must be taken to restrict distribution and consumption of alcohol to persons of legal drinking age. Student(s) and/or student groups shall also adhere to the specific guidelines for events outlined in The Duke Community Standard in Practice: A Guide for Students (for student groups that cater primarily to undergraduates) or the Graduate and Professional Student Alcohol Policy (for student groups that cater primarily to graduate/professional students).

• Advertising or other communication that references the availability of alcohol at a function may neither promote alcohol as the focus of the event nor promote excessive drinking.

• Each community (e.g., Fuqua, Law) may establish additional guidelines and policies governing the possession, consumption, and distribution of alcohol that reach beyond these minimal expectations. Violations of policies shall be adjudicated using existing procedures within each segment of the university.

UNDERGRADUATE POLICY

The remainder of this policy, specifically for undergraduates, augments Duke’s university-wide alcohol policy. For individuals as well as student groups, whether on campus or off, prohibited behavior includes:

• underage possession/consumption;
• unsafe/irresponsible behavior;
• violation of community expectations;
• general provisions violation; and,
• violation(s) of expectations for group-sponsored social functions.

Sanctions for violations of any of these prohibited behaviors are outlined in this Guide (see “Sanctions” on page 37). Parents of students under the age of 21 may be notified of alcohol-related disciplinary violations when a student’s health or safety has been/is at risk.

See “Appendix F — Information and Resources Concerning Substance Use” on page 49 for health effects associated with alcohol and other drug use, helpful resources for assistance, and legal ramifications of illicit possession, use, or distribution.

UNDERAGE POSSESSION/CONSUMPTION

Students under 21 years of age are not permitted to purchase, possess, or consume alcoholic beverages. Being under the influence of any amount of alcohol while underage is considered a violation of this provision. Student groups are considered in violation of this provision if they facilitate the acquisition of alcohol by anyone under the age of 21.

Students studying abroad in jurisdictions with different laws regarding the age of alcohol consumption must comply with such laws.

UNSAFE/IRRRESPONSIBLE BEHAVIOR

Unsafe or irresponsible behavior is defined as actions that are harmful or potentially harmful to one’s self or others involving the use of alcohol. Such behavior includes, but is not limited to:

• consuming an excessive quantity in a short amount of time, including, but not limited to, shotgunning, shots, and chugging;
• participating in or facilitating drinking games or progressive parties;
• consuming through beer bongs;
• use or attempted use of fraudulent identification or another’s identification to obtain alcohol; and
• making alcohol available to underage drinkers.
COMMUNITY EXPECTATIONS VIOLATION
It shall be a violation of the alcohol policy to engage in any action while under the influence of alcohol that is disruptive to the community. Such behavior includes, but is not limited to:

- driving;
- exhibiting disorderly conduct, damaging property, and/or fighting;
- littering;
- running away or hiding from university or public officials, including law enforcement;
- vomiting and/or urinating in public; and
- cursing and/or shouting at others.

GENERAL PROVISIONS VIOLATION
Duke University has established the following general provisions regarding alcohol on campus:

- No kegs or other common-source containers are permitted on campus in private rooms, student apartments, commons rooms, or other public space. (University-approved bartenders, who will be responsible for carding, may distribute alcohol from kegs in public space at events.) Common-source containers include, but are not limited to, trashcans, recycling bins, kiddie pools, cases of beer, and coolers.
- Only university-approved bartenders are permitted to distribute alcohol on campus, including alcohol from common-source containers.
- Alcohol may not be brought in glass containers to on-campus Bring Your Own Beverage (“BYOB”) events.
- All student events at which alcohol will be present, whether there is a university-approved bartender or the party is BYOB, are required to have trained party monitors. (Register for trainings at bit.ly/partymonitorsduke.)
- Except at events in a licensed facility providing a cash bar, no spirituous liquor or fortified wines may be served to undergraduates.
- All students on university property consuming or possessing alcohol must carry a valid driver’s license, state identification card, military identification card, or passport.
- No individual may possess more than six cans at a BYOB event. Each can may not exceed 12 ounces and may not exceed 5% Alcohol By Volume (ABV).
- Containers holding more than 24 ounces are prohibited from BYOB events.
- No alcoholic beverages are permitted in first-year houses (or the surrounding grounds).
- Students may not bring any alcoholic beverages into campus recreation and athletic facilities unless otherwise authorized.
- The use of alcoholic beverages as a prize is prohibited.
- Flyers, banners, signs, and social media that advertise social events where alcohol will be served must not state or imply an invitation to participate in excessive drinking.
- Publicity on East Campus or targeted to first-year students may NOT include a reference to alcohol.

EXPECTATIONS FOR GROUP-SPONSORED SOCIAL FUNCTIONS
Recognized student groups may be held accountable for violations of the alcohol policy that occur during a group-sponsored event on campus. To ensure that such violations do not occur, a student group will be held accountable if the student group failed to take appropriate precautions. Appropriate precautions must include:

- a trained, sober party monitor for every 25 persons expected to attend the event;
- adequate and accessible non-alcoholic beverages and food;
- compliance with all fire safety regulations;
- adequate control of access to event;
- enforcing occupancy limits for the venue, including commons rooms, hallways, and stairwells;
- calling for medical/police assistance as needed; and
- serving of alcohol by university-approved bartenders only.
ANIMALS ON CAMPUS

Any animal brought on campus by students or guests may not be unrestrained. With the exception of service or assistance animals, animals are prohibited inside any university facility, unless authorized by the space manager responsible for that facility/space. For more information on service or assistance animals, please visit: access.duke.edu/requests/service-assistance-animals

Any type of animal abuse is prohibited, including but not limited to abandonment of or failure to properly care for an animal. Animals, live or dead, may not be used in pranks or otherwise for amusement or ceremony in connection with any institutional or student group function or activity. For purposes of this policy, the term “animal” includes any wild or domesticated, warm-blooded or cold-blooded animal.

Animals may not be brought to campus for large-scale student events and activities including, but not limited to, Homecoming, Duke Reunions, Last Day of Classes, Springternational, Joe College Day, Old Duke Concert, etc. For more information, contact University Center Activities and Events at 919-684-4741.

BRIDGE PAINTING

The purpose of this policy is to ensure an aesthetically pleasing campus, protect university facilities, and allow for students to use the “Free Expression” bridge/tunnel without damaging neighboring property. Individuals and student groups may express opinions within this area that are not restricted by content, except by legal standards.

The surface of the “Free Expression” bridge/tunnel (located on Campus Drive under Main Street) may be painted within the span of the ceiling of the tunnel (but not the ceiling itself), as well as on the outer edge of the Pettigrew Bridge facing Campus Drive and, the exterior (inner) face of the concrete Campus Drive tunnel walls. However, painting is not allowed on the sidewalks or roadways inside or outside the tunnel. Supplies are the responsibility of the

* Throughout the rest of this publication, text appearing in blue boxes is guidance and not official university policy.
painter(s) and are not provided by the university. Painter(s) may not impede the flow of traffic. Any ladders used may not exceed six feet.

There is no restriction regarding painting over the sections of the tunnel that other people or student groups have painted—no matter how recently they have been painted. However, animosity is often generated toward student groups who paint over sections that are advertising events not yet held or sections painted very recently. Please use courtesy and common sense when selecting an area of the tunnel to paint.

Any person may remove non-conforming material. Policy violations resulting in the need for restoration should be reported to Duke University Police. Reimbursement for any restoration costs (i.e., paint removal, cleaning, removal of residual substances, and so on) will be the responsibility of the violating party.

**No painting will be allowed at any other locations on the campus of Duke University, including these areas near the tunnel:**

![Painting permitted](image1)

Painting is permitted on the outer edge of the Pettigrew Bridge facing Campus Drive and the exterior (inner) face of the concrete Campus Drive tunnel walls.

- the Main Street bridge and the railroad trestle (see below);
- the Pettigrew Street Bridge (side of the bridge on Pettigrew Street not overlooking Campus Drive; see below);
- on any light poles, signs or sign posts (see below);
- the Duke stone walls (see below);
the steps and handrails from Campus Drive to Pettigrew Street (see below); any handrails, roadways or sidewalks, even if located inside the tunnel (see below); or fencing along the Main Street bridge.

Students or student groups who violate these expectations will be held accountable through the university's disciplinary processes and may also be subject to criminal charges. Note that that defacement of any public property (i.e., property not owned by Duke) is a violation of North Carolina law.

Although there is no restriction on the content painted on the Free Expression tunnel and the Pettigrew Bridge (except by legal standards), painters should consider the broad effect of what is depicted/written on the walls on the overall campus climate.

Consider these questions as you plan to paint:
• Is the content in generally good taste?
• Does the content offend or target a specific person or group of people?
• Is the content something that could be taken out of context and appear harmful?
• Is it something that visitors to Duke can appreciate?

CLASSROOM DISRUPTION

Students or student groups who behave in the classroom in such a way that the educational experiences of other students and/or the instructor's course objectives are disrupted are subject to disciplinary action, including possible exclusion from a course. Such behavior impedes students' ability to learn or an instructor's ability to teach. Disruptive behavior may include, but is not limited to: non-approved use of electronic devices; cursing or shouting at others in such a way as to be disruptive; or, other violations of an instructor's expectations for classroom conduct.

COMPUTING AND ELECTRONIC COMMUNICATIONS

INTRODUCTION

Duke cherishes freedom of expression, the diversity of values and perspectives inherent in an academic institution, the right to acknowledgment, and the value of privacy for all members of the Duke community. At the same time, Duke may be required by law to access and disclose information from computer and network users' accounts or may find it necessary do so in order to protect Duke's legal interests, uphold contractual obligations, or comply with other applicable Duke policies. Duke may also be required to access information to diagnose and correct technical problems.

ACCEPTABLE USE

In making acceptable use of computing and electronic resources you must:
• Protect your userid and system from unauthorized use. You are responsible for all activities on your userid or that originate from your system.
• Access only information that is your own, that is publicly available, or to which you have been given authorized access.
• Refrain from monopolizing systems, overloading networks with excessive data, degrading services, or wasting computer time, connection time, disk space, printer paper, manuals, or other resources.
• Seek pre-approval from OIT before deploying/using code that potentially impacts server resources or automates processes (e.g., in registering for classes).

In making acceptable use of computing and electronic resources you must not:
• Use another person’s system, files, or data without permission (note that permission from an individual user may not be sufficient—some systems may require additional authority).
• Give your password to another person (including to your parents). Contact the OIT Service Desk if you need assistance with giving other people authority to access your files or e-mail.
• Attempt to circumvent or subvert security measures.
• Engage in any activity that might be purposefully harmful to systems or to any information stored thereon.
• Make unauthorized modifications to university data.
• Make or use illegal copies of copyrighted software or other copyrighted works, store such copies on university systems, or transmit them over university networks.
• Use the university’s systems or networks for commercial purposes; for example, by selling access to your userid or by performing work for profit with university resources in a manner not authorized by the university.

The above list only addresses some of the most common issues that arise with regard to computing. All prohibitions found in applicable law and other university policies also apply to the computer systems.

GROUP E-MAIL
Duke University has established a group e-mail policy that outlines appropriate uses for group e-mail. This e-mail policy applies to all group e-mails sent through Duke’s e-mail systems.

Large-scale e-mail communications, including surveys, announcements, etc., require the implicit or explicit prior approval of that group or unit. Visit the OIT website for full information at oit.duke.edu/about/policies/group-email-policy.

Note that the above computing policies are subject to change. For current policies, visit oit.duke.edu.

DISCRIMINATION
The Policy on Prohibited Discrimination, Harassment, and Related Misconduct (PPDHRM) governs allegations of discrimination based on age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status (i.e., protected class status); see oie.duke.edu/knowledge-base/policies-statements-and-procedures for the university’s full discrimination policy. The Office for Institutional Equity facilitates the intake and investigation of discrimination allegations under the PPDHRM, and the Office of Student Conduct facilitates the resolution of discrimination matters in which the respondent is an undergraduate or graduate student according to the procedures set forth in the Resolution of Student Conflict and Alleged Violations of Univerity Policy (page 31).

DISORDERLY CONDUCT
Disorderly conduct is contrary to the mission of the university and will be addressed through the disciplinary process. Disorderly conduct is defined as:
• any unreasonable or reckless conduct by an individual or student group that is inherently or potentially unsafe to other persons or their real or personal property; and/or
• any behavior by an individual or student group that disrupts the peace or interferes with the normal operation of the university or university-sponsored activities.

Disorderly conduct includes, but is not limited to: reckless driving; interrupting or interfering with the carrying out of the duties of a university or public official, including law enforcement; vomiting and/or urinating in public; and, indecent exposure.
DRONES

Unmanned Aerial Systems (UAS), or “drones,” have emerged as a new technology of interest both for hobbyists, and more importantly for possible research, academic, and commercial uses at Duke. For the full and latest Duke policy on drones, visit drones.duke.edu/policies.

DRUGS AND DRUG PARAPHERNALIA

HEALTH AND SAFETY INTERVENTION

Because health and safety of students are of primary importance, students are encouraged not only to look out for their own health and safety but also for that of their peers. When a person’s health and/or safety is/are threatened or appear(s) to be in jeopardy, immediate action should be taken to prevent injury/illness/danger. Dial 911 (or 919-684-2444 if you are on campus) for help. Whatever the particular need/problem, it is important to respond in a responsible and timely manner.

Formal disciplinary action for a violation of the Drugs and Drug Paraphernalia policy will not be taken against students for whom medical assistance is sought, or against those who seek medical assistance for themselves or for others, provided that the student/group has not violated university policies that warrant formal disciplinary action.

A student who receives medical assistance may be required to meet with a substance abuse specialist in DuWell for education, assessment, and possible referral for treatment. The student may also be required to complete an educational assignment. Parents of such students may also be notified. A group that facilitates the acquisition of drugs may also be required to notify its advisor, provide an educational program for members, and/or change its processes for hosting events.

In the event that a student fails to meet with the specialist, chooses not to participate in the outlined expectations, or exhibits a pattern of abusive behavior with alcohol and/or other substances, the student may be subject to formal disciplinary action.

A panel of the Student Conduct Board will be informed of a student who has received “amnesty” under this provision of the Drugs and Drug Paraphernalia Policy should the student be subsequently found responsible for a violation of policy related to substance use for purposes of effective sanctioning.

Duke University prohibits members of its community, both individuals and student groups, from manufacturing, selling, delivering, possessing, using, or being under the influence of a controlled substance without legal authorization. A controlled substance includes any drug, substance, or immediate precursor covered under the North Carolina Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens.

Duke University prohibits members of its community from breathing or inhaling any substance for the purpose of causing intoxication except pursuant to the directions of a licensed medical provider authorized by law. Prohibited substances include those specified under the North Carolina Toxic Vapors Act. Manufacturing, selling, delivering, possessing, and/or being under the influence of such inhalants for the intended purpose of causing intoxication is also prohibited.

The possession of drug paraphernalia is also prohibited under North Carolina state law and university policy. Drug paraphernalia includes all equipment, products and material of any kind that are used to facilitate, or intended or designed to facilitate, violations of the North Carolina Controlled Substances Act and/or the North Carolina Toxic Vapors Act.

In addition to disciplinary action, the conduct officer, or designee, may require a student to take a leave of absence, and return to campus may be conditional upon proof of completion of a substance abuse treatment program.

(See “Appendix F – Information and Resources Concerning Substance Use” on page 49.)
DUKECARD

DukeCards are the property of Duke University. One must carry it at all times while on Duke property and present it upon request to any university official. A mobile DukeCard credential installed on one’s phone is not a suitable substitute for having one’s physical DukeCard. The card is not transferable. Allowing another person to use one’s card or mobile credential, or being in possession of someone else’s card or mobile credential, may result in the confiscation of the card or mobile device, and both individuals may be subject to disciplinary action.

FAILURE TO COMPLY

A student or student group may be held accountable for failure to comply with:

- reasonable directions, requests, directives, expectations, or orders of any university representative or body acting in an official capacity, or impeding with the carrying out of such directives;
- reasonable instructions of law enforcement officials acting in an official capacity;
- specified protocols and policies for protected research data; and/or
- sanctions rendered during the disciplinary process (including sanctions issued by a residential staff member).

FALSIFICATION/FRAUD

Honesty and integrity are critical components of the Duke Community Standard. A student or student group may be subject to disciplinary action for any of the following actions:

- any intentional misrepresentation of fact (by action or concealment), including furnishing false information, to any university official;
- any intentional misrepresentation of fact (by action or concealment) to obtain or attempt to induce another to surrender a right, benefit, or property; and/or
- forgery, alteration, or misuse of any official document, record, key, access code, or instrument of identification, or possession of such forgery.

FIRE SAFETY


Any supplemental statements listed below apply in addition to those described in the Safety Manual.

Candles and Other Open Flames. [www.safety.duke.edu/sites/default/files/IV_1FireProtection.pdf](http://www.safety.duke.edu/sites/default/files/IV_1FireProtection.pdf)


Students who either provide or contribute materials to burn or who ignite or attempt to ignite flammable materials will be considered in violation of this policy. Students also should realize that such actions violate state law and may result in a citation for unlawful burning.


Failure to abide by this policy and city ordinance may result in a fine as determined by the Durham Fire Marshal in addition to disciplinary action.

Electrical Wiring/Appliances. [www.safety.duke.edu/sites/default/files/IV_1FireProtection.pdf](http://www.safety.duke.edu/sites/default/files/IV_1FireProtection.pdf)

Tampering with electrical wiring, including but not limited to the installation of direct-wired ceiling fans and unauthorized entry into electrical panel boxes, is prohibited. Residents are responsible for any damages caused by electrical appliances that are not owned by Duke University.

Halogen Lamps. OESO Fire & Life Safety Division and Housing and Residence Life prohibit halogen lights in residential areas. The very high temperatures reached by their bulbs constitute a fire hazard and a potential source of burns. In addition, the geometry of the floor model lamp tends to make them very unstable and easily tipped over.

Fireworks/Pyrotechnics. Students or performers may not possess/use fireworks or pyrotechnics of any kind on campus. Anyone who sees a person with these materials should immediately report it to Duke Police.

Flammable/Combustible Materials. Flammable/combustible materials including but not limited to gasoline, lighter fluid, and propane tanks are not permitted inside residential buildings.

Obstruction of Hallways, Stairwells, Sidewalks, and Lawns. North Carolina fire safety codes prohibit the obstruction of hallways and stairwells. The Durham Fire Marshal mandates the immediate removal of all items obstructing hallways and stairwells. Housing and Residence Life, Facilities Management, OESO Fire & Life Safety, or Duke Police will remove without warning or reimbursement furniture, bicycles, lumber, and all other items found obstructing hallways or stairwells. University furniture will be removed from hallways and stairwells and residents may be charged for missing furniture. Sidewalks, stairways, and entryways must not be used for purposes other than ingress or egress. Bicycles may not be left in these areas or other locations where they may cause harm to persons or grounds keeping equipment.

Damaging or Tampering with Fire Safety Equipment. Relocating, removing, tampering with, or destroying smoke detectors or fire safety equipment is strictly prohibited. Damage and/or theft of fire equipment are punishable under North Carolina state law. Intentional false alarms, damage, theft, and misuse of fire detection, alarm, and extinguishing equipment are punishable under the criminal law provision of the North Carolina Statute 14-286 and may result in the loss of housing privileges and/or disciplinary action. In addition, residents will be charged for fire damage resulting from neglect or intentional actions. If a resident or staff member notices any damaged, missing, or malfunctioning equipment, they should immediately report the deficiency to the housing office or OESO Fire & Life Safety Division.

GAMBLING

It is against North Carolina state law and Duke University policy to gamble, with the exception of the state lottery. A student/student group is gambling if the student/student group operates, plays, or bets at any game of chance at which any money, property, or other thing of value is bet. Raffles of any kind, including those sponsored by student groups, are also prohibited. A “raffle” is defined as “a game in which the prize is won by random drawing of the name or number of one or more persons purchasing chances” (N.C.G.S. §14-309.15). Poker nights and casino games are permitted only if no admission is charged, no buy-in is required, and no real money is wagered.

GUESTS

Students and student groups are responsible for notifying their guests of university rules and regulations and may be held accountable for the conduct of their guests. Guests can be Duke University students or non-students. Guests on campus who do not abide by university policies are subject to being trespassed.

Students are responsible for the behavior of visitors to their room/apartment and may be found responsible for behavior that occurs there whether or not the occupant(s) is/are present.

HARASSMENT

The Policy on Prohibited Discrimination, Harassment, and Related Misconduct (PPDHRM) governs allegations of harassment based on age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status (i.e., protected class status); see oie.duke.edu/knowledge-base/policies-statements-and-procedures for the university’s full harassment policy. The Office for Institutional Equity facilitates the intake and investigation of harassment allegations under PPDHRM, and the Office of Student Conduct facilitates the resolution of harassment matters in which the respondent is an undergraduate or graduate student according to the procedures set forth in the Resolution of Student Conflict and Alleged Violations of University Policy (page 31).

All other allegations of harassment that do not involve a protected class status are covered under this policy. Under this policy, harassment is defined as unwelcome conduct that is so severe, persistent, and/or pervasive that it alters the conditions of education, employment, or participation in a program or activity, thereby creating an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive. Harassment is distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.
HAZING

Hazing is a serious infraction of university regulations. The potential for hazing typically arises as part of a student’s introduction to or initiation in a student group (fraternity, sorority, athletic team, or other group) in which there is often a perceived or real power differential between members of the student group and those newly joining it.

**Hazing defined.** Hazing is defined as any action taken or situation created, whether on or off university premises, that is harmful or potentially harmful to an individual’s physical, emotional, or psychological well-being, regardless of an individual’s willingness to participate or its bearing on the individual’s membership status. Such activities and situations include, but are not limited to:

**LEVEL I VIOLATIONS**
- hot seat
- marching in line
- road trips
- wearing apparel which is conspicuous and not normally in good taste, and/or inappropriate for the time of year
- calisthenics
- line-ups
- pledge/signature books
- periods of silence
- standing for a length of time
- personal servitude
- activities that would not normally construe hazing but because of time, place, or manner make them inappropriate

**LEVEL II VIOLATIONS**
- sleep deprivation or interruption of consecutive sleep hours
- expected or forced consumption of food, drink (including alcohol), or other substance
- acts of humiliation or degradation (including streaking or wearing degrading or humiliating apparel)
- restrictions on eating or bathing
- acts that disrupt academic instruction or learning of others
- interruption or interference of academic commitments

**LEVEL III VIOLATIONS**
- branding
- paddling in any form
- compromising (sexual) situations

Any student and/or student group found responsible for hazing will be subject to sanctions outlined in the disciplinary process, including, but not limited to: disciplinary probation, restrictions on member recruitment and/or student group activity, removal of the student from the student group, loss of housing privileges, de-recognition, suspension, and/or expulsion. Sanctioning will increase with the level of violation and any previous hazing violations. (Levels of violation listed above are guidelines only and may change given particular circumstances of a violation.) Students should also be aware that hazing is a misdemeanor under North Carolina state law.

**REPORTING CONCERNING ACTIVITIES**
Acts or potential acts of hazing may be reported to the Office of Student Conduct (919-684-6938 and/or studentaffairs.duke.edu/conduct/report-incident) or Duke Police (911 or 919-684-2444). In addition, concerns may be reported anonymously via voicemail to the university’s Hazing Hotline at 919-684-5766. Maintaining the anonymity of the source is possible, but may limit the extent of action that can be taken.
WHAT IS HAZING? WHAT IS NOT HAZING?

ROAD TRIPS
Zeta Gamma fraternity plans a group outing to enhance the sense of brotherhood among its associates and new members during the pledging period. The new member educator uses the group listserv to announce a weekend camping trip three weeks in advance. In the email, all members are notified that the group will spend two nights sleeping in tents at Jordan Lake, and the email includes details such as departure/return times and a list of planned activities. The email asks the members to respond with their availability and invites them to pitch in $10 for food and non-alcoholic beverages. The email makes explicit that no alcohol will be served on this trip, and that all members are encouraged to attend but that attendance is not required.

This is NOT a violation of the Hazing Policy. All members of the Zeta Gamma fraternity are invited to participate in the camping trip and contribute an equal amount of money. The trip includes a specific agenda and sets detailed expectations for a member’s time commitment.

The recruitment chair of the Lambda Pi Psi fraternity planned a surprise getaway for its new members. A few associates were asked to help plan the event, and the recruitment chair secured the DukeCard of a first-year student in order to enter the East Campus residence halls. At 3 o’clock on a Saturday morning, current members stormed into the new members’ rooms and yelled at them, stating they had 15 minutes to get dressed and meet at the East Campus Bus Stop, but that this was an optional activity. They were not given any further instructions. New members put their clothes on and ran to the bus stop, where cars were waiting for them. After they got into the cars, the new members were blindfolded and were driven approximately 20 minutes to an undisclosed location. They were made to get out of the car and hand in their cell phones and wallets to an associate. The new member educator then told the new members that they needed to make their way back to campus by 10 o’clock in the morning for mandatory physical training.

This IS a violation of the Hazing Policy. Regardless of the new members’ willingness to participate, the activity was harmful to their physical and emotional well-being. The new members engaged in this activity under the watch of associates. In addition to Hazing, the group may be charged with potential policy violations of Noise, Disorderly Conduct, and Property/Facilities/Services – Unauthorized Access. Lambda Pi Psi’s president, new member educator, and current members who participated in the activity by driving or waking up the new members may also be held individually accountable for policy violations.

SCAVENGER HUNTS
The business fraternity Epsilon Delta Omega has developed a scavenger hunt to help create a sense of belonging and brotherhood. Teams consisting of both new and associate members are given a list of tasks to be completed on the Duke campus that engage them in learning more about the university and each other. Such tasks include visiting the Duke Chapel crypt and getting the names of the former Duke presidents who are buried there, finding out who the “Griffith” is in the name “Griffith Board Room” and what his role was at Duke, and meeting one of the directors of academic engagement at the Academic Advising Center. A specific time limit is set for the scavenger hunt during the day, and the members of the team who have completed the most tasks each win a gift certificate to The Parlour in Durham.

This is NOT a violation of the Hazing Policy. There is no penalty for not completing tasks. Members are not required to complete ridiculous or dangerous tasks. Current members are asked to participate equally in the activity.

A highly regarded a cappella group has auditioned a large number of students and is ready to accept a few new members, but wants to make sure they are committed to the long practice hours and tight-knit friendship. They distribute a list of required tasks the new members must complete between the hours of 10 PM and 8 AM the following morning. The new members are split into teams based on which students have access to cars, and the returning members gather at a member’s off-campus house to watch a basketball game. The task sheet, which includes activities like stealing a parking gate arm, taking a selfie while riding the mechanical bull at a local bar, and bringing a pizza to the house, also notes that for each task the team does not complete, a team member will have to run a circuit around the East Campus loop.

This IS a violation of the Hazing Policy. The new members are subjected to absurd requirements that offer no substantial, meaningful engagement with either the group members or the university. New members are put under additional pressure with physical penalties, and the current members are not participating equally in the event. Further, the new members are required to violate university policy by taking a parking gate arm, which may result in additional disciplinary charges for the group.
The Marketing Club is considering creative ways to market its annual Library Party to the Duke community. One member suggests that during the week before the party, members dress up during the day in costumes that lend themselves to this year’s theme, “Heroes and Villains.” The group asks for volunteers from the planning committee to participate, and gives them flyers to pass out on the Bryan Center Plaza and around campus to passersby. Throughout the week before the party, Superman, Darth Vader, Black Widow, and Buffy the Vampire Slayer are spotted on campus talking to people about the party.

This is NOT a violation of the Hazing Policy. Students are invited to volunteer to dress up to promote the party, and wearing a costume is not a condition of membership or joining the group.

The women’s gymnastics team is trying to gather interest from the Duke community in attending its only home meet of the season. Each year, the freshman members of the team are required to don silly costumes such as a cow with udders, a monkey suit, and a cowgirl. The older members of the team instruct the freshmen to ride the East-West campus bus for hour-long shifts wearing their costumes and handing out flyers for the meet.

This IS a violation of the Hazing Policy. First-year team members are singled out and are made to promote the meet without the older members of the team. Even if upperclassmen had to do the same activity when they were freshmen (which still is considered a violation of the Hazing Policy), new members may not be required to do so.

Making an activity optional does not change the fact that it may be construed as hazing. The culture of joining new groups creates a tacit understanding that those who want to join will participate in any way possible to gain acceptance. Consent to being a participant in or perpetrator of hazing is not justification for violating this policy.

OTHER EXAMPLES OF HAZING:

- Physical training, calisthenics, exercise (Level I): New members may neither be asked nor required to participate in any physical activity except in the context of club sports, intramurals, etc.
- Being required to have on one’s person specific objects, food, or beverages (Level I)
- Texting or calling new members at various times of day and night in order to run errands (Level I)
- Requiring new members to clean up following group parties (unless all members of the group are asked to participate) (Level I)
- Mandatory study hours at unusual times or that interrupt a student’s academic schedule (Level II)
- “Kidnapping” new members at any time of the day (Level I or II)
- Torturing animals (Level II or III)
- Requiring new members to serve as designated drivers (Level I or II)

COMMON ACTIVITIES THAT ARE NOT CONSTRUED AS HAZING:

- Requesting that new members wear more formal attire, such as blazers and ties, on a certain day of the week (apparel that is not conspicuous or inappropriate)
- Requesting that new members wear a specific color to an event for members of the group (apparel that is not conspicuous or inappropriate)
- Tenting in Krzyzewskiville. Students who sign up to participate in tenting are given explicit instructions and expectations for attendance before getting involved. Tent checks and sleeping in cold weather are not construed as hazing; those who choose to tent are not seeking membership or initiation into a student group

Both individuals and groups may be held accountable under the Hazing Policy. The action of even one member of a group may result in both individual and group responsibility. The following questions can help individuals/groups assess the appropriateness of an activity:

- Does the activity promote and conform to the ideals, values, and mission of both the university and student group?
- Is it an activity that all members (current and initiates) engage in together?
- Would the group’s advisor, the national headquarters of a fraternity/sorority, and/or other university officials approve of the activity?
Students and student groups are always expected to respect the rights of others at all times. During specified hours, higher noise levels are permitted, but must remain at a level considerate of those students who wish to study or sleep. Please refer to the Housing and Residence Life Policy for quiet hours in the residence halls; see studentaffairs.duke.edu/hdrl/housing-policies. Additionally, amplified sound is permitted on the Plaza between noon and 1 p.m. on weekdays.

From reading day(s) through the end of finals, quiet hours are in effect 24 hours a day.

PHYSICAL ABUSE, FIGHTING, AND ENDANGERMENT

Any physical abuse, fighting, and/or endangerment to an individual or student group is specifically prohibited. This behavior includes, but is not limited to:

- physical violence or attempted physical violence against a person or student group. This includes fighting.
- threat of physical violence against a person or student group.
- any action that endangers the health, safety, or welfare of a person or student group.

[Wording adopted from Eastern Michigan Student Conduct Code.]

PICKETS, PROTESTS, AND DEMONSTRATIONS

Statement of Policy. Duke University respects the right of all members of the academic community to explore and to discuss questions which interest them, to express opinions publicly and privately, and to join together to demonstrate their concern by orderly means. It is the policy of the university to protect the right of voluntary assembly, to make its facilities available for peaceful assembly, to welcome guest speakers, to protect the exercise of these rights from disruption or interference.

The university also respects the right of each member of the academic community to be free from coercion and harassment. It recognizes that academic freedom is no less dependent on ordered liberty than any other freedom, and it understands that the harassment of others is especially reprehensible in a community of scholars. The substitution of noise for speech and force for reason is a rejection and not an application of academic freedom. A determination to discourage conduct which is disruptive and disorderly does not threaten academic freedom; it is rather, a necessary condition of its very existence. Therefore, Duke University will not allow disruptive or disorderly conduct on its premises to interrupt its proper operation. Persons engaging in disruptive action or disorderly conduct shall be subject to disciplinary action, including expulsion or separation, and also charges of violations of law.

Students planning a picket, protest, or demonstration should contact University Center Activities and Events (919-684-4741) for guidance and further information.

Rule. Disruptive picketing, protesting, or demonstrating on Duke University property or at any place in use for an authorized university purpose is prohibited.

While Duke University recognizes the right to voluntary assembly, members of the university community must recognize that the Medical Center provides care for individuals needing uninterrupted medical services in tranquil surroundings. Accordingly, all pickets, demonstrations, mass assemblies, and protests shall be confined to campus areas and are strictly prohibited in or around any Medical Center building.

Hearing and Appeal. Cases arising out of violations of the Pickets and Protests Regulations will be heard by the University Judicial Board, in accordance with the procedures outlined herein. The University Judicial Board shall have jurisdiction over members of the student body, members of the faculty, and administrative personnel of the university not subject to the personnel policy handbook. Hearings will be conducted with regard for academic due process. The
decision of the University Judicial Board shall be final if the accused is exonerated or if there is no appeal. In other cases, students may appeal to the president, or, in the president's absence, the provost, in which case such appeal shall be solely on the record of the proceedings before the Hearing Committee of the University Judicial Board. Argument on appeal shall be on written submission, but the president may, in addition, require oral argument.

A Hearing Committee will consist of two faculty members, one dean, and two students. These students will be selected from members of the judicial boards or governments in the undergraduate, graduate, or professional colleges or schools. The chair of the Hearing Committee will be designated by its members. The Hearing Committee will conduct its proceedings in accordance with academic due process.

**Amendments.** These regulations on pickets, protests, and demonstrations may be changed or amended by the university at any time but any such change or amendment shall be effective only after publication or other notice. These regulations supersede any regulations heretofore issued on the subject.

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**PROPERTY/FACILITIES/SERVICES**

Students and student groups are expected to respect the property of others (including that of the university) and may be subject to disciplinary action for the following:

- theft and/or wrongful appropriation of the property and/or services of another;
- damage, destruction, or defacement of the property of another, including littering or chalking of university property;
- unauthorized possession and/or use of the property of another, including knowingly being in possession of stolen goods (this includes unauthorized use of vehicles, equipment, services, the Duke University name and logo);
- unauthorized access, entry, and/or use of university or non-university facilities or property, including but not limited to buildings, classrooms, residential rooms, athletic areas, parking areas, roofs, ledges, and tunnels; and/or
- violation of any policy or guidelines pertaining to specific usage of a university facility.

*[Wording adopted from Eastern Michigan Student Conduct Code.]*

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**RETAILIATION**

Retaliation by individual students, groups of students, or student groups is prohibited. Retaliation is an adverse action or threat of adverse action taken against an individual for reporting behavior that may be prohibited by law or policy or participating in an investigation or resolution process related to an allegation of misconduct. Retaliation must be sufficiently severe or pervasive to create a work or academic environment that a reasonable person would consider intimidating, hostile, or abusive and that adversely affects the targeted individual's/student group's educational, work, or living environment.

*[Wording adopted from Tufts University Student Code of Conduct.]*

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**SCOOTERS**

Electric scooters are motor vehicles and drivers utilizing them must operate them in a safe manner. For the full and latest Duke policy on scooters, visit parking.duke.edu/scooters.

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**SEXUAL MISCONDUCT**

The Policy on Prohibited Discrimination, Harassment, and Related Misconduct (PPDHRM) governs allegations of sex/gender-based harassment; see oie.duke.edu/knowledge-base/policies-statements-and-procedures for the university's full discrimination and harassment policy. The Office for Institutional Equity facilitates the intake and investigation of allegations under the PPDHRM, and the Office of Student Conduct facilitates the resolution process for sexual misconduct (non-Title IX) matters in which the respondent is an undergraduates or graduate student according to the procedures set forth in the Resolution of Student Conflict and Alleged Violations of University Policy (page 31).
SMOKING

Smoking or use of any tobacco-based product, including but not limited to cigarettes, cigars, cigarillos, hookahs, chewing tobacco, snuff, and electronic smoking devices such as e-cigarettes, vaping products, and IQOS, will not be allowed on any property or grounds that are owned or solely leased by Duke University.

SOLICITATION

Recognized student groups may use the Plaza for the purpose of sales, distribution, or promotion of events (also known as “tabling”). Tabling is administered by University Center Activities and Events (UCAE). Contact UCAE at 919-684-4741, 036 Bryan Center, or visit studentaffairs.duke.edu/ucae for more information and detailed guidelines.

Solicitation is prohibited within a 200-foot radius of the West and East Campus bus stops.

Commercial or outside solicitors (including student employees of outside vendors) are prohibited without permission of the appropriate space manager.

STALKING

Stalking is a course of conduct (including cyberstalking) directed at a specific person that would cause a reasonable person to fear for their or others’ safety, or to offer substantial emotional distress.

Sex/gender-based stalking is considered under the Policy on Prohibited Discrimination, Harassment, and Related Misconduct; see oie.duke.edu/knowledge-base/policies-statements-and-procedures.

UNAUTHORIZED SURVEILLANCE/PHOTOGRAPHY

Capturing or recording audio, video, or photographic images of an individual in a location or under circumstances in which that person has a reasonable expectation of privacy, including, but not limited to, shower/locker rooms, residence hall rooms, and restrooms, is prohibited. Also prohibited is the storing, sharing, and/or other distribution of such unauthorized surveillance/photography (no matter whether directly or indirectly obtained) by any means, electronic or non-electronic.

[Wording adopted from Rice University.]

WEAPONS/FIREARMS/EXPLOSIVES

Although North Carolina law permits weapons on public university campuses under certain parameters, Duke University policy has not changed and continues to prohibit weapons on campus.

It is against university policy to possess and/or use a gun, rifle, pistol, or other firearm of any kind, or any powerful explosive on university property. Additionally, other than when permitted by the Vice Provost/Vice President for Student Affairs (or designee) for legitimate educational purposes, students are not permitted to possess and/or use on campus any weapon, including but not limited to pepper spray, mace, BB gun, stun gun, paintball gun, potato gun, realistic-looking toy gun, air rifle, air pistol, sword, bowie knife, dagger, slingshot, switchblade knife, blackjack, and metallic knuckles.
OTHER VIOLATIONS

Other violations for which students or student groups may be subject to disciplinary action include, but are not limited to:

- violating any other published or posted university regulation not specifically mentioned in this section, including the Housing License, Housing and Residence Life regulations, student activities regulations, guidelines for student groups, parking regulations, student behavioral expectations surrounding COVID-19, etc.;
- acting as an accomplice through action or negligence to the commission of any prohibited act;
- attempting or intending to commit any violation of laws and/or university policies; and
- violating local ordinances or state or federal laws (as determined through the university’s disciplinary process), including those related to noise, housing occupancy, and/or the use or distribution of alcohol.

Alumni or current students who are applying to law school, medical school or other graduate programs, or, who want to work for the government, will likely be asked to report their disciplinary history. If you have a form for us to complete as part of the application (often called a “Dean’s Certification” form), send it to us at:

Office of Student Conduct
Box 90893
Durham, NC 27708-0893
conduct@duke.edu
fax: 919-681-7390

Please allow 5-7 business days for your request to be processed. Because of the volume of requests received, we cannot guarantee a response earlier than five business days, though we do our best to process requests sooner.

It is critically important that students/alumni be honest in sharing information about their disciplinary history, as universities/the government do follow up with us. Perhaps the worst thing you can do is minimize or even lie about an incident in which you were involved. Often, a student’s forthrightness about an incident, and an explanation of what you have learned from the incident, can be a plus factor for a student.
RESOLUTION OF STUDENT CONFLICT AND ALLEGED VIOLATIONS OF UNIVERSITY POLICY
FILING A REPORT INVOLVING A STUDENT OR STUDENT GROUP

Reports regarding student or student group behavior may be filed with the Office of Student Conduct. Duke Police, the Office for Institutional Equity, academic deans, and offices within Student Affairs offer additional resources for students to address concerns. These offices work together in order to determine the most appropriate venue for resolution. In any situation where a party is unsure of whom to call, they may contact the Office of Student Conduct.

Any alleged violation of university policy, including academic dishonesty, is within the scope of the Office of Student Conduct. If the Office of Student Conduct determines that another office is more appropriate to handle the situation, the case may be referred to that office.

In general, residence life staff will handle reports of conduct within residential areas unless the alleged behavior is of a serious nature or the student has had prior violations, in which case the case may be referred for disciplinary action through the Office of Student Conduct: 919-684-6938; studentaffairs.duke.edu/conduct

THE CONDUCT PROCESS

Reports
Reports of behavior alleged to violate university policy should be filed with or forwarded to the Office of Student Conduct. Additional information can be found at studentaffairs.duke.edu/conduct/report-incident

Interim Measures
Prior to investigation and resolution, interim measures may be placed on a student by the Office of Student Conduct and/or HRL staff to protect the health, safety, or welfare of the university community or any member of it. In the case of student groups, interim measures may be placed on a student group by the Office of Student Conduct and/or other administrative unit(s). These measures may include, but are not limited to, a “no contact” directive, removal of privileges, removal from or relocation within the residential community, and suspension of activity.

An interim suspension of a student from the university may be imposed by the Vice Provost/Vice President for Student Affairs, or designee. See Appendix C - Administrative Action Policy (page 46) for additional details. Should an interim suspension be issued and resolution of the matter that prompted it not be resolved within two weeks, the interim suspension may convert to an administrative leave of absence.

Participation
The university invites students/student groups to participate fully in all aspects of the disciplinary process. If a student/student group elects not to participate in any part of the process (e.g., submitting a written statement or participating in a hearing), the conduct officer/hearing body may proceed without benefit of that student’s/student group’s input. A student/student group will be held accountable for any sanctions issued as a result of a hearing.

Investigation
Office of Student Conduct staff and/or designee(s) will gather information regarding the alleged incident in order to determine the appropriate means of resolution.

Investigations may include interviews, a review of related documents, requests for written statements from any person involved in the alleged incident, and review of material available electronically. Students and student groups are encouraged to be forthright and as specific as possible when offering information related to an investigation, but may choose the extent to which they share information.

Cases may be dropped for insufficient information, or referred for a Dean’s Conference, Adaptive Conflict Resolution, or disciplinary action. In order for a case to be referred for disciplinary action, there must be sufficient information to believe that a policy violation may have occurred and that the alleged student/student group may be responsible.

Relevance
The Office of Student Conduct, the investigator from the Office for Institutional Equity, or the hearing panel, as appropriate, may exclude and/or redact:

- Information that has no bearing on a fact at issue in the case, is more prejudicial than probative, or is duplicative;
- Medical or mental health information, treatment and/or diagnosis, unless relevant to a fact at issue in the case;
- Sensitive personally identifying information (e.g., social security numbers, contact information, etc.).

Polygraph examinations and/or their results are neither admissible nor considered in any part of the disciplinary process. Generally, character witnesses are not permitted.
TYPES OF RESOLUTION

RESIDENCE COORDINATOR CONDUCT MEETING
Generally, staff in Housing and Residence Life will informally resolve misconduct in the residence halls. Informal resolutions may include residential warnings or probation, relocation, community service, restitution, or educational initiatives. Students who are alleged to have committed serious infractions (e.g., drug or safety violations) or who repeatedly violate any residential and/or university policy will be subject to formal disciplinary action through the Office of Student Conduct.

DEAN’S CONFERENCE
A Dean’s Conference is a meeting with a dean to discuss the behavior that is of concern. Students will be informed about particular provisions in the The Duke Community Standard in Practice: A Guide for Students that may be violated should the behavior of concern repeat. Deans may suggest helpful resources for students and address any further concerns.

ADAPTABLE CONFLICT RESOLUTION
Staff within the Office of Student Conduct may also choose to utilize an alternative and restorative resolution process to resolve issues of student behavior. Failure to comply with the resolution may be cause to commence the disciplinary process.

Records of alternative/informal resolution will be kept internally and will not be considered part of a student’s externally reportable disciplinary record, unless otherwise specifically stated.

Adaptable Conflict Resolution may include:

- **Resolution through Agreement.** If a student/student group accepts responsibility for (an) alleged violation(s), the conduct officer, or designee, may propose (an) appropriate sanction(s) based on the specifics of the case, precedent and university interests. If the student/student group accepts responsibility and agrees to the proposed sanction(s), the student/student group waives their right to a hearing and/or appeal, the resolution becomes final, and the outcome is recorded on the student’s/student group’s disciplinary record. If the student/student group accepts responsibility, but is unable to agree to the proposed sanction(s), the case will be forwarded to a hearing to determine (an) appropriate sanction(s). If the student/student group denies responsibility, the case will be forwarded to a hearing to determine responsibility and (a) sanction(s) as appropriate.

- **Restorative Justice Practice.** The Office of Student Conduct utilizes practices derived from Restorative Justice principles, which may not align with typical Restorative Justice procedures, to address instances of conflict that arise in the community. The purpose of a restorative process is to bring together all parties involved in an incident for the purpose of addressing the harms associated with the conflict. This affords the opportunity for discussion of varying points of view and an opportunity to gain a better understanding of those involved. This may include restorative conversations, circles, and/or other processes to address harm that has been caused. [Wording adopted from James Madison University Student Handbook.]

- **Mediation.** Mediation is a process that empowers students to resolve their own disputes. Through mediation, a neutral third party assists students in coming to a peaceful and agreeable solution. The university encourages informal mediation whenever practical or appropriate. Students interested in mediation to resolve a conflict should contact the Office of Student Conduct. Staff within the Office of Student Conduct may also refer cases to mediation as appropriate. Ultimately, all parties involved must agree to mediation. If one party does not agree to mediation, or if the mediation fails, the Office of Student Conduct may refer a case for disciplinary resolution if it involves allegations of a university policy violation(s). Failure to comply with the results of mediation may be cause to commence the disciplinary process.

DISCIPLINARY ACTION
Any case involving an alleged violation of community standards or university rules and regulations by student or student group may be resolved through the student disciplinary system.

AGGRAVATING FACTOR(S)
Should a hearing panel/officer determine at any point during the investigation or adjudication of a violation that a violation was motivated in part or whole by race, color, religion, national origin, disability, veteran status, sexual orientation, gender identity, gender expression, sex, genetic information, or age, the hearing panel/officer may consider this information an aggravating factor that increases the stringency of the sanction(s).
I have received an e-mail from the Office of Student Conduct that says I have been scheduled for an administrative hearing. What does that mean?

An administrative hearing is a conversation between you and a staff member to discuss your alleged involvement in reported behavior. The staff member is interested in hearing your perspective on what may have happened and will discuss with you how the matter might be resolved. The conversation may also focus on what you have learned or can take away from the incident.

Upon receiving the e-mail, review its contents carefully and ensure you are available at the time indicated in the message. If not, call the Office of Student Conduct at 919-684-6938 to schedule a new appointment. Next, familiarize yourself with the policies that may be at issue, which are also listed in your letter.

During an administrative hearing, listen carefully, share your perspective on the matter, and ask questions. Most often, the staff member is able to resolve the matter with you directly.

Following the administrative hearing, you will receive another e-mail describing the decision made by the staff member, sanctions (if appropriate), and details for having the matter reconsidered, if you wish.
STUDENT CONDUCT BOARD HEARINGS

The Student Conduct Board (SCB) is a group of students, faculty, and staff appointed to hear alleged infractions of university policy. The board is charged with determining whether a student/student group’s actions constitute a violation of university policy and, if so, an appropriate response. In determining an appropriate response, consideration is given to the student/student group’s interests as well as the university’s interest in maintaining high standards.

All SCB hearings are conducted in private. Any student whose presence is required at a hearing will be excused from any other university responsibility.

Respondents, complainants, advisors, and/or witnesses may not bring devices that capture or facilitate communication (e.g., computer, cell phone, audio/video recorder, etc.) into a hearing room, unless authorized by the hearing panel.

Respondents. Accused students/student groups are entitled to the following procedural rights when facing a hearing before the Student Conduct Board:

- to be informed that the student/student group is under investigation;
- to seek advice from anyone;
- to seek advice from a trained advisor made available by the university;
- to be given an opportunity to respond to allegations;
- to choose the extent to which the student/student group shares information;
- to be notified of a hearing at least 120 hours (five days) in advance (notification will include the time, date and location of the hearing as well as names of hearing panel members and witnesses);
- to challenge any panel member if there is a significant conflict of interest;
- to know of and review in advance written information and allegations presented to the hearing panel;
- to be accompanied by an advisor to the hearing (who must be a member of the university community [defined below], except in matters involving allegations of sexual misconduct, in which case a student may select any advisor of the student’s choice);
- to a equitable and impartial hearing;
- to rebut any witness testimony presented against the student/student group;
- to present additional witnesses or information at the hearing (the relevancy of which may be determined by the hearing panel);
- to be found responsible only if the information meets a preponderance of information threshold; and
- to appeal based upon clearly stated grounds.

What is “preponderance of information?”
A preponderance of information means that it is more likely than not that an allegation of misconduct occurred.

Complainants. Under this policy, complainants are students alleging violation(s) of the Policy on Prohibited Discrimination, Harassment, and Related Misconduct and non-protected class harassment and are entitled to the following procedural rights when participating in a hearing before the Student Conduct Board:

- to be informed that the respondent is under investigation;
- to seek advice from anyone;
- to seek advice from a trained advisor made available by the university;
- to be given an opportunity to articulate relevant concerns and issues and offer evidence pertaining to allegations;
- to be notified of a hearing at least 120 hours (five days) in advance (notification will include the time, date and location of the hearing as well as names of hearing panel members and witnesses);
- to challenge any panel member if there is a significant conflict of interest;
- to know of and review in advance written information and allegations presented to the hearing panel;
- to be accompanied by an advisor to the hearing (who must be a member of the university community [defined below], except in matters involving allegations of violation(s) of the Policy on Prohibited Discrimination, Harassment, and Related Misconduct, in which case a student may select any advisor of the student’s choice);
• to a equitable and impartial hearing;
• to present additional witnesses or information at the hearing (the relevancy of which may be determined by the hearing panel); and
• to appeal a decision in cases of violations of Policy on Prohibited Discrimination, Harassment, and Related Misconduct based upon clearly stated grounds.

Advisors. Respondents and student complainants are encouraged to seek advice and support from whomever they choose throughout the disciplinary process. An advisor may accompany a respondent or a student complainant to a SCB hearing. The advisor may be from the designated list of trained student and staff advisors available through the Office of Student Conduct, or may be any member of the university community. A member of the university community is defined as a current student, faculty, or staff member currently employed by the university. In matters involving allegations of protected class discrimination and/or harassment, a complainant and respondent may bring any advisor of their choice to a SCB hearing or any meeting. For fraternities and sororities, the advisor may also be the chapter advisor. The advisor may not be a member of the SCB and may not serve as a material or expert witness. The role of the advisor is to assist and support the student/student group through the disciplinary process. The advisor’s role in a hearing is limited to quietly conferring with the student through written correspondence or whisper, and the advisor may not address any other participant or the hearing panel.

The trained student and staff disciplinary advisors are valuable resources, thoroughly familiar with the conduct process. In the event that a recommended advisor is unavailable, a respondent/complainant may ask for the names of additional advisors from the Office of Student Conduct.

Notice. A respondent and complainant, when applicable, will be notified of a SCB hearing at least 120 hours (five days) in advance. The notice will include the date and time of the hearing, the specific charges at issue, and the names of the panel members and witness(es). At times of the year when 120 hours of notice is not practical due to a student’s pending graduation, study abroad, or participation in a university-sponsored activity (e.g., DukeEngage), a student must either waive this right or not participate in the pending activity until the matter is resolved.

A respondent and complainant, when applicable, will also receive in advance of the hearing access to the written information given to the hearing panel. The conduct officer may include information clarifying or noting any additional information gathered through the investigation without expressing any personal opinion about the merits of the case. In cases not involving allegations of protected class discrimination and/or harassment, any additional material not included in a hearing packet that a complainant or respondent wishes to have reviewed by the hearing panel must be submitted to the Office of Student Conduct no later than 72 hours before the hearing. If deemed relevant by the Office of Student Conduct, that material will be shared with the complainant/respondent and the hearing panel.

Upon proper notice, if the student/student group fails to attend the hearing, the hearing panel may proceed in their absence.

Hearing Panels. Hearing panels charged with determining an outcome and a sanction shall (or a sanction-only) consist of three individuals consisting of students, staff, and faculty selected from the SCB. (In some circumstances, the conduct officer may choose to utilize a five-person panel to determine a sanction in a sanction-only hearing.)

A respondent and complainant, when applicable, may challenge the participation of a panelist because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made within 48 hours of notification of the names of the hearing panelists. At its discretion, the Office of Student Conduct will determine whether such a conflict of interest exists and whether a panelist should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

At times of the year when regular panels are not available (e.g., during the summer or semester breaks), the conduct officer may appoint a special hearing panel, which may include members of the university community who are not part of the Student Conduct Board or may have a different composition of students/faculty/staff than panels held during the normal academic year.

Hearing Facilitator. A staff member from the Office of Student Conduct serves as a hearing facilitator and is a non-voting presence in the hearing.

Witnesses. The conduct officer may request the presence of any witness with pertinent information about a case. Character witnesses are not permitted. If a witness is unidentified or unavailable to attend the hearing, the witness’s statement may not constitute a sole or substantial basis for determining responsibility. If the witness is necessary and unidentified or unavailable, the conduct officer or the chair of the hearing panel may suspend or dismiss the proceedings.

The respondent and complainant may bring relevant material witnesses to speak on their behalf. Absent exceptional circumstances, the respondent and/or complainant should inform the conduct officer in writing at least 72 hours in advance of the hearing the names of the witnesses and to what they will attest. The panel may determine the extent to which witnesses will be permitted in the hearing, including relevancy of questioning and information presented.

Electronic Devices. A respondent, complainant, advisor, and/or witness may not bring electronic devices that capture or facilitate communication (e.g., computer, cell phone, audio/video recorder, etc.) into a hearing room, unless authorized by the hearing panel. The Office of Student Conduct will make an audio recording of the hearing to be kept on file
Hearing Procedure. The general course of procedure for a SCB hearing is as follows: introductions; opening comments from complainant(s) (if applicable); opening comments from respondent; questions; testimony/questions of other material witnesses (if applicable); closing comments from complainant (if applicable); closing comments from respondent.

The panel may impose time limits on any stage of the procedure. The panel may also determine the relevance of any witness or information to be presented and/or considered by the hearing panel.

Information to be Considered by the Panel. The panel may consider any information it deems relevant, including documentation and expressions of opinion. If the panel needs additional information during a hearing, such as verification of a fact at issue, an expert opinion, etc., the panel may request such information and may suspend its decision until such information is obtained. The respondent will have the right to respond to any additional information that is to be used in considering an outcome.

Outcome. The panel will consider all relevant information provided before and/or during the hearing and reach its determination based on a preponderance of information. The panel may find a student/group responsible for an alleged violation by unanimous vote.

Upon finding a student/student group responsible for a violation of university policy, the panel may determine and impose (an) appropriate sanction(s). Consideration may be given to the nature of and circumstances surrounding the violation, the student's/student group’s acceptance of responsibility, prior disciplinary violations, the impact of a sanction on the student/student group, precedent cases, university interests, and any other information deemed relevant by the hearing panel.

All sanctions must be decided by majority vote with the exception of suspension or expulsion of an individual or de-recognition of a student group. The sanctions of suspension or expulsion of an individual or de-recognition of a student group must be supported by unanimous vote by a panel.

Notification and Record of the Hearing Outcome. Within five (5) business days of the conclusion of the hearing, the panel chair and/or the hearing officer, will provide the parties with verbal notification of the hearing outcome. Within ten (10) business days of the conclusion of the hearing, the parties will be provided with written notification of the hearing outcome. The written hearing outcome will contain a brief explanation of the panel's reasoning.

An audio recording of each hearing will be made by the conduct officer and kept on file for three years. Reasonable care will be taken to create a quality recording and minimize technical problems; however, technical problems that result in no recording or an inaudible one will not be a valid argument for appeal.

SANCTIONS

Any disciplinary hearing may result in penalties (singly or in combination), including, but not limited to, those from the following list. In determining appropriate sanctions, consideration may be given to the nature of and circumstances surrounding the violation, the student's/student group’s acceptance of responsibility, prior disciplinary violations, the impact of a sanction on the student/student group, precedent cases, university interests and any other information deemed relevant by a hearing panel/officer.

For cases resolved through the Student Conduct Board, all sanctions are decided by majority vote with the exception of a suspension or expulsion of an individual or de-recognition of a student group. These sanctions must be supported unanimously by a three-person panel.

AGGRAVATING FACTOR(S)

Should a hearing panel/officer determine at any point during the investigation or adjudication of a violation that a violation was motivated in part or whole by race, color, religion, national origin, disability, veteran status, sexual orientation, gender identity, gender expression, sex, genetic information, or age, the hearing panel/officer may consider this information an aggravating factor that increases the stringency of the sanction(s).

WITHDRAWAL OF PRIVILEGES

This may include, but is not limited to, withdrawal of the privilege to have a car on campus, park on campus, attend or participate in university programs or activities (such as sporting events, intramurals, performances, graduation exercises, host/sponsor events, etc.), or maintain computer account privileges.
RESTITUTION
Payment for all or a portion of injury or damages to person(s) or property caused by an individual or a student group.

NO CONTACT DIRECTIVE
A student or student group may be prohibited from communicating with a named individual.

MENTAL HEALTH/MEDICAL ASSESSMENT AND/OR TREATMENT
A hearing panel/officer may recommend or require a student to seek a mental health/medical assessment from CAPS, Student Health, or other appropriate professional. The hearing panel/officer will not be privy to the contents of that assessment without the permission of the student but may require verification that the assessment was completed and that the student followed through with recommendations of the professional.

HOUSING LICENSE RESTRICTIONS/REVOCATION
A student’s/student group’s privilege to live on campus may be restricted or revoked. This may include relocation, revocation for a period of time or permanent removal from the residential community. (Refunds for revocation may be denied based on HRL policies.)

FINE
Payment to Duke University of a reasonable sum of money by an individual or student group.

EXCLUSION
A student or student group may be excluded from access to or use of specified university-owned premises and/or facilities.

EDUCATIONAL PROJECTS/INITIATIVES
Students or student groups may be required to complete a project or a written assignment, attend an educational program, or seek assistance from the Academic Skills Instructional Program, the Writing Studio, DukeReach, or other university resources.

COMMUNITY SERVICE
Specified length of time during which a student or student group will perform in a service capacity at the university or in the Durham community beyond any volunteering with which the student/student group may already be involved. Before starting service, it must be pre-approved by a conduct officer. Failure to complete community service within the specified period, and present verification, may result in additional hours assigned or further disciplinary action.

DEGREE REVOCATION
A student’s degree may be revoked. In such a case, a permanent notation to that effect is made on the student’s permanent academic record.

ADMONITION
A written notice indicating violation of the specified policy(ies). The resolution of this case will not become part of the student’s/student group’s external disciplinary record (i.e., it will be treated as an informal resolution) unless there is a subsequent university policy violation.

FORMAL WARNING
A formal written reprimand for violation of the specified policy(ies).

DISCIPLINARY PROBATION
A status imposed on a student for a specific period of time during which another violation of university policy or violation of any of the conditions of the probation shall result in an augmented disciplinary action, including the possibility of suspension. Disciplinary probation restricts a student’s ability to study away from Duke through the Global Education Office for Undergraduates, participate in DukeEngage, and be released early from the three-year residency requirement. It also may impact other opportunities in which a student’s disciplinary record is considered as a criterion for participation.
DISCIPLINARY PROBATION (STUDENT GROUP)
A status imposed on a student group for a specific period of time during which another violation of university policy or violation of any of the conditions of the probation shall result in an augmented disciplinary action, including the possibility of restriction of activity and/or de-recognition.

RESTRICITION OF ACTIVITY (STUDENT GROUP)
Residential or cohesive units may be suspended for a specified time period from activities sponsored, cosponsored, performed by, or attended by its members on and/or off campus. A suspension is generally followed by disciplinary probation for a specified period of time. This sanction was formerly known as “Suspension of Activity.”

DE-RECOGNITION (STUDENT GROUP)
The privilege of a student group to be recognized at Duke University may be suspended or revoked. This sanction was formerly known as “Dissolution.” A de-recognized group has lost all rights and privileges associated with being a recognized organization of Duke University.

SUSPENSION
A suspension is an involuntary dismissal from the university for a specified period of time, which may include the current semester and such additional semesters as deemed appropriate by the hearing panel/conduct officer.

Readmission as an undergraduate student in good standing is contingent upon satisfaction of any requirements stated in the original sanction. Upon a student's readmission to and matriculation in the university, the student is placed on disciplinary probation for at least one semester or for as long as a hearing panel/conduct officer determines is appropriate. Readmission for graduate/professional students is coordinated through their respective dean.

As suspension constitutes an involuntary withdrawal from the university, a permanent notation to that effect is made on the student's permanent academic record.

A student who is suspended after having satisfied all degree requirements must apply for readmission in accordance with normal procedures. If readmitted, the student's degree will be awarded at the regular conferral date for the final semester of the suspension period. The student may not participate in commencement exercises until readmitted.

In the event that a disciplinary suspension and an academic withdrawal occur simultaneously, the two withdrawals are to be in effect consecutively.

Students suspended twice as a consequence of having been found responsible for academic misconduct are eligible to apply for readmission no sooner than five years after the date of the second withdrawal.

EXPULSION
Dismissal and permanent removal from the university without possibility of readmission or reinstatement. A permanent notation to that effect is made on the student's permanent academic record.

APPEALS
A student/student group found responsible through a hearing panel (“respondent”) and/or a complainant, when applicable, in a case may appeal the hearing panel’s decision by submitting a written appeal statement within five business days of the date the hearing report is sent to the respondent (and complainant, as applicable). Appeals are limited to five pages (12-point font, 1-inch margins). The two grounds for appeal are:

1. New information not reasonably available at the time of the hearing that is material to the hearing panel’s decision; and/or
2. Procedural error(s) that materially impacted the hearing panel’s decision.

The appeal statement must identify the ground(s) for appeal. Note that an appeal is not a re-hearing of the case.

The composition of the Appellate Board includes members of the university community appointed by the Vice Provost/ Vice President for Student Affairs. The chair of the Appellate Board or the chair’s designee is responsible for selecting three-person panels from membership of the Appellate Board to consider appeals.

If, by majority vote, the appellate panel determines that a ground of appeal is substantiated, the panel will return the case to the Office of Student Conduct. Otherwise, the decision of the hearing panel stands.
When a case is returned to the Office of Student Conduct, the Office of Student Conduct may decide to drop the case (e.g., based on insufficient information to believe that a policy violation may have occurred), send the case to the original hearing panel for reconsideration, send the case to a new hearing panel with the same or different charges, and/or (re)implement any aspect of the disciplinary process. A different decision (i.e., the decision of responsibility and/or sanctions) may subsequently result.

PROCEDURES

The Appellate Board’s role is limited to reviewing the hearing panel record, the appealing party’s (“appellant”) written appeal statement, any response to that statement by the other party (“appellee”) as applicable, and information presented at a meeting of the Appellate Board, if convened.

The appellate panel will typically notify the parties of its decision regarding an appeal in writing within 20 business days from receipt of the appeal statement. If the decision will take longer, the chair will inform the parties.

The following procedures guide the Appellate Board process:

- **Appeal Statement.** The written hearing report will include instructions for submitting an appeal. The chair of the Appellate Board may summarily deny an appeal if it is not based on one or both grounds of appeal.

- **Composition of Panel.** If the appeal is not summarily denied by the chair, the chair will convene a three-person panel and notify the appellant and appellee of the names of the panel members. The chair will select two (2) individuals from the Appellate Board to serve on the panel. The appellant and/or appellee may challenge the participation of an appellate panelist because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made within 48 hours of notification of the names of the appellate panelists. At its discretion, the chair of the appellate panel will determine whether such a conflict of interest exists and whether a panelist should be replaced. Postponement of an appellate hearing may occur if a replacement panelist cannot be immediately identified.

- **Response to Appeal By Appellee (In Cases Involving Harassment or Sexual Misconduct).** The chair will provide written notice to the appellee that an appeal has been submitted and will give the appellee an opportunity to review the appeal statement. The appellee may submit a written response to the appeal ("response"). The response is due five business days from the date the chair provides written notice of the appeal to the appellee and is limited to five pages (12-point font, 1-inch margins). The chair will provide the appellant an opportunity to review the response, though no additional opportunity to respond in writing will be provided to the appellant.

- **Exceptions.** The appellant (and appellee as applicable) may submit to the chair requests for exceptions to page limits or deadlines. Exceptions must be requested in advance of any deadline by sending an email to appeals@duke.edu, with justification for such request(s). If either party fails to meet a deadline or exceeds page limits without receiving an exception, the chair has the discretion to summarily reject an appeal or the appellate panel may disregard the response.

- **Meetings.** The appellate panel meeting gives the party(ies) an opportunity to amplify the reason(s) for the appeal or the response. Appellant (and appellee as applicable) may bring an advisor of their choice from the university community to the appellate meeting. In cases of sexual misconduct, the choice of advisor is not restricted to the university community. The advisor’s role is limited to quietly conferring with the appellant or appellee through written correspondence or whisper, and may not address the appellate panel. In the event an appeal alleges a procedural error, the appellate panel may request that a staff member(s) in the Office of Student Conduct, the Office for Institutional Equity, and/or member(s) of the hearing panel attend the meeting to gather more information about the alleged procedural error.

- **Written Decision.** The Appellate Board will provide written notification of the final decision to the appellant (and appellee, if applicable, at approximately the same time).

RECORDS AND SPECIAL CIRCUMSTANCES

DISCIPLINARY RECORDS/STUDENT STATUS

When students/student groups are found responsible for a violation of university policy through an administrative or panel hearing, or accept responsibility through an agreement, the case will be recorded on a student's/student group's disciplinary record. (See “Admonition” on page 38 under “Sanctions” for recording of these resolutions.) The record will be maintained by the Office of Student Conduct and kept in accordance with FERPA. Individual disciplinary records are kept on file until a student graduates or eight years from the date of the student's matriculation (whichever occurs first), except in cases resulting in suspension or expulsion, in which disciplinary records are kept indefinitely.
STATUS OF A STUDENT/STUDENT GROUP PENDING FINAL RESOLUTION OF A DISCIPLINARY CASE

Until a final resolution is determined, the status of a student/student group will not change unless interim measures have been imposed to protect the health, safety, or welfare of the university community or any member of it. A student with disciplinary action pending, however, is not eligible to graduate and may not participate in commencement exercises until the student's case is resolved. A student currently on leave, suspended, or withdrawn from Duke who has a pending disciplinary matter is not eligible to seek readmission until that matter is resolved.

DISCIPLINARY HOLD

At any time after the filing of a report, the conduct officer or designee, after consulting with a student's academic dean, may place a disciplinary hold on the academic and/or financial records of any student pending the outcome of proceedings or to enforce a disciplinary sanction. A disciplinary hold may prevent, among other things, registration, enrollment, matriculation, the release of transcripts, and the awarding of a degree.

DISCIPLINARY ACTION WHILE CIVIL/CRIMINAL CHARGES PENDING

Students may be accountable to both civil authorities and to the university for acts that violate local, state or federal laws. (Students are encouraged to seek advice of legal counsel when they face criminal charges.) Disciplinary action through university processes concurrent with criminal action does not subject a student to “double jeopardy.”

The university operates under different policies, procedures and standards and thus, will not be bound by the findings of a court of law. If the court's outcome satisfies the university's interests, such outcome may be recorded on the student's disciplinary record without invoking the university disciplinary process. Should any criminal proceeding result in a felony conviction, as a result of an incident on or off campus, the Vice Provost/Vice President for Student Affairs reserves the right to summarily dismiss a student.

University disciplinary action will normally proceed during the pendency of a criminal or civil action. A student may request, however, that the university disciplinary process be placed on hold until criminal actions are resolved. The conduct officer or designee will decide whether this request will be granted. In such a case, interim measures may be imposed. The university reserves the right to proceed with the disciplinary process at any point.
APPENDIX A — THE JUDICIAL SYSTEM OF DUKE UNIVERSITY

The judicial system of the university shall consist of the University Judicial Board and a judicial board for each of the communities hereafter defined. (The student conduct system is part of the larger university judicial system.)

AUTHORITY OVER POLICIES AND PROCEDURES

Responsibility for prescribing and enforcing rules and regulations governing student conduct rests ultimately with the Board of Trustees of Duke University and, by delegation, with administrative officers of the university and of the college and school.

The policies and procedures governing the conduct of undergraduate students may be amended at any time by the Vice Provost/Vice President for Student Affairs and may be implemented with adequate notice to the university community.

COMMUNITY JUDICIAL BOARDS

There shall be an undergraduate community consisting of the undergraduates in Trinity College of Arts and Sciences and the Pratt School of Engineering; a Divinity School community; a Fuqua School of Business community; a Law School community; a Medical School community; an Allied Health community consisting of all degree and certificate (i.e., paramedical, nondegree) students in the School of Allied Health; a Nicholas School of the Environment and Earth Sciences community; a School of Nursing community; and a Graduate School community. Each community shall have such judicial system as its governing body may provide.

THE UNIVERSITY JUDICIAL BOARD

Jurisdiction

The jurisdiction of the University Judicial Board shall be limited to cases arising out of the pickets and protests regulations and cases involving more than one of the communities as determined by the Vice Provost/Vice President for Student Affairs in consultation with the president and the chair of the University Judicial Board.

The University Judicial Board shall have jurisdiction over members of the student body, members of the faculty, and administrative personnel of the university not subject to the Personnel Policy Manual.

However, all alleged Title IX violations in which a student is named as a respondent are handled through the procedures outlined in the Policy on Prohibited Discrimination, Harassment, and Related Misconduct.

Filing of Charges; Responsibilities of Vice Provost/Vice President for Student Affairs

- The Office of the Vice Provost/Vice President for Student Affairs shall have responsibility for receiving complaints, conducting investigations, and preferring charges concerning offenses within the jurisdiction of the board.

- The University Judicial Board shall hear no case without a finding of probable cause made by the Vice Provost/Vice President for Student Affairs, whose signature to the charge or charges shall constitute sufficient evidence of such finding.

- To assist the Vice Provost/Vice President for Student Affairs (VPSA) in the investigation of complaints, the gathering of evidence, and the preparation of charges, investigative and judicial aides may be appointed by the VPSA and shall serve at the VPSA's pleasure and under the direction of the VPSA. The number and specific duties of such aides shall be determined by the VPSA, who shall be fully responsible for all duties performed by them in their capacity as aides.

- The Vice Provost/Vice President for Student Affairs shall subpoena witnesses as directed by the University Judicial Board.

- The Vice Provost/Vice President for Student Affairs may delegate all or any portion of their duties as regards these judicial procedures to an aide or aides. The VPSA shall be responsible for the discharge of all duties thus delegated.

Membership

The University Judicial Board shall consist of a chair appointed by the president, five faculty members (two of whom shall be from the Law School) appointed by the Executive Committee of the Academic Council, and two student members from each of the communities (except in the case of the undergraduate community where there should be four members) elected by each community's judicial board. The chair of the board shall select five-person panels consisting of a chair and an equal number of students and faculty. Cases referred to the board shall be assigned to the panels in rotation, provided that a member of a panel may, at the member's request, be excused from sitting on a case
by the chair of the board, who may appoint a substitute from among the other members of the board. Each panel shall be known as a “Hearing Committee of the University Judicial Board.”

**Terms of Members**

Faculty members shall normally serve for two-year terms, but are eligible for reappointment. The terms should be staggered in order to provide continuity. Two of the initial appointees shall be appointed for one-year terms. Student members shall serve for one-year terms, although they may be eligible for re-election. The board has the right to remove any member of the board for cause by a vote of a two-thirds majority of all members. The vacancy shall be filled promptly according to the original procedure.

**Conduct of the Hearing**

- The hearing will be conducted in private unless the accused requests an open hearing. If any objection is raised to conducting an open hearing in any particular case, the Hearing Committee of the University Judicial Board will decide the issue by majority vote. If the decision is made not to hold an open hearing, the accused shall be informed in writing of the reasons for the decision.
- The university and the accused may be represented by an adviser of their choice.
- The board shall promulgate its own rules of procedure consistent with academic due process and all provisions of this document.
- The accused has the right to challenge on the grounds of prejudice any member of the Hearing Committee sitting on their case. If an accused makes such a challenge, the Hearing Committee shall deliberate in private to determine whether cause exists. By a majority vote of the members of the tribunal (excluding the member being challenged), a member shall be removed from the case and replaced by a member of the board designated by the chair of the Judicial Board. In addition, the accused may exercise a challenge directed at the entire panel, in which case the challenge shall be made to the chair of the University Judicial Board, who shall excuse the panel challenged and refer the accused's case to the next panel in rotation.

**The Right of Appeal**

- In cases heard by the University Judicial Board, there will be no appeal when the accused is acquitted, except in cases of harassment or discrimination, in which case a complainant may appeal the accused's acquittal.
- A student or administrator who is not a member of the faculty convicted by the University Judicial Board may appeal to the president, or in the president's absence, the provost, in which case such appeal shall be solely on the record of the proceedings before the Hearing Committee. Argument or appeal shall be on written submission, but the president may, in addition, require oral argument.
- A member of the faculty convicted by the University Judicial Board may appeal to the Faculty Hearing Committee authorized under the provisions for Academic Freedom and Tenure of Duke University.

**Status of the Accused**

Charges must be prepared without delay following the alleged commission of the offense. Pending final verdict on charges against the accused (including appeal), their status shall not be changed, nor their right to be on campus to attend classes suspended, except that the president or provost may impose an interim suspension upon any member of the university community who demonstrates, by their conduct, that their continued presence on the campus constitutes an immediate threat to the physical well-being or property of the members of the university community or the orderly functioning of the university. The imposition of interim suspension requires that the suspended individual shall immediately observe any restriction placed upon them by the terms of the suspension. The suspended individual shall be entitled to a hearing within three (3) days before the Hearing Committee on the formal charges. If the individual requires additional time to prepare their case before the Hearing Committee, they shall be entitled to an informal review of the decision imposing interim suspension by a three-person committee chosen from the members of the University Judicial Board by its chair. Interim suspension is an extraordinary remedy which will be invoked only in extreme cases where the interest of the university and members of its community require immediate action before the Hearing Committee can adjudicate formal charges against the suspended individual. If interim suspension is imposed and the accused is later found innocent, the university shall seek restitution as provided by the Hearing Committee with respect to the student's academic responsibilities incurred during the period of suspension.

**Civil and Criminal Courts**

Members of the university community may be subject to civil or criminal proceedings in a local court. The president may initiate legal action seeking injunctive or other civil relief, or file criminal charges, when it is necessary to protect the person or property of members of the university community, or the orderly functioning or property of the university. Such action may be in addition to the filing of formal charges before the University Judicial Board and/or interim suspension.
Sanctions

A Hearing Committee of the University Judicial Board shall have the power to impose the following penalties upon students:

- **Expulsion.** Dismissal from the university with the recommendation that the person never be readmitted.
- **Suspension.** Dismissal from the university and from participation in all university activities for a specified period of time after which the subject may apply for readmission.
- **Disciplinary Probation.** Placing a student on a probationary status for a specified period of time, during which conviction of any regulation may result in more serious disciplinary action.
- **Exclusion from participation in extracurricular activities.** Without limiting the generality of that penalty, such restrictions might involve participation in any collegiate athletics, or any public participation or performance in the name of the university. However, a hearing committee may not exclude a person from performance of the duties of an elective office, but may make such a recommendation to the appropriate organization. This penalty may be imposed by itself or in addition to any of the other enumerated penalties.
- **Censure.** Written reprimand for violation of the specified regulation, including the possibility of more severe disciplinary sanction in the event of conviction for the violation of the same or one of equal seriousness within the period of time stated by the reprimand.
- **Admonition.** By an oral statement to the offender that they have violated the university rules or have been in contempt of the board.
- **Restitution.** Payment for all, or a portion of property damage caused during the commission of an offense. This penalty may be imposed by itself, or in addition to any of the other penalties.
- **Fines.** Payment of reasonable sums to be determined by a hearing committee. This penalty may be imposed by itself, or in addition to any of the other penalties.
- **Exclusion from social activities** where the nature of the violation so indicates including, but not limited to, curfews or other revocation of upperclass privileges.

A Hearing Committee of the University Judicial Board shall have the power to impose the following penalties upon faculty members and administrative personnel not subject to the provisions of the Personnel Policy Manual.

- Dismissal. Dismissal or termination of appointment.
- Censure.
- Admonition.
- Restitution.
- Fines.

Other Powers

The Hearing Committee may recommend to the university that it seek restitution with respect to the accused's university responsibilities incurred during a period of suspension or during the period when a hearing has been conducted or shall make such other nonpunitive recommendations with respect to the accused as it shall deem appropriate.

Records

The board shall promptly arrange a policy of keeping its own records, subject to the university policy on confidentiality.

Excusal of Members of the University Community from University Obligations

Any member of the university community whose presence is required at a hearing shall be excused from the performance of any university responsibilities which would normally be performed at the time when their presence is required before the Hearing Committee.
APPENDIX B – OPTIONAL, ONE-TIME FACULTY-STUDENT RESOLUTION PROCESS FOR CASES OF ACADEMIC DISHONESTY INVOLVING UNDERGRADUATES

This option for resolving cases of academic dishonesty is reserved for first-time, minor infractions by Duke undergraduates. The faculty member must first contact the Office of Student Conduct to discuss the appropriateness of this option with respect to the nature of the offense, as well as to learn of any prior violations by the student. If there is no record of prior offenses and the case appears to be one that, if adjudicated by a hearing panel, would result in probation or a sanction less severe than probation, it may be resolved between the faculty member and the student. Otherwise, the case must be forwarded to the Office of Student Conduct.

A faculty-student resolution may result in a reduced grade on the assignment, a reduced grade in the course, additional assignments, and/or other educational initiatives. (The outcome must be agreed upon by both parties.) The faculty member must report the outcome(s) of a faculty-student resolution to the Office of Student Conduct for record keeping. This resolution will not become part of the student’s external disciplinary record unless there is a second violation, at which time both cases will be noted on the student’s disciplinary record.

PROCESS

- The faculty member shall first contact the Office of Student Conduct to discuss the appropriateness of this option with respect to the nature of the offense, as well as to learn of any prior violations. Staff in the Office of Student Conduct may be reached at 919-684-6938.
- If the student has no record of prior offenses and the case appears to be one that, if adjudicated by a hearing panel, would result in probation or a sanction less severe than probation, it may be resolved between the faculty member and the student.
- The faculty member shall meet with the student and present any information relevant to the case.
- The student shall have an opportunity to respond to the allegations.
- If the faculty member believes that academic dishonesty has occurred, the faculty member should complete a Faculty-Student Resolution form, including the proposed outcome, and present this form to the student. The form may be found on the website of the Office of Student Conduct website at studentaffairs.duke.edu/conduct/undergraduate-disciplinary-system/types-resolution.
- Upon receipt of the proposed resolution, the student has 96 hours to consider and seek advice on whether to accept responsibility and agree to the resolution.
- If the student agrees to the resolution, she/he should sign the resolution form in the presence of the faculty member. The faculty member should then forward a copy of the form to the Office of Student Conduct (Box 90893).
- If the student does not accept the proposed resolution, the faculty member should refer the case to the Office of Student Conduct.

APPENDIX C – ADMINISTRATIVE ACTION POLICY

POLICY

The Vice Provost/Vice President for Student Affairs or designee may take administrative action(s) against a student and/or a student group to protect the health, safety, or welfare of the university community or any member of it. Administrative action includes, but is not limited to, a "no contact" directive, removal of privileges (including access to campus property and/or participation in remote/virtual campus programs), removal from or relocation within the residential community, suspension of activity, and/or suspension from the university. If administrative action is issued while a disciplinary action is pending, such action may remain in effect until the disciplinary process is resolved.
PROCEDURE

• Any member of the university community who has reason to believe that a student or student group may pose a threat to the health, safety, or welfare of the university community or any member of it should contact the Vice Provost/Vice President for Student Affairs (VP SA) or other staff within Student Affairs as appropriate.

• The VPSA or designee, in consultation as necessary with the Behavioral Assessment Team and/or other appropriate individuals/agencies, will conduct a review of available information and, where necessary and appropriate, gather additional information.

• Based on the available information, the VPSA or designee shall determine whether administrative action is warranted based on the nature of the risk posed by the student, the probability of harm to the university community, and whether reasonable alternatives would significantly mitigate the risk. The VPSA or designee will prepare a written statement identifying and explaining the administrative action(s).

• A student who is subject to an administrative action has three business days from receipt of the written statement to request a meeting with the VPSA or designee to contest the administrative action. Based on the information shared by the student in the meeting, the VPSA or designee shall consider whether any modification to the administrative action is warranted and communicate the decision to the student in writing no later than three days after the meeting. The administrative action may be, at the discretion of the VPSA or designee and subject to the risk determinations as noted above, in force through the period of requested reconsideration of the administrative decision.

APPENDIX D – FRATERNITY AND SORORITY RECOGNITION

Recognition is the formal process by which Duke University permits a fraternity or sorority to function on campus, conduct membership/intake activities, and be considered part of the university. For a fraternal organization to obtain recognition through University Center Activities and Events (UCAE), it must:

• Operate under a constitution and bylaws that have been approved by UCAE and one of the recognized Governing Councils: Interfraternity Council (IFC), Multicultural Greek Council (MGC), National Pan-Hellenic Council (NPHC), Panhellenic Association (Panhel).

• Demonstrate sound financial standing.

• Be affiliated with an inter/national fraternity or sorority.

• Present an initial membership list of at least three (3) currently registered, degree-seeking students who are not on academic or disciplinary probation. (While Duke recognizes that some organizations share membership with other colleges and universities, this relationship is prohibited by UCAE.)

• Identify a person, who is not an undergraduate, to serve as the chapter advisor.

• Maintain general liability insurance with minimum limits of $1,000,000 per occurrence, $3,000,000 aggregate.

The university does not recognize local chapters.

UCAE determines, with the input of the appropriate governing council, the status of recognized fraternity and sorority chapters. If a chapter no longer meets any or all of the above-stated conditions for full recognition or, as a provisionally recognized group, is not making sufficient progress towards full recognition, then full or provisional recognition may be withdrawn or the chapter may be placed on probation with suspended privileges. In addition, UCAE and the governing councils support any sanctions given to chapters by their inter/national headquarters office.

The suspension of privileges may include, but is not limited to:

• Reservation and free usage of campus space.

• Participation in new member recruitment and intake activities.

• Ability to host/co-sponsor events on and off campus.

• Participation in community-wide events, education programs, intramural sports and service/philanthropy initiatives.

• Membership in one of the recognized governing councils.

FRATERNITY AND SORORITY MEMBERSHIP RECRUITMENT/INTAKE

Membership may be extended to students in the spring of their first year. Upperclass students may receive bids, or invitations to join recognized chapters, at any time during the academic year.
APPENDIX E – RECOGNIZED STUDENT ORGANIZATIONS

Each student organization adds to the social, cultural, and intellectual environment of Duke. The university recognizes the contributions that student organizations make to the quality of life on campus and strives to support its own mission to “attending not only to [students’] intellectual growth but also to their development as adults committed to high ethical standards and full participation as leaders in their communities” (Duke University Mission Statement, 2001).

Recognition of any organization is not to be interpreted as an endorsement by the university of the purpose, activities, political position, or point of view of the organization.

RECOGNITION SOURCES

The university identifies two (2) primary recognition sources for undergraduate student organizations: Student Organization Finance Committee (SOFC) and departmental.

1. The Student Organization Finance Committee (SOFC) of the Duke Student Government (DSG) is the major student organization recognition source; the financial, risk management, and policy authority for these organizations rests with the Vice Provost/Vice President for Student Affairs.

2. All prospective student organizations must set up a meeting with Duke Launch. You can visit their website at sites.duke.edu/dukelaunch. The Launch Agents serve as your first step in the recognition process and help you refine your organization before it meets with the Student Organization Finance Committee.

Standards of Recognition. All undergraduate student organizations must align with the following basic standards:

• Have a unique mission that differentiates it from other recognized organizations.

• Be comprised of at least ten (10) members. All members are Duke-affiliated and at least fifty percent (50%) are currently enrolled undergraduate students. All leadership positions must be occupied by undergraduate students.

• Have a president, who oversees the operations and mission of the organization, and a treasurer, who oversees the financial health of the organization. These officer positions may be labeled differently within the organization but will be named as above for official university purposes. The position of the president must be voted in democratically through the organization. Both the president and the treasurer are responsible for attending and completing the required annual trainings offered through University Center Activities and Events (UCAE).

• Have a full-time faculty or staff member serve as an advisor. An organization advisor helps their organization grow and develop its activities in the spirit of the highest ideals of the Duke mission.

• List current mission statement, officers, and advisor on the official student organization directory DukeGroups (dukegroups.com) annually. The Division of Student Affairs maintains the official list of student organizations regardless of recognition source.

• Create and keep a constitution that defines:
  • The official name of the organization
  • The recognition source of the organization (SOFC or Department)
  • The mission of the organization (must not violate any university, local, state, or federal policies/laws)
  • The requirements of membership in the organization
  • Acknowledgment that the actions and opinions of the group are independent of Duke University and do not reflect the actions and opinions of the university as a whole
  • Alignment with the Duke University equal opportunity (non-discrimination) statement: Duke University prohibits discrimination and harassment, and provides equal (membership) opportunity without regard to race, color, religion, national origin, disability, veteran status, sexual orientation, gender identity, gender expression, sex, genetic information, or age
  • Maintain a positive balance of funds in any university-granted financial account

For more information about student organizations please visit University Center Activities and Events (UCAE) in the Bryan Center or online at studentaffairs.duke.edu/ucae.

3. University schools, departments, and offices may also recognize student organizations or student ventures in congruence with their standards; the financial, risk management, and policy authority for these organizations or ventures rest with the department/program of the entity that bestows recognition.

All student groups are required to be knowledgeable of and abide by policies in the UCAE Student Organization handbook available on the UCAE website. UCAE reserves the right to update policies.
APPENDIX F – INFORMATION AND RESOURCES CONCERNING SUBSTANCE USE

HEALTH EFFECTS OF ALCOHOL AND OTHER DRUGS
Psychoactive drugs are a class of drugs most frequently used socially or recreationally (and often illegally). These drugs act on the central nervous system (CNS), or more specifically the brain, creating altered states of consciousness. They may increase CNS activity (stimulants, such as cocaine, Ritalin, amphetamines), decrease CNS activity (depressants, such as alcohol, barbiturates, tranquilizers, opiates), cause the creation of illusions (hallucinogens, such as LSD, peyote, mushrooms, PCP), or have a combined effect (marijuana). Every drug has multiple effects on the brain and the body. Addiction to any of these substances is a disease that affects the sufferer mentally, emotionally, physically, and spiritually. It can also have a profound effect on those closest to the addicted person.

SHORT TERM OR ACUTE EFFECTS
- Impaired judgment, which can lead to physical injuries, accidents, violent behavior or unpredictable mood swings;
- Acute psychotic episodes;
- Risky sexual situations, which may result in impaired sexual response, sexually transmitted diseases, unplanned pregnancy, sexual assault, rape;
- Hangovers;
- Increased nervousness;
- Tremors;
- Shortness of breath;
- Anxiety/panic reactions;
- Reduced energy and stamina;
- Digestive problems (nausea, vomiting, diarrhea, ulcer irritation), dehydration, halitosis;
- Cardiovascular changes;
- Seizures;
- Loss of consciousness; or
- Death.

LONG TERM OR CHRONIC EFFECTS
- **Systemic Disorders.** Increased heart rate, increased or sudden decrease in blood pressure, hyperactivity, decreased oxygen in blood supply to the brain, decreased immune system function, AIDS or hepatitis from needle sharing, reverse tolerance, hemorrhage, delirium tremens (D.T.s) from acute withdrawal, death.
- **Brain/Central Nervous System Disorders.** Short-term memory loss, concentration difficulties, damaged nerve connections, disruption of “chemical messengers.”
- **Mental Health Disorders.** Sleep disorders, eating disorders, fatigue, acute or chronic depression, hallucinations, suicidal thoughts/actions, personality changes, delusional states, anxiety disorders, psychosis.
- **Digestive Disorders.** Ulcers in the mouth, diseases of the gums, inflammation of the esophagus, stomach, and pancreas, ulcers, cirrhosis, fatty liver disease, alcoholic hepatitis.
- **Respiratory System Disorders.** Painful nosebleeds, nasal erosion, tuberculosis, chronic lung diseases including emphysema and chronic bronchitis, exacerbation of sinus and asthma conditions, increased risk of lung cancer, decreased vital lung capacity.
- **Sexual/Reproductive Disorders.** Impotence, atrophy of testicles, impaired sperm production, absence of menstrual period, decrease in desire/arousal/performance, birth defects.
- **Endocrine/Nutrition/Metabolic Disorders.** Malnutrition, vitamin/mineral deficiencies, acute gout, obesity, diabetes, decreased testosterone levels in men, appetite disorders, weight gain or loss, impaired immune system.
- **Skin and Subcutaneous Tissue Disorders.** Skin infections, unsightly changes in the skin, dry skin, boils, skin abscesses, itching, increase in skin moles and benign skin tumors, spider angiomas, edema.
Pregnancy and Fetal Development. Fetal Alcohol Syndrome, low birth weight babies, increased risk of miscarriage, stillbirth, increased risk of Sudden Infant Death Syndrome, brain damage, congenital deformities, addiction in the newborn.

Other Disorders. Prone to cross-addiction to other drugs including prescription medications, laxatives, analgesics, and caffeine. Additionally, chronic abusers have an increased incidence of fractures, sprains, burns, lacerations, bruises, concussions, and other traumas.

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

21 U.S.C. 844(a)
1st conviction: Up to 1 year imprisonment and fined at least $1,000 but not more than $100,000, or both.
After one (1) prior drug conviction: At least 15 days in prison, not to exceed two (2) years and fined at least $2,500 but not more than $250,000, or both.
After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least $5,000 but not more than $250,000, or both.
Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to $250,000, or both, if:
  1st conviction and the amount of crack possessed exceeds five (5) grams.
  2nd crack conviction and the amount of crack possessed exceeds three (3) grams.
  3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853(a)(2) and 881(a)(7)
Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year of imprisonment. (See special sentencing provisions re: crack.)

21 U.S.C. 881(a)(4)
Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a
Civil fine of up to $10,000.

21 U.S.C. 853a
Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)
Ineligible to receive or possess a firearm or ammunition.

Miscellaneous
Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions. Additional State of North Carolina penalties and sanctions may apply.

Effect on Financial Aid
Under the 2000 reauthorization of the Higher Education Act, eligibility for federal student aid is jeopardized for students convicted of a drug possession charge. For a first conviction, eligibility for aid may be suspended for one year; two years for a second; permanently for a third. Eligibility is restored once a student completes a drug rehabilitation program or has the conviction overturned.

NORTH CAROLINA STATE LAWS REGARDING ALCOHOL AND DRUGS
For complete information regarding North Carolina state laws governing drugs, consult the North Carolina Controlled Substances Act or the North Carolina Toxic Vapors Act in the North Carolina General Statutes, Article 5, Chapter 90.
RESOURCES FOR ALCOHOL, DRUG, AND TOBACCO CONCERNS

Emergency Phone Numbers

**Duke Emergency Medical Service and/or Police**
911/919-684-2444
Alcohol-related emergencies can be difficult to assess. When in doubt, contact professionals.

**Duke Hospital Emergency Department**
911/919-684-2413
If an intoxicated student cannot be aroused, is breathing erratically or slowly, or appears to be in a life-threatening state, get the student to the Emergency Department. Duke Emergency Medical Service or Duke Police can assist in transporting students.

24-hour confidential advice on alcohol or drug-related emergencies can be obtained through Holly Hill Hospital at 1-800-422-1840 or 1-800-447-1800.

Local Inpatient/Outpatient Treatment Facilities

**Holly Hill Hospital**
919-250-7000
3019 Falstaff Road
Raleigh, NC 27610
hollyhillhospital.com

**Fellowship Hall**
800-659-3381
5140 Dunstan Road
Greensboro, NC 27405
fellowshiphall.com

Local Outpatient Treatment Facilities

**Duke Child Development and Behavioral Health**
919-668-5559
402 Trent Drive
DUMC Box 2906
Durham, NC 27710
ipmh.duke.edu/content/cdbh

Information, Screening, and Education

**DuWell**
studentaffairs.duke.edu/duwell 919-681-8421
DuWell provides substance use screenings for students which identify risk factors and assist the student to develop a harm reduction plan with the goal to minimize problems regarding substance use. DuWell offers assistance and support for students interested in changing their substance use patterns. The office provides assistance with educational programming for student living groups and organizations.

**Student Health**
studentaffairs.duke.edu/studenthealth 919-681-WELL (9355)
Student Health offers screening, evaluation, education and referral for alcohol and substance use/abuse.
Individual Assessment and Counseling

Counseling and Psychological Services (CAPS)  studentaffairs.duke.edu/caps  919-660-1000

CAPS offers evaluation, consultation, counseling, and referral for individuals with alcohol and other substance abuse issues. A substance abuse specialist is available for personal consultation and counseling for students who are concerned about themselves or others because of alcohol or drug use.

UNC Health Care’s Alcohol and Substance Abuse Program  www.unchealthcare.org/site/healthpatientcare/alcoholsubstanceabuse  919-966-6039

UNC offers a center for intensive outpatient treatment of chemical dependency and substance abuse.

Cocaine Anonymous  ca.org  1-800-347-8998

An around-the-clock information and referral service, staffed by recovering cocaine addict counselors.

First Step Services  www.firststepnc.com  919-833-8899

First Step specializes in intensive outpatient programs for individuals suffering from drug and alcohol abuse, stressing abstinence from mind and mood altering substances during the course of treatment.

C.S.A.P.  1-800-662-HELP; 1-800-662-9832 for information in Spanish

A 24-hour hotline maintained by the Center of Substance Abuse Prevention offers confidential information and referral.

N.C.A.D.I.  www.samhsa.gov  1-800-729-6686

The National Clearinghouse for Alcohol and Drug Information offers free print information on alcohol and other drugs. Other media may be available for rent or purchase.

Cancer Information Service  1-800-422-6237

Free telephone smoking cessation counseling, materials, support, referrals. Information in Spanish when needed.

American Lung Association  1-800-586-4872

Self-help materials available.

Support Groups

Alcoholics Anonymous (AA)  aanc32.org / aanc33.org  919-286-9499 / 1-800-662-4357

AA offers emergency support for individuals with alcohol problems in addition to group meetings. Many have found the 12-step program to be crucial in their recovery. Meeting locations in the Durham area can be found on the AA website.

Narcotics Anonymous (NA)  na.org  919-956-5900

Similar to Alcoholics Anonymous, except focused on drug abuse/addiction issues. A variety of drugs are addressed, including marijuana and prescription medications.

ACOA/Al-Anon  al-anon.alateen.org  919-403-0687 / 1-888-4AL-ANON

ACOA and Al-Anon meetings are support groups for family members dealing with the impact of living with, or being close to an alcoholic. Meeting locations in the Durham area can be found on the Al-Anon website.
## FEDERAL DRUG TRAFFICKING PENALTIES FOR MARIJUANA (SCHEDULE I)

<table>
<thead>
<tr>
<th>Drug</th>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>1,000 kg or more mixture; or 1,000 or more plants</td>
<td>Not less than 10 years or more than life</td>
<td>Not less than 20 years or more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious bodily injury, not less than 20 years or more than life</td>
<td>If death or serious bodily injury, life imprisonment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $10 million if an individual, $50 million if other than an individual</td>
<td>Fine not more than $20 million if an individual, $75 million if other than an individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>100 kg to 999 kg mixture; or 100 to 999 plants</td>
<td>Not less than 5 years or more than 40 years</td>
<td>Not less than 10 years or more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious bodily injury, not less than 20 years or more than life</td>
<td>If death or serious bodily injury, life imprisonment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $5 million if an individual, $25 million if other than an individual</td>
<td>Fine not more than $8 million if an individual, $50 million if other than an individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>50 kg to 99 kg mixture; or 50 to 99 plants</td>
<td>Not more than 20 years</td>
<td>Not more than 30 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious bodily injury, not less than 20 years or more than life</td>
<td>If death or serious bodily injury, life imprisonment</td>
</tr>
<tr>
<td>Hashish</td>
<td>More than 10 kg</td>
<td>Fine $1 million if an individual, $5 million if other than an individual</td>
<td>Fine $2 million if an individual, $10 million if other than an individual</td>
</tr>
<tr>
<td>Hashish Oil</td>
<td>More than 1 kg</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marijuana</td>
<td>Less than 50 kg (but does not include 50 or more plants regardless of weight)</td>
<td>Not more than 5 years</td>
<td>Not more than 10 years</td>
</tr>
<tr>
<td></td>
<td>1-49 marijuana plants</td>
<td>Fine not more than $250,000, $1 million other than individual</td>
<td>Fine $500,000 if an individual, $2 million if other than individual</td>
</tr>
<tr>
<td>Hashish</td>
<td>10 kg or less</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hashish Oil</td>
<td>1 kg or less</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: [bit.ly/federaldrugtraffickingpenalties](bit.ly/federaldrugtraffickingpenalties)
<table>
<thead>
<tr>
<th>Drug/Schedule</th>
<th>Quantity</th>
<th>Penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocaine (Schedule II)</td>
<td>500-4999 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>Cocaine Base (Schedule II)</td>
<td>28-279 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>Fentanyl (Schedule IV)</td>
<td>40-399 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>Fentanyl Analogue (Schedule I)</td>
<td>10-99 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>Heroin (Schedule I)</td>
<td>100-999 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>LSD (Schedule I)</td>
<td>1.9 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>Methamphetamine (Schedule II)</td>
<td>5.49 gms pure or 50-499 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
<tr>
<td>PCP (Schedule II)</td>
<td>10-99 gms pure or 100-999 gms mixture</td>
<td>First Offense: Not less than 5 years, and not more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual</td>
</tr>
</tbody>
</table>

Penalties

- **Other Schedule I & II substances**
  - Any amount: First Offense: Not more that 20 years. If death or serious bodily injury, not less than 20 years, or more than life. Fine $1 million if an individual, $5 million if not an individual

- **Any drug product containing Gamma Hydroxybutyric Acid**
  - Any amount: Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual

- **Flunitrazepam (Schedule IV)**
  - 1 gm or more: First Offense: Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine not more than $500,000 if an individual, $2.5 million if not an individual

- **Other Schedule III drugs**
  - Any amount: Second Offense: Not more than 20 years. Fine not more than $1 million if an individual, $5 million if not an individual

- **All other Schedule IV drugs (other than one gram or more of Flunitrazepam)**
  - Any amount: First Offense: Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual

- **All Schedule V drugs**
  - Any amount: Second Offense: Not more than 10 years. Fine not more than $500,000 if an individual, $2 million if not an individual

- **All Schedule V drugs**
  - Any amount: First Offense: Not more than 1 year. Fine not more than $100,000 if an individual, $250,000 if not an individual

- **Second Offense: Not more than 4 years. Fine not more than $200,000 if an individual, $500,000 if not an individual**
For complete information regarding North Carolina state laws governing alcohol, consult the North Carolina General Statutes, Chapter 18B. Criminal penalties for a violation of these laws include a misdemeanor conviction, community service, possible loss of driver’s license, and/or fines. Repeat violations incur greater penalties. The complete statutes are available online at ncga.state.nc.us/gascripts/Statutes/Statutes.asp.

Highlights of State Statutes

It is illegal for anyone less than 21 years of age to:

- Possess or consume malt beverages, unfortified or fortified wine, spirituous liquor, or mixed beverages;
- Purchase or attempt to purchase malt beverages, unfortified or fortified wine, spirituous liquor, or mixed beverages.

It is illegal for anyone (regardless of age) to:

- Aid or abet another in the unlawful sale, purchase, or possession of malt beverages, unfortified or fortified wine, spirituous liquor, or mixed beverages;
- Fraudulently use identification in obtaining or attempting to obtain alcoholic beverages.

APPENDIX G — PATIENT PRIVACY

The Health Insurance Portability and Accountability Act of 1996, or HIPAA, includes a privacy rule that creates national standards to protect individuals’ personal health information. These standards were implemented by the Duke Health Enterprise on April 14, 2003.

Duke Student Health, Counseling and Psychological Services, and the Office of Gender Violence Prevention and Intervention comply with these standards. All incoming students are asked to review and electronically sign the HIPAA notice as part of the immunization and health history process. Students who have not yet received the Notice of Privacy Practices brochure, which describes how medical information may be used and disclosed and how one can get access to this information, will receive this at the first visit.

APPENDIX H — MISSING STUDENT NOTIFICATION

In accordance with the Higher Education Opportunity Act of 2008, Duke University has developed a policy for notifying the designated emergency contact in DukeHub for a student who is determined to be missing.

A student may be deemed missing if it is reported to appropriate university officials (Duke Police, Residence Coordinator on-Call, or the Dean on-Call) that the student has been unreachable via personal contact, telephone, e-mail, or other means of electronic communication for 24 hours or more. If members of the Duke community believe that a student has been missing for 24 hours, it is critical that they report that information to the Duke University Police at (919) 684-2444. A Residence Coordinator on-Call or Dean on-Call who receives such a report will immediately report it to Duke University Police. Duke University will notify any missing student’s confidential contact(s), if provided, within 24 hours of the determination that the student is missing. In the event a student is under 18 years of age and not emancipated, Duke University must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, Duke University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Upon determination by Duke University Police that a student is missing, the designated missing person contact will be notified as soon as possible, but no later than 24 hours after that determination that the student has been missing for 24 hours. The student’s custodial parent or guardian will also be notified if that person is not the designated missing person contact and the student is under 18 years of age and not an emancipated individual. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Duke University Police will inform local law enforcement (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

Duke provides the option for each student living in an on-campus student housing facility to identify, separate from an emergency contact, a contact person or persons to whom Duke will make notification within 24 hours of the determination that the student is missing. Students are encouraged to periodically review and update their emergency contact information in DukeHub. When students enter a separate “Missing Person” emergency contact or contacts in DukeHub, that information will remain confidential and shared only with appropriate university personnel involved with a missing person investigation and law enforcement, and may not be disclosed outside of a missing person investigation.
DUKE COMMUNITY STANDARD

Duke University is a community dedicated to scholarship, leadership, and service and to the principles of honesty, fairness, respect, and accountability. Citizens of this community commit to reflect upon and uphold these principles in all academic and non-academic endeavors, and to protect and promote a culture of integrity.

To uphold the Duke Community Standard:
- I will not lie, cheat, or steal in my academic endeavors;
- I will conduct myself honorably in all my endeavors; and
- I will act if the Standard is compromised.

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