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 Duke Community Standard in Practice: A Guide for Undergraduates

2012-2013
The information in this bulletin applies to the academic year 2012-2013 and is accurate and current, to the extent possible, as of July 2012. 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, disability, veteran status, sexual orientation, gender identity, sex, genetic information or age in the administration of its educational policies, admission policies, financial aid, employment, or any other university program or activity. The university also makes good faith efforts to recruit, employ and promote qualified minorities, women, individuals with disabilities, and veterans. It admits qualified students to all the rights, privileges, programs, and activities generally accorded or made available to students.

The university also does not tolerate harassment of any kind. Sexual harassment and sexual misconduct are forms of sex discrimination and prohibited. Duke University has designated Dr. Benjamin D. Reese, Vice-President of the Office for Institutional Equity, as the individual responsible for the coordination and administration of its nondiscrimination and harassment policies. The Office for Institutional Equity is located in Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Durham, North Carolina 27708. Dr. Reese’s office telephone number is 919-684-8222.

Questions or comments about harassment or discrimination can be directed to the Office for Institutional Equity, 919-684-8222. Additional information, including the complete text of the harassment policy and appropriate complaint procedures, may be obtained by contacting the office or visiting its website at www.duke.edu/web/equity.

The Family Educational Rights & 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 www2.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 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 ADA (e.g., academic, housing, etc.) must consult Leigh Fickling, JD, director, Student Disability Access Office, 919-668-6213 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 Service 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 ACES.

Information that the university is required to make available under the Student Right to Know and Campus Security Acts may be obtained from the Office of News and Communications at 919-684-2823 or in writing to 615 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/bulletins/communitystandard.
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For Trinity College of Arts and Sciences and Pratt School of Engineering. Consult the calendars of the various schools for additional information.

**SUMMER 2012**

- **February 20**  Monday. Registration begins for all Summer sessions
- **May 16**  Wednesday. Term I classes begin. The Monday class meeting schedule is in effect on this day. (Therefore, all summer classes meet this day.) Regular class meeting schedule begins on Thursday, May 17; Drop/Add continues
- **May 17**  Thursday. Regular class meeting schedule begins
- **May 18**  Friday. Drop/Add for Term I ends
- **May 28**  Monday. Memorial Day holiday. No classes are held
- **June 13**  Wednesday. Last day to withdraw with W from Term I classes
- **June 25**  Monday. Term I classes end
- **June 26**  Tuesday. Reading period
- **June 27**  Wednesday. Term I final examinations begin
- **June 28**  Thursday. Term I final examinations end
- **July 2**  Monday. Term II classes begin
- **July 4**  Wednesday. Independence Day holiday. No classes are held
- **July 5**  Thursday. Drop/Add for Term II ends
- **July 30**  Monday. Last day to withdraw with W from Term II classes
- **August 9**  Thursday. Term II classes end
- **August 10**  Friday. Reading period (Until 7:00 p.m.)
- **August 10**  Friday. Term II final examinations begin, 7:00 p.m.
- **August 12**  Sunday. Term II final examinations end
FALL 2012

August 21  Tuesday. New graduate student orientation begins
August 21  Tuesday. New undergraduate student orientation begins
August 22  Wednesday. 11:00 a.m. Convocation for new undergraduate students; 4:00 p.m. Convocation for graduate and professional school students
August 27  Monday. 8:30 a.m. Fall Semester classes begin; Drop/Add continues

September 3  Monday. Labor Day. Classes in session
September 7  Friday. Drop/Add ends
September 27  Thursday. 4:30 p.m. Founders' Day Convocation
September 30  Sunday. Founders' Day
October 12  Friday. Last day for reporting midsemester grades. 7:00 p.m. Fall break begins
October 17  Wednesday. 8:30 a.m. Classes resume
October 26 - 28  Friday-Sunday. Family Weekend.
October 31  Wednesday. Registration begins for Spring Semester, 2013

November 9  Friday. Last day to withdraw with W from Fall 2012 classes
November 14  Wednesday. Registration ends for Spring Semester, 2013
November 15  Thursday. Drop/Add begins for Spring 2013
November 20  Tuesday. 10:30 p.m. Thanksgiving recess begins
November 26  Monday. 8:30 a.m. Classes resume
November 30  Friday. Graduate classes end
December 1 - 10  Saturday-Monday. Graduate reading period
December 7  Friday. Undergraduate classes end
December 8 - 10  Saturday-Monday. Undergraduate reading period
December 11  Tuesday. Final examinations begin (9:00 a.m.)
December 16  Sunday. 10:00 p.m. Final examinations end

The dates in this calendar are subject to change. Past, current, and future academic calendars can be found online at registrar.duke.edu/registrar/studentpages/student/academicalendars.html.
## SPRING 2013

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<th>Date</th>
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<td>January 6 - 8</td>
<td>Sunday - Tuesday. Undergraduate Winter Forum</td>
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<td>January 9</td>
<td>Wednesday, 8:30 a.m. Spring Semester begins: The Monday class meeting schedule is in effect on this day; Regular class meeting schedule begins on Thursday, January 10; Classes meeting in a Wednesday/Friday meeting pattern begin January 11; Drop/Add continues</td>
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<tr>
<td>January 10</td>
<td>Thursday. Regular class meeting schedule begins</td>
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<td>January 21</td>
<td>Monday. Martin Luther King, Jr. Day holiday: classes are rescheduled on Wednesday, January 9</td>
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<td>January 23</td>
<td>Wednesday. Drop/Add ends</td>
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<td>February 18</td>
<td>Monday. Registration begins for Summer 2013</td>
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<td>February 22</td>
<td>Friday. Last day for reporting midsemester grades</td>
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<td>March 8</td>
<td>Friday. 7:00 p.m. Spring recess begins</td>
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<tr>
<td>March 18</td>
<td>Monday. 8:30 a.m. Classes resume</td>
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<td>March 27</td>
<td>Wednesday. Last day to withdraw with W from Spring 2013 classes</td>
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<td>April 3</td>
<td>Wednesday. Registration begins for Fall Semester 2013; Summer 2013 registration continues</td>
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<td>April 12</td>
<td>Friday. Registration ends for Fall Semester 2013; Summer 2013 registration continues</td>
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<tr>
<td>April 13</td>
<td>Saturday. Drop/Add begins for Fall 2013</td>
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<tr>
<td>April 17</td>
<td>Wednesday. Graduate classes end</td>
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<td>April 18 - 28</td>
<td>Thursday-Sunday. Graduate reading period</td>
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<td>April 24</td>
<td>Wednesday. Undergraduate classes end</td>
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<td>Thursday-Sunday. Undergraduate reading period</td>
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<td>April 29</td>
<td>Monday. Final examinations begin</td>
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<td>May 1</td>
<td>Wednesday. Undergraduate reading period (9:00 a.m. - 2:00 p.m.)</td>
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<td>May 4</td>
<td>Saturday. 10:00 p.m. Final examinations end</td>
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<td>May 10</td>
<td>Friday. Commencement begins</td>
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<td>Sunday. Graduation exercises; conferring of degrees</td>
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GENERAL ADMINISTRATION
Richard H. Brodhead, PhD, President
Victor J. Dzau, MD, Chancellor for Health Affairs; and President and Chief Executive Officer,
Duke University Health System, Inc.
Peter Lange, PhD, Provost
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Pamela J. Bernard, JD, Vice President and General Counsel
Kyle Cavanaugh, MBA, Vice President for Administration
Tracy Futhey, MS, Vice President, Information Technology and Chief Information Officer
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John J. Noonan, MBA, Vice President, Facilities
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William Boulding, PhD, Dean, Fuqua School of Business
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Catherine L. Gilliss, DNSc, Dean, School of Nursing and Vice Chancellor for Nursing Affairs
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Thomas C. Katsouleas, PhD, Dean, Pratt School of Engineering
Bruce R. Kuniholm, PhD, Dean, Sanford School of Public Policy
David F. Levi, JD, Dean, School of Law
Paula D. McClain, PhD, Dean, Graduate School
Stephen Nowicki, PhD, Dean and Vice Provost, Undergraduate Education
Laurie L. Patton, PhD, Dean of Arts and Sciences
Nancy Allen, MD, Vice Provost, Faculty Diversity and Faculty Development
Deborah Jakubs, PhD, Vice Provost for Library Affairs
Scott Lindroth, PhD, Vice Provost for the Arts
James S. Roberts, PhD, Executive Vice Provost for Finance and Administration
Susan Roth, PhD, Vice Provost for Interdisciplinary Studies
James Siedow, PhD, Vice Provost for Research
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Neal F. Triplett, MBA, President and CEO, DUMAC

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James S. Roberts, PhD, Executive Vice Provost for Finance and Administration
Susan Roth, PhD, Vice Provost for Interdisciplinary Studies
James N. Siedow, PhD, Vice Provost for Research
Keith E. Whitfield, PhD, Vice Provost for Academic Affairs
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Lee W. Willard, PhD, Senior Associate Dean for Academic Planning and Associate Vice Provost

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Lynn K. White, MD, Associate Dean for Undeclared Students and Natural and Mathematical Sciences

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Linda Franzoni, PhD, Associate Dean for Undergraduate Education
Constance E. Simmons, MBA, Associate Dean for Undergraduate Affairs

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Zoila Airall, PhD, Assistant Vice President of Student Affairs for Campus Life
Rick Johnson, MBA, Assistant Vice President of Student Affairs for Housing, Dining, and Residence Life
Caroline Nisbet, MA, Assistant Vice President of Student Affairs for Resource Administration
Suzanne Wasiolek, JD, LLM, EdD, Assistant Vice President of Student Affairs and Dean of Students

ADMISSIONS AND FINANCIAL AID
Christoph O. Guttenberg, MA, Dean of Undergraduate Admissions
Alison Rabitz, EdD, Assistant Vice Provost and Director of Financial Aid
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.
Students’ Obligation to Act with Respect to the Duke Community Standard

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 behavior 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 associate dean of students/director of the Office of Student Conduct, and to address the topic with the class or suspected student(s).
- Directly alerting the associate dean of students/director of 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 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.

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 undergraduate 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 undergraduate 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 History of the Duke Community Standard

In 1999-2000, Duke participated in a national survey through the Center for Academic Integrity. Through responses from undergraduate students, as well as from faculty and staff, the survey assessed the climate of academic integrity at Duke in comparative context with other institutions. As a result of the findings, the provost formed the Academic Integrity Council (AIC) in 2001 by appointing representatives from across the community whose charge was and remains to review academic integrity policies and practices and make recommendations to improve the climate of integrity on campus.

An early goal of the AIC was to review the existing Honor Code, which had been in effect for the undergraduate community since 1993. The AIC determined that the Honor Code needed revision to make it shorter while embracing all aspects of a student’s life at Duke. A major element of the revision was the inclusion of the fundamental values that must inform the definition of a community of honor.

This Duke Community Standard was proposed to the faculty councils of Trinity College of Arts and Sciences and the Pratt School of Engineering, as well as to the Duke Student Government. It was approved for the undergraduate community and implemented in the fall of 2003. The Standard was also incorporated into the code of each graduate and professional school of the university and, thus, represents the values we uphold as an institution.

Duke University is committed to ongoing evaluation of principles, policies, and practices, and to lively conversation about issues of integrity. Thus, Duke participated again in a national survey on academic integrity in the fall of 2005 and in intensive discussions of academic and social integrity from summer 2006 through spring 2007. The result of these continuing and broadened discussions was a revised Community Standard, put before the undergraduate student body in a student government referendum of April 2007 and overwhelmingly approved. Implemented in summer 2007, the new Duke Community Standard differs from its predecessor chiefly in its level of commitment to taking action (see “Students’ Obligation to Act with Respect to the Duke Community Standard” on page 13).

In the spring of 2011, Duke University again surveyed undergraduate students about integrity, this time expanding beyond an academic focus to additional questions about integrity in other domains (i.e., social, work, and civic) inside and outside the classroom. In-depth focus interviews were also conducted with a sample of graduating seniors. Results showed a marked reduction in academic dishonesty in three key areas that were identified as problem areas in the 2005 survey: fabricating or falsifying a bibliography, falsifying or fabricating lab data, and copying or paraphrasing a few sentences without appropriate attribution. One area of concern that emerged from the 2011 survey was an
increase in reported unauthorized collaboration. There was also a
gap between students’ perceptions of the prevalence of dishonesty
across these multiple domains and students’ self-reported rates of
engaging in dishonest acts within these domains. Duke University
will continue to analyze these results and engage in subsequent
reflection and action as it promotes a culture of integrity inside and
outside the classroom.

A Statement of Principles

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.
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.

Undergraduates 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 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 undergraduate community.

**Academic Dishonesty**

**Lying**

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

It includes, but is not limited to:

- falsifying information on a résumé;
- 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.
Introduction: Our Ideas Emerge Against the Backdrop of Previous Formulations

Rarely, if ever, do we develop ideas in our individual minds, free of the effects and influences of others’ previous findings, claims, and analyses. This is not to suggest that writers never forge new ideas; rather, the majority of one’s thoughts—and certainly the intellectual thinking that we do in university settings—is prompted, shaped, and changed in response to and in light of what has already been stated by others. Our ideas emerge in response to reading others’ texts, in sites of conversation and verbal exchange, with and against the grain of the words and formulations of others. It is appropriate to think of the university as a vast society of influences, composed of various formal sites of critical discussion, reporting, and debate, both verbal and written. University persons—both scholars and students—gain status and

**Cheating**

Cheating is the act of wrongfully using or attempting to use unauthorized materials, information, study aids, or the ideas or work of another in order to gain an unfair advantage. 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;
- 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.

(continued on page 20)
authority by dint of their intellectual involvement in written and verbal exchange (detailing their findings, casting written arguments, offering careful analyses of their objects of study). Since the university values the public thinking of its faculty and students, it requires that its members formally recognize who has made which sorts of statements in what settings. Scrupulously citing the origin of quotations, summaries, and other borrowed material included in your paper enables the social value of respect to exist within intellectual circles of research and scholarship around the globe. Not to formally recognize the work and influences of others in your writing is to plagiarize, violating an ethic of mutual regard.

The Academic Community's Guidelines: The Practice of Documentation

It has become commonplace to envision the verbal and written exchanges between speakers and listeners, readers and writers, researchers and their sources, as interactions constituting communities of discourse. Discourse communities share interpretive, analytic, and argumentative conventions. Academic discourse communities (often shaped as “disciplines” or “fields of inquiry”) agree to refer scrupulously to one another’s writings and research findings by explicitly linking quoted materials to the name of the person or persons who uttered or wrote them, and by carefully describing the influence others have had upon them.

In fact, a mark of strong academic writing is the practice of situating one’s claims and findings within a tradition of inquiry into the subject, detailing the nature of the exchanges that have preceded the present foray into the ongoing conversation, at times indicating one’s affinities or disagreement with one or another avenue of thought. Ethos and authority are enhanced when writers demonstrate their uses of others’ statements, texts, and representations, and when they appropriately identify these sources in their arguments and analyses. This practice is called documentation. Guidelines for how to correctly cite materials used within your writing and rules for assembling the list of works that you cite in your paper are compiled by academic organizations which produce style manuals. Information from these style manuals can be accessed in the Citing Sources section of the Library web page.

Plagiarism Defined

Academic communities, then, demand that writers credit others for their work, and that the source of their material clearly be acknowledged. Not to do so is to plagiarize, to intentionally or unintentionally appropriate the ideas, language, key terms, or findings of another without sufficient acknowledgment that such material is not one's own. As the Modern Language Association defines this transgression:

Scholarly authors generously acknowledge their debts to predecessors by carefully giving credit to each source. Whenever you draw on another’s work, you must specify what you borrowed whether facts, opinions, or quotations and where you borrowed it from. Using another person’s ideas or expressions in your writing without acknowledging the source constitutes plagiarism. Derived from the Latin plagiarus (“kidnapper”), plagiarism refers to a form of intellectual theft. . . . In short, to plagiarize is to give the impression that you wrote or thought something that you in fact borrowed from someone, and to do so is a violation of professional ethics. (Joseph Gibaldi, MLA Style Manual and Guide to Scholarly Publishing, 2nd. ed., New York: MLA, 1998: 151).

Plagiarism encompasses a range of errors and violations. Though the charge of plagiarism can be leveled against writers who incorrectly or neglect to cite borrowed materials, it most often tempts students who find themselves in the dire straits of
having to complete a written assignment without previously having undertaken the laborious and time-consuming process of research, reading, note-taking, interpretation, and analysis. Wholesale copying from sources is an easy way to fill up the page and to turn something—anything—in on time. In all cases, it is far better to contact one's instructor and honestly to discuss with him or her a strategy for completing an assignment rather than to risk humiliation and disciplinary consequences. Instructors will, within reason and to the best of their abilities, help you to get your papers started and help you to make progress with your work. You will do yourself and your instructors justice if you openly and squarely discuss the circumstances of your progress or lack thereof.

On occasion, students accused of plagiarism have claimed that their plagiarism has occurred without their knowledge or intent. Since ignorance of convention is not a reasonable defense, it is best to become thoroughly acquainted both with the various ways in which plagiarism is construed, and with the conventions of source attribution and proper documentation. Some students seem to believe that there are different degrees of plagiarism, some not as a bad as others. No distinctions are made between any of the following acts. All constitute instances of plagiarism as outlined in *The Duke Community Standard in Practice: A Guide for Undergraduates*, and all constitute transgression of the university's Community Standard. You will be charged with plagiarism if you:

- Copy from published sources without adequate documentation.
- Purchase a pre-written paper (either by mail or electronically).
- Let someone else write a paper for you.
- Pay someone else to write a paper for you.
- Submit as your own someone else's unpublished work, either with or without permission.

If the final work you submit is not yours, it does not matter how you came by it. If you use another person's work to further your own understanding of a subject, you must credit the source. (Hillard, V. Plagiarism: Its Nature and Consequences. Duke Libraries: Citing Sources. Retrieved June 11, 2007, from library.duke.edu/research/citing/plagiarism.html)

(continued from page 18)

“Plagiarism” occurs when a student, with intent to deceive or with reckless disregard for proper scholarly procedures, presents any information, ideas or phrasing of another as if they were his/her 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.

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 fulfilment 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 West Union Building, East Union Building, Bryan Student Center, and West Campus Plaza are approved and installed by University Center Activities and Events. Housing, Dining, and Residence Life approves banners on the exterior/interior of residence halls (contact the appropriate residence coordinator). 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, Dining, and Residence Life for specific guidelines. All exterior banners 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 organization, 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

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 organizations, 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 organizations shall also adhere to the specific guidelines for events outlined in *The Duke Community Standard in Practice: A Guide for Undergraduates* or the Graduate and Professional Student Alcohol Policy.

• 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., Undergraduate, 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 groups, whether on campus or off, prohibited behavior includes:

• underage possession/consumption;
• unsafe/irresponsible behavior;
• violation of community expectations; and
• general provisions violation.

Sanctions for violations of any of these prohibited behaviors are outlined in this Guide (see “Resolution of Student Conflict and Alleged Violations of University Policy” on page 56). 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 105 for health effects associated with alcohol and other drug use, helpful resources for assistance, and legal ramifications of illicit possession, use, or distribution.
Duke Community Standard in Practice

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. Groups are considered in violation of this provision if they facilitate the acquisition of alcohol by anyone under the age of 21.

Unsafe/Irresponsible 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;
- 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 an action while under the influence of alcohol that is disruptive to the community. Such behavior includes, but is not limited to:

Choose Your Ride

The Durham Police Department’s “Choose Your Ride” vehicle—a half patrol car/half taxicab hybrid—is designed to call attention to the issue of drinking and driving.

The front half of the vehicle is a standard marked Durham patrol car complete with light bar. The back half is covered with a wrap designed to look like the back of a yellow taxicab and has a TAXI sign on the roof. The potential costs of a driving while impaired conviction are spelled out on the hood of the vehicle.

“We hope that this vehicle will cause people who have been drinking to stop and think before they get behind the wheel of a car. This is a reminder that a DWI arrest will end up costing a lot more than a cab ride,” Assistant Durham Police Chief Lee Russ said.

The vehicle will be moved throughout the city to heighten awareness about the issue of drinking and driving. The “Choose Your Ride” vehicle is an old patrol car that was about to be auctioned.

- Kammie Michael,
  Durham Police Department
  Public Information Officer

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- consuming an excessive quantity in a short amount of time;
- 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 an 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.

GROUP-SPONSORED SOCIAL FUNCTIONS

Recognized 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 group will be held accountable if the group failed to take appropriate precautions. Appropriate precautions must include:
• a 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 licensed bartenders only.

Expectations for and obligations of student party monitors are communicated online through the Duke Student Wellness Center. Duties of party monitors include, but are not limited to, prevention of alcohol policy violations, intervention and care of inebriated, at-risk individuals, elimination of safety hazards, and attention to group precautions. Checking identification will be the responsibility of licensed bartenders. Groups may be held accountable for the actions of individual party monitors.

Party monitors and university officials may deny access to events to anyone who is visibly intoxicated and/or disruptive.

Social events that fail to meet any of these expectations may be shut down immediately.

General Provisions Violation

Additionally, 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.

• 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.

• Alcohol may not be brought in glass containers to on-campus BYOB events.

• No individual may possess more than six cans at a BYOB event. Each can may not exceed 12 ounces.

• Containers holding more than 24 ounces are prohibited from BYOB events.

• No alcoholic beverages are permitted in first-year houses (or the surrounding grounds) on East Campus.

• No alcoholic beverages are permitted within the confines of campus athletic facilities during sporting events.

• The use of alcoholic beverages as a prize is prohibited.

**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 threatened or appears to be in jeopardy, immediate action should be taken to prevent injury/illness/danger. The action may be a call to Duke Police (911 or 919-684-2444 from non-campus phones) or Student Health (919-681-9355) for assistance and guidance. 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 other university policies that warrant formal disciplinary action.

A student who receives medical assistance may be required to meet with a substance abuse specialist in the Duke Student Wellness Center (DUWELL) for education, assessment, and possible referral for treatment. The student may also be required to complete an educational assignment. Parents of such students under the legal drinking age 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 treatment program outlined, or exhibits a pattern of abusive behavior with alcohol, the student may be subject to formal disciplinary action and/or placed on a Medical Leave of Absence or Involuntary Administrative Withdrawal until he/she produces documentation that appropriate treatment has been successfully sought.
Animals on Campus

Any animal brought on campus by students or guests may not be unrestrained. With the exception of medically required dogs, animals are prohibited inside university facilities. 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.

Bridge Painting

The bridge on Campus Drive is a place where groups and individuals from Duke can express opinions that are not restricted by content, except by legal standards. The bridge will not be censored for content by the university. As part of a campus maintenance program, the entire bridge may be painted during the summer and semester break. Students are reminded that painting other university property without permission is prohibited. Any group or individual identified as being responsible for painting anything other than the bridge will be charged for clean up and may also be subject to disciplinary action. Supplies are the responsibility of the painter(s) and are not provided by the university.

Classroom Disruption

Students 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 (including cellular telephones); 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

Security and Privacy

The purpose of this policy is to establish and promote the ethical, legal, and secure use of computing and electronic communications for all members of the university community.

The university 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, the university may find it necessary to access and disclose information from computer and network users’ accounts to the extent required by law, to uphold contractual obligations or other applicable university policies, or to diagnose and correct technical problems. For this reason, the ultimate privacy of messages and files cannot be ensured. In
addition, system failures may lead to loss of data, so users should not assume that their messages and files are secure.

Neither the university nor its agents restrict the content of material transported across its networks. While the university does not position itself as a censor, it reserves the right to limit access to its networks or to remove material stored or posted on university computers when applicable university policies, contractual obligations, or state or federal laws are violated. Alleged violations will receive the same academic due process as any other alleged violation of university policy, contractual obligations, or state or federal laws.

Acceptable Use

In making acceptable use of resources you must:

- Use resources only for authorized purposes.
- Protect your userid and system from unauthorized use. You are responsible for all activities on your userid or that originate from your system. Your userid and password act together as your electronic signature.
- Access only information that is your own, that is publicly available, or to which you have been given authorized access.
- Use only legal versions of copyrighted software in compliance with vendor license requirements.
- Be considerate in your use of shared resources. 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.

In making acceptable use of 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. Contact the OIT Help Desk if you need assistance with giving other people authority to access your files or e-mail.
- Use computer programs to decode passwords or access-control information.
- Attempt to circumvent or subvert system or network security measures.
- Engage in any activity that might be purposefully harmful to systems or to any information stored thereon, such as creating or propagating viruses, worms, or “Trojan horse” programs; disrupting services; damaging files; or making 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 mail or messaging services to harass or intimidate another person, for example, by broadcasting unsolicited messages, by repeatedly sending unwanted mail, or by using someone else’s name or userid.

• Waste shared computing or network resources, for example, by intentionally placing a program in an endless loop, printing excessive amounts of paper, or by sending chain letters or unsolicited mass mailings.

• 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**

Large-scale e-mail communications within groups or units, including surveys, announcements, etc., require the implicit or explicit prior approval of that group or unit. In the case of such communications from outside the unit, the approval must always be explicit. Visit the OIT web site for full information at oit.duke.edu/email-accounts/group_email/group_email_policy.php.

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

**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 group that is inherently or potentially unsafe to other persons or their real or personal property; and/or

• any behavior by an individual or 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.

**Drugs and Drug Paraphernalia**

Duke University prohibits members of its community, both individuals and 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

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Laptop computers are among the most frequently stolen items reported to Duke Police. Protect yours by following these tips:

- Never leave your residence hall room or apartment door unlocked.
- Don’t leave your computer unattended, even with a trusted friend, at the library. A laptop can be taken in under 10 seconds.
- Have your computer and other personal electronics like cell phones and MP3 players engraved with your personal information to deter theft and claim ownership. DUPD’s Crime Prevention Unit offers this service for free. Schedule an appointment at 919-684-5868.
the North Carolina Controlled Substances Act, including but not limited to opiates, barbiturates, amphetamines, marijuana, and hallucinogens.

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.

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 105.)

DukeCard

As stated on the back of the DukeCard, the card “should be carried at all times and presented upon request to any university official. [It] is not transferable. The transfer of an ID card to another person, or the possession of another person’s ID card, may result in confiscation of the card and [disciplinary] action.”

Failure to Comply

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

- directions, requests, or orders of any university representative or body acting in an official capacity, or impeding with the carrying out of such directives;
- instructions of law enforcement officials acting in an official capacity; 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 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

It is a violation of university policy to light any material on fire on campus. Candles, other open flame devices, and incense are strictly forbidden for use inside university facilities except during official religious ceremonies such as the observance of Chanukah. Those individuals or groups wishing to utilize candles in observance of a religious holiday or any other event shall contact OESO-Fire Safety Division to obtain permission and information concerning fire prevention. Students and groups will be held financially accountable for any damage they cause as a result of violating this policy and will be referred to the disciplinary process. Additionally, students may be subject to a revocation of their Housing License for any violation of the Fire Safety policy.

**Electrical Wiring/Appliances.** Tampering with electrical wiring, including, but not limited to, the installation of direct-wired ceiling fans and dimmer switches, is prohibited. Damage caused by electrical appliances that are not owned by Duke University is the responsibility of the resident(s). Irons, hair dryers, heaters, coffee pots, hot plates, and other heat-producing appliances shall never be left unattended. All electrical appliances shall be UL approved and maintained in good condition. Numerous electrical devices plugged into one outlet or extension cord may cause a circuit overload or may cause overheating of the electrical appliances. Use an electrical outlet strip with a built-in surge protector or circuit breaker whenever more than one appliance is powered by that cord.

**Fire Alarms/Drills.** Never assume that a fire alarm is a drill or false alarm. Remain calm and evacuate the facility. Evacuation is mandatory for all individuals when the fire alarm is sounding. Anyone who fails to evacuate may face disciplinary action. Remember to follow the instructions of the emergency responders. Do not re-enter the facility until authorized. If you have any information regarding the alarm, present that information immediately to the responding emergency personnel.

**Fire Extinguishers, Sprinklers, and Other Fire-Fighting/Detecting Equipment.** Relocating, removing, tampering with, or destroying smoke detectors or fire-fighting equipment is strictly prohibited. Damage and/or theft of fire equipment also is punishable under North Carolina state law.

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

**Flammable/Combustible Materials in the Residential Areas.** Flammable/combustible materials, including but not limited to gas, lighter fluid, and propane lanterns, are not permitted in residential areas.

**Grills.** North Carolina state law prohibits the use of portable charcoal, gas, or electric grills within 10 feet of all residence halls/apartments. Storage of grills not in use, which are cool, is permitted on the exterior of the structure or in approved locations. Failure
to abide by this ordinance may result in a fine as determined by the
Durham Fire Marshal in addition to disciplinary action.

**Halogen Lamps.** Fire Safety and Housing, Dining, and
Residence Life (HDRL) strongly recommend NOT using halogen
lamps. 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. If you use a halogen lamp, make sure it has a
guard over the bulb and that the guard is secured to the lamp.

**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.
HDRL, Facilities Management, Fire 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 groundskeeping
equipment. Motorcycles must be parked in parking lots. Delivery
trucks, automobiles, motorcycles, scooters, and mini-bikes are
not permitted on lawns and walkways, patios, or stairwells. These
vehicles must be parked in legal parking spaces.

**Open Fires on Campus.** Open fires, including bonfires, are
not permitted on Duke University property except as approved
by the OESO-Fire Safety Division and the Durham Fire Marshal.
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.

**Open Flames.** Candles, incense, burning charcoal, or any
other flame/heat producing items are strictly prohibited inside any
university facility without the written permission of the Fire Safety
Division.

(See “Appendix H—Theme Parties and Decorations” on page
111.)

**Gambling**

It is against North Carolina state law and Duke University
policy to gamble, with the exception of the state lottery. A person/
organization is gambling if he/she/it 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 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.

Harassment

Introduction

Harassment of any individual for any reason is not acceptable at Duke University. Harassment is a form of prohibited discrimination and may arise in situations unique to a given interpersonal relationship or in actions rooted in an attitude toward a group. Sexual harassment is perhaps the most commonly understood form of harassment, but it is important to note that harassment on any demographic basis—including age, color, disability, national origin, sex, gender identity, race, religion, class, institutional status, or sexual orientation—also occurs and is expressly forbidden. Abuse of the relationship between teacher and student, or provider and patient, is of particular concern because of the educational and health care missions of Duke University. In all cases, harassment undermines the University’s commitments to excellence and to respect for the dignity and worth of all individuals.

Administrative responsibility for implementing the Duke University Harassment Policy rests with the Office for Institutional Equity (OIE). Dr. Benjamin D. Reese, Vice-President for Institutional Equity, is the University’s designated Title IX, Section 504 and Age Discrimination Act Coordinator and responsible for implementing these and other relevant federal laws. Dr. Reese’s office is located at the Office for Institutional Equity, Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Box 90012, Durham, North Carolina, 27708. Dr. Reese may be contacted by telephone at: 919-684-8222.

This policy against harassment is consistent with the University’s valuation of academic freedom. Duke University is committed to the free and vigorous discussion of ideas and issues, which the University believes will be protected by this policy. This Harassment Policy shall be applied in a manner that protects the academic freedom of all parties to a complaint. Academic freedom and the related freedom of expression include, but are not limited to, the civil expressions of ideas, however controversial, in the classroom, residence halls, and other teaching and student living environments.

In addition to this Harassment Policy and Procedures, Duke University and Duke University Health System also provide educational programs to raise the level of understanding about the nature of harassment and ways to prevent its occurrence.
These programs may be found on the website of the Office for Institutional Equity: www.duke.edu/web/equity.

Note: Duke undergraduate students who have a concern regarding peer-on-peer physical sexual misconduct should utilize the Duke University Sexual Misconduct Policy. This policy may be found on page 46. For more information about this policy or its complaint procedures, you may contact the Duke University Office of Student Conduct at 919-684-6938 or OIE at 919-684-8222. If your concern or complaint does not involve peer-on-peer physical sexual misconduct, but other forms of harassment, this policy will apply and you may contact the Duke University Office of Student Conduct at 919-684-6938 or OIE at 919-684-8222 to initiate a complaint or for assistance. You are also free to contact your academic department chair or advisor.

Definitions

Harassment may take two forms:

The first form of harassment is unwelcome verbal or physical conduct—which may or may not be sexual in nature—that, because of its severity and/or persistence, interferes significantly with an individual’s work or education, or adversely affects an individual’s living conditions.

The second form of harassment occurs if a person uses a position of authority to engage in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- submission to such conduct is explicitly or implicitly made a term or condition of an individual’s employment or education; or
- submission to or rejection of such conduct is used as a basis for decisions affecting an individual’s education or employment.

The conduct alleged to constitute harassment under this Policy shall be evaluated from the perspective of a reasonable person similarly situated to the complainant and in consideration of the context of the behavior.

Harassment must be distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

Examples of conduct that may constitute harassment include:

- Continued unwelcome questioning about intimate or personal matters outside the scope of work or learning
- Unwelcome touching or physical acts outside the scope of work or learning
- Unwelcome comments or jokes of a sexual or explicit nature
- Unwelcome comments or conduct regarding an individual’s race, color, religion, sexual orientation, gender identity, age, disability, etc.
• Sending e-mails that contain unwelcome, extreme or persistent messages, images or language

• Persistently joking about an individual’s age, disability, country of national origin, color, sexual orientation, religion, gender identity, etc.

Harassment can occur outside of conduct sexual in nature. Harassment may also be verbal, non-verbal or physical and the above list is not exhaustive, but intended only to provide general examples of possible prohibited conduct. In considering whether conduct has violated the harassment policy, the totality of the circumstances is examined. Members of the Duke community are encouraged to bring specific questions and concerns to the attention of the appropriate Duke University administrator, as set forth in subsequent sections of this policy.

As used herein, complainant refers to the person making an allegation or complaint of harassment.

The term respondent refers to the person against whom the allegation or complaint of harassment is made.

An allegation is a statement by a complainant that he or she believes an act of harassment has occurred.

A complaint is a formal notification, either orally or in writing, of the belief that harassment has occurred. A complaint is handled through either the informal or formal process for resolving claims of harassment (see “Resolution of Student Conflict and Alleged Violations of University Policy” on page 56).

Scope

Duke Staff, Faculty, Students

This Harassment Policy applies to all persons who are enrolled at or employed by Duke University and Duke University Health System, including their entities and subsidiary organizations, while they are on university property or are participating in a university-related activity off-campus. All aspects of the Harassment Procedures described below apply to situations in which both complainant and respondent are enrolled or employed at Duke University or its subsidiaries, except in those cases in which the respondent is a Duke undergraduate. Claims of harassment against undergraduates are handled by the Office of Student Conduct. However, the Duke University Sexual Misconduct Policy is applicable in cases involving student peer-to-peer physical sexual misconduct. Claims by or against a member of the Office for Institutional Equity will be handled by the Office of the President or his or her designee.

All Others

Situations that involve other individuals (e.g., visitors, patients, graduates of Duke University, applicants for admission or employment, or former employees) who believe they have been harassed by someone either employed by or enrolled at Duke University or Duke University Health System, either on campus or
in a university-related activity, may be addressed only through the informal process for handling complaints (see bit.ly/OqtnUW, page 10).

Situations in which Duke University or Duke University Health System employees or students believe they have been harassed by visitors to the University or contractors or vendors serving the University will be resolved through the informal process.

Individuals who have questions about the Harassment Policy or who wish to file a complaint of harassment should contact the Office for Institutional Equity, Director of Harassment Prevention, Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Box 90012, Durham, North Carolina 27708, by telephone at 919-684-8222 or visit the OIE website: www.duke.edu/web/equity.

Statute of Limitations

An allegation or complaint of harassment should be submitted to the appropriate individual or office as soon after the offending conduct as possible, but in no event more than one year after the most recent conduct alleged to constitute harassment. While the Office for Institutional Equity may grant a reasonable extension of any other deadline established in the following procedures, the one year limit in which complainants may submit an allegation or complaint shall not be extended. This statute of limitations is intended to encourage complainants to come forward as soon as possible after the offending conduct and to protect respondents against complaints that are too old to be investigated effectively. If the nature of the allegation or complaint is particularly egregious, as determined by the Office of Institutional Equity, OIE has the authority to act as complainant beyond the one-year statute of limitations, provided that this office initiates the complaint within a year of learning about the alleged incident(s) and the evidence is available to support an effective investigation.

Confidentiality

Duke University and Duke University Health System recognize that confidentiality is important. Breaches of confidentiality compromise the ability of the University to investigate and resolve claims of harassment. Duke University and Duke University Health System will attempt to protect the confidentiality of harassment proceedings to the extent reasonably possible. All participants in the process (including the complainant and respondent, witnesses, advisors, mediators, members of hearing panels) are expected to respect the confidentiality of the proceedings and circumstances giving rise to the dispute. Until resolution has been achieved, participants are expected to discuss the matter only with those persons who have a genuine need to know.

Although the University and Health System are committed to respecting the confidentiality and privacy of all parties involved in the process, they cannot guarantee complete confidentiality. Examples of situations in which confidentiality cannot be maintained include:
• when the University or Health System is required by law to disclose information (such as in response to legal process)

• when disclosure of information is determined by the Office for Institutional Equity and/or the department to be necessary for conducting an effective investigation of the claim

• when confidentiality concerns are outweighed by the University or Health System’s interest in protecting the safety or rights of others.

Retaliation

Any individual who believes s/he has been subjected to harassing conduct is encouraged and has the right to seek support, utilize available resources and come forward with his/her concern or complaint. Fear of retaliation should never be an obstacle to reporting an incident of alleged harassment. The Duke Harassment Policy, as well as Title IX, Title VI and other applicable federal laws, prohibit retaliation against a complainant or an individual who participates in an investigation of or follow-up to a complaint of harassment. This policy prohibits retaliation:

Against the Complainant. It is a violation of Duke’s Harassment Policy to retaliate against a complainant for making a claim of harassment. If warranted, the appropriate senior administrator may monitor performance review, promotion, reappointment, grading, or other evaluation—or, to the extent possible, may reassign the supervisory relationship—to ensure that retaliation does not occur.

Against the Respondent. A claim of harassment is not proof of prohibited conduct. A claim shall not be taken into account during performance review, promotion, reappointment, or other evaluation unless a final determination has been made that the University’s Harassment Policy has been violated. If necessary and appropriate, such decisions shall be deferred until the claim is resolved.

Against a Witness or Participant in the Investigation. It is also a violation of the Duke Harassment Policy to retaliate against individuals providing information related to a complaint.

Claim of Retaliation. A claim of retaliation by a complainant, respondent or witness may be pursued using the steps followed for an allegation or complaint of harassment.

False or Malicious Complaints

Knowingly filing a false or malicious complaint of harassment or of retaliation is a violation of the Harassment Policy. Such conduct may be pursued using the steps followed for a complaint of harassment.
Procedures for Evaluation and Resolution of Claims of Harassment

Introduction

Responsibility for implementing the Duke University and Duke University Health System policy and procedures regarding harassment rests with the Office for Institutional Equity (OIE). However, other University and Health System personnel are also available to provide consultation and assistance. For example, Human Resources Staff and Labor Relations representatives, as well as department managers, directors and supervisors can assist employees. Academic department chairs, school deans and academic advisors can work with faculty and students in providing guidance about responding to situations that may constitute harassment. Harassment Prevention Advisors, who are trained by OIE, are available to assist students with harassment and/or Title IX concerns. The names and contact information for Harassment Prevention Advisors are available on the OIE website (www.duke.edu/web/equity).

Some forms of harassment may violate federal and state laws, and a complainant or respondent may choose to invoke external processes to resolve his or her concerns instead of or in addition to pursuing the procedures set forth herein. Some forms of harassment may also be criminal in nature. A complainant may choose to utilize the complaint handling processes below, report the alleged conduct to Duke Police and/or local law enforcement or
both. Any internal process proceeds without regard to an external process unless University Counsel instructs otherwise.

Note: Complaints of non-physical sexual harassment between students are addressed through the Harassment Policy using the undergraduate disciplinary process as applicable (see page 56).

**Procedures for Resolution of Claims of Harassment Between/Among Undergraduate Students.** The Office of Student Conduct in the Dean of Students Office has the authority to adjudicate, through the undergraduate disciplinary system, all claims of harassment where respondent/accused is a Trinity College or Pratt School of Engineering undergraduate student. For these cases, mediation may be attempted with agreement of the parties, but it is neither mandatory nor a right of the complainant or respondent. Students who have concerns about possible harassment may discuss the situation with a harassment prevention advisor, Duke Police, or the Office of Student Conduct.

Students with such complaints, individuals charged with harassment, and individuals with knowledge of situations in which harassment may exist may also seek assistance through a harassment prevention advisor or through the Office for Institutional Equity.

**Procedures for Resolution of Harassment Concerns Involving a Teaching Assistant, Graduate Student, Faculty Member or Nonfaculty Employee.** Harassment complaints that involve both undergraduate students (as a complainant) and either graduate students, faculty members or employees (as a respondent) are addressed, as necessary, through the intervention of OIE or the official responsible for the respondent’s supervision. Such situations are of particular concern because the possible inherent power differential between the parties increases the potential for coerciveness.

**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 an organization (fraternity, sorority, athletic team, or other group) in which there is often a perceived or real power differential between members of the organization 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 his/her membership status. Such activities and situations include, but are not limited to:

**Level I Violations**

- marching in line
- road trips
- wearing apparel which is conspicuous and not normally in good taste, and/or inappropriate for the time of year

**North Carolina state law on hazing (N.C.G.S. § 14-35):**

It is unlawful for any student in attendance at any university, college, or school in this State to engage in hazing, or to aid or abet any other student in the commission of this offense. For the purposes of this section hazing is defined as follows: “to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group.” Any violation of this section shall constitute a Class 2 misdemeanor.
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 organization?

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?

Will this activity increase new members' respect for the group and all members of the group?

Is the activity free of mental anguish or physical discomfort?

Does the activity have inherent value in and of itself?

[Adapted from the Fraternity Executive Association, the North American Interfraternity Conference, Inc., and Washington University.]

- 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 individual or group found responsible for hazing will be subject to sanctions outlined in the disciplinary process, including, but not limited to: disciplinary probation, social suspension, suspension of charter, restrictions on member recruitment and/or group activity, removal of the individual from the group, loss of housing privileges, 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.

Acts or potential acts of hazing may be reported to the Office of Student Conduct (919-684-6938) or Duke Police (911 or 919-684-2444 from non-campus phones). In addition, concerns may be reported confidentially via voicemail to the university’s Hazing Hotline at 919-684-5766.
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.

Signature/Pledge Books
As part of the new member education program for the business fraternity Epsilon Delta Omega, new members are requested to meet as many of the 87 active members of the group as possible. Each new member is given a roster of initiated members and their contact information as well as a book issued by the fraternity. The new members are asked to schedule on-campus appointments with the active members to gather information about them such as hometown, major, career goals, etc. The new member educator has asked the active members that during their meetings, the older members should teach them something new or share something special, such as give a cooking lesson, attend a concert, or visit the Lemur Center. New and initiated members are allowed to meet in groups of up to eight at a time.

This is NOT a violation of the Hazing Policy. There is no penalty for not obtaining signatures. Members are not required to complete absurd tasks or ask inappropriate questions. In addition, current members are asked to participate equally in the activity.
The new members of business fraternity Upsilon Zeta Chi are told that they must obtain the signatures of all 87 active members before they can be initiated. The active members are instructed to tell the new members that in order to sign their books, the new member must bring one of the following to their meeting: a bottle of rum, vodka, or other liquor, and $50.00. The initiated members are also told they must meet the new members at odd times or inconvenient locations. The new members are told they will be fined $5.00 for each active member whose signature they do not obtain by the stated deadline.

This IS a violation of the Hazing Policy. The new members are subjected to absurd requirements and by being asked to obtain alcohol may violate the university’s Alcohol Policy. New members are put under additional pressure with financial penalties. In addition to Hazing, the group may be charged with a potential policy violation of the Alcohol Policy – Underage Possession/Consumption. Individual group members may also be held personally accountable for policy violations.

Costumes/Apparel

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 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 of the night 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 to 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 an organization

Noise

Students and groups are 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:

East, Central, West Campuses:

Quiet hours are in effect at all times other than as noted below, when reasonable levels of noise will be permitted:

5:00 p.m.-7:00 p.m. Monday-Thursday
5:00 p.m.-2:00 a.m. Friday
1:00 p.m.-2:00 a.m. Saturday
1:00 p.m.-6:00 p.m. Sunday

West Campus:

Amplified sound is permitted on the Plaza between noon and 1 p.m. on weekdays.

East Campus:

The Wellness Living/Learning Community maintains special quiet hours from midnight until 7:00 a.m. each day.

All Campuses:

From reading day(s) through the end of finals, quiet hours are in effect 24 hours a day.
Students who are disturbed by noise should attempt to resolve the situation by contacting the other party(ies) involved; or, if needed, seek the assistance of living group officers, resident assistants, graduate residents, or residence coordinators. If necessary, persistent complaints may be registered by calling Duke Police at 919-684-2444. Students are responsible for the actions of their guests; cohesive units, as a whole, may be held responsible for violations of this policy by their individual members or their guests.

Initial complaints will be referred to appropriate residential staff. Depending on the nature and severity of the violation, as well as the existence of prior violations, the complaint may be forwarded to the Office of Student Conduct in the Dean of Students Office for disciplinary action.

**Physical Abuse, Fighting, and Endangerment**

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

- physical violence (initiating or responding to) or attempted physical violence against another person or group. This includes fighting.
- threat of physical violence against another person or group.
- any action that endangers the health, safety or welfare of a person or group.
- attempting to, or actually harming oneself.

[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 his/her 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.
Property/Facilities/Services

Students and 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 of the property and/or services of another;
- damage, destruction, or defacement of the property of another, including littering or chalkling of university property;
- wrongful appropriation of the property and/or services of another;
- 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, Central Campus pool, parking areas, roofs, ledges, and tunnels; and/or
- violation of any policy or guidelines pertaining to specific usage of a university facility.

[Worded from Eastern Michigan Student Conduct Code.]

Sexual Misconduct

Introduction. Sexual misconduct, including acts of sexual violence, is a form of sexual harassment that is prohibited under federal law and the Duke University Harassment Policy. The following special policies and procedures are in place regarding allegations of student-to-student physical sexual misconduct. Complaints of sexual misconduct in which either the complainant or respondent is not a student are addressed through the Harassment Policy. Complaints of non-physical sexual harassment between students are addressed through the Harassment Policy using the undergraduate/graduate/professional school disciplinary process as applicable (see web.duke.edu/policies/students/policies.php for detailed information). The Harassment Policy and its Procedures for Evaluation and Resolution of Claims of Harassment may be found at www.duke.edu/web/equity.

Complaints regarding student-to-student physical sexual misconduct may be filed with the director of the Office of Student Conduct (919-684-6938; conduct@duke.edu; www.dukejams.com; 200 Crowell Building; Box 90893, Durham, NC 27708).

The Office for Institutional Equity (OIE) is responsible for implementing and monitoring Duke University’s compliance with federal regulations concerning harassment and discrimination. Concerns, complaints, or questions may be directed to the Title IX coordinator, Dr. Benjamin Reese, Jr., Vice-President for Institutional Equity, Office for Institutional Equity, 114 S. Buchanan Blvd. Bay 8,
Undergraduate Policies

PO Box 90012, Durham, NC 27708. His phone number is 919-684-8222 and his email address is ben.reese@duke.edu.

**Retaliation prohibited.** Federal regulations and university policy protect against retaliation directed at any individual who files a complaint under this policy or participates in a complaint investigation. A complaint of retaliation may be initiated with Dr. Reese for any retaliatory actions resulting from the filing of a complaint under this policy.

**NOTE:** Any university employee—as well as any student who serves in an ongoing peer-advising role—informed of an allegation of sexual misconduct involving a student is expected to notify the Office of Student Conduct. University employees who serve in a professional role in which communication is privileged under North Carolina law (e.g., medical providers, therapists, rape crisis counselors, clergy) are not bound by this expectation, except as required by law.

Upon receipt of a report the Office of Student Conduct will take appropriate responsive action to ensure that the educational environment at Duke University is free of discrimination and a hostile environment. Additionally, as appropriate, steps may be taken to remedy the effects of the harassment on the complainant. This may include commencement of the disciplinary process against an accused student.

**Sexual misconduct defined.** Sexual misconduct is defined as any physical act of a sexual nature perpetrated against an individual without consent or when an individual is unable to freely give consent. Acts of a sexual nature include, but are not limited to, touching or attempted touching of an unwilling person’s breasts, buttocks, inner thighs, groin, or genitalia, either directly or indirectly; and/or rape, forcible sodomy, or sexual penetration (however slight) of another person’s oral, anal or genital opening with any object. Sexual misconduct also includes sexual exploitation (defined as taking non-consensual, unjust sexual advantage of another for one's benefit or the benefit of another party), gender-based relationship violence, and gender-based stalking. These acts may or may not be accompanied by the use of coercion, intimidation, or through advantage gained by the use of alcohol or other drugs.

**Consent defined.** The university’s definition of sexual misconduct mandates that each participant obtains and gives consent in each instance of sexual activity. Consent is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely and actively by all parties. Relying solely upon non-verbal communication can lead to miscommunication. It is important not to make assumptions; if confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Students should understand that consent may not be inferred from silence, passivity, or lack of active resistance alone.
Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one’s responsibility to obtain consent.

Conduct will be considered “without consent” if no clear consent, verbal or nonverbal, is given. It should be noted that in some situations an individual’s ability to freely consent is taken away by another person or circumstance. Examples include, but are not limited to, when an individual is incapacitated due to alcohol or other drugs, scared, physically forced, passed out, intimidated, coerced, mentally or physically impaired, beaten, threatened, isolated, or confined.

**The use of alcohol or other drugs.** The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol or drugs on another’s ability to give consent. Being intoxicated or high is never an excuse for sexual misconduct.

**Reporting Sexual Misconduct for University Action**

The Office of Student Conduct receives complaints of a possible violation of this policy for investigation and possible remedial actions, including adjudication through the university’s disciplinary process or other remedies designed to reasonably minimize the recurrence of such conduct as well as mitigate the effects of the harassment. Reports must be filed within one (1) calendar year from the date of the alleged incident.

**Investigation.** The conduct officer, or designee, may meet with the complainant to hear or clarify his/her account of the incident and review the investigation process and possible remedies, including the disciplinary process. A formal investigation may be launched, which may include the use of an independent investigator to investigate the complaint, interview witnesses, and collect additional information. After an initial investigation, the conduct officer or designee may ask further clarifying questions of the complainant, accused, or witnesses. A determination will be made on whether to proceed with the disciplinary process based on sufficient information to believe that a policy violation may have occurred. Should a determination be made not to proceed with the disciplinary process, the complainant may meet with the conduct officer to review that decision. During the investigation and until resolution of the matter, interim restrictions may be issued as deemed appropriate by the conduct officer or designee, including restrictions on contact between the complainant and the accused, exclusion from areas of campus, removal or relocation from residential areas, etc.
Hearing procedures. If an investigation supports moving forward with a hearing, every effort will be made to convene a hearing panel within 30 business days of receipt of the formal complaint. A three-person hearing panel will preside over a case that is referred to the Undergraduate Conduct Board, comprised of two faculty or staff members and one student. [Hearings involving students within other communities (Fuqua, Law, Divinity, Medical, etc.) will proceed based on that community’s procedures. Hearings involving students from multiple communities will be adjudicated by the University Judicial Board.] A finding of responsibility must be based on a unanimous vote using a “preponderance of evidence” standard; any sanction must be decided by a majority vote with the exception of suspension or expulsion, which must be supported unanimously. A complainant may have an advisor (a member of the university community) present during a hearing, but as with the accused’s advisor, he/she may only confer quietly or through notes with the complainant and may not address the panel.

Participants are reminded that any information shared during a hearing is confidential. The hearing panel will decide what testimony, witnesses, or other information is relevant, and may exclude information or a witness that is deemed duplicative or immaterial. Absent exceptional circumstances, the complainant or accused should inform the conduct officer in writing at least 24 hours in advance of the hearing the names of any witnesses he/she wishes to testify and to what they will attest.

Information for complainants. Complainants will be treated with respect before, during, and after the disciplinary process. The university will make all reasonable efforts to ensure the preservation of confidentiality, restricting information to those with a legitimate need for it. Complainants will be informed of the university’s disciplinary process and possible outcomes. The university will communicate substantive and, when warranted, procedural developments regarding the investigation. The alleged conduct may also be criminal in nature, and complainants have the right to report such conduct to local law enforcement, which does not preclude university disciplinary action. Regardless of whether a complainant pursues a criminal complaint and/or the university’s grievance process through this outlined policy, the university may investigate the incident(s) in question and will take appropriate responsive action to ensure that the educational environment is free of discrimination and the prevent the recurrence of a hostile environment—and, if appropriate, remedy the effects of the harassment on the complainant. Remedies available to a complainant may include, but are not limited to: reasonable academic accommodations, on-campus housing reassignment, a “no contact” order between the accused and the complainant, and disciplinary action against the accused as determined through the disciplinary process. See “Resolution of Student Conflict and Alleged Violations of University Policy” on page 56 for additional information about the disciplinary process.

(continued on page 51)
EXAMPLES OF SEXUAL MISCONDUCT

Angela and Aaron have been in an ongoing relationship for a year and a half and have engaged in consensual sexual intercourse. One night while becoming intimate, Angela stops and says she doesn't feel like having sex that night. Aaron continues to touch her, saying that she got him excited and it wasn't fair of her to lead him on like that. Again Angela tells him she does not want to have sex, and then is silent. Aaron decides she has given in, and proceeds to have sexual intercourse with her.

This is a violation of the Sexual Misconduct Policy. Aaron had sexual intercourse with Angela against her will. The fact that Angela has freely consented to sexual intercourse with Aaron in the past does NOT mean he has her consent in this situation.

Erin is talking to several of her friends in the hallway at a crowded party. Ryan, a student she knows from chemistry class, comes up behind her and places his arms around her waist. She says hi to Ryan and continues her conversation. After a while, she realized that Ryan has moved his hands up to her breasts. She turns to him and tells him to stop, saying she doesn't want to be touched in that way and that he should have more respect for her. He laughs, tells her she takes herself too seriously, and again begins to grope her.

This is a violation of the Sexual Misconduct Policy. Ryan touched Erin in a sexual way without her consent, and continued to do so after she told him to stop. This behavior is a form of sexual misconduct.

Kristen and Myra have been intimate for a few weeks. One night, Myra calls Kristen and asks her to come over. When she arrives, Myra kisses Kristen passionately and leads her into the bedroom. They each express their excitement and desire to “hook up,” and are soon making out heavily in Myra's bed. After a while, Kristen tries to engage in oral sex with Myra. Myra tells Kristen that she really likes her, but that she doesn't feel ready for that. Kristen tells Myra she's just being shy, and ignores her when she repeats that she doesn't feel ready. Finally, Kristen threatens to reveal on the Internet that Myra is a lesbian. Because Myra has not yet come out to her friends and family, she becomes frightened and silent. Kristen proceeds with oral sex.

This is a violation of the Sexual Misconduct Policy. Because of Kristen's manipulative and threatening arguments, Myra was afraid and unable to freely give her consent. Kristen did not receive consent from Myra and has committed sexual misconduct.

Liz and Tom have been together for six months. She often tells her friends stories of Tom's sexual prowess, and decided to prove it to them. One night, she and Tom engage in consensual sexual intercourse. Without Tom's knowledge, Liz sets up her digital camera to videotape them having sex. The next evening, she uploads the video to an online video-sharing site and discusses it with her friends online.

This is a violation of the Sexual Misconduct Policy. Tom's consent to engage in sexual intercourse with Liz did NOT mean Liz had obtained his consent to videotape it. This is a form of sexual exploitation.

Andrew and Felix have been flirting with each other all night at a party. Around 12:30 a.m., Felix excuses himself to find a bathroom. Andrew notices Felix slurring his speech. Andrew wonders if Felix went to the bathroom to vomit. When Felix returns, the two begin flirting more heavily and move to a couch. As the conversation continues, the two become more relaxed and more physically affectionate. Andrew soon suggests they go back to his room, and Felix agrees. As they walk down the stairs, Andrew notices that Felix looks unstable and offers his arm for support and balance. When they get back
to his room, Andrew leads Felix to the bed and they begin to become intimate. Felix becomes increasingly passive and appears disoriented. Andrew soon begins to have sexual intercourse with him. The next morning, Felix thinks they had sex but cannot piece together the events leading up to it.

This is a violation of the Sexual Misconduct Policy. Felix was clearly under the influence of alcohol and thus unable to freely consent to engage in sexual activity with Andrew. Although Andrew may not have known how much alcohol Felix had consumed, he saw indicators from which a reasonable person would conclude that Felix was intoxicated, and therefore unable to give consent. Andrew in no way obtained consent from Felix.

Denise is an undergraduate teaching assistant in Paul’s economics class. She notes that he has not been performing well on take-home assignments and exams. Both of them have come to tailgate, each with their own group of friends. Denise has consumed one can of beer, while Paul is rather intoxicated. Denise sees Paul and approaches him. She flirts with him, telling him that she can help him improve his grades if he will hook-up with her. As Paul turns to walk away, Denise grabs his buttocks and squeezes them.

This is a violation of the Sexual Misconduct policy. Denise, in a position of power over Paul as his teaching assistant, attempted to arrange a quid pro quo sexual relationship. Additionally, she did not seek consent from Paul to touch him, even if a reasonable person could conclude that Paul was not too intoxicated in order to provide consent.

(continued from page 49)

Complainants have the right to (and are strongly encouraged to seek) counseling and support available through resources such as Gender Violence Prevention and Intervention (GVPI) in the Women’s Center, Counseling and Psychological Services (CAPS), and Durham Crisis Response Center (DCRC).

Complainants may request changes to academic and living situations and will be notified as to what changes are reasonably available. Complainants also have access to disciplinary advisors to guide them through the disciplinary process.

Allegations of sexual misconduct will be investigated in a thorough and timely manner, typically within 15 business days of receipt of a complaint. An advisor (who is a member of the university community) may accompany complainants to any meeting with the conduct officer or to a hearing. Complainants have the right to receive—within the parameters of FERPA—a copy of the written information given to a hearing panel, and written notice of the outcome of an investigation. Complainants may offer relevant material witnesses to speak on their behalf. (Note that a hearing panel may exclude witness testimony deemed irrelevant or duplicative.) Complainants may also submit two written character references to a hearing panel before the hearing begins. Complainants will be given the opportunity to make opening and closing statements to a hearing panel.
Information for accused students. Students accused of sexual misconduct who proceed to a hearing have similar rights as a student accused of any other policy violation (unless noted otherwise). For undergraduates, this includes the right to a 120-hour/five day notice in advance of a hearing, the right to bring material witnesses to speak on his/her behalf (written testimony of two character witnesses may be submitted to a hearing panel before the hearing begins), the opportunity to make opening and closing statements, and the right to ask questions (directed through the hearing panel) of any witness present. (Note that a hearing panel may exclude witness testimony deemed irrelevant or duplicative.) Students within other communities (Fuqua, Law, Divinity, etc.) should consult their respective school’s bulletin (or web.duke.edu/policies/students/policies.php) for any different or additional rights.

An accused student may request changes to academic and living situations, and will be notified as to what changes are reasonably available. Accused students can expect a presumption of innocence throughout the disciplinary process unless found responsible through an impartial and fair hearing using a “preponderance of the evidence” standard, and will be treated with respect throughout the process.

Disciplinary advisors are made available to the accused and should be consulted at the onset of an investigation. Their role is to educate accused students about the disciplinary process and provide support. An advisor (a disciplinary advisor or any other member of the university community) may accompany the accused to a hearing, but may only confer with the accused.

Notification of hearing outcome, sanctions, and appeal. The accused will receive verbal notification of the outcome of a hearing no sooner than two business days and no later than five business days after the hearing. The complainant will be notified of the outcome of a hearing consistent with federal law. (Note that re-disclosure by the complainant of a “not responsible” decision to anyone without the prior consent of the accused is a violation of the Family Educational Rights and Privacy Act.) Notification will be individually given to the accused and complainant at approximately the same time. A written hearing report outlining the decision and rationale of the hearing panel will be later delivered to the accused and the complainant consistent with the Family Educational Rights and Privacy Act. Sanctions for a finding of responsibility include, but are not limited to, expulsion, suspension, disciplinary probation, recommended counseling, and/or other educational sanctions deemed appropriate by the hearing body. Students who are found responsible for a violation of this policy have a right of appeal based on the following grounds: 1) new information (available after a hearing) of a nature that the verdict or sanction may have been different; 2) procedural errors within the hearing process which may have substantially affected the fairness of the hearing; and 3) the finding was inconsistent with the weight of the information. Complainants have the same rights of appeal afforded to accused.
SUPPORT SERVICES AND OPTIONS FOR SURVIVORS OF SEXUAL MISCONDUCT

A variety of support resources are available on campus and in the community to assist students in dealing with sexual or dating violence, whether it happened recently or in the past. Following is a list of helpful resources. Additional resource information is available at studentaffairs.duke.edu/wc.

Information, advocacy, counseling and emotional support. The Office of Gender Violence Prevention and Intervention (GVPI) provides education, advocacy, and support for students who are victims of sexual and dating violence as well as their friends and families. Male or female students who are victims can get information, support and accompaniment regarding medical treatment, reporting options, academic and residential relief, referrals, legal interventions and therapy. Walk-in or scheduled appointments with the GVPI Coordinator are available during business hours by calling 919-684-3897, e-mailing womenctr@duke.edu, or by visiting the Women’s Center located at 107 Few Fed Building near the bus stop across from the Allen Building. Emergency after-hours assistance is available by calling 919-886-6814. All services are free and confidential.

Counseling and Psychological Services (CAPS) also offers ongoing counseling services; call 919-660-1000 for an appointment. For 24-hour crisis information and referral, contact the GVPI information line at 919-681-6882, the dean on-call (pager number 919-970-4169), or the Durham Crisis Response Center at 919-403-6562 (for 24-hour hotline). All services are confidential and do not require making a formal report to the police.

Medical concerns. Seek medical attention immediately to have the most options for the prevention of pregnancy and sexually transmitted infections. Even if you do not think you are injured, you may have injuries as a result of sexual assault that you cannot see. For immediate and urgent medical concerns, go directly to the Emergency Department (ED) of Duke Medical Center (off Erwin Road near Trent Hall). You can call the Duke Police Department (911 or 919-684-2444 from non-campus phones) for transportation without having to make a report. The services available are: medical care, evidence collection, emergency contraception, and sexually transmitted disease prevention.

Evidence can be collected anonymously. Evidence is best collected within 72 hours of the assault. Even if you do not think you would like to pursue a criminal case now, you may have the evidence collected anonymously with a blind report that includes no identifying information other than a case number; you may decide later whether filing a police report is right for you. Contact the Women’s Center for more information. The State of North Carolina will cover the cost of the evidence collection. Medical treatment a victim receives—including but not limited to physical exam and pregnancy and STI prophylaxis—will be covered by a Rape Victims Assistance Fund through the State of North Carolina. Contact the GVPI coordinator at the Women’s Center for more information and assistance with this process.

For less immediate medical concerns, schedule an appointment at Student Health (919-681-WELL). The services available are: medical care, emergency contraception and sexually transmitted disease prevention. The student health fee covers all services, except for a minimal charge for emergency contraception. You may call GVPI for someone to accompany you to the ED or Student Health.

Reporting to the police. Sexual misconduct may also be criminal in nature, and a student may choose to file a report with law enforcement. Duke Police (911 or
students. Appeals will typically be decided within 10 business days of submission. For more information about appeals, see page 71.

Smoking

Duke University seeks to preserve a living and working environment supportive of behaviors that contribute to the physical health and well-being of all community members. Smoking any substance is not permitted in any university building, including residence halls. Smoking is permitted with roommate(s) consent only in the Central Campus Apartments. Smoking is neither permitted within 10 feet of residential buildings, nor anywhere on the campus of the medical center.

Solicitation

Recognized student organizations may use the West Campus 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, 101 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

Duke University prohibits stalking and cyberstalking. A student who repeatedly follows or sends unwanted communication to another—placing a person in reasonable fear for his/her safety or causing a reasonable person emotional distress—is in violation of this policy.

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

It is against North Carolina state law and 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 president for Student Affairs (or his/her designee) for legitimate educational purposes, students are not permitted to possess and/or use on campus any weapon, including but not limited to 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 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, Dining, and Residence Life regulations, student activities regulations, guidelines for organizations, parking regulations, 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.
- 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.
Filing a Report Involving a Student or Group

Reports regarding student or 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, he/she 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. (Violations that occur within residential areas will often be referred to Housing, Dining, and Residence Life [HDRL].)

The Office of Student Conduct coordinates a mediation program, which may be accessed upon referral or at the request of a student to resolve disputes between students.

In general, residence life staff will handle complaints 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.
Types of Resolution

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 utilizing the mediation program 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 to arbitration and/or disciplinary resolution. Failure to comply with the results of mediation may be cause to commence the disciplinary process.

Arbitration

Arbitration is a process by which students are given an opportunity to present information about a dispute to a neutral third party who renders a decision. Arbitration may be used in roommate conflicts or other relationship conflicts where residential status or participation/access privileges are at issue and mediation is not appropriate. The Office of Student Conduct or HDRL may choose to send any case to arbitration. Arbitration will not result in a disciplinary record, but the arbitrator(s) may alter students’ living status, limit privileges or invoke restrictions on participants. Failure to comply with the results of arbitration may be cause to commence the disciplinary process.

Informal Resolution

Generally, staff in Housing, Dining, and Residence Life will 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. Staff within the Office of Student Conduct may also choose to utilize the informal resolution process to resolve minor issues of student behavior. Resolutions resulting from this process may include an educational assignment or community service. Failure to comply with the resolution may be cause to commence the disciplinary process. Records of informal resolution will be kept internally and will not be considered part of a student’s externally reportable disciplinary record, unless otherwise specifically stated.
Disciplinary Action

Any case involving an alleged violation of community standards, Greek organization policies, or university rules and regulations by an undergraduate student or group may be resolved through the undergraduate disciplinary system.

The Undergraduate Disciplinary System

The purpose of the undergraduate disciplinary system is to promote honesty, fairness, respect, and accountability within the university community and to provide a fair and effective mechanism for resolving cases in which an undergraduate student (or 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 mediation, arbitration, informal resolution, or disciplinary action.

Organization

• The Office of Student Conduct, within the Dean of Students Office, is designated to oversee the undergraduate disciplinary system.

• Hearing officers are designated to resolve disciplinary matters through informal or formal disciplinary resolution.

• The Undergraduate Conduct Board (UCB) is designated to resolve formal disciplinary matters that involve complicated circumstances, serious infractions of university policy, and/or repeated misconduct. The UCB is comprised of students, faculty and staff. At all times, 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 dean of Arts and Sciences or the Pratt School of Engineering. Staff members are appointed/approved by the vice president for Student Affairs.

• The Appellate Board considers appeals of students/groups found responsible and sanctioned through a formal disciplinary hearing, and/or of complainants in discrimination and/or harassment-related cases. The
Appellate Board is currently chaired by the dean and vice provost for undergraduate education or designee and includes the vice president for Student Affairs or designee, the senior associate dean from Trinity College or designee, the associate dean from the Pratt School of Engineering or designee, and two undergraduates.

- Disciplinary advisors are available to assist students/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 complaint of behavior that occurred within a student’s undergraduate career, from application to graduation. Complaints of sexual misconduct must be filed within one (1) calendar year of the alleged incident.

- Any undergraduate 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.
• With the agreement of the vice president for Student Affairs and the dean of the college or school, disciplinary action may be taken against a student who has graduated and is alleged to have committed a violation during his or her undergraduate career.

• The accused 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 Disciplinary Process

Reports

Reports of behavior alleged to violate university policy should be filed with or forwarded to the Office of Student Conduct.

Interim Restrictions

Prior to investigation and resolution, interim restrictions may be placed on a student/group to protect the health and safety of students or the community. These restrictions may include a “no contact order,” removal of privileges, removal from or relocation within the residential community, suspension of activity, and/or suspension from the university.

An interim suspension from the university may be imposed by the dean of the school or college or the vice president for Student Affairs, or designee, and shall become effective immediately without prior notice whenever there is evidence that the continued presence of the student poses a substantial and immediate threat to him/herself, to others, or to the university community. 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/groups to participate fully in all aspects of the disciplinary process. If a 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 may proceed without benefit of that student's/group's input. A 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 organizations 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 mediation, arbitration, informal 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 individual/group may be responsible.

Referral for Disciplinary Action

If a case is referred for disciplinary action, the student/group will be notified of the incident in question and the policy violation(s) under consideration, and will be given an opportunity to respond. There are several means by which to resolve disciplinary situations. The Office of Student Conduct will determine which avenue is most appropriate to pursue.

Disciplinary hearings are not trials and are not constrained by rules of procedure and evidence typically used in a court of law. The university disciplinary system operates under a standard of fairness, which includes an opportunity for the student/group to be notified of the alleged incident and policy violations under consideration and an opportunity to be heard.

Resolution through a Disciplinary Hearing

Any case may be forwarded directly to a disciplinary hearing if there is sufficient information to believe that a policy violation may have occurred and that the alleged individual/group may be responsible. Most cases will be referred to administrative hearings. Cases that are serious in nature, involve complicated facts, and/or involve students/groups with previous disciplinary violations may be forwarded to the Undergraduate Conduct Board (UCB) for resolution. (See “Sexual Misconduct” on page 46 for adjudication of allegations of sexual misconduct.)
Individuals or groups who deny responsibility for serious offenses of university policy and who face possible suspension or expulsion/dissolution from the university have the right to request a hearing before a five-person panel of the UCB.

Individuals or groups who accept responsibility for alleged violations of university policy, but are unable to agree on a proposed sanction, which may include suspension or expulsion/dissolution, have the right to request a hearing before a three-person panel of the UCB. (The conduct officer may, due to the circumstances of the case, elect to utilize a five-person panel.)

Resolution through Agreement

If a 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/group accepts responsibility and agrees to the proposed sanction(s), the student/group waives his/her/its right to a hearing and/or appeal, the resolution becomes final, and the outcome is recorded on the student’s/group’s disciplinary record. If the 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/group denies responsibility, the case will be forwarded to a hearing to determine responsibility and (a) sanction(s) as appropriate.

Disciplinary Hearing Types

There are two types of hearings. Most cases are decided upon through an administrative hearing, which is a discussion between the student/group and a hearing officer. Cases that are serious in nature, involve complicated facts, and/or involve students/groups with previous disciplinary violations may be forwarded to the Undergraduate Conduct Board for resolution. Students who face a possible sanction of suspension or expulsion may request to have his/her case heard by a panel of the UCB. Groups who face possible dissolution may request a hearing by a panel of the UCB.

(See “Sexual Misconduct” on page 46 for adjudication of allegations of sexual misconduct.)

**ADMINISTRATIVE HEARINGS**

An administrative hearing is a discussion between a student/group alleged to be in violation of university policy and a hearing officer. Students/groups will be notified (typically via e-mail) of the specific violations under consideration in advance of an administrative hearing. The hearing officer will review the report with the student or group and give the student/group an opportunity to respond. The hearing officer will determine whether the student/group is responsible for the alleged policy violation, and, if so, issue (an) appropriate sanction(s). Administrative hearings are conducted in private.

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Get involved! Here are two ways you can be formally involved in promoting the Duke Community Standard.

The Undergraduate Conduct Board accepts applications early in the spring semester from students who will be juniors or seniors the following fall. Students complete an online questionnaire that asks about campus involvement and offers conduct case study scenarios. Current student UCB members blind-read the applications (i.e., they do not know whose application they are reading), and top candidates are requested to participate in a group interview. Students are notified of their selection near the end of the spring semester.

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 Undergraduate Conduct Board hearing. Students of any undergraduate class year, including first-year students, may apply.

studentaffairs.duke.edu/conduct
Upon proper notice, if a student/group fails to attend an administrative hearing, the hearing officer may proceed to resolve the case without benefit of that student's/group's input.

All decisions of responsibility are based on clear and convincing information, except for allegations of discrimination and/or harassment-related behaviors (including sexual misconduct), which are decided based on the standard of preponderance of evidence. In determining sanctions, the hearing officer will take into account the interests of the student/group and the university, previous violations of the student/group, and prior university response to similar violations.

If a student/group does not accept the administrative hearing resolution, he/she/it may request by the stated deadline a hearing before a panel of the Undergraduate Conduct Board.

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**I have received an email 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. You can find a complete list of policies beginning on page 17.

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.

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**UNDERGRADUATE CONDUCT BOARD HEARINGS**

The Undergraduate Conduct Board is a group of students, faculty and staff appointed to hear infractions of university policy. The board is charged with determining whether a student’s/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’s/group’s interests as well as the university’s interest in maintaining high standards.

All UCB hearings are conducted in private. Any student whose presence is required by the conduct officer at a hearing will be excused from any other university responsibility.
Accused Students/Groups. Accused students/groups are entitled to the following procedural rights when facing a hearing before the Undergraduate Conduct Board:

- to be informed that he/she/it 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 he/she/it 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 written evidence and charges presented to the hearing panel at least 120 hours (five days) in advance;
- to be accompanied by an advisor to the hearing (who must be a member of the university community, defined below);
- to have up to two written character statements submitted on his/her/its behalf that may not specifically address the issue at hand;
• to a fair and impartial hearing;
• to rebut any witness testimony presented against him/her/it;
• to present additional witnesses or information at the hearing (the relevancy of which may be determined by the Board);
• to be found responsible only if the evidence meets a clear and convincing burden of proof (or preponderance of evidence standard in discrimination and/or harassment-based allegations); and
• to appeal based upon clearly stated grounds.

Advisors. Accused students/groups are encouraged to seek advice and support from whomever they choose throughout the disciplinary process. An advisor may accompany an accused student/group to a UCB 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 a member of the university community. A member of the university community is defined as a current student, or a faculty or staff member currently employed by the university. For Greek organizations, the advisor may also be the chapter advisor. The advisor may not be a member of the UCB and may not serve as a material or expert witness. The role of the advisor is to assist and support the student through the disciplinary process. The advisor may not address the hearing panel or any witness during the hearing.

An advisor may also accompany a complainant to a UCB hearing in a case involving discrimination and/or harassment.

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, an accused student/group may ask for the names of additional advisors from the Office of Student Conduct.

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

(See “Sexual Misconduct” on page 46 for hearing panel composition of these cases.)

An accused student/group may agree to a smaller panel or different student-to-faculty/staff ratio in the event that a full panel is not available. The accused student/group also may challenge any panel member if there is a significant conflict of interest. Such a challenge must be made at least 24 hours prior to the hearing and will be granted only for sufficient cause.
At times of the year when regular panels are not available (i.e., 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 Undergraduate Conduct Board or may have a different composition of students and faculty/staff than panels held during the normal academic year.

**Notice.** An accused student/group will be notified of a UCB 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, the names of the panel members, and copies of all written information given to the hearing panel. The conduct officer also may include information clarifying or noting any additional information gathered through the investigation without expressing any personal opinion about the merits of the case. 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.

The complainant will also be notified of the hearing if his/her presence is required. At his or her request, the complainant may also receive—within the parameters of FERPA—a copy of the written information given to the hearing panel.

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

**Witnesses.** The conduct officer may request the presence of any witness with pertinent information about a case. If a witness is unidentified or unavailable to attend the hearing, his/her statement may not constitute a sole or substantial basis for determining responsibility. If he/she is necessary and unidentified or unavailable, the conduct officer or the chair of the hearing panel may suspend or dismiss the proceedings.

The accused student/group may bring relevant material witnesses to speak on his/her/its behalf. Absent exceptional circumstances, the accused student/group should inform the conduct officer in writing at least 24 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.

Two written character references may be submitted to a hearing panel before a hearing begins. Character references may only address the character of the accused and may not address the specific issue at hand. An accused student/group also may request the attendance of any person who has submitted a written statement against him/her/it.

**Procedure.** The general course of procedure for a UCB hearing is as follows: introductions; plea(s) from the accused; opening comments from complainant(s) (if applicable); opening comments from accused; questions; testimony/questions of other material witnesses (if applicable); closing comments from complainant (if applicable); closing comments from accused.

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 Board.

**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 accused student/group will have the right to respond to any additional information that is to be used in considering an outcome.

**Outcome.** Based on clear and convincing information (or preponderance of evidence in discrimination and/or harassment-based allegations) considered during the hearing, the panel may find a student/group responsible for an alleged violation by majority vote. The panel, also by majority vote, may dismiss any charge.

Upon finding a 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/group’s acceptance of responsibility, prior disciplinary violations, the impact of a sanction on the 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 dissolution of a group. These sanctions must be supported unanimously by a three-person panel or by four members of a five-person panel.

**Notification and Record of the Hearing Outcome.** The panel chair and/or the conduct officer will notify the accused student/group of the outcome of the hearing. A written hearing report describing the outcome, with a brief explanation of the reasoning, will be given to the accused student/group. A copy of the written hearing report will be placed in the precedent files with any personally identifying information removed. (The precedent files are not updated immediately in order to help protect confidentiality.)

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**What does it mean when I am asked to enter a plea at a hearing of the Undergraduate Conduct Board?**

A plea is your opportunity to formally state your acceptance or denial of responsibility for the alleged policy violation(s). You will be asked to enter a separate plea for each allegation. Your options are:

- **“Responsible,”** which means that you accept responsibility for the policy violation. The panel will consider whether to affirm your plea.

- **“Not responsible,”** which means that you do not accept responsibility for the policy violation. The panel will consider whether or not you are responsible.

- **“Responsible in part,”** which means that you accept responsibility for the policy violation, but you feel that there are additional factors for the panel to consider that mitigate full accountability for the violation. The panel will consider whether or not you are responsible. Note: You should not plead “responsible in part” if you truly do not feel you are responsible for the alleged policy violation.
Precedent files are available to be viewed by undergraduates in the Office of Student Conduct.

The complainant will be informed of the outcome of a hearing in accordance with federal guidelines.

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/group’s acceptance of responsibility, prior disciplinary violations, the impact of a sanction on the student/group, precedent cases, university interests and any other information deemed relevant by a hearing panel/officer.

For cases resolved through the Undergraduate Conduct Board, all sanctions are decided by majority vote with the exception of a suspension or expulsion of an individual or dissolution of a group. These sanctions must be supported unanimously by a three-person panel or by four members of a five-person panel.

**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.

**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.

**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. (Exclusion from campus will be considered in cases resulting in a suspension.)

Readmission as a student in good standing is coordinated through the dean of the college or school and, in addition to guidelines set forth by the academic dean, 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 the remainder of his/her undergraduate career.

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

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What is “clear and convincing information?”

Two phrases that help define “clear and convincing” are “reasonably certain” and “highly probable.” It is information that produces a firm belief that the allegations of misconduct are true. It is a standard of evidence between the standard called “preponderance of evidence” and “beyond a reasonable doubt.” Clear and convincing information requires proof sufficient to convince ordinarily prudent-minded people that an allegation of misconduct is true. The proof need not be fully conclusive, but should cause one to be convinced that the allegations are true.

- Adapted from the Indiana University Judicial Officer Manual, 2002-2003
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.

**Dissolution (Group)**

The privilege of a group to be recognized at Duke University also may be suspended or revoked (dissolution).

**Suspension of Activity (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.

**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 (Group)**

A status imposed on a 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 suspension of activity and/or dissolution.

**Formal Warning**

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

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**What is “preponderance of evidence?”**

A preponderance of evidence means that it is more likely than not that an allegation of misconduct occurred.
Admonition

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

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.

Housing License Restrictions/Revocation

A student's/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 HDRL policies.)

Exclusion

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

No Contact Order

A student or group may be prohibited from communicating with a named individual.
I was found responsible through the formal disciplinary process for violating Duke policy. How will I get into graduate school or obtain a job?

It is important for students to be forthright about their disciplinary record when applying to programs or seeking employment in which a background check is conducted. Often, a student’s disciplinary record will have minimal impact on that student’s viability for acceptance, unless there is a pattern of misconduct or an egregious incident that reflects extremely poor judgment. Students who lie about their record or who cannot evince what they have learned from it will find it substantially more difficult to overcome that record. Many Duke students who have been found responsible for misconduct have gone on to law/medical school because they proved their willingness to learn from their mistake and move on.

Restitution

Payment for all or a portion of injury or damages to person(s) or property caused by an individual or a group.

Fine

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

Community Service

Specified length of time during which a student or group will perform in a service capacity at the university or in the Durham community. Failure to complete community service within the specified period, and present verification, may result in additional hours assigned or further disciplinary action.

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.

Educational Projects/Initiatives

Students or 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 university Writing Studio or other university resources.

Appeals

A student/group found responsible through a hearing of the Undergraduate Conduct Board (or, a complainant in a discrimination or harassment-related case) may appeal the outcome of the hearing by the stated deadline. The appeal is not a re-hearing of the case; it is a written statement to the Appellate Board specifically stating the grounds for the appeal and any supporting information. The exclusive grounds upon which an appeal may be made are:

- New information (available after the hearing) of a nature that the verdict or sanction may have been different;
- Procedural errors within the hearing process which may have substantially affected the fairness of the hearing; and/or
- The finding was inconsistent with the weight of the information.

A panel of the Appellate Board will review the appeal, the hearing report and any information included in the hearing. (In cases of suspension or expulsion for individuals and dissolution for groups, the accused may make a written request in the appeal...
to meet with the panel of the Appellate Board. When granted, the student or group president will meet alone with the appellate panel.) The appellate panel may consult in confidence with other members of the university community (or persons brought forth by the student/group as part of the appeal) in order to substantiate the grounds for appeal or to seek clarification of issues raised in the appeal.

If the grounds for appeal are substantiated, the appellate panel may determine a final resolution to the case or refer the case back to the conduct officer for further review and/or a new hearing. (If the case is referred for a new hearing, the appellate panel may recommend that alternate violations be considered.) A written decision will be delivered to the student/group and the conduct officer.

**Disciplinary Records/Student Status**

When students/groups are found responsible for a violation of university policy through an administrative or UCB hearing, or accept responsibility through an agreement, the case will be recorded on a student's/group’s disciplinary record. (See “Admonition” on page 70 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 for eight years from the date of a student's matriculation, except in cases resulting in suspension or expulsion, in which disciplinary records are kept indefinitely.

**Status of a Student/Group Pending Final Resolution of a Disciplinary Case**

Until a final resolution is determined, the status of a student/group will not change unless interim restrictions have been imposed to protect the health and safety of the student/group or the university community. A student with disciplinary action pending, however, may not participate in commencement exercises until his/her case is resolved.

**Disciplinary Hold**

At any time after the filing of a complaint, 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 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 restrictions may be imposed. The university reserves the right to proceed with the disciplinary process at any point.
Duke University has long been committed to an active and meaningful residential life experience for its undergraduate students. With most undergraduates living on campus, Duke fully understands the residential experience is an integral part of its students’ education. Currently, three separate campuses create the residential experience at Duke University.

**East Campus: First-Year Student Residence Halls**

First-year students all reside in 14 co-ed houses located on East Campus. Initiated in fall of 1995, the first-year campus has proven to be a wonderful launching point for the Duke undergraduate experience by strengthening class unity and focusing resources geared toward supporting common first-year challenges. Housing assignments are made by random lottery to one East house and students are allowed to submit a roommate request if desired.

**West and Central Campuses: Upperclass Houses**

Beginning in fall of 2012, Duke University returns to houses as the community base for all upperclass students. When students leave East Campus, they will join or be assigned to one of 80 houses on West (residence hall style) or Central (apartment style) Campus. House communities include both selective and non-selective options, but all houses will have their own unique traditions, identity, and personality with funds and leadership to support its endeavors.

**On-Campus Residency Requirement**

All students are required—to the extent that housing is available—to live on campus for their first three years. We will continue to apply semesters spent in “study away” programs toward the three-year residency requirement. Students are guaranteed the opportunity to live on campus during their fourth year. (See note on next page.)
Students may choose to live off campus at the completion of their junior year. Students who wish to live off campus must notify Housing, Dining, and Residence Life (HDRL) in writing of their plans by the published deadlines. Students choosing to live off campus should be aware that they will be subject to all city ordinances, particularly those related to occupancy, noise, parking, and litter.

NOTE: Our long-term goal is to provide on campus housing for all students during their first three years and for any senior who wishes to remain on campus. However, new construction and renovations may result in a temporary shortfall in housing availability. In some cases we may modify the three-year residency requirement, resulting in some juniors as well as some seniors living off campus. In addition, during the new construction and renovation process the university may temporarily suspend the four-year housing guarantee for seniors. We look forward ultimately to providing housing to any seniors who wish to remain on campus.

The Housing License

Prior to occupancy of space in a university residence hall or apartment, each student must sign a Housing License and have it accepted by and on file with HDRL. The purpose of the terms of the Housing License is to establish certain understandings among students who reside in Duke University's residential areas, and between these students and the university, with regard to use of residential facilities. The terms are an integral part of the license and are enforceable as a covenants and conditions license. Any violation of the terms, especially the terms affecting rights, order, health, and safety, may lead to the revocation of this license and/or other disciplinary action.

Eligibility

On-campus rooms/apartments are available for assignment to full-time Duke University students who are working towards a degree. Residential facilities are available to undergraduate students who have been in continuous residence since their matriculation as first-year students as well as to students returning from leaves of absence or off campus, with appropriate notice to HDRL.

While every undergraduate who matriculates as a first-year student is guaranteed four years of university housing provided full-time student status is maintained, a student may live in university housing for no more than eight semesters. Students who enroll in graduate or professional programs prior to receiving the undergraduate degree (such as “three/two” programs) are not eligible for undergraduate housing during their fifth year.

Release/Termination

An undergraduate student who is seeking release from a Housing License must notify HDRL in writing.
Students who withdraw from school, take a leave of absence, or otherwise terminate their housing license must vacate the room and return their room/apartment key within forty-eight (48) hours from the date of such withdrawal, leave, or move, or by the official move-out date at the end of the semester, whichever comes first.

Revocation of the Housing License

Residence hall occupancy should be understood as a privilege maintained under certain standards. This includes abiding by the terms of the Housing License, university and HDRL policies, as well as upholding general standards of honesty, trustworthiness, fairness, and respect for others.

Terms of the Housing License are designed to protect the health and safety of students and to provide for the comfort and privacy of students who have been assigned university housing. Any conduct that reflects a serious disregard for the rights, health, safety, and/or security of other occupants of university housing may be reason for revocation of this license and/or disciplinary action. Such conduct includes, but is not limited to, creating conditions that jeopardize the safety and well-being of others, tampering with fire and security equipment, use/possession of firearms, weapons and/or explosives (including fireworks), damage to a residential facility, or conduct which is detrimental to the residential community.

In addition to violators of specific Housing License terms, a student who has been a repeated violator of housing terms and/or university/housing regulations or who has shown blatant disregard for others is subject to eviction and Housing License revocation.

Generally, violations of the Housing License or university/housing policy will be handled through residence life staff and/or the university’s disciplinary process. However, in extreme instances, the assistant vice president for HDRL or the dean of students may administratively revoke or suspend a student’s Housing License upon a determination that the continued residence of the student is detrimental to the residential community. Appeals from administrative revocations/suspensions may be made to the vice president for Student Affairs (or respective designee).

Privacy of Student Rooms and Apartments

Students who reside in university residences have a reasonable expectation for privacy of their rooms and apartments and freedom from admission into or search of their rooms or apartments by any unauthorized persons; however, the university is obligated to maintain reasonable awareness of its residential areas to promote an environment consistent with the aims of an academic community. To foster these conditions the following regulations are in effect:

- The university unconditionally retains the right to enter the premises without the resident being present to carry out maintenance tasks, to conduct inspections regarding availability of space, and to respond to emergency situations or any equipment failure which is causing damage or hazard to property or persons.
• Maintenance personnel may enter assigned rooms or apartments at reasonable hours for the purpose of carrying out their assigned tasks and functions. HDRL personnel will attempt to inspect the maintenance work done within twelve (12) working days to validate satisfactory completion of such work. Prior notice, when feasible, shall be posted on the residence hall bulletin board stating what dates rooms will be entered.

• Sanitary or safety inspections may be conducted by government officials without notice in accordance with the General Statutes of North Carolina and city and county ordinances.

• University officials will conduct inspection of rooms when the residence halls are officially closed during winter recess to ensure that no fire or other hazards exist. Hazardous items will be removed and the student(s) involved will be notified when the buildings are officially opened. If deemed necessary, room inspections may also be conducted during fall and/or spring breaks.

• Personnel entering residential space may report on the condition of university facilities and equipment, on violations of the Housing License or other university regulations, or on situations that jeopardize the overall health and safety of the residential community. After entering, all personnel shall leave written notice stating the purpose for entering. Upon receipt of this notice the occupant(s) may contact the East, West, or Central Campus HDRL offices to discuss the entry. Written notices will advise the occupant(s) that subsequent investigation or repair may henceforth occur at any time during the normal HDRL or maintenance personnel workweek.

• Reports made as a result of inspections related to physical facilities and/or furnishings will be handled by HDRL.

• No person, with the exception of those listed in the section above, shall enter assigned rooms or apartments except under the following conditions:
  • Consent of the occupant(s);
  • Presentation of a properly drawn legal search warrant;
  • Authorization from HDRL specifying the reasons for an administrative entry, the objects sought, and the area to be searched (authorization must be in writing unless the need to search is imminent and the writing would delay the search such that the reasons supporting a search may be jeopardized);
  • Emergency situations or immediate threat to preservation of the building and the safety of occupant(s) of the room/apartment and/or the residential population; or
• University officials who have reasonable suspicion that criminal activity is occurring behind closed doors and no response is rendered by occupants (e.g., illegal use of drugs).

• With proper authority to enter a residential space, action may be taken in response to items found in “plain view” or items reasonably discovered while conducting a search.

Residential Policies and Community Expectations

All residential students are bound by the terms of the Housing License, residential policies articulated on the HDRL website studentaffairs.duke.edu/hdrl/community-standards-expectations, and university regulations contained in this guide.

In its residential policies and procedures, Duke University seeks to foster a climate of responsibility, initiative, and creativity on the part of individuals and living groups. A successful residential community is one in which students take pride in their physical surroundings and assume active responsibility for the maintenance of acceptable standards of behavior in their living areas. Both individuals and living groups may be held accountable for the actions of individual members and their guests. Residents are also responsible for damages caused by their neglect or intentional actions.

While students are entitled to a general expectation of privacy within the confines of their own individual rooms (although extraordinary and compelling circumstances may occasionally require that this expectation be institutionally suspended), the university will not regard either students’ immediate living quarters or their commons areas as privileged sanctuaries where students may act with impunity or without regard to standards of honesty, trustworthiness, fairness, and respect for other members of the university community. Moreover, occupancy of an individual room
or of a residence hall does not confer any proprietary interest or right of ownership on the part of an individual student or living group. The student and the living group are both properly viewed not as owners but as custodians of the living space that has been assigned to them. Inherent in this custodial relationship is the right of the university to promulgate criteria governing the circumstances under which this relationship may be entered into, may be maintained in good standing, or may be terminated.

For a complete review of HDRL and information and polices, please visit the website studentaffairs.duke.edu/hdrl. HDRL reserves the right to update and revise policies as necessary, and will communicate changes to the residential community as needed.

**Air Conditioning**

Only HDRL air conditioners are allowed in student rooms. Students may not install personally owned air-conditioning units in their room.

**Alterations, Additions, and Painting**

Residents are not allowed to make alterations or additions to or within the premises. Residential students may paint their room or apartment providing they restore the color back to an HDRL-approved color and condition prior to checkout. Students will be charged for repairs needed for rooms/apartments not returned to HDRL-approved color and condition unless permission has been granted by HDRL to not restore the space. Students can request permission from HDRL to not restore the room color and this is often contingent upon the preferences of the future occupant.

**Bathroom Access**

All residence hall bathrooms are secured with key-access to residents. Bathrooms may be unlocked based on a voting process, which is administered by HDRL. If a community votes to have its bathroom unlocked, it may be billed for any damages that occur in the bathroom area.

**Benches**

The policy on benches is currently under revision to incorporate the transition to houses on West and Central. While the below information still serves as useful guidelines for benches, please contact the West or Central HDRL office for the most updated information. Revised policy and practices will be posted and communicated to house leaders as they develop.

Approval. The specific design, including sketches noting dimensions, and desired location of a bench in a quad must be submitted in writing to the residence coordinator of that quad or House at least three (3) weeks prior to the desired construction date. Approval for a bench must be received from the residence coordinator prior to construction.
Design. The maximum dimensions of the bench include: 12’ in length, 5” in height from the ground, and 6’ in depth. Preapproved bench plans are available upon request. Note: Due to potential health hazards and adverse impact to the environment associated with burning of pressure treated or chemically treated wood, it is required that benches that may be used in celebratory bonfires not be built from these materials. Untreated wood that is properly sealed and painted will last for quite some time if it is not buried in the ground and is exposed only to the weather.

Placement. Only approved living groups and houses/quads may place benches on university property, unless an exception is granted by HDRL. Benches will be permitted only in the area immediately adjacent to a particular residence unit, as approved in advance by the residence coordinator. Benches constructed by selective living groups or residential fraternities assigned to Few, Craven, Crowell, or Kilgo Quads will be permitted only in the inner courtyard area adjacent to the residential area of the group. Only quad councils, with the approval of the residence coordinator, can construct benches for the main quad area.

Relocation. Living group benches may have to be moved temporarily (e.g., for special events or summer programming). Every effort will be made to retain the integrity of the bench if it is necessary to move it; however, the university will not be responsible for repairing benches as a result of a move. Otherwise, removal of benches from their designated locations is not permitted. Such action only serves to lessen their structural integrity and places the health and safety of those moving these heavy objects in serious jeopardy. Additionally, benches placed in unauthorized areas disrupt the normal use of public areas and unreasonably divert university employees from their assigned duties for the retrieval or removal of these structures.

Expectations. Living group benches are intended to serve as locations for relaxed social interaction. House residents are expected to maintain them in good order, routinely making certain that damaged wood is replaced and fresh paint is applied as needed, including to cover acts of vandalism.

Individual residents, and potentially their living groups as well, may be subject to disciplinary action if they are identified as being responsible for moving benches. Each group has an obligation to deter its members and residents from tampering with the property of other groups, for a living group can be held accountable for
the action of its individual members. Disciplinary measures taken against students identified as participating in the relocation/damaging of house benches may include, but are not limited to, having their housing licenses placed in imminent jeopardy of revocation, being placed on disciplinary probation, and being assessed repair/replacement costs should a bench be damaged. A living group found responsible as a cohesive unit may have its bench dismantled, and denial of the privilege to build a new bench may extend for a period of time not to exceed one calendar year. Should a living group be found responsible for the damage or destruction of another living group’s property, the offending groups should anticipate loss of its bench and responsibility for the requisite replacement of the property it damaged or destroyed, and possible loss of selective living group status.

**Bicycles**

Bicycles may be kept by the owner in her/his assigned room space. Hangers and other means of suspending bicycles may not be attached to any wall, ceiling or door. Bicycles are not permitted in other areas of the residence halls such as common rooms, bathrooms, hallways, stairwells (interior and exterior), study rooms, hall entrances/exits, and porch areas. In compliance with Durham Fire Marshal regulations, bicycles found in unauthorized areas of the residence halls will be removed without warning and the owners will be required to pay a removal charge in order to recover them. The university is not responsible for damage to bicycles or devices used to secure them. Abandoned bicycles will be removed at the university’s discretion.

**Cleaning**

HDRL cleans each room/apartment prior to occupancy. Thereafter it is the responsibility of the resident(s) to clean the space. The residence is expected to be kept in a sanitary condition during the year, and in a clean condition upon vacating. If a room requires extraordinary cleaning during occupancy or upon checkout, the cost will be charged to the resident(s).

**Common Areas**

Each quad/house has common areas for use by residents. These areas include commons rooms, hallways, stairwells, bathrooms, study rooms, and laundry rooms. It is the responsibility of each community to see that these areas are kept in good condition and that the furnishings are not damaged or removed. Items not belonging in common areas may be removed by HDRL without warning for safety reasons.

Commons furniture owned by HDRL may not be removed from its intended location. Anyone doing so may be subject to disciplinary action. Commons furniture found in bedrooms may be removed by university personnel at the expense of the occupant(s).

Common areas are intended primarily for use by the residents in the assigned area for studying and social activities. Sleeping overnight in the common rooms is prohibited.
**Computer Labs**

Students and staff with a valid DukeCard may access labs with an outside entrance. Only those with a valid DukeCard for a building may access a lab in that building.

**Damage to Student Rooms**

Use of nails, screws, hooks, tacks, decals, or adhesives which damage walls, ceilings, furniture, doors, windows, or fixtures is prohibited. Students may be billed for damage beyond normal wear and tear to buildings, building equipment (including plumbing), and furniture (including missing furniture). The assigned occupant(s) is/are responsible for reporting to HDRL defects or damages found in a room within two working days after occupancy. The resident(s) of a room will be charged for any damages or modifications found in the room after occupancy unless previously noted on the room condition report.

**Decorations and Theme Parties**

Please see “Appendix H—Theme Parties and Decorations” on page 111 for university and HDRL policies regarding fire safety and decorations.

Violations reported to the Office of Student Conduct or HDRL will be considered serious offenses and living group and cohesive unit officers will be held accountable.

If you have any questions as to whether your party decorations fall within the limits allowed by university safety policies, please contact OESO-Fire Safety at 919-684-5609, 72 hours prior to the date of the actual event or party.

**Furniture**

Each residential space is equipped with furniture by HDRL. The resident(s) of a room/apartment will be charged for any damaged furniture and/or furniture missing from their space. University-owned furniture must remain in the student's room. Personally owned furniture may be added to student rooms/apartments provided all residents of that room/apartment consent and the residents remove the furniture at the end of occupancy. Costs for removing any remaining personal furniture will be charged to the residents. Waterbeds are prohibited. Personally owned refrigerators are allowed but may not exceed six (6) cubic feet.

**Grills**

Residents may borrow barbecue grills on a short-term basis from the East, West, or Central Campus HDRL offices. North Carolina law prohibits the use of portable charcoal, gas or electric grills within 10 feet of all residence halls. In areas where pine straw or bark mulch has been applied to grounds, grills must be 10 feet away from the perimeter of these materials. Storage of charcoal lighter fluid or other flammables, including gas grills, in the residence halls is strictly prohibited. Failure to obey these regulations
may result in a fine by the Durham Fire Marshal and or be subject to Duke disciplinary action.

Guests (Limits and Responsibility)

Students may have overnight guests for reasonable periods of time, typically not to exceed a 72-hour time period, contingent upon the advance approval of his/her roommate(s). However, continued use of a residence hall room or Central Campus Apartment by a person or persons other than those to whom the room or apartment is assigned is prohibited. Overnight guests may not be entertained during final examination periods.

HDRL reserves the right to require a guest to leave if university policies and/or residence hall policies are not obeyed or if complaints are received from members of the residential community. Violation of any of these policies may lead to nonresidents being charged with trespassing and residents (both guest and host) having their housing licenses revoked.

Students are responsible for the conduct of their guests. Any violation of HDRL/university rules and regulations by a guest, whether the host student is present or not, shall constitute a violation of the same by the hosting student.

House Signs

Each house on West and Central may have one exterior house sign. The appropriate campus HDRL office must approve the design of the house sign. Dimensions of house signs are 4’ by 3’ or 3’ by 4’.

IPTV - Common Areas

HDRL will provide internet-based TV content to each house common room along with a TV for the enjoyment of the house community. Connecting televisions in bedrooms to the common rooms TV network or otherwise tampering with IPTV equipment is prohibited.

Keys - General

Keys are issued to students to provide access to their room, bathroom, and other areas to which they have authorized access. Use or possession of residence hall/apartment keys, including possession of master keys or keys other than those assigned to the student, is prohibited. Keys are not transferable; switching keys with other students is prohibited. Reproduction of keys is prohibited.

Keys may not be tampered with or changed by residents or their guests. For safety and security reasons, students should not carry their key on the same ring as their DukeCard.

Keys - Room

One bedroom door key is issued to each resident. If you lose the key, you must obtain a new one from the appropriate HDRL campus office. Residents have one week to find the lost key. If the key is not found within one week and brought to the HDRL campus office for verification and return of the loaner key, the lock will be
changed for your protection. A charge for the lock change will be placed on your Bursar account. Circumstances may require a shorter time period to produce the missing key, at the discretion of HDRL. Any key that you cannot present to the HDRL campus office will be considered lost, even if you dropped it down the drain or threw it away because it was broken. A new key will be issued in exchange for a damaged key at no charge if you return the damaged key to your HDRL campus office. Residents who do not return their key(s) when checking out of the residence halls will be charged for a lock change.

Kitchens

Residents are responsible for removal of perishable items from the refrigerator and for cleaning utensils, pots and pans. Kitchens that are abused or not kept in good order may be locked. Items abandoned in the kitchen will be disposed of by HDRL staff.

Lofts

Only lofts provided by HDRL may be used in the residence halls. Lofts are not allowed on Central Campus.

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. HDRL 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 when they vacate the room. In addition, access to room windows as a secondary means of egress is required.

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. All vehicles, including motorcycles, must be parked in parking lots. Delivery trucks, automobiles, motorcycles, scooters, and minibikes are not permitted on lawns and walkways, patios, or stairwells. These vehicles must be parked in legal parking spaces.

Personal Property (Damage to)

Duke University is not liable for damage, theft, or loss of a resident's personal belongings and does not carry insurance to cover such loss or damage. Personal property insurance is a wise investment for all residents. You may be covered under a policy carried by your parent(s) or guardian—have them contact their insurance agent to be sure.
Pets

Fish are allowed provided they are kept in an aquarium no larger than 25 gallons, the container is cleaned regularly, and no illegal species are kept. With the exception of seeing-eye dogs, no other animals are permitted in the residence halls or apartments. If it is reported that you have brought an animal into the residence halls, you will receive a letter requesting you remove the animal immediately and sign a statement that you have done so and will never again allow an animal to be brought into the residence halls. If you do not remove the animal and sign the statement, or if an animal is again reported to have been taken into the residence halls, you will be referred to HDRL or to the Office of Student Conduct for disciplinary action.

Each resident of a room is held equally responsible. If your roommate or a guest brings an animal into the residence halls and you do not report the violation, you will be subject to the above procedure. If an animal enters your room you will be charged for the pest control treatment, which is done to protect the future residents from fleas or other vermin. When you vacate your room you will be charged for cleaning (if needed) and damages. The charges resulting from animals can be very expensive.

Propelling Objects/Liquids Out Windows

Throwing or in any other way propelling objects or liquids from windows is prohibited. Screens must remain in place and secured at all times.

Propping Doors Open

Propping open residence hall entrance and/or bathroom doors or in any way tampering with the security system of the residence hall violates hall security and is prohibited.

Room Condition Reports & Inspections

Room condition reports are provided to each resident during the check-in process. Updates to room condition reports must be submitted to your RA within two days of your occupancy. This document will protect you from charges for conditions which existed when you moved into your room. Carefully review the room condition report and amend it as necessary. If there are maintenance needs that need immediate attention please call your HDRL campus office as well as noting them on your room condition.
report. Immediately report a faulty or missing smoke detector to your HDRL campus office. When you move out, your room will be inspected. Any repairs or cleaning required by conditions beyond normal wear and tear which you did not list on your room condition report will be considered damages and charged to you. We strongly recommend you be present when your room is inspected at checkout. Please make an appointment with your hall RA team per established checkout procedures and instructions. An inspection cannot be done until you vacate the room and all personal belongings are removed and all keys are returned. Keep in mind there are peak periods when the hall RA team may not be able to schedule appointments, so sign-up as soon as you know your plans.

Trash Removal

Students are required to dispose of trash in designated containers. Trash may not be placed in bathrooms, kitchens, laundry rooms, commons rooms, courtyards, or in any other place.

Unauthorized Possession (Keys/Property)

Possession of keys or other property for which one does not have appropriate authorization or ownership is a violation of university policy.

Selective Living Groups: Expectations and Information

This section shares expectations and information for groups who have been given the privilege of space in our residential communities. For a complete account of the guidelines and polices for selective living groups, visit the HDRL website at studentaffairs.duke.edu/hdrl.

Accountability for Community Expectations

All living groups are responsible for maintaining standards established by Duke University. Selective living groups have a special obligation to take proactive measures to ensure that individual members conduct themselves in a mature, respectful manner. Being afforded the opportunity to select those persons who will live within a particular living group is a privilege, not a right.

In situations where the actions of group members negatively impact the Duke community, HDRL or the Office of Student Conduct may respond immediately, which could include administrative intervention, relocation of group members, and/or disciplinary action. Administrative decisions may be appealed to the vice president for Student Affairs. Please refer to the policies and procedures under the undergraduate disciplinary system for information regarding disciplinary decisions.

It is important for living groups, as well as for any university-recognized cohesive units or guests, to understand that they can be held accountable for the actions of individual members and guests.
Groups found in violation of university policy may be subject to sanctions including, but not limited to, formal warning, disciplinary probation, social suspension, dissolution, restitution charges, community service hours, and/or a requirement to present educational programs.

**Commons Room Space**

Living groups at Duke University may be afforded the privilege of dedicated common space for social, educational, and recreational purposes. Given that many Duke-recognized organizations are in need of space in which members can come together to conduct business and celebrate accomplishments, living groups are encouraged to allow other university-recognized organizations to reserve its common space with the understanding that the group to which the space officially has been assigned bears ultimate responsibility for any damage to the facility by the user. No rental fees may be charged by a living group to another organization requesting use of the living group’s common space. A living group should be aware that any event host requesting the use of its common space is required to reserve the space in accordance with established guidelines published by HDRL and University Center Activities and Events. If the space is reserved, the event host accepts responsibility for any damage committed to the facility stemming from the host group’s event. If a living group has reservations concerning a specific request for the use of its common space, it may exercise its right to deny the request.

**Damages and Cleaning – Care of Residence Hall and Adjacent Areas**

All groups are responsible for damages and cleaning beyond the normal amount that should be required within their residential areas including the grounds adjacent to their residence halls. Behavior requiring extraordinary cleaning may be subject to disciplinary action and financial charges.

Every situation will be viewed on a case-by-case basis in order to allow HDRL and/or the Office of Student Conduct to use discretion in determining whether damages are minor or major, whether or not the individuals or groups are cooperative, whether there is a long/short time between incidents or a pattern to this behavior, and whether there are other factors (mitigating or aggravating) that should be taken into consideration.

**Damages.** Living groups will be billed for damage beyond normal wear and tear to buildings, building equipment (including plumbing), and furniture (including missing furniture) in their section. Living groups similarly will be responsible for damage to public areas, equipment, furnishings, buildings, sidewalks, shrubbery, and lawns that occur in connection to activities of the group. Specific living groups and/or individuals may be referred to the Office of Student Conduct for disciplinary action. If living groups are found responsible for damages, sanctions may include a requirement to make full restitution.
Excessive Cleaning. Immediately after any event groups are expected to pick up all trash and place it in appropriate containers, and thoroughly clean affected areas inside and around the residence hall. To avoid or minimize financial charges and disciplinary action for excessive cleaning, cleanup should occur immediately after events so that housekeeping can remove the collected trash when they begin work at 7 a.m.

Inasmuch as housekeeping time spent on extraordinary clean-up is time spent away from the normal duties of keeping the buildings clean, groups will be charged accordingly. Extraordinary clean-up may be deferred until such time as normal housekeeping tasks are complete. Extra trash containers are available from Facilities Management by contacting 919-660-4283 at least two days prior to an event.

Individual vs. Group Responsibility

During a group event, the group will generally be responsible (disciplinarily and financially) for damages, cleaning, alcohol policy violations, etc. The group is required to assist in the investigation. An individual may take responsibility, which may absolve or reduce the responsibility of the group. If no one comes forward and no one is identified during the investigation, the group will be responsible.

Management of In-Section Room Assignments

Living groups are expected to maintain consistent and timely communication with HDRL concerning its housing assignments and any changes(updates. Visit the HDRL website for additional details: studentaffairs.duke.edu/hdrl.

Range of Penalties

HDRL or the Office of Student Conduct may take an immediate administrative action such as closing a commons room, canceling a party, removing privileges, etc.

A hearing officer or disciplinary hearing panel (through a conduct meeting with HDRL staff or an administrative/Undergraduate Conduct Board hearing with the Office of Student Conduct) can impose sanctions including, but not limited to formal warning, community service, requiring educational programming initiatives, probation, social suspension, relocation of members, and/or dissolution.
Student organizations contribute to the vibrant social life at Duke by hosting a variety of events on campus for the Duke and Durham communities. DSG-recognized student organizations and those affiliated with academic or administrative units may host events on campus. All student organizations at Duke University must update officer contact information annually through the University Center Activities and Events (UCAE) website at studentaffairs.duke.edu/ucae and complete officer training programs in order to maintain their status as official groups.

Event Policies

The following policies apply to events in campus facilities and on campus grounds hosted by student organizations. Student organizations may host events any time during the academic year, except during reading period, exams, and new student orientation, unless authorized by the vice president for Student Affairs, the vice provost and dean of undergraduate education, or their designee. The university reserves the right to withhold event hosting privileges if proper advance arrangements are not secured.

- Sponsoring groups or hosts are responsible for the general tone of their events (i.e., proper planning, trash removal, appropriate conduct, discouraging underage drinking, etc.), and they may choose to adopt regulations more limiting than the laws of the state and the provisions of this policy.

- Events with alcohol must
  - Be designated as BYOB or distribution, but not both. A university-approved bartender must facilitate distribution. The area of distribution must be clearly defined and alcohol is not permitted outside of that area. Events with alcohol are subject to security coordinated by Duke Police and must follow the university alcohol policy (see “Alcohol” on page 22 in the “Undergraduate Policies” chapter).
• Have one party monitor for every 25 expected guests (see “Alcohol” on page 22 in the “Undergraduate Policies” chapter).

• Outdoor events must follow the university noise policy (see “Noise” on page 43 in the “Undergraduate Policies” chapter).

• Contracts and offer letters for paid performers, vendors, live entertainment, or other purchased services for events on or off campus must be executed by a staff member in UCAE no less than 14 days prior to the event. Any contract signed by a student will not be honored by the university and will be the personal responsibility of the student. A staff member from Housing, Dining, and Residence Life (HDRL) may sign contracts and offer letters related to events occurring in HDRL-controlled space.

• Events have a four-hour time limit, unless an exception is authorized by the venue manager.

• Sponsoring groups or hosts are responsible for the space in which the event is held, including the area immediately adjacent to their space (e.g., outside areas, benches, etc.).

• Strippers may not be invited or paid to perform at events sponsored by individual students or groups.

• Sponsoring groups or hosts are expected to follow through with risk management policies identified by the space manager(s) authorizing their event.

• After an event, groups are responsible for restoring the space to its original condition.

• Duke Police will determine whether the sponsoring group will be required to have police officer(s) monitor the event. Requests for Duke Police or other security must be made by Conference and Event Services (CES) on behalf of student organizations no less than 10 days in advance of the event.

• Students must secure the rights to publicly screen films/movies on campus. Visit studentaffairs.duke.edu/ucae/planning-event/useful-event-contacts/entertainment-contacts for more information.

• Decorations must adhere to the university’s policy, found in “Appendix H—Theme Parties and Decorations” on page 111. The most current policy can be found online at www.safety.duke.edu/FireSafety. In conjunction with OESO, the campus unit responsible for the space being utilized may provide special permission for alterations to the policy on a case-by-case basis.

**Promotion of Events with Alcohol**

By choosing to serve beverages containing alcohol as part of a social function, you and your group or organization assume responsibilities beyond direct university regulation.
Test cases involving common law precedents and the dispensation of alcoholic beverages are changing the definition of who is liable for a drinker's actions to include the general category of “social hosts.” A social host may be a fraternity, a residence hall organization, a private citizen, or any combination of the preceding. For example, serving alcohol to a minor who subsequently breaks his leg could render an individual or group liable for the minor's medical bills. Serving an individual who is “already” or “obviously” drunk and who subsequently has an automobile accident could render an individual or group liable for the injury or death of third party victims of the accident, or any property damage resulting from the accidents.

In general, creating or promoting any set of circumstances that encourages your guests to consume alcohol to the point of intoxication can have far-reaching negative consequences.

Legal proof of negligence in the dispensation of alcohol usually involves the consideration of a wide variety of factors, including the manner in which hosts promote social functions where alcohol is served.

In addition to the responsible monitoring of the social event itself, it is imperative that you and your group or organization do not promote your event in such a manner that a potential guest might reasonably believe your social event is an invitation to become intoxicated. **Specifically, flyers, banners, and signs that advertise social events where alcohol will be served must not overtly or covertly 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.

**Conferences and Conventions**

Event registration of conferences and conventions must occur prior to issuance of invitations to individuals or to organizations outside the university. Consultation with CES must occur prior to issuance of invitations to individuals or to organizations outside the university. It is the established policy of the university not to use its residence hall facilities for the housing of convention guests during the academic year. The university does, however, reserve the right to use residence hall rooms for special guests during announced vacations.
Various units on campus manage their individual spaces. Each venue may have its own unique usage policies. Event hosts must follow the policies in this guide as well as specific venue policies. Information for reservable spaces not listed here may be found at events.duke.edu/facility.

UNIVERSITY CENTER ACTIVITIES AND EVENTS (UCAE) / CONFERENCE AND EVENT SERVICES (CES)

events.duke.edu/reservations  919-660-1760

Recognized student organizations or university departments may reserve any of the following spaces. A university fund code is required to request any space, even if the space has no rental fee.

**Meeting Rooms and Social Spaces**
- Bryan Center Meeting Room A
- Bryan Center Meeting Room B
- Bryan Center Griffith Board Room
- Faculty Commons AV Room
- Faculty Commons 209
- Faculty Commons Taylor-Cole Room
- McClendon Tower, Level 2
- McClendon Tower, Level 5
- East Union Upper East Side
- East Union North Balcony
- East Union South Balcony

**Banquet and Dining Halls**
- East Union Upper East Side
- McClendon Tower, Level 5
- Old Trinity Room
- Bryan Center Von Canon Hall

**Theaters and Auditoriums**
- Baldwin Auditorium (unavailable through 2013)
- Brody Theater
- East Duke 209
- Page Auditorium
- Reynolds Theater
- Sheaffer Lab Theater
- Griffith Film Theater

**Quads and Outdoor Public Spaces**
- Bryan Center Plaza
- CI Quad
- House P Quad

If an event is catered, the vendor must be chosen from the approved caterers list found at events.duke.edu/dining/catering.
DUKE GARDENS
hr.duke.edu/dukegardens  919-668-5100
The Duke Gardens, Angle Amphitheater, and Doris Duke Center may be reserved by recognized student organizations or departments by contacting the Duke Gardens Events Coordinator. All student organizations must obtain approval from UCAE before a reservation request will be accepted.

OFFICE OF THE UNIVERSITY REGISTRAR
registrar.duke.edu or 25live.collegenet.com/duke  919-684-2813
The Office of the University Registrar reserves most classrooms and other academic spaces such as White Lecture Hall and Love Auditorium. Recognized student organizations or university departments may reserve any of these spaces through Duke University’s 25LIVE web scheduling tool. An officer of the organization must reserve rooms, and groups will be expected to abide by the terms outlined in the classroom reservation system. Students should submit requests to reserve classrooms no later than three business days in advance of their meeting/event.

DUKE FOREST RESERVATIONS
www.dukeforest.duke.edu/recreation/picnic.htm  919-613-8013
Social or university-related gatherings are permitted at the Rigsbee Shelter (Gate F) and the Bobby Ross, Jr. Memorial Shelter (Gate C), both located off of NC 751. Fees for recognized student organizations and university departments will differ from individual or non-affiliated reservation requests. All student organizations must obtain approval from CES before a reservation request will be accepted.

HOUSING, DINING, AND RESIDENCE LIFE
studentaffairs.duke.edu/hdrl
West: 919-684-5486   East: 919-684-5320   Central: 919-684-5813
dining.duke.edu  919-660-3900
Students and/or recognized student organizations may reserve identified commons rooms to use for events. Visit the HDRL website for more information.

Recognized student organizations may reserve the Great Hall for events after dining hours only. The student planner must pick up a form from Dining Administration located in 029 West Union. All student organizations must obtain approval and a signature from CES before a reservation request will be accepted.
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 undergraduate judicial 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 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 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.

Filing of Charges; Responsibilities of Vice President for Student Affairs

• The Office of the 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 president for Student Affairs, whose signature to the charge or charges shall constitute sufficient evidence of such finding.

• To assist the vice president for Student Affairs in the investigation of complaints, the gathering of evidence, and the preparation of charges, investigative and judicial aides may be appointed by the vice president and shall serve at his/her pleasure and under his/her direction. The number and specific duties of such aides shall be determined by the vice president for Student Affairs, who shall be fully responsible for all duties performed by them in their capacity as aides.

• The vice president for Student Affairs shall subpoena witnesses as directed by the University Judicial Board.

• The vice president for Student Affairs may delegate all or any portion of his/her duties as regards these judicial procedures to an aide or aides. The vice president for Student Affairs 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 his/her 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 his/her 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 his/her 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.
- 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 his/her 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), his/her status shall not be changed, nor his/her 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 his/her conduct, that his/her 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 him/her 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 he/she requires additional time to prepare his/her case before the Hearing Committee, he/she 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 he/she has violated the university rules or has 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 his/her 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. The associate dean of students/director 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/faculty-student-resolutions.
• Upon receipt of the proposed resolution, the student has 48 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 – Involuntary Administrative Withdrawal

Students who exhibit harmful, potentially harmful, or disruptive behavior toward themselves or others may be subject to involuntary administrative withdrawal from the university if their behavior renders them unable to effectively function in the university community. Such behavior includes, but is not limited to, that which:

• Poses a significant threat of danger and/or harm to self and/or other members of the university community; and/or

• Interferes with the lawful activities or basic rights of other students, university employees, or visitors.

Any member of the university community who has reason to believe that a student may meet the standard for an involuntary administrative withdrawal may contact the vice president for Student Affairs or his/her designee. The vice president or designee will conduct a preliminary review in consultation with professionals from Student Health and/or Counseling and Psychological Services, the student’s academic dean, and/or other relevant individuals. The vice president or designee will meet, when possible, with the student in question to discuss the information that has been presented and give the student an opportunity to respond. The vice president or designee may mandate that the student be evaluated by a specified health professional within a given time frame if an evaluation has not already been conducted.

In the instances described above the vice president for Student Affairs or designee may confer with the dean and vice provost of Undergraduate Education, who has final authority over implementation of an involuntary administrative withdrawal. A written statement citing the reasons for an involuntary administrative withdrawal will be forwarded to the student’s academic dean who will withdraw the student from the university.

At any point in the process, the student may request a voluntary withdrawal through the procedures of Trinity College or the Pratt School of Engineering.
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 the Office of Fraternity and Sorority Life (FSL), it must:

- Operate under a constitution and bylaws that have been approved by FSL and one of the recognized Greek Governing Councils: Interfraternity Council (IFC), Inter-Greek Council (IGC), 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 FSL.)
- 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. A certificate of insurance evidencing current coverage must be provided to the Office of Fraternity and Sorority Life on an annual basis as a part of maintaining university recognition.

The university does not recognize local chapters.
The Office of Fraternity and Sorority Life determines, with the input of the appropriate Greek 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, FSL 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 Greek 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.

**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.

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 president for Student Affairs.
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
  - Acknowledgement 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, 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.

2 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, crack, amphetamines), decrease CNS activity (depressants, such as alcohol, barbiturates, tranquilizers), 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 (violent behavior, physical injuries, accidents), unpredictable mood swings, acute psychotic episodes, risky sexual behaviors (unplanned pregnancy, impaired sexual response, sexually transmitted diseases), 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, 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 (from gpo.gov/fdsys)

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 purchase a firearm.

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 in the North Carolina General Statutes, Article 5, Chapter 90.
HELPING 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.

Student Health’s 24-Hour Phone Number  919-681-WELL/919-681-9355

Call immediately if there is any question of a student’s safety, or the student has: (1) passed out, (2) vomited while passed out, (3) consumed a large amount of alcohol in a brief period of time, or (4) consumed alcohol in combination with other drugs.

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 Treatment Facilities

Holly Hill Hospital  919-250-7000
3019 Falstaff Road
Raleigh, NC 27610

Local Outpatient Treatment Facilities

Duke Child Development and Behavioral Health  919-668-5559
402 Trent Drive
DUMC Box 2906
Durham, NC 27710
pediatrics.duke.edu/divisions/chld-development-and-behavioral-health

Holly Hill Hospital
(see above for contact information)
hollyhillhospital.com

Information, Screening, and Education

Duke Student Wellness Center (the DUWELL)  919-681-8421
studentaffairs.duke.edu/duwell

The DUWELL enhances the education of Duke University students by environmentally addressing issues contributing to substance use/abuse, promoting healthy emotional and social development, and providing screenings for students in need of addressing high-risk patterns of behavior. The office provides DVDs, films, books, and assistance with educational programming for student living groups and organizations. DUWELL also offers an impressive array of free brochures on alcohol and other drugs, plus listings of area treatment and self-help resources.
Counseling and Psychological Services (CAPS)  
919-660-1000  
studentaffairs.duke.edu/caps

A CAPS specialist in the area of alcohol and substance abuse is available as a resource for students individually and can offer options for students interested in group education on alcohol and substance abuse.

**Individual Assessment and Counseling**

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

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  
919-966-6039  
www.unchealthcare.org/site/healthpatientcare/alcoholsubstanceabuse**

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

**Duke Addictions Program (DAP)  
919-684-3850  
www.dukehealth.org/services/psychiatry/programs/adult_services**

DAP offers evaluation, consultation, and treatment for individuals with alcohol and other substance abuse issues, as well as support services for family members.

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

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

**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.  
1-800-729-6686  
www.samhsa.gov**

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.

**Academic courses related to alcohol use, treatment, and research**

See course listings through the Office of University Registrar (registrar.duke.edu) or the Bulletin of each school.
**Support Groups**

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone Numbers</th>
<th>Website(s)</th>
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<tbody>
<tr>
<td>Alcoholics Anonymous (AA)</td>
<td>919-286-9499 / 1-800-662-4357</td>
<td>aanc32.org / aanc33.org</td>
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<tr>
<td></td>
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<td><a href="http://aanc32.org">aanc32.org</a> / <a href="http://aanc33.org">aanc33.org</a></td>
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<tr>
<td></td>
<td></td>
<td><strong>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. There are several AA meetings on campus; visit the DUWELL website for meeting days and times.</strong></td>
</tr>
<tr>
<td>Narcotics Anonymous (NA)</td>
<td>919-956-5900</td>
<td><a href="http://na.org">na.org</a></td>
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<tr>
<td></td>
<td></td>
<td><strong>Similar to Alcoholics Anonymous, except focused on drug abuse/addiction issues. A variety of drugs are addressed, including marijuana and prescription medications.</strong></td>
</tr>
<tr>
<td>ACOA/AL-ANON</td>
<td>919-403-0687 / 1-888-4AL-ANON</td>
<td><a href="http://al-anon.alateen.org">al-anon.alateen.org</a></td>
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<tr>
<td></td>
<td></td>
<td><strong>ACOA and AL-ANON meetings are support groups for family members dealing with the impact of living with, or being close to an alcoholic. There are also ACOA/AL-ANON groups in Chapel Hill.</strong></td>
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</tbody>
</table>

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](http://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 – Theme Parties and Decorations

This policy applies to all Duke University facilities to include Campus, Medical Center, Hospital and Health System. All students, visitors, and employees must adhere to this policy when planning a theme party, event, meeting, or decorating any work area. Notify OESO-Fire Safety as soon as possible but no less than 72 hours prior to the placement of decorations.

General Restrictions

- The use of pyrotechnics by individuals or performers is prohibited on campus.
• All decorations (to include artificial greenery such as wreaths and holly) must be non-combustible, inherently flame resistant or treated with an approved fire retardant in accordance with the manufacturer's specifications that will pass NFPA 701 test. Decorative materials shall not exceed 10% of the aggregate of wall and ceilings.

• Combustible natural decorations such as straw, hay, corn fodder, dried flowers, bamboo, and other similar decorations are prohibited as decoration inside facilities without written authorization from the OESO-Fire Safety Division.

• Combustible decorations shall be prohibited in all healthcare occupancies (Hospital, Duke Clinic, PDC, etc.) unless they are flame retardant. (Exception: combustible decorations, such as photographs and paintings, in such limited quantities that a hazard of fire development or spread is not present).

• Fog and smoke machines may not be used inside facilities without written authorization of the OESO-Fire Safety Division.

• Animal(s), regardless of size or species, are strictly prohibited to attend or participate in any event, party, or meeting.

• Water, waterfalls, pools, spraying water, running water, or utilizing water in any way is strictly prohibited.

• All doors (i.e., exit, smoke, fire, interior, exterior), hallways or any other means of egress may not be covered or blocked in any manner by decorations.

• Trash must not be allowed to accumulate, but collected in appropriate containers during the event and removed at the close of the event.

**Electrical Safety and Holiday Lighting**

• All electrical lights, electrical equipment, animated or electrical decorations must be UL listed.

• Manufacturer's instruction and precautions shall be followed.

• Each living group or office should have an appointed representative to ensure that the electrical decorations are de-energized at the end of the day.

• Any light string with worn, frayed, broken cords, loose bulb connections, and empty sockets shall not be used.

• Use of holiday lights and light strings shall be limited to reduce overheating.

• Lights shall not have more than three strings of light connected to each other.

• The use of lights and wiring on metal Christmas trees (aluminum trees from the '50s and '60s as defined by the NC Department of Insurance) is prohibited. Fiber optic and pre-wired artificial trees are acceptable as long as they are UL listed.
• Only indoor lights will be used inside facilities.
• Light strings or electrical decorations shall be de-energized before replacing bulbs or fuses.
• Light strings must be mounted in a manner that will not damage the cord's insulation.
• Light strings should be plugged directly into an outlet or an electrical surge protector with built-in circuit breaker.

General. All combustible party decorations shall be removed from the area immediately following the event.

Exception. During the holiday season decorations shall be removed no later than December 30th. Residence halls shall have all decorations removed no later than the closing of the residence halls by Residence Life and Housing Services.

Live Greenery and Christmas Trees. Live greenery, such as Christmas trees, pine wreaths and holly, are prohibited inside the hospital, medical center facilities, and residence halls. In addition, live greenery is prohibited in assembly areas, education facilities, schools, day cares, stores, businesses, residence halls, and hotels unless the building is protected throughout with an approved automatic sprinkler system.

Artificial greenery may be utilized if it meets the general and electrical requirements as listed above.

• Where Christmas trees and live greenery are allowed by code, they must adhere to the following:
• Only one tree will be purchased for each department or group and the tree will be located in a common area, reception area or lounge.
• All trees shall be prepared by sawing off the trunk of the tree at an angle at least one-half inch or more above the original cut and spraying the tree with an approved fire retardant in accordance with the manufacturer's specifications as required by NC State Building Code.
• The tree will be placed within a tree holder/stand capable of containing water to prevent drying. The stand will be checked daily to assure the water level is adequate.
• Live greenery shall not be placed near any heat sources (direct or radiant).
• Smoking or open flames shall be prohibited near live greenery.
• The tree shall be removed from the facility whenever the needles or leaves fall off readily when a tree branch is shaken or if the needles are brittle and break when bent between the thumb and the index finger.

Candle Safety. Candles or other open flames are strictly forbidden for use inside all university facilities. The only exception to this policy is the use of candles during recognized religious ceremonies. Those individuals or groups wishing to utilize candles
in observance of a religious holiday shall first contact OESO-Fire Safety Division to obtain information concerning fire prevention. If the Fire Safety Division has approved the use of a candle(s), basic safety guidelines should be followed (e.g., do not leave a lighted candle unattended, keep area around candle free of combustible materials, place candle in a fire-resistant holder on a stable surface).

Appendix I — Patents and Intellectual Property

Duke’s mission lies in the creation and dissemination of knowledge through (1) recognizing and acknowledging the right of intellectual property ownership, (2) encouraging the pursuit of patents and licenses, and (3) ensuring sufficient records are maintained.

Duke University is committed to the personal ownership of intellectual property rights by the creators of the intellectual works.

For further information, please visit:

- provost.duke.edu/pdfs/fhb/FHB_App_P.pdf#Patents
- provost.duke.edu/pdfs/fhb/FHB_App_P.pdf#IntellectualPropertyRights

Appendix J — 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 ACES 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. A residence coordinator on-call or dean on-call who receives such a report will immediately report it to Duke University Police.

Upon determination by Duke University Police that a student is missing, the designated emergency contact will be notified as soon as possible but no later than 24 hours after that determination. The student’s custodial parent or guardian will also be notified if that person is not the designated emergency contact and the student is under 18 years of age and not an emancipated individual.

Students are encouraged to periodically review and update their emergency contact information in ACES. Students may enter in ACES a separate “Missing Person” emergency contact or contacts, which will remain confidential and shared only with appropriate university personnel.
Appendix K — Consequences of Copyright Infringement

Unauthorized distribution of copyrighted material, including peer-to-peer file sharing, may subject you to criminal or civil liability. Punishment for this unauthorized use or distribution can be severe: violation of federal copyright laws can range from imprisonment to hefty fines. For instance, online infringement of copyrighted music can be punished by up to five years in prison and/or $250,000 in fines, and you may be held liable for damages up to $150,000 per infringed copyright. To learn more about Duke University’s policy on unauthorized peer-to-peer file sharing, including disciplinary actions that the university may take against students who engage in unauthorized distribution of copyright materials using the university’s information technology system, please visit the website of the Dean of Students Office at studentaffairs.duke.edu/dos/riaa-file-sharing, which provides additional information on the application of copyright law to peer-to-peer file sharing.

PENALTIES FOR COPYRIGHT INFRINGEMENT

<table>
<thead>
<tr>
<th>Type</th>
<th>Minimum Penalty</th>
<th>Maximum Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Innocent infringement</td>
<td>Minimum damages of $200 per work copied</td>
<td>See below</td>
</tr>
<tr>
<td>“Normal infringement”</td>
<td>Minimum damages of $750 per work copied</td>
<td>Maximum $30,000 per work copied</td>
</tr>
<tr>
<td>“Willful infringement”</td>
<td>Minimum damages of $750 per work copied</td>
<td>Maximum $150,000 per work copied</td>
</tr>
<tr>
<td>Criminal infringement</td>
<td>Fines or imprisonment up to one year</td>
<td>Fines or imprisonment up to ten years</td>
</tr>
</tbody>
</table>

a. Kevin L. Smith, J.D., Director of Scholarly Communications, Duke University.
# 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 more than 10 years, not more than life</td>
<td>Not less than 20 years, not more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious injury, not less than 20 years, not more than life</td>
<td>If death or serious injury, mandatory life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $4 million if an individual, $10 million if other than an individual</td>
<td>Fine not more than $8 million if an individual, $20 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, not more than 40 years</td>
<td>Not less than 10 years, not more than life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If death or serious injury, not less than 20 years, not more than life</td>
<td>If death or serious injury, mandatory life</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fine not more than $2 million if an individual, $5 million if other than an individual</td>
<td>Fine not more than $4 million if an individual, $10 million if other than an individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 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 injury, not less than 20 years, not more than life</td>
<td>If death or serious injury, mandatory life</td>
</tr>
<tr>
<td></td>
<td></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 individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>1 to 49 plants; less than 50 kg</td>
<td>Not more than 5 years</td>
<td>Not more than 10 years</td>
</tr>
<tr>
<td></td>
<td></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: [www.justice.gov/dea/agency/penalties.htm](http://www.justice.gov/dea/agency/penalties.htm)
# FEDERAL DRUG TRAFFICKING PENALTIES

<table>
<thead>
<tr>
<th>Drug/Schedule</th>
<th>Quantity</th>
<th>Penalties</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 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $2 million if an individual, $5 million if not an individual</td>
<td>5 kg or more</td>
<td>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $4 million if an individual, $10 million if not an individual</td>
</tr>
<tr>
<td>Cocaine Base (Schedule II)</td>
<td>5-49 gms mixture</td>
<td>50 gms or more mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fentanyl (Schedule II)</td>
<td>40-399 gms mixture</td>
<td>400 gms or more mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fentanyl Analogue (Schedule II)</td>
<td>10-99 gms mixture</td>
<td>100 gms or more mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heroin (Schedule I)</td>
<td>100-999 gms mixture</td>
<td>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $4 million if an individual, $10 million if not an individual</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LSD (Schedule I)</td>
<td>1-9 gms mixture</td>
<td>10 gms or more mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methamphetamine (Schedule II)</td>
<td>5-49 gms pure or 50-499 gms mixture</td>
<td>50 gms or more pure or 500 gms or more mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PCP (Schedule II)</td>
<td>10-99 gms pure or 100-999 gms mixture</td>
<td>100 gms or more pure or 1 kg or more mixture</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Penalties

<table>
<thead>
<tr>
<th>Drug/Schedule</th>
<th>Quantity</th>
<th>Penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Schedule I &amp; II drugs (and any drug product containing Gamma Hydroxybutyric Acid)</td>
<td>Any amount</td>
<td>First Offense: Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine $1 million if an individual, $5 million if not an individual</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>1 gm or more</td>
<td>Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine $2 million if an individual, $10 million if not an individual</td>
</tr>
<tr>
<td>Other Schedule III drugs</td>
<td>Any amount</td>
<td>First Offense: Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>30-999 mgs</td>
<td>Second Offense: Not more 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual</td>
</tr>
<tr>
<td>All other Schedule IV drugs</td>
<td>Any amount</td>
<td>First Offense: Not more than 3 years. Fine not more than $250,000 if an individual, $1 million if not an individual</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>Less than 30 mgs</td>
<td>Second Offense: Not more than 6 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual</td>
</tr>
<tr>
<td>All Schedule V drugs</td>
<td>Any amount</td>
<td>First Offense: Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second Offense: Not more than 2 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual</td>
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Photo credits: Sophia Palenberg T ’14 (cover, 17, 47, 55, 59, 74, 85, 98, 105, 115); Daniel Scheirer II/Office of Fraternity and Sorority Life (6, 16, 21, 56, 70, 80, 86, 89, 91, 92, 94, 111, 121); Jocelyn Streid T ’13 (12, 15, 48, 102); Kammie Michael (24); Kati Cadenhead (38); Rabbi Jeremy Yoskowitz (45); Chloe Rockow T ’13 (64); University Center Activities and Events (66); Duke Photography (73, 97); unknown (78).