

Eastern Mennonite University



Student Conduct and Conflict Worksheet

* The purpose of this worksheet is to provide a format for initial intake in response to a particular incident of harm, conflict, or breach of student conduct standards. It is typically emailed to students prior to the initial meeting (intake) for information purposes, not to be filled out prior to the initial meeting. The worksheet is meant to be worked through in the context of the initial meeting with a Student Life staff person. The worksheet also provides information regarding the spectrum of options available for conduct and conflict resolution.

Student: _____ **Student ID #:** _____ **Staff Name:** _____ **Date:** _____

Staff Introduction and Incident Description: (Reason for this meeting):

Incident Questions:

What happened from your perspective?

What was your intent going into the situation?

Did this change at any point?

What were you thinking about at the time?

What have you thought about since?

What impact has this incident had on you?

Who else has been impacted and how?

Type of Incident:

Alcohol Violation

Open Hours Violation

Drug Violation

Tobacco Violation

Theft

Harassment

Vandalism

Other: _____

Standard Outcomes for Alcohol Violations and Open Hours Violations:.

Open Hours: Fine of \$1 per minute after Open Hours closing time, up to \$75. Overnight violations typically have additional outcomes as warranted.

Alcohol Use Violation: (See attached for Table of Responses/Outcomes)

* Alcohol violation cases will generally be handled through a Staff Review Process, and include the standard outcomes. If specific cases cannot be entirely resolved through a Staff Review, the case can be referred to University Accord, and hours spent in University Accord processes will count as community service hours.

* If the specific incident includes damage to property, harms to specific individuals, and/or other circumstances in which there is repair to be done, the incident can be referred to University Accord for Alternative Dispute Resolution, including Restorative Justice. For this to happen, the Respondent must be 1) willing to admit responsibility, and 2) desire to meet with impacted parties.

Preponderance of the Evidence: The standard of decision in regards to responsibility is **preponderance of the evidence**. This means that it must be concluded that it is more likely than not that the violation occurred.

Support Person Availability: All student Respondents are invited and encouraged (but not required) to include a Support Person (SP) in any student conduct process. The SP can be a student, faculty, or staff person from EMU. The role of the SP is to provide support for the Respondent during the resolution process. The SP assists the Respondent in the areas of taking responsibility, determining which resolution process is desired, as well as providing support upon completion of the process. If chosen, the SP will be expected to be with the Respondent for any meetings or conferences that take place. Once an SP is chosen, they must remain the SP throughout the process, mid-process changes in SP are not accepted. At this point, do you wish to include a Support Person? Yes No

Name of Support Person: _____ Relationship to Respondent: _____

Resolution Options: EMU offers several options for handling issues of Student Conduct and Conflict depending on the nature of the incident. If the Respondent takes responsibility for the incident ("I had a role in what happened.") there are three Resolution options: 1) Alternative Dispute Resolution, 2) Restorative Justice, and 3) Staff Review. [See following page for more information on process options]. If the Respondent does not take responsibility for the incident, there are 2 process options: 1) Staff Review and 2) Community Accountability and Integrity Board.

At this point, are you admitting responsibility for this incident? Admitting responsibility means answering yes to the following question: "Did you have a role in this incident?" _____ Yes _____ No

Given this answer, do you have a preference for the process used to address this incident? (We endeavor to engage all processes below with a restorative intent. As per the information above, open hours and substance use violations are generally handled with a staff review.)

_____ Alternative Dispute Resolution _____ Restorative Justice _____ Staff Review _____ Community Accountability Board

Student Signature: _____ Staff Signature: _____ Date: _____

If ADR or Restorative Justice is selected as the resolution process:

- 1) The Student is expected to email University Accord to set up a Pre-Conference meeting. This email is to be sent within 12 hours of the intake conversation. universityaccord@emu.edu
- 2) The Staff person will email a pdf copy of this intake form to University Accord, along with an alert that the Respondent will be contacting University Accord for a Pre-Conference meeting. universityaccord@emu.edu
- 3) University Accord staff will assume responsibility for facilitating the case through to resolution/agreement, in consultation with Student Life staff.

If Staff Review or Community Accountability/Integrity Board is the selected resolution process:

- 1) The Student Life Staff person will be the contact person for the Respondent.
- 2) If a Staff Review, the Respondent and Student Life Staff will decide when to have the Staff Review (can continue in the same meeting as intake, or can schedule it for another time within 48 hours).
- 3) If a CAIB process, the Student Life person will email process resources to the Respondent within 24 hours of the intake meeting. The Student Life Staff person will communicate with the Respondent to determine when to have the CAIB meeting.

Notes:

- **Alternative Dispute Resolution:** ADR provides options for mutually acceptable outcomes when parties are in a dispute. At EMU, ADR is provided by University Accord. If this option is chosen you will meet with a University Accord staff person to determine the process that will best meet the needs of the various parties. ADR includes options such as mediation and conflict coaching.

- **Restorative Justice:** Restorative justice is a collaborative decision-making process that includes harmed parties, responding students, and others seeking to hold responding students accountable by having them accept responsibility for their misconduct, to the best of their ability repair the harm that they caused, and work to rebuild trust between the responding party and the community. At EMU, RJ processes are facilitated by University Accord. If this option is chosen you will meet with a University Accord staff person to determine how the RJ process will proceed.

- **Staff Review:** A staff review is a meeting between a Student Life Staff person(s) and a Respondent. The initial meeting with a Student Life Staff person may be a more general intake meeting (to understand basic facts of the incident, etc.). An intake meeting can turn into a Staff Review if appropriate. In a Staff Review there will be a discussion about the incident (What happened? What harms occurred? Are there any resulting needs? Who is obligated to meet those needs?) and then the Student Life Staff person(s) is/are responsible to decide on appropriate outcomes in consultation with appropriate parties and in light of the needs of the respondent and other members of the University community.

- **Community Accountability/Integrity Board (Currently in development):** The CAIB is the university body responsible for adjudicating alleged student conduct violations. If this option is chosen, the CAIB will hear this case and adjudicate accordingly. The CAIB includes students, faculty, and staff and the process is structured to allow all parties (Responding student as well as others involved) a representative and impartial panel before which to present their experiences, discuss the investigative materials, and ask questions pertinent to the incident. The CAIB will determine responsibility and whether a violation of student conduct expectations has occurred. In the event that the CAIB determines that there has been a violation of standards, it will also determine appropriate outcomes.

EMU AOD (Alcohol and Other Drugs) Sanctions

2015-2016

LEVEL	LEVEL DESCRIPTION	SANCTIONS EXPECTED TO INCLUDE...
I	<ul style="list-style-type: none"> - If under 21, possession or use of Alcohol on or off campus - If 21 and over, possession or use of Alcohol on campus or misuse off campus. [Misuse defined as use on campus, intoxication, excessive use, or illegal use, or use resulting in rowdiness, damage or destruction of property, or harm to self or others] - In presence of alcohol demonstrating consent for the misuse of alcohol by others 	<ol style="list-style-type: none"> 1. Screening and Reframe course (\$100) 2. Probation for approximately 2 semesters 3. 10 hours of community service 4. Mentoring and/or Reflection Assignment
II	<ul style="list-style-type: none"> - Excessive use or apparent intent for excessive use (determined by quantity and strength of alcohol present, rowdiness, personal injury to self or others, and/or damage or destruction of property) - Possession of alcohol paraphernalia - Repeat of Level I violation 	<p>#1-4 above + additional community service, possible restitution, and required mentoring</p>
III	<ul style="list-style-type: none"> - Hosting an event where other students are in violation of EMU's alcohol policies - Possession or use of marijuana - Possession/use of false ID to procure alcohol - Intoxication at EMU sponsored event - Use of any substance for the purpose of altering mood, perception, and/or performance without medical direction. - Repeat of Level 1 or II violation 	<p>#1-4 above + \$200 fine, possible restitution, and 40 hours of community service. A four day suspension (including 2 weekend days) can be substituted for 40 hours of community service when a student might benefit from re-connecting with parents/guardians. Also, RJ related discussions (generally facilitated through Univesity Accord) can count towards community service hours.</p>
IV	<ul style="list-style-type: none"> - Production or distribution of illegal substances or substances designed to mimic their effects . - Criminal possession, distribution or illegal use of substances controlled by law (prescriptions, narcotics, amphetamines, barbiturates, etc.) or substances designed to mimic their effects. 	<p>Suspension or Disciplinary Withdrawal with other possible outcomes (likely drawn from those listed above) as deemed appropriate.</p>