



## Student Affairs

# Student Conduct & Community Expectations

## Lehigh University - Student Code of Conduct

**NOTE:** The University Student Conduct System is regularly reviewed and amended.

This webpage contains the most current version of the Code of Conduct.

### Philosophy:

Intellectual honesty and mutual respect are not accidental values in a university. They are, for students and professors alike, a presupposition of the pursuit of truth, which brings universities into existence in the first place. It is essential that an academic community uphold these values through rules designed to protect the freedom to teach and learn. The Student Conduct System is one mechanism by which the University endeavors to develop in all students a sense of responsibility to the Lehigh University community. When students fail to act in accord with the rules and regulations of the community, the University must hold them accountable for their actions. The purpose of the Student Conduct System is not solely to punish students for transgressions, but to help them understand and accept their obligations as citizens of this academic community. This University Code of Conduct (the "Code") has been developed to promote student growth, to provide accused students with fundamental fairness and educate the University community about the meaning of that phrase, to protect the rights of individuals, and to uphold the educational mission of the University.

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- A. The term "**adjudication**" refers to any formal process that does not meet the definition of a "hearing" under the Code of Conduct in which decisions are made regarding disciplinary cases.
- B. The term "**Adjudicator**" or "**Adjudication Panel**" refers to a person or a group of people, respectively, authorized by the Conduct Officer to determine whether a student has violated the Code of Conduct based on the information provided by the Conduct Officer without a hearing.
- C. The term "**Case Officer**" shall refer to any person designated and trained by the Conduct Officer to manage disciplinary conferences and/or assist with hearings before the University Committee on Discipline.
- D. The term "**complainant**" shall mean an individual who believes they have been subject to a violation of the Code and who makes a report or files a complaint.
- E. The term "**Conduct Officer**" means the person or persons designated by the Dean of Students to be primarily responsible for the administration of the University Student Conduct System.
- F. The term "**Dean of Students**" refers to the person employed by Lehigh University to fulfill the duties of that position. Under this Code, the Dean may authorize other members of their staff to perform those duties.
- G. The term "**discrimination**" is defined as stated in Section 2.1 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- H. The term "**Equal Opportunity Compliance Coordinator**" or "**EOCC**" refers to the person employed by Lehigh University to fulfill the duties of that position. Under this Code, the Equal Opportunity Compliance Coordinator, or EOCC, may authorize other University employees to perform those duties.
- I. The term "**facilitator**" refers to a faculty or staff member who has received relevant annual training and has been selected by the Title IX Coordinator to facilitate and train students and staff to understand how you use our site, to personalize content and to improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the **Privacy Statement**.
- J. The term "**harassment**" is defined as stated in Section 2.2 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- K. The term "**hearing**" refers to any meeting, disciplinary conference, Dean's hearing, University Committee on Discipline hearing, or hearing before a subsidiary hearing body in which decisions are made regarding disciplinary cases. This term does not include the hearing conducted

pursuant to Article V, Part III.

- L. The term "**Hearing Officer**" or "**Hearing Panel**" means a person or a group of people, respectively, authorized by the Conduct Officer to determine whether a student has violated the Code of Conduct and to impose sanctions during a hearing.
- M. The term "**instructor**" means any person hired by the University to conduct classroom activities and/ or research.
- N. The term "**Lehigh University premises**" includes all land, buildings, facilities, and other property owned, used, or controlled by Lehigh University, as well as adjacent streets and sidewalks.
- O. The term "**may**" is used in the permissive sense.
- P. The term "**member of the Lehigh University community**" includes any person who is a student, an instructor, faculty member, University official, or any other person employed or contracted by the University. A person's status in a particular situation shall be determined by the Conduct Officer. For the purposes of this Code of Conduct, a person shall be considered a student when they have been accepted and paid a deposit and they remain a student as long as they have a continuing relationship with the University.
- Q. The term "**policy**" is defined as any written regulation of Lehigh University as found in, but not limited to, the Student Handbook.
- R. The **preponderance of the evidence standard** means that it is "more likely than not" or there is a greater than 50 percent chance that conduct in violation of this Code has occurred. This standard requires a much lower level of proof than the beyond a reasonable doubt standard used for criminal matters.
- S. The term "**respondent**" or "respondent organization" shall mean an individual or student organization, respectively, against whom a report or complaint is filed.
- T. The term "**retaliation**" is defined as stated in Section 2.6 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- U. The term "**sexual harassment**" is defined in Section 2.3 of the **Lehigh University Policy on Harassment and Non-Discrimination**
- V. The term "**shall**" is used in the imperative sense.
- W. The term "**student**" includes all persons taking or scheduled to take courses at Lehigh University, both full-time and part-time, pursuing undergraduate, graduate, post graduate, or professional studies. Persons who are not enrolled at Lehigh University for a particular term but have a continuing relationship with the University are considered students.
- X. The term "**student organization**" means any number of persons who are recognized in a formal manner by Lehigh University.
- Y. The term "**Title IX Coordinator**" refers to at least one official designated by the University to ensure compliance with Title IX and the University's Title IX program. References to the Title IX Coordinator throughout this Code may also encompass a designee of the Title IX Coordinator for specific tasks.
- Z. The term "**Conduct Investigators**" shall refer collectively to the two investigators selected to conduct an investigation pursuant to a formal resolution process of a complaint of discrimination, harassment, other prohibited sexual behavior, and retaliation under Article V of this Code.
- AA. The term "**University**" means Lehigh University.
- BB. The term "**University housing**" refers to any building in which students reside that is owned, operated, used and/or controlled by Lehigh University.
- CC. The term "**University official**" includes any person employed by Lehigh University, performing assigned administrative or professional duties. This includes student workers including but not limited to residence hall staff.
- DD. **Weapons** include but are not limited to firearms, edged tools or utensils, clubs or bludgeons, explosives of any type, or any other object used to cause harm or threat of harm.

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## ARTICLE II – Authority and Jurisdiction and General Provisions

### I. AUTHORITY

- A. The authority for administering student discipline in accordance with the Student Conduct System is vested by the University Charter in the faculty. The Student Conduct System described in this Code of Conduct has jurisdiction over all Lehigh University students and all student groups and organizations approved by or associated with the University. For the purposes of this Code, a person shall be considered a student when they have been accepted and paid a deposit and they remain a student as long as they have a continuing relationship with the University.
- B. Jurisdiction of the Lehigh University Code of Conduct shall not be limited to conduct that occurs on Lehigh University premises. It will be applicable to any conduct which affects the Lehigh University community as a whole, its individual members, or the pursuit of its objectives.
- C. The Conduct Officer shall develop policies for the administration of this system and procedural rules for the conduct of hearings and adjudications which are consistent with provisions of the Code of Conduct.
- D. Decisions made by a hearing body, the Conduct Officer, a Case Officer, an Adjudicator, or an Adjudication Panel shall be final, pending the normal a We use cookies and similar technologies to understand how you use our site, to personalize content and to improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the **Privacy Statement**.
- E. All individual students who are accused of violating the Code of Conduct fall under the authority of the Student Conduct System, even when those students act as part of a group that is reviewed separately as a corporate entity.

- F. Campus groups and organizations that violate the Code of Conduct fall under the authority of the Student Conduct System, although the rights and the processes they are provided may differ from those afforded to individuals.
- G. Any group or organization may be held accountable for the actions of any of its members if the violation of the Code of Conduct is in any way related to the group or organization. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate but not exhaustive test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals would have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.
- H. All students are expected to read and understand this Code; unfamiliarity with the Code is not grounds for failing to live up to the expectations set forth below.
- I. Because the University has an interest in inappropriate behavior separate from that of the civil authorities, it has the right and responsibility to exercise its jurisdiction and take such action as is appropriate to protect this interest. The University reserves the right to enforce this Code whether or not civil authorities have acted. In those instances where civil authorities have acted, the University may also exercise its jurisdiction. When the University has jurisdiction in a matter subject to this Code, it also has the right to report the matter, whenever appropriate, to civil authorities. In determining whether reporting the matter to civil authorities is appropriate, the University shall consider requests for confidentiality and the circumstances of the case, as explained in more detail in **Article V**, Section III, Part G.
- J. Lehigh University Students are responsible for the actions of their invited guests. Violation of any University Policy by a guest of Lehigh University Student may subject that student to disciplinary action via the Code of Conduct.

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## ARTICLE III – Expectations of Conduct

Lehigh University is a community that has expectations of its student members. These expectations and a list of non-inclusive examples of behavior that might breach these expectations are below.

### I. ACADEMIC INTEGRITY

Lehigh University expects that all students will act in a manner that reflects personal and intellectual honesty.

#### Proscribed Conduct:

- A. Cheating. This includes but is not limited to:
1. The use of any unauthorized assistance in taking quizzes, tests, examinations, or any other assignment used for academic evaluation.
    - a. The possession at any quiz or examination of any articles which are prohibited will be regarded as evidence of responsibility.
  2. The dependence on or utilization of the aid of sources beyond those authorized by the instructor in writing papers, preparing reports or homework, solving problems, or carrying out other assignments.
  3. The acquisition or dissemination, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
  4. Any attempt to falsify an assigned grade in an examination, quiz, report, program, grade book, or any other record or document.
  5. The creation and/or submission of falsified data in any experiment, research paper, laboratory assignment, or other assignment.
  6. Collusion occurs when students willfully give or receive unauthorized or unacknowledged assistance. Both parties to the collusion are considered responsible.
- B. Plagiarism. This includes but is not limited to:
1. The direct use or paraphrase, of the work, themes or ideas, of another person without full and clear acknowledgment.
  2. Submitting the work of another as one's own in any assignment (including papers, tests, labs, homework, computer assignments, or any other work that is evaluated by the instructor).
- C. Any other action or conduct not described above that could reasonably be construed as academic dishonesty or encouraging others to cheat or act dishonestly in regards to academic work.

### II. RESPECT FOR OTHERS

**Lehigh University expects that all students will act in a civil manner that reflects maturity, social responsibility, and respect towards others and the Lehigh Community.**

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- A. Physical Violence or Making Threats of Physical Violence (including, but not limited to, violence between individuals in a relationship, i.e., "dating or domestic violence")

- B. Discrimination: As defined in Section 2.1 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- C. Harassment: As defined in Section 2.2 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- D. Sexual Harassment: As defined in Section 2.3 of the **Lehigh University Policy on Harassment and Non-Discrimination**.
- E. Other Conduct Prohibited by the Lehigh University Policy on Harassment and Non-Discrimination **Lehigh University Policy on Harassment and Non-Discrimination**.
- F. Retaliation:
  - i. As defined in Section 2.6 of the **Lehigh University Policy on Harassment and Non-Discrimination**
  - ii. Any adverse action taken against a person for: making a complaint under the University Code of Conduct, providing information and/or cooperating with an investigation, providing testimony at a disciplinary proceeding, or participating in any other way with the processes and/or requests of the Office of Student Conduct & Community Expectations or other University office. Retaliation includes but is not limited to physical violence or threats of physical violence, intimidation, humiliation, harassment, or bullying, whether the acts take place in-person or online. Students who report alleged violations of the Code of Conduct in good faith are entitled to protection from retaliation, even if the report is not upheld later based on the available evidence. It shall not be considered retaliation when the University conducts any part of the disciplinary process in good faith
- G. **Hazing.** *Hazing is any action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Hazing includes but is not limited to any brutality of a physical nature, such as paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity that would subject the individual to physical harm or mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which would adversely affect the mental health or dignity of the individual. Among prohibited activities are forced or coerced activities which create excessive fatigue; cause physical and psychological shocks; involve kidnapping; involve morally questionable quests, treasure hunts, scavenger hunts, or any other such activities; involve publicly wearing apparel that is conspicuous and not normally in good taste; cause students to engage in public stunts and buffoonery, morally degrading or humiliating games and activities, or late night activities which interfere with scholastic activities. Also prohibited are any activities that are in violation of federal, state, or local laws, this Code of Conduct, or accepted standards of good taste or propriety. For purposes of this definition, any activity described in this paragraph upon which the admission into or affiliation with an organization is directly or indirectly conditioned shall be presumed to be "forced or coerced" activity, the willingness of an individual to participate in such activity notwithstanding.*
- H. Intentionally or recklessly interfering with the activities sponsored by, affiliated with or participated in by members of the University community, including but not limited to studying, teaching, research, administration, fire prevention, police activities, emergency services, and the activities of student organizations.
- I. Other conduct which threatens or endangers the health or safety of any person or group of people. This would include, but is not limited to, the possession or storage of weapons, explosives, fireworks, or other materials that could be harmful to the members of the community or the community as a whole.

### III. RESPECT FOR PROPERTY

Lehigh University expects that its students will treat the property of Lehigh University and the property of others with the same respect that they would ask others to show to them.

#### Proscribed Conduct:

- A. Intentionally or recklessly interfering with the property of another, including taking without permission, destroying, defacing, or damaging the property of another.
- B. The theft of services, such as telephone or computer services, including copyrighted computer programs, and other copyrighted material such as movies and/or music.
- C. Knowingly possessing stolen property.
- D. Entering, occupying, or using without authorization Lehigh premises, facilities, or property.
- E. The theft, mutilation, destruction, defacing, and/or gross disregard of any Lehigh property.
- F. Misuse of Lehigh University laboratory facilities.

### IV. RESPECT FOR LEHIGH UNIVERSITY COMMUNITY

As members of the Lehigh University Community, students are expected to serve as ethical representatives. They are expected to know and follow

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Students are expected to hold themselves and others accountable and report violations of the Code of Conduct or other violations to the University.

#### Proscribed Conduct:

- A. Intentionally furnishing false information to a University official, Hearing Panel, or Conduct Officer.
- B. Intentionally or recklessly causing an emergency or dangerous environment.
- C. Intentionally or recklessly initiating or causing to be initiated any false report including but not limited to false reports of fire, explosions, or other emergency or threats thereof.
- D. Forgery, unauthorized alteration or unauthorized use of any University document, record (including computer records), or instrument of identification.
- E. Failure to comply with the reasonable requests of University officials (including law enforcement) while acting in the performance of their duties.
- F. Failure to provide identification when asked by University officials while acting in the performance of their duties.
- G. Failure to complete any sanctions imposed by Lehigh University.
- H. Failure to appear before and cooperate with the University Committee on Discipline, or other Hearing Panels, Hearing Officers or Conduct Officials when called to do so.
- I. Violating any Lehigh University policies, rules, or regulations, including but not limited to, residential living policies (General Provisions for Occupancy) and policies related to the use of the University computer network.
- J. Encouraging or facilitating others in actions that violate the Code of Conduct.
- K. Intentionally or recklessly filing false allegations with the University Conduct System.
- L. Failure to report and/or knowingly being in the presence of violations of the Lehigh University Code of Conduct or other University Policies.

## V. RESPECT FOR SELF

Lehigh University expects that its student members will act in a manner that respects their own health and well-being, especially concerning the use and or abuse of alcohol and drugs.

### Proscribed Conduct:

- A. The unauthorized or illegal consumption, distribution, or possession of alcohol.
- B. The consumption or distribution of alcohol in a manner detrimental to one's health and safety (or the health and safety of others).
- C. The unauthorized or illegal use, distribution, or possession of any controlled substance or illegal drug.
- D. The possession of drug paraphernalia.
- E. The possession of alcohol paraphernalia that encourages or promotes excess consumption of alcohol (for example, kegs, beer bongs, Beirut tables, etc.).
- F. Other conduct which threatens or endangers the health or safety of the individual.

## VI. RESPECT FOR THE LAW

Lehigh University expects that its student members will act in accordance with all applicable federal, state, or local laws.

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## ARTICLE IV – Emergency Situations

### I. EMERGENCY AUTHORITY OF THE DEAN OF STUDENTS

Because situations may arise that may not be fully covered by this Code, the Dean of Students is granted the authority to exercise the Dean's good judgment in emergency situations. Any emergency powers of the Dean of Students may be exercised by an Associate or Assistant Dean of Students at the direction of the Dean of Students.

### II. TEMPORARY RULES AND REGULATIONS

The Dean of Students shall have authority in emergency situations to issue temporary rules and regulations to uphold the behavioral expectations of Lehigh University.

### III. INTERIM SUSPENSION/EMERGENCY REMOVAL

The Dean of Students shall have the authority in emergency situations to suspend a student's (or student organization's) rights to be present on campus, or on other property owned, operated, or controlled by the University prior to a formal hearing/adjudication. This authority may be invoked if the Dean of Students has a reasonable belief that a serious offense may have occurred, and/or that the continued presence of the student on campus

may be dangerous. We use cookies and similar technologies to understand how you use our site, to personalize content and to improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the [Privacy Statement](#). The Dean of Students shall permit a student to challenge the evidence presented. The resolution of the underlying matter shall occur at the earliest feasible time in accordance with the procedures and processes established in this Code.



In the event that the conduct involves the Equal Opportunity Compliance Coordinator/Title IX Coordinator, reports should be made to:

Associate Vice President, Human Resources

306 South New Street, Suite 437

[610-758-3900](tel:610-758-3900)

[inhro@lehigh.edu](mailto:inhro@lehigh.edu)

A person may also file a complaint with the appropriate federal, state, or local agency within the time frame required by law. Contact information for federal and state agencies, along with additional University reporting options and resources, is available at [lehigh.edu/go/nondiscrimination](https://lehigh.edu/go/nondiscrimination).

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## ARTICLE VI – Responsibilities and Fundamental Fairness

### I. RESPONSIBILITIES OF INDIVIDUAL STUDENTS

As stated in Article II, Section I.H, students are responsible for knowing and adhering to the expectations outlined in the Code of Conduct.

- A. Students are responsible for fully cooperating with the University in investigations of violations of the Code of Conduct and for providing complete, accurate, and truthful information and any potentially relevant documentation in any format.
- B. Students are responsible for appearing before a Hearing Panel when called to do so and providing truthful and complete information to Hearing Panels and/or the Conduct Officer when asked. Students, who have been accused of violating the Code of Conduct, have the right not to answer questions.

### II. FUNDAMENTAL FAIRNESS FOR INDIVIDUAL STUDENTS

The University has an interest in providing fundamental fairness in all conduct matters. The University will strive to provide the following to students in relation to conduct violations.

**Presumption of non-responsibility.** The hearing body shall consider all respondents not responsible until such time as sufficient evidence is present to the contrary. No respondent shall be found responsible for an allegation unless a “preponderance of evidence” presented at the time of the hearing indicates that the student is responsible for the alleged violation of this Code. This means that the Hearing Officer or Hearing Panel must believe that it is more likely than not, based on the information presented at the hearing, that the student is responsible.

- A. **Written notification of allegations and hearings.** Respondents are entitled to written notification of any allegations brought against them and an outline of the disciplinary procedures. If additional allegations are brought, a further written notice must be sent. These notices may be sent via a secure electronic system, to a Lehigh University email address, via campus mail, U.S. mail (to the last known address maintained by the University) or personally delivered to the respondent. Any of these methods of notification shall be considered sufficient. When and if a hearing is scheduled, the Conduct Officer shall notify the respondent at least seven days before the hearing of the time, date, and location of the hearing. To the extent permitted by federal and state privacy laws, complainants will receive, at the same time as it is provided to the respondent, notification of the allegations and any additional allegations, an outline of the disciplinary procedures, and notice of the time, date, and location of the hearing.
- B. **Review of available information.** Respondents and, to the extent permitted by federal and state privacy laws, complainants are entitled to review the available information, documents, and a list of witnesses who have been called by the Conduct Officer to present information. Students must provide the Conduct Officer a list of witnesses they intend to present, along with information supporting the relevance of the witnesses. This list must be presented at least three days prior to the hearing. If the student fails to provide proper notification that they are bringing witnesses, the admission of witnesses’ testimony will be at the discretion of the Hearing Panel and no appeal shall be granted for denying their admission.
- C. **Advisory assistance.** Respondents and complainants are entitled to advisory assistance by any member of the University community (current students, faculty, and staff, provided he/she is not an attorney). The advisor's role is to assist, support, and advise students at any stage of the conduct process; the advisor shall not be permitted to actively participate in the hearing, other than to quietly advise the complainant or the respondent. The complainant and respondent are responsible for presenting their own information and therefore an advisor may not ask or answer questions for students or make summation statements on their behalf. Generally, legal counsel shall not be permitted to attend the hearing to represent the student. However, in cases where there are pending criminal charges against the respondent or the complainant, the

We use cookies and similar technologies to understand how you use our site, to personalize content and to improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the [Privacy Statement](#). In cases in which a student utilizes legal counsel as their advisor, the Conduct Officer may request that University counsel be present in a non-participatory role.

- D. A pre-hearing interview.** For all hearings above the level of a disciplinary conference, the respondent shall have the right to a pre-hearing interview in which the Conduct Officer will explain the concepts of fundamental fairness and the conduct processes. Failure to schedule or attend the pre-hearing interview is not grounds for a rescheduling of a hearing or for an appeal. For disciplinary conferences, an outline of the conduct process shall be considered sufficient to meet this requirement, and shall be supplied by the Conduct Officer.
- E. Right to be heard.** Respondents shall have the right to hear all testimony, present relevant information on their own behalf, ask questions of witnesses, and ask questions of anyone present at the hearing. If individuals cannot be questioned at the hearing (by reason of health, absence from campus, etc.) the hearing panel has a special obligation to determine the credibility of any information that those individuals have provided. Respondents are also permitted to have persons submit written character statements directly to the Conduct Officer for review by the panel or hearing officer. Students may not bring character witnesses to a hearing or disciplinary conference.
- F. Challenge of hearing body members.** Respondents shall have the right to challenge the presence of hearing body members for reasons such as a personal bias towards a participant or a preformed judgment in the particular case. In the case of hearings before the University Committee on Discipline or its subsidiary boards, the removal of a hearing body member will be by majority vote of the remaining members. In cases involving disciplinary conferences, the decision shall be at the discretion of the Hearing Officer.
- G. Refuse to answer any question or make a statement.** Respondents are not required to make statements or answer questions. In this situation, the hearing body shall make its decision solely on the basis of evidence presented to it. It should be noted that witnesses do not have the right to refuse to answer questions.
- H. Withholding of past record.** In hearings before the University Committee on Discipline, the past disciplinary records of respondents will not be disclosed until after a decision of responsibility is reached, except if introduced by the respondent or in cases in which the respondent is charged with failure to complete sanctions imposed by Lehigh University. If a student is found responsible for the allegation(s), information concerning the respondent's past disciplinary record will be presented to the hearing body by the Conduct Officer in the presence of the respondent, for consideration in determining appropriate sanctions. In cases in which the student chooses to self-disclose a past conduct record, this information will be admissible and considered relevant.
- I. Notification of Outcomes.** Respondents and, in certain cases, complainants have the right to be informed of the outcome of a case.
1. **Oral notification.** When possible, the Hearing Officer shall notify the respondent of the finding immediately following the conclusion of the hearing, including any sanctions imposed. In the event that the hearing body deems it necessary to continue its discussion of findings and/or possible sanctions or to consult with the Conduct Officer, notification shall take place within three business days of the hearing. In either case, the Conduct Officer shall inform students found responsible of their rights of appeal.
  2. **Written notification.** The Conduct Officer shall forward the written decision of the hearing body to the respondent within a reasonable time, no longer than 10 days. The written decision shall include: (i) a statement of the allegations; (ii) a summary of the information presented at the hearing; (iii) the findings of the hearing body and key facts used in making those findings; (iv) the sanctions and the rationale for them; and (v) a statement regarding the right to request an appeal and the procedures for making such an appeal.
  3. **To the extent permitted by federal and state privacy laws.** Complainants will receive oral notification of the finding and associated sanctions, if any, immediately after the hearing, when possible, and will receive written notification of the hearing body's decision at the same time as the respondent.
- J. Right of appeal.** As outlined in the Code of Conduct, students found responsible for a violation by any Hearing Panel shall have the right to an appeal before the Disciplinary Appeals Committee. Decisions of the Disciplinary Appeals Committee are final. Students who have been suspended or expelled are required to leave campus and cease participation in campus activities immediately while an appeal is pending. If an appeal is granted and changes are made to the outcome of the case, it is the responsibility of the student to complete missed work.
- K. Admission of relevant evidence.** Evidence is admissible when, in the opinion of the majority of the hearing body, it is shown to be relevant to the factual issues of the case. The hearing body shall determine the relevance and admissibility of all testimony, whether proposed or actual. Evidence obtained by a search of a student's person or property shall be admissible if that search was conducted by University officials while acting in accordance with their duties.
- L. Closed Hearings.** All administrative meetings, disciplinary conferences, disciplinary hearings, and appeals committee meetings shall be closed to the public.

### III. RESPONSIBILITIES OF STUDENT ORGANIZATIONS

Organizations are responsible for educating their members on the Lehigh University Code of Conduct as it relates to student organizations.

- A.** Organizations are responsible for fully cooperating with University officials in investigations of violations of the Code of Conduct. Organizations are responsible for ensuring that their members provide complete, accurate, and truthful information and any potentially relevant documentation

in any format.

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- C. Organizations** are responsible for ensuring that their members provide truthful and complete information when providing information to a Hearing Panel or the Conduct Officer. Students representing organizations are required to answer questions asked by the Hearing Panel.

## IV. FUNDAMENTAL FAIRNESS FOR STUDENT ORGANIZATIONS

The University has an interest in providing a fundamentally fair system to adjudicate student organizational conduct. With this in mind the University will strive to provide the following to student organizations in relation to conduct cases.

**Presumption of non-responsibility.** The hearing body shall consider all respondent organizations not responsible until such time as sufficient evidence is present to the contrary. No respondent organization shall be found responsible for an allegation unless a “preponderance of evidence” presented at the time of the hearing indicates its responsibility. This means that Hearing Panels must believe that it is more likely than not, based on the information presented at the hearing, that the organization is responsible.

- A. Written notification of allegations and hearings.** Respondent organizations are entitled to written notification of any allegations brought against them and an outline of the disciplinary procedures. If additional allegations are brought, a further written notice must be sent to the respondent organization. These notices may be sent via a secure electronic system, to a Lehigh University email address, via campus mail, or personally delivered to any representative of the organization. Any of these methods of notification shall be considered sufficient. When and if a hearing is scheduled, the Conduct Officer shall notify the respondent organization at least five days before the hearing of the time, date, and location of the hearing.
- B. Review of available information.** Respondent organizations are entitled to review the available information, documents, and a list of witnesses who have been called by the Conduct Officer to present information. The respondent organizations must provide the Conduct Officer a list of witnesses they intend to present, along with information supporting the relevance of the witnesses. This list must be presented at least three days prior to the hearing. If the organization fails to provide proper notification that it is bringing witnesses, the admission of that testimony will be at the discretion of the Hearing Panel and no appeal shall be granted for denying their admission.
- C. Advisory assistance.** Respondent organizations are entitled to advisory assistance by any member of the University community (current students, faculty, and staff or an alumnus/ alumnae of the organization, provided that he/she is not an attorney). The advisor's role is to assist, support, and advise the organization at any stage of the conduct process. The advisor may not, however, ask or answer questions for the organization or make summation statements on its behalf. This person is an observer and will not be a participant in the hearing. Legal counsel shall not be permitted to attend the hearing to represent the student organization.
- D. A pre-hearing interview.** For all hearings above the level of a disciplinary conference, the organization shall have the right to a pre-hearing interview in which the Conduct Officer will explain the concepts of fundamental fairness and the conduct processes. Failure to schedule or attend the pre-hearing interview is not grounds for a rescheduling of a hearing or for an appeal. For disciplinary conferences, an outline of the conduct process shall be considered sufficient to meet this requirement, and shall be supplied by the Conduct Officer.
- E. Representation by a member.** Respondent organizations shall have the right to choose one student member to represent it before a Hearing Panel, if the organization chooses to appear at a hearing. Students who have had formal legal training are not permitted to represent organizations. The respondent organization is also permitted to have 3 additional student members present to witness the proceedings. These members may not be called as witnesses, may not participate in the hearing in any way, and may be removed by the Hearing Officer or the Hearing Panel if they are disruptive or prove distracting or intimidating to any participant.
- F. Right to be heard.** Respondent organizations shall have the right to hear all testimony, present relevant information on their own behalf, ask questions of witnesses, and ask questions of anyone present at the hearing. If individuals cannot be questioned at the hearing (by reason of health, absence from campus, etc.) the Hearing Panel has a special obligation to determine the credibility of any information that those individuals have provided. The organization is also allowed to have persons submit character statements directly to the Conduct Officer for review by the Hearing Panel or Hearing Officer. Organizations may not bring character witnesses to a hearing or disciplinary conference.
- G. Challenge of hearing body members.** Respondent organizations shall have the right to challenge the presence of hearing body members for reasons such as a personal bias towards a participant or a preformed judgment in the particular case. In the case of hearings before the University Committee on Discipline or its subsidiary boards, the removal of a hearing body member will be by majority vote of the remaining members. In cases involving disciplinary conferences, the decision shall be at the discretion of the Hearing Officer.
- H. Withholding of past record.** In hearings before the University Committee on Discipline, the past disciplinary records of respondent organizations will not be disclosed until after a decision of responsibility is reached, except if introduced by the organization or in cases in which the respondent organization is charged with failure to complete sanctions imposed by Lehigh University. If the student organization is found responsible for the allegation(s), information concerning its past disciplinary record will be presented to the hearing body by the Conduct Officer in the presence of the respondent organization’s representative, for consideration in determining appropriate sanctions. In cases in which the student organization chooses to self-disclose a past conduct record, this information will be admissible and considered relevant.
- I. Notification of Outcomes.** Respondent organizations have the right to be informed of the outcome of a case.

1. **Oral notification.** When possible, the Hearing Officer shall notify the student organization of the finding, including any sanctions imposed, improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the **Privacy Statement**. findings and/or possible sanctions or to consult with the Conduct Officer; notification shall take place within three business days of the hearing. In either case, the Conduct Officer shall inform student organization found responsible of its rights of appeal.

2. **Written notification.** The Conduct Officer shall forward the written decision of the hearing body to respondent organizations within a reasonable time no later than 10 days after the hearing. The written decision shall include: (i) a statement of the allegations; (ii) a summary of the information presented at the hearing; (iii) the findings of the hearing body and key facts used in making those findings; (iv) the sanctions and the rationale for them; and (v) a statement regarding the right to request an appeal and the procedures for making such an appeal.
3. In cases involving organizations that are heard by subsidiary hearing panels, the respondent organization has the right to be notified of the recommendations at the hearing and a right to be notified of the final decision of the Conduct Officer within a reasonable time, no later than 10 days after the hearing.
- J. **Right of appeal.** As outlined in this Code of Conduct, student organizations found responsible for a violation by any Hearing Panel shall have the right to an appeal before the Disciplinary Appeals Committee. Decisions of that committee are final. Student Organizations that are facing dissolution or termination may not function as an organization (this includes but is not limited to hosting events, sponsoring programs, or participating in intramurals) during the appeals process.
- K. **Admission of relevant evidence.** Evidence is admissible when, in the opinion of the majority of the hearing body, it is shown to be relevant to the factual issues of the case. The hearing body shall determine the relevance and admissibility of all testimony, whether proposed or factual. Evidence obtained by a search of a student's person or property shall be admissible if that search was conducted by University officials while acting in accordance with their duties.
- L. **Closed Hearings.** All administrative meetings, disciplinary conferences, disciplinary hearings, and appeals committee meetings shall be closed to the public.
- M. **Organizational Accountability.** Any group or organization may be held accountable for the actions of any of its members if the violation of this Code of Conduct is in any way related to the group or organization. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible disciplinary action against the group. There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the entire group. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire group. An appropriate but not exhaustive test to determine whether a group may be held accountable for the conduct of individuals is to ask whether it is likely that the individuals would have been involved in the incident if they were not members of the group or, if, by group action, the incident was encouraged, fostered, or might have been prevented.

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## ARTICLE VII - Sanctions

### I. PRIMARY SANCTIONS FOR INDIVIDUALS

Individuals found responsible for a violation of this Code of Conduct will receive a sanction of disciplinary warning, disciplinary probation, disciplinary deferred suspension, disciplinary suspension, or expulsion. In certain specific cases the sanctions of disciplinary revocation of a degree or disciplinary withholding of a degree may be imposed. They may also receive additional sanctions as outlined below.

**Disciplinary Warning.** A disciplinary warning is a written statement of a student's responsibility for a violation of this Code of Conduct with the caution that any future violation may result in more serious sanctions. Other sanctions may be imposed along with the warning.

A. **Disciplinary Probation.** Disciplinary probation is the imposition of a trial period in which students must show that they are willing to live up to the expectations in this Code of Conduct. This trial period may not exceed four semesters. This status implies that further violations of this Code may result in disciplinary suspension or expulsion. Other sanctions may be imposed, and additional requirements may be imposed as conditions for reinstatement in good standing.

B. **Disciplinary Deferred Suspension.** The sanction of disciplinary suspension may be placed in deferred status for a limited period of time. During this period of time, the student is on notice that any further violations of the Code of Conduct will result in the suspension that was originally defined becoming effective immediately without further review. Disciplinary Deferred Suspension may not be imposed for longer than one regular semester. If this sanction is imposed during a semester, it may be imposed for the remainder of that semester and one additional semester. Disciplinary Probation may be imposed for a period of time not to exceed three semesters after the period of Disciplinary Deferred Suspension. Additional student conduct sanctions appropriate to a new violation also may be imposed. A student who is on disciplinary deferred suspension is ineligible for (a) intercollegiate competition and all other activities publicly representative of the University, (b) major office (elective or appointive) in any University organization, and (c) any other extra-curricular activities. Students may petition the Office of Student Conduct to be allowed to participate in particular extracurricular activities, but approval or denial is at the sole discretion of the Student Conduct Office in

C. **Disciplinary Suspension.** Disciplinary suspension is the temporary separation of the student from the Lehigh University Community, not to exceed seven consecutive fall and spring semesters. Students on disciplinary suspension are not permitted to participate in any University activities, academic or nonacademic. They may not take part in any official exercise, including graduation. They are not allowed on Lehigh

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premises during their suspension unless prior approval has been granted by the Dean of Students. Any request for the privilege of visiting Lehigh University during the suspension must be received by the Dean of Students in writing seven days prior to the date the privilege is desired. It should be understood that submission of a request in no way guarantees approval. Students requesting reinstatement upon passing of the suspension period must schedule a meeting with the Dean of Students prior to being granted approval for reinstatement. Additional requirements may be imposed at the time of suspension as conditions for reinstatement in good standing. For students who have been suspended, the Registrar will, during the period of the suspension, send with the transcript a letter stating the reasons and length of the suspension. Disciplinary Suspension must be applied for at least one full, regular semester (fall or spring). The sanction of Disciplinary Suspension will begin on the date that incident being adjudicated occurred. If suspension is imposed for an incident that occurs before the Monday of the 7th week of classes, that may be considered one full regular semester. If an incident occurs on or after the Monday of the 7th week of classes, and suspension is imposed, the suspension must continue through the end of the next regular semester. Exceptions to this practice may be made at the discretion of the hearing officer or panel that imposes the sanction. The rationale for sanctions must include a reason for this exception. Students who have been suspended are required to leave campus and cease participation in campus activities immediately while an appeal is pending. If an appeal is granted and changes are made to the outcome of the case, it is the responsibility of the student to complete missed work.

**D. Expulsion.** Expulsion is the permanent removal of a student from the University. All cases in which the sanction of expulsion is imposed shall be referred to the Disciplinary Appeals Committee to ensure that the sanction is not unduly harsh. If the student does not submit a letter of appeal, the Conduct Officer shall supply a summary of the case to the disciplinary appeals committee for review. The Disciplinary Appeals Committee is required to ensure that the sanction is not unduly harsh. If the Disciplinary Appeals Committee finds that the sanction is unduly harsh, the student shall be suspended for seven semesters. Students who have been expelled are required to leave campus and cease participation in campus activities immediately while an appeal is pending. If an appeal is granted and changes are made to the outcome of the case, it is the responsibility of the student to complete missed work.

**E. Disciplinary Withholding of Degrees.** The conferring of an academic degree may be postponed as a disciplinary sanction if the following criteria are met:

1. The respondent is of senior standing; and
2. The sanction of Probation, Deferred Suspension, or Suspension might otherwise be imposed.

The student may be allowed to remain on campus to complete academic requirements of degree status, but the conferring of that degree would be postponed until a regularly scheduled commencement exercise after the one in which the student would have participated in.

Degrees may not be withheld for longer than 4 semesters.

A student who is subject to a pending disciplinary case is not eligible to receive a degree or participate in graduation until that case is resolved.

**F. Disciplinary Revocation of Degrees.** The University Committee on Discipline may recommend to the Board of Trustees the revocation of a degree if the following criteria are met:

1. The respondent has already been granted a degree by Lehigh University;
2. The sanction of suspension or expulsion might otherwise be imposed; and
3. The information leading to the allegations did not come to light until after the conferring of the degree in question, but occurred before the degree was conferred.

***Only the Board of Trustees may revoke a degree. If the Board of Trustees does not uphold the sanction of Revocation, the case against the student will be considered dismissed.***

## II. SECONDARY SANCTIONS FOR INDIVIDUALS

Sanctions in addition to the primary sanctions may be imposed to educate the respondent, or protect and educate the Lehigh University Community as a whole.

This is a list of specific but non-restrictive examples of secondary sanctions:

1. Restitution or replacement of lost, damaged, or stolen property.
2. Suspension of privileges to participate in any activity sponsored by the university.
3. Suspension of privileges to use or occupy certain facilities.
4. Suspension of rights to represent the university.
5. Suspension of rights to occupy a position or office in a group or organization officially recognized by Lehigh University.

6. Referral for alcohol, drug, and/or tobacco counseling and mandatory periodic meetings with a dean or counselor. We use cookies and similar technologies to understand how you use our site, to personalize content and to improve functionality. By continuing to use this site, we will assume you agree with our use of these technologies as described in the **Privacy Statement**.

Sanctions that suspend students' privileges shall have a set time of duration indicating when and under what conditions students may regain the privilege.

7. **Sanctions related to academic integrity violations.** In addition, to the primary sanctions as listed in Section I, the Hearing Panel may impose a course grade of “F”, which would remain on the transcript permanently. In the event that the student had already voluntarily withdrawn from the course in question, the “F” grade would replace the “W”. If the Hearing Panel does not assign a grade of “F” in the course, it may provide recommendations to the instructor regarding grading (e.g., lowering the course grade by some amount). In any case in which a student is found responsible and a grade of “F” is not assigned, the grading of all exercises and the determination of the course grade are left to the sole discretion of the instructor and could result in an F being assigned.

### III. SANCTIONS FOR CASES INVOLVING DRUGS AND/OR ALCOHOL

In cases involving drugs and alcohol the following secondary sanctions will be imposed.

1. **Counseling Center Interaction.** In all disciplinary cases involving drugs and alcohol in which the student is not suspended or expelled, a mandatory interaction with the Department of University Counseling and Psychological Services (UCPS) shall be imposed. The nature and content of these interactions shall be developed by the UCPS in conjunction with the Conduct Officer and the Dean of Students.
2. **Parental Notification.** The parents of students under the age of 21 may be notified of all violations of the Code of Conduct as related to drugs and/or alcohol, as permitted by the Family Educational Rights and Privacy Act (FERPA).
3. **Serious Offenses involving Drugs and/or Alcohol.** While disciplinary suspension is an option for any single serious alcohol/drug violation, individuals found responsible for two serious alcohol or drug violations (i.e., creating risk to self or others which includes, but is not limited to, physical violence, serious property destruction, or other serious infractions) will be suspended for a minimum of one regular semester.

### IV. PRIMARY SANCTIONS FOR ORGANIZATIONS

Organizations found responsible for a violation of this Code of Conduct will receive a sanction of disciplinary termination, disciplinary dissolution, deferred disciplinary dissolution, disciplinary probation, or disciplinary warning. They may also receive additional sanctions as outlined below.

**Disciplinary Warning.** A disciplinary warning is a written statement of responsibility of a group or organization for a violation of this Code of Conduct, along with the caution that any future violation may result in a more serious sanction. Other sanctions may be imposed along with the warning.

- A. **Disciplinary Probation.** Disciplinary probation is the conditional continuation of a group or organization for a specified period of time not to exceed four semesters. This status implies that any further violation of this Code of Conduct may result in dissolution, termination, or other authorized sanctions. Other sanctions may be imposed, including limitations on social activities, and additional requirements may be imposed as conditions for reinstatement of recognition in good standing.
- B. **Disciplinary Deferred Dissolution.** The sanction of disciplinary dissolution may be placed in deferred status for a limited period of time. During this period of time, the organization is on notice that any further violations of the Code of Conduct will result in the dissolution that was originally defined becoming effective immediately without further review. Disciplinary Deferred Dissolution may not be imposed for longer than two regular semesters. If this sanction is imposed during a semester, it may be imposed for the remainder of that semester and two additional semesters. Disciplinary Probation may be imposed for a period of time not to exceed three semesters after the period of Disciplinary Deferred Dissolution. Other restrictions on the organization's activities may be imposed.
- C. **Disciplinary Dissolution.** Dissolution is the loss of University recognition for a period of time not to exceed 5 years. Dissolution is the loss of privilege to use the University's name or represent it in any capacity. In addition, the group or organization will lose all privileges to use University equipment or facilities. At the end of the dissolution period, the organization shall contact the Dean of Students Office and be required to follow any recognition processes in place at the time. Dissolution shall be imposed for time periods of years, not semesters.
- D. **Disciplinary Termination.** Termination is the permanent loss of University recognition. Termination includes the loss of privilege to use the University's name or represent it in any capacity. The group or organization also loses all privileges to use University equipment or facilities. The hearing/adjudication body shall make a recommendation for termination to the Vice Provost for Student Affairs, who will normally implement the recommendation. If the Vice Provost for Student Affairs decides not to terminate the group or organization, the organization shall be dissolved for 10 years.

### V. SECONDARY SANCTIONS FOR ORGANIZATIONS

Sanctions in addition to the primary sanctions may be imposed to educate the respondent organization, and/or protect and educate the Lehigh University Community as a whole.

**Social Probation.** Social Probation is the loss of the organization's privileges to host social events with alcohol.

- A. **Alcohol-Free Housing.** The organization loses the right to have any alcohol present in the facility including in individual bedrooms/living areas.
- B. **Loss of University Housing.** Organizations may also be prohibited from hosting any events on or off campus where alcohol is served. An organization that has lost its right to University housing must follow any processes in place to reacquire group living rights.
- C. **Removal of specific Members or Officers.**

D. Other Sanctions. The following are specific examples, but Hearing Panels are not limited to these:

1. Restitution or replacement of lost, damaged, or stolen property.
2. Suspension of privileges to participate in any activity sponsored by the University.
3. Suspension of privileges to use or occupy certain facilities.
4. Suspension of rights to represent the University.
5. Requirement to hold educational programs for members.

Sanctions that suspend organizational privileges shall have a set time of duration indicating when and under what conditions students may regain the privilege.

## VI. SANCTIONING GUIDELINES OF SPECIFIC TYPES OF CASES

The Lehigh University Community has devised sanctioning guidelines in cases involving discrimination, harassment, sexual harassment, other prohibited sex-based misconduct, and retaliation, hazing, violence, and academic dishonesty. These guidelines can be found in Appendix A of the Code of Conduct.

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## ARTICLE VIII - Remedies

At the conclusion of a conduct hearing, or during the investigation of an alleged violation of the Code of Conduct, it may be appropriate to provide remedies to complaining parties and/or the larger campus community. Remedies for complainants may include, but are not limited to: counseling, academic support, provision of an escort, and changes to residence halls. Remedies for the campus community may include, but are not limited to: training for relevant employees, conducting education and prevention programs for students, issuing policy statements, and developing educational materials for distribution campus-wide.

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## ARTICLE IX – The Role of the Conduct Officer

### THE CONDUCT OFFICER

The Dean of Students, acting on behalf of the faculty, shall appoint a Conduct Officer who will be responsible for the administration of the Student Conduct System. Duties of the Conduct Officer.

The Conduct Officer will be responsible for the following functions in addition to other duties as defined by the Dean of Students:

1. Coordinate all aspects of University disciplinary procedures, including informing students of allegations lodged against them, investigating all allegations, scheduling hearings, notifying all persons concerned, providing for a record of all disciplinary proceedings, providing secretarial assistance, providing all necessary forms, assisting with and forwarding appeals to the University Disciplinary Appeals Committee, and undertaking such other activities as may be necessary to implement the provisions of this Student Conduct System.
2. Coordinate the gathering of all facts regarding a violation of this Code of Conduct and see that all known relevant facts are presented at a hearing.
3. Conduct pre-hearing interviews (when required) at which students charged should be (1) fully informed of the allegations lodged and of their rights in the conduct system; (2) given an opportunity to discuss the matter; and (3) provided with information related to possible sanctions if the student pleads or is found responsible.
4. Maintain confidentiality of disciplinary records in accordance with the University policy on maintenance, retention, and dissemination of confidential information and with the federal Family Educational Rights and Privacy Act and other applicable laws.
5. Provide for training of all persons serving as Hearing Officers, serving on Hearing panels, serving on the Disciplinary Appeals Committee, or other persons involved in the Student Conduct System as necessary.
6. Provide for the publication of this Student Conduct System and for the recording of all decisions rendered and actions taken.
7. Schedule all hearings, call appropriate witnesses, and tape-record the proceedings. Any audio tape recordings of hearings are the property of Lehigh University.
8. Advise Hearing Panels regarding the meaning, interpretation, and application of the conduct procedures
9. Attend all hearings (or train and designate persons to be present) to present facts and to answer questions pertaining to conduct procedures or facts in the case being considered.
10. Respond to appeals (either on the grounds that the disciplinary process was violated in a way that affected the outcome of a particular case, or for cases that were adjudicated through the disciplinary conference procedures).
11. Other duties assigned by the Dean of Students.

## ARTICLE X – Proceedings and Process

### I. GENERAL INFORMATION

Any group within the University, any individual member of the University community, third parties, or the Dean of Students acting for Lehigh University may report violations of the University Code of Conduct to the Office of Student Conduct. The complaint must be submitted in writing to the Conduct Officer.

- A. Proceedings related to non-academic violations may be initiated at any point during a student's career, which includes undergraduate and graduate careers. In cases in which the offense is allegedly to have occurred during the final semester of matriculation, the Conduct Officer may file allegations in non-academic cases up to six months after graduation. There is no time limitation on proceedings related to academic dishonesty.
- B. In cases where multiple allegations and/or multiple accused students arise out of the same event or series of related events, the Conduct Officer shall have the discretion to direct that a single hearing be conducted with respect to the multiple allegations/students. Each accused student shall be entitled to be present for the testimony of all witnesses and shall be entitled to question each witness. Any opening or closing statements shall be made to the hearing body by the accused student alone, outside the presence of any other accused student, unless the student waives this right.
- C. Any student organization involved in an academic dishonesty violation will have the case resolved by the University Committee on Discipline.
- D. The University Committee on Discipline
1. **Role.** The University Committee on Discipline is responsible for hearing cases to determine student or organization accountability for violations of this Code of Conduct in a manner that ensures fundamental fairness, and to assign sanctions in cases where responsibility is determined.
  2. **Composition.** The committee shall be composed of fifteen undergraduate students, (chosen by the Dean of Students Office in consultation with the current student members of the University Committee on Discipline and the faculty chairperson of the University Committee on Discipline), three graduate students (chosen by the Dean of Students Office in consultation with the Graduate Student Senate and the faculty chairperson of the University Committee on Discipline), twelve members of the faculty (four elected by the University faculty at large and two from each of the college faculties), and seven administrators (appointed by the Vice Provost for Student Affairs from the Student Affairs professional staff ). Faculty shall be elected for three-year staggered terms. Students shall be selected for one-year renewable terms. Administrators shall be appointed for three- year renewable terms. The Conduct Officer shall have the authority to appoint alternate members for student and administrative representatives to ensure the committee's ability to function.
  3. **Chairperson.** The chairperson of the Committee on Discipline shall be a faculty member elected by the committee for a one-year term.
  4. **Hearing Panels.** A Committee on Discipline Hearing Panel shall consist of two students, two members of the faculty, and an administrator. Undergraduate students shall sit on the panel when an undergraduate student is charged with a violation of this Code, and graduate students shall sit on the panel when a graduate student is charged. Hearing Panels shall be appointed from the committee by the Conduct Officer. The chairperson of a Hearing Panel shall be chosen from the two faculty members on the panel. The quorum of a hearing panel shall be one student, one faculty member, and one member of the administrator.
  5. **All hearing procedures shall be developed by the Conduct Officer.** The respondent or respondent organization and complainant shall be informed of those procedures when they receive the notification of the time, date, and location of the hearing and reviewed at the pre-hearing interview. These processes will also be available online.
- E. Disciplinary Conferences. Disciplinary Conferences are meetings between a respondent or respondent organization and a Case Officer in which an alleged violation of the Code of Conduct is resolved in a less formal manner than a hearing.
1. During a disciplinary conference, the respondent or respondent organization shall retain all applicable rights as listed above.
  2. All hearing procedures shall be developed by the Conduct Officer. The respondent or respondent organization shall be informed of those procedures when they receive the notification of the time, date, and location of the hearing. These processes will also be available online.
  3. Students and organizations that have cases resolved via a disciplinary conference shall retain their right to appeal as listed below.
- F. Subsidiary Conduct Boards
1. The Dean of Students in conjunction with the Conduct Officer may, on a year to year basis, establish subsidiary conduct boards made up of students to provide assistance and advice in handling organization or corporate discipline. These boards include, but are not limited to: The Interfraternity Conduct Council, The Panhellenic Conduct Council, and The Student Senate Conduct Council.
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  3. The Conduct Officer in conjunction with the leaders of the parent organizations (IFC, Panhellenic, or Student Senate as examples) will determine the composition and selection for members of these subsidiary boards.

4. The Conduct Officer shall be responsible for determining which cases are referred to these boards based on time constraints, the severity of the alleged violation, and the ability of the subsidiary board to handle a particular case.
5. In cases in which these subsidiary boards are resolving alleged violations of the Code of Conduct, their role shall be to make recommendations to the Conduct Officer in both the determination of responsibility and the sanctions of a particular case. When the case involves internal rules of the parent organization, the decision of the subsidiary board shall be final, pending an appeal.
6. The Conduct Officer shall be responsible for developing process and procedures related to these panels and for providing training to the members.

## II. PROCESS FOR ACADEMIC INTEGRITY VIOLATIONS

### General Process for Handling Academic Integrity Violations

1. Students have the right to have any alleged academic integrity violation heard by the University Committee on Discipline.
2. Cases in which the respondent accepts responsibility for the violation may be handled by an Academic Integrity Conference. A respondent may refuse this conference and ask for a hearing before the University Committee on Discipline.
3. Academic Integrity Conferences.
 

Composition. An Academic Integrity Conference Panel shall consist of the Conduct Officer, one faculty representative of the University Committee on Discipline (generally the chairperson), and one student representative of the University Committee on Discipline.

  - a. Attendance and process. The respondent, the instructor bringing the allegation, and any witnesses may be in attendance. The Conduct Officer may have other persons not directly involved in a case present for training and educational purposes.
  - b. Authority. The Academic Integrity Conference shall have the authority, in a particular case, to:
    - i. affirm or deny the respondent's claim of responsibility;
    - ii. determine appropriate sanctions for the respondent; and
    - iii. educate the respondent on issues related to academic integrity.
  - c. A respondent appearing before an Academic Integrity Conference shall retain the right to appeal as outlined below.

## III. PROCESS FOR SEXUAL HARASSMENT, HARASSMENT, DISCRIMINATION, RETALIATION AND OTHER SEX-BASED MISCONDUCT VIOLATIONS

All cases involving discrimination, harassment, sexual harassment (including quid pro quo, sexual assault, dating violence, domestic violence, and stalking), other prohibited sex-based misconduct, and retaliation shall be governed by Article V of this Code.

## IV. PROCESS FOR ALL OTHER VIOLATIONS OF THIS CODE

After a review of the complaint submitted to the Conduct Officer and, if necessary, a preliminary investigation, the Conduct Officer or designee shall determine if there is sufficient information to bring allegations against a student or a student organization.

- A. If the Conduct Officer or their designee determines that there is sufficient information to bring allegations against a student or student organization, disciplinary proceedings are then initiated by the Conduct Officer sending a formal allegation letter to the student or organization.
- B. Respondents or respondent organizations shall be contacted and asked to meet with a Case Officer to discuss the allegations.
- C. If the allegations in question do not involve serious offenses, the respondent or respondent organization (at the discretion of the Conduct Officer) may take responsibility for the listed allegations, and sanctions can be assigned by the Case Officer. Students or student organizations who choose to accept responsibility for violations shall retain their right to appeal via the process listed below.
- D. If the student or student organization chooses to plead not responsible or the Conduct Officer chooses to have the case resolved via a hearing, the Conduct Officer shall set and inform the parties of a date for a resolution. Students/organizations who fail to make or keep an initial meeting shall be assigned a hearing date at the discretion of the Conduct Officer.
- E. The method of resolution shall be determined by the Conduct Officer. Possible methods for resolution are:
  1. For individual students:
    - A hearing before the University Committee on Discipline (as defined in Article IX, Section I, Sub-Section E); or
      - a. A Disciplinary Conference (as defined in Article IX, Section I, Sub-Section F)
  2. For student organizations:
    - A hearing before the University Committee on Discipline (as defined in Article IX, Section I, Sub-Section E); or
      - a. A Disciplinary Conference (as defined in Article IX, Section I, Sub-Section F) or
      - b. A hearing before a subsidiary hearing board (as defined in Article IX, Section I, Sub-Section G)
- F. Sanction Only Hearing. In cases in which a respondent or respondent organization accepts responsibility for all of the allegations in a particular case, the Conduct Officer may convene a three member panel of the University Committee on Discipline to develop and impose sanctions. The panel will consist of the Conduct Officer, one member, and one other member of the University Committee on Discipline.
  1. Process. The process for a Sanction Only Hearing will be developed by the Conduct Officer.

2. The Conduct Officer will present the case information (allegations, narrative, other facts) as well as the respondent or student organization's past disciplinary record to the Panel.
3. The respondent or student organization may provide a statement, and any other information that is relevant to the sanctions that will be imposed.
4. Individuals appearing before this panel may refuse to answer any questions that are asked. Student organizations must answer all questions.
5. The Conduct Officer will present sanctioning parameters and guidelines to the Hearing Panel.
6. The Hearing Panel will determine outcomes as well as provide a rationale.
7. The respondent or student organization may appeal as outlined in Article IX.

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## ARTICLE XI – Appeals

### I. THE RIGHT TO APPEAL

Any student or student organization found responsible for a violation of the Code of Conduct, except for those cases involving violations of Article V of the Code of Conduct, shall have the right to appeal their case (based on the grounds below) to the Disciplinary Appeals Committee. Any student or student organization found responsible for a violation of Article V of the Code of Conduct, shall have the right to appeal their case pursuant to the provisions contained in Article V

### II. GROUNDS FOR APPEALS

Students who have been found responsible for a violation of the Code of Conduct may request an appeal on the grounds that: (1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case; (2) the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case; or (3) the sanction was unduly harsh.

### III. DISCIPLINARY APPEALS COMMITTEE

The University disciplinary appeals committee is a faculty committee set up to consider written appeals by students found responsible by any Hearing Panel.

**Composition.** The Disciplinary Appeals Committee shall consist of nine faculty members, four undergraduate students, and two graduate students. Undergraduate student Committee members shall be chosen by the Dean of Students Office, and Graduate Student Committee members by the Dean of Students Office in consultation with the Graduate Student Senate. Graduate or Undergraduate students can be used to hear an appeal by any student regardless of standing. Faculty shall be elected, two members from each of the four colleges and one at large faculty member. Faculty shall serve staggered three-year terms, and students shall be appointed for one-year terms. At the discretion of the Conduct Officer additional student members who are approved by the Dean of Students Office and, in the case of graduate students, by the Dean of Students Office and the Graduate Student Senate, may be selected to serve as alternates.

- A. **Chairperson.** The Disciplinary Appeals Committee shall elect its own chairperson from the faculty members. The chairperson of this committee shall also serve on the Disciplinary Review Committee.
- B. **Role.** The Disciplinary Appeals Committee is responsible for reviewing any appeals by students or organizations that are properly submitted. It is also responsible for reviewing all cases involving disciplinary expulsion as described in Article VI Sec. I.E.

#### C. **Process.**

1. **Submission of Appeal.** Respondents shall have three business days from the date of their outcome letter to submit, in writing, an appeal on one or more of the three grounds as listed in Art. IX, Sec. II. This letter should include specific details as to why an appeal should be granted. This letter is to be submitted to the Conduct Officer. The Conduct Officer is permitted to assist students in preparing appeals.
2. **Response to Appeal.** The Conduct Officer shall present a copy of this appeal to the chairperson of the Hearing Panel or Hearing Officer that made the determination in the case in question. This person shall submit a written response to the appeal to the Conduct Officer in a timely manner. In cases that involve a violation of the conduct procedures, the Conduct Officer shall write the response. The Conduct Officer is permitted to assist in the preparation of all responses.
3. **Disciplinary Appeals Hearing.** The Conduct Officer shall send copies of both the appeal and the response, as well as the contents of the case file to the members of the Disciplinary Appeals Committee and schedule a meeting. The committee shall also have access to the recording of the hearing if requested. The Disciplinary Appeals Committee shall hold closed meetings and base its decision only on the

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**Quorum.** A Disciplinary Appeals Committee Hearing Panel will consist of no less than three and no more than five members, one of whom be a student and one of whom must be a faculty member.

- a. **Options.** The Disciplinary Appeals Committee may grant an appeal and refer the case back to the Office of Student Conduct for re-adjudication, or they may deny an appeal and uphold the original findings and sanctions. If an appeal is granted on the basis of an unduly harsh sanction, the Disciplinary Appeals Committee will develop a detailed rationale as well as provide specific information that guided its actions. At that time the Office of Student Conduct will gather a committee of one faculty member from the Hearing Panel that heard the case or the Hearing Officer in cases of Disciplinary Conferences, a faculty member of the group that heard the appeal, and a member of the Office of Student Conduct to discuss the sanctions. That group may, by majority vote, change the sanctions or make no change to the sanctions. This group will provide a detailed rationale for their decision. In cases in which the appeal is granted on the basis of 1) information was not available at the time of the hearing, is now available, and could reasonably be expected to have altered the outcome of the case and / or 2) the University disciplinary procedures were violated in a way that probably adversely affected the outcome of the case, the matter will be sent back to the Office of Student Conduct for re-adjudication.
- b. **Decision.** A simple majority of the committee is required to grant an appeal.
- c. **Process.** The Conduct Officer shall develop any internal scripts or processes for the operations of the Disciplinary Appeals Committee.
- d. **Notification.** The decision of the Disciplinary Appeals Committee, along with an explanation and rationale, shall be given to the Conduct Officer who shall notify the student within three days and implement the decision. The decision of the committee shall be final.

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## ARTICLE XII – Review and Revisions

### I. ON-GOING REVIEW

The Lehigh University Code of Conduct shall be reviewed on an on-going basis by the Office of Student Conduct.

### II. DISCIPLINARY REVIEW PANEL

The Disciplinary Review Panel is charged with maintaining and preserving the integrity of the conduct system through the review of the processes, actions, and cases adjudicated through the University Student Conduct System.

**Composition.** The review panel consists of the Conduct Officer, the Dean of Students and the faculty chairpersons of the University Committee on Discipline and the Disciplinary Appeals Committee.

- A. **Chairperson.** The chairperson of the Disciplinary Appeals Committee shall serve as the chairperson of the Disciplinary Review Panel.
- B. **Reporting.** Each year, the chairperson of the Disciplinary Review Panel will present an update on the state of the University Student Conduct System to the faculty.
- C. **Modification.** The chairperson in conjunction with the Conduct Officer shall present any changes to the Code of Conduct to the appropriate persons or bodies for approval prior to implementation.
- D. **Report by the Conduct Officer.** Each year the Conduct Officer shall present to the Disciplinary Review Panel a summary of all cases handled by the Office of Student Conduct, a review of all training sessions, and recommendations for modifications to the Code of Conduct. The Disciplinary Review Panel shall offer advice and guidance to the Conduct Officer on these matters.

### III. CODE OF CONDUCT REVIEW

Every 4 years, or as necessary due to changes in applicable laws, the Office of Student Conduct shall develop and execute procedures to review and, if necessary, revise the Code of Conduct.

### ACKNOWLEDGEMENTS

*The Lehigh University Office of Student Conduct would like to acknowledge the work of Mr. Edward Stoner II, and Mr. John Wesley Lowery. Their Model Code of Conduct was used as a basis for some material in this document.*

*Stoner III, E. N., Lowery, J.W. (2004). Navigating past the “spirit of insubordination”: a twenty-first century model student conduct code with a model hearing script. The Journal of College and University Law, 31(1), 1-78.*

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## APPENDIX A – Sanctioning Guidelines

Guidelines for sanctions in cases Academic Dishonesty. (added June 2008) Students found responsible for violations of the Code of Conduct related to academic integrity, are subject to expulsion or other lesser penalties as outlined in Article VI of the Code. The following represents recommendations for minimum sanctions in these cases. These sanctions demonstrate the seriousness that Lehigh University attaches to these types of violations. Academic integrity violations constitute intellectual fraud and should result in serious sanctions.

*Hearing Panels are not limited to these guidelines in determining an appropriate sanction, but any deviation from these suggested sanctions should be justified, especially when considering sanctions less than the minimum. Hearing Panels may supplement the sanctions below with other appropriate mandates including, but not limited to, educational workshops, completion of work for no credit, written apologies, etc.*

<b>First Offense</b>	A minimum of Disciplinary Probation for 1 full semester	Assigned Grade of “F” in the course	Educational program as determined by the Panel/Office of Student Conduct
<b>Second Offense (related to academic dishonesty) or Serious First Offense</b>	A minimum of Disciplinary Suspension for 4 full semesters	Assigned Grade of “F” in the course	

### Guidelines for sanctions in cases dealing with various forms harassment and sexual misconduct:

**The following sanction ranges apply for Prohibited Conduct under this Policy. Sanctions can be assigned outside of the specified ranges based on aggravating or mitigating circumstances, or the Respondent’s cumulative conduct record.**

OFFENSES	SANCTIONS
<b>Discrimination:</b>	warning through expulsion.
<b>Discriminatory Harassment:</b>	warning through expulsion.
<b>Quid Pro Quo Harassment:</b>	warning through expulsion.
<b>Hostile Environment Harassment:</b>	warning through expulsion.
<b>Rape:</b>	suspension through expulsion.
<b>Fondling:</b>	warning through suspension.
<b>Incest:</b>	warning through probation.
<b>Statutory Rape:</b>	warning through suspension.
<b>Stalking:</b>	probation through expulsion.
<b>Dating/Domestic Violence:</b>	probation through expulsion.
<b>Sexual Exploitation:</b>	warning through expulsion.
<b>Retaliation:</b>	warning through expulsion.
<b>Unauthorized Disclosure:</b>	warning through expulsion.
<b>Failure to Comply/Process Interference:</b>	warning through expulsion.

### Guidelines for sanctions in cases involving Physical assault

*The following represents recommendations for sanctions in cases where students are found responsible for violations of the Code of Conduct involving physical attacks. The sanctions demonstrate the seriousness that Lehigh University attaches to these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction. Hearing Panels may determine that a greater or lesser sanction is appropriate*

*depending upon the circumstances. Hearing Panels may supplement the sanctions below with other appropriate mandates including, but not limited to, educational workshops, completion of work for no credit, written apologies, restitution for medical bills, etc.*

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**Physical attack characterized by at least two of the following:**

Expulsion

-

1. resulted in serious injury
2. was unprovoked
3. involved the use of weapon(s)

**Physical attack resulting in serious injuries OR Physical attack which involved the use of a weapon**

Suspension for two semesters

Expulsion

**Unprovoked physical attack, and/or attack with no resulting serious injuries OR Physical attack or threat of violence in response to provocation, but disproportionate or excessive in degree**

Suspension for one semester

Suspension for two semesters

**Guidelines for sanctions in cases involving hazing.**

The following represents recommendations for sanctions in cases where students or student organizations are found responsible for violations of the Code of Conduct involving hazing. The sanctions demonstrate the seriousness that Lehigh University attaches to these violations. Hearing Panels are not limited to these guidelines in determining an appropriate sanction. Hearing Panels may determine that a greater or lesser sanction is appropriate depending upon the circumstances of each case. Hearing Panels may supplement the sanctions below with other appropriate mandates.

**Physical harm to student(s) as a result of hazing<sup>7</sup>**

Termination of the organization and/or expulsion of individuals

-

**Causing reasonable apprehension of physical harm (or creating a situation in which physical harm is likely to occur) or causing actual emotional distress<sup>8</sup> (or creating a situation in which emotional distress is likely to occur)**

Dissolution of the organization for no fewer than four years, and/or suspension of the individual for no fewer than four semesters

Termination of the organization and/or expulsion of individuals

**Objectionable Behavior<sup>9</sup>**

Disciplinary probation for no fewer than 2 semesters, removal of officers, chapter review (with input from Lehigh University, the national organization, alumni Governing body or other outside advisory committee); loss of one week of new member education (for no fewer than 2 years)

Dissolution of the organization for no fewer than two years, and/or suspension of the individual for no fewer than two semesters.

**Examples (not exhaustive)**

7. Paddling, whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, attempts to control body weight and or appearance, or any other forced physical activity that would subject the individual to physical harm.

8. Fear of those listed above, abandonment, restricting personal conduct, restricting hygiene, forced or coerced consumption of alcohol or other drugs, forced or coerced illegal acts, forced or coerced acts of a sexual nature, line-ups, insulting or derogatory comments, interruption of academic pursuits (i.e., restriction of adequate time to study, restriction of sleep, restriction of access to academic resources, forced or coerced missing of classes or other academic deadlines).

9. Public buffoonery, other membership requirements that are in violation of the definition of hazing (i.e., requirements to carry objects, wear certain clothing, address members in a subservient manner, scavenger hunts, personal servitude). A non-exhaustive test to see if an activity is to be considered objectionable behavior would be to examine the goals and/or outcomes of the activity. If the primary goal or outcome of the activity is to cause public ridicule, embarrassment, disruption of normal activities, harassment by others or the denotation of a student in an objectionable manner, then it would meet the definition of this category. Additionally, if a reasonable person would consider the activity to be objectionable, it would fall into this category.

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## APPENDIX B – Resources and Reporting

### On-Campus Resources

1. University Counseling and Psychological Services (\*confidential): Johnson Hall, 4th Floor; [\(610\) 758-3880](tel:6107583880)
2. Chaplain's Office (\*confidential): The Dialogue Center (661 Taylor Street); [\(610\) 758-3877](tel:6107583877)
3. University Police: 321 E. Packer Ave. Bethlehem, PA 18015; [\(610\) 758-4200](tel:6107584200)
4. Equal Opportunity Compliance Coordinator / Title IX Coordinator: Alumni Memorial Building, Room 302; [\(610\) 758-3535](tel:6107583535); [EOCC@lehigh.edu](mailto:EOCC@lehigh.edu)
5. Health and Wellness Center: Johnson Hall, 3rd Floor; [\(610\) 758-3870](tel:6107583870)
6. Advocates (24/7/365); [\(610\) 758-4763](tel:6107584763). Advocates are staff and faculty members trained to assist survivors of gender violence by providing survivors with initial support and referrals.
7. Office of Gender Violence Education and Support: University Center C112/ C108; [\(610\) 758-1303](tel:6107581303); [ingves@lehigh.edu](mailto:ingves@lehigh.edu)
8. The Center for Gender Equity: University Center C207; [\(610\) 758-6484](tel:6107586484); [incge@lehigh.edu](mailto:incge@lehigh.edu)
9. Office of Student Conduct: Williams Hall 320; [\(610\) 758-4632](tel:6107584632); [inosc@lehigh.edu](mailto:inosc@lehigh.edu)
10. Dean of Students Office: Williams Hall 380; [\(610\) 758-4156](tel:6107584156); [indost@lehigh.edu](mailto:indost@lehigh.edu)
11. The Pride Center: University Center B212; [\(610\) 758-4126](tel:6107584126)
12. Office of Multicultural Affairs: University Center 203; [\(610\) 758-5973](tel:6107585973)

### Local Resources

1. Bethlehem Police Department; [\(610\) 865-7187](tel:6108657187) (for non-emergencies)
2. Lehigh Valley Hospital Muhlenberg: 2545 Schoenersville Rd, Bethlehem, PA; [\(484\) 884-2521](tel:4848842521)
3. St. Luke's University Hospital - Bethlehem: 801 Ostrum Street, Bethlehem, PA 18015; [\(484\) 526-4000](tel:4845264000)
4. Crime Victims Council of the Lehigh Valley: 801 Hamilton St. Suite 300, Allentown, PA 18101; [\(610\) 437-6611](tel:6104376611) (24-hour hotline); [www.cvclv.org](http://www.cvclv.org)
5. Turning Point of the Lehigh Valley; [610-437-3369](tel:6104373369) (24-hour helpline); [www.turningpointlv.org](http://www.turningpointlv.org)

### State Resources

1. Pennsylvania Coalition Against Rape: [1-888-772-7227](tel:18887727227); [www.pcar.org](http://www.pcar.org)
2. Pennsylvania Coalition Against Domestic Violence: [1-800-932-4632](tel:18009324632); [www.pcadv.org](http://www.pcadv.org)

### National Resources

1. National Sexual Violence Resource Center: [1-877-739-3895](tel:18777393895); [www.nsvrc.org](http://www.nsvrc.org)
2. National Resource Center on Domestic Violence: [1-800-799-7233](tel:18007997233); [www.nrcdv.org](http://www.nrcdv.org)
3. Rape, Abuse, and Incest National Network: 1-888-656-HOPE; [www.rainn.org](http://www.rainn.org)

### External Reporting

Complaints also may be filed externally with the U.S. Department of Education's Office for Civil Rights

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA [19107-3323](tel:2156563323)

Telephone: [\(215\) 656-8541](tel:2156568541)

Facsimile: [\(215\) 656-8605](tel:2156568605)

Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)

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