

Community Standards

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Arizona State University Residential Life Handbook

JUDICIAL PROCESS

Critical to the success and longevity of any community, is the ability to manage change and cope with conflict. Residence hall communities are dynamic, ever-changing academic environments that rely on the interdependency of their members. Ideally, each resident assumes a responsible role within the floor community and understands the need to observe and maintain individual rights and responsibilities.

Invariably, individuals struggle with their own independence or the interdependent nature of the floor community, and residence hall staff are needed to help define priorities, clarify expectations and resolve individual differences. We refer to this process as "behavior education". This process is just one of the three ways students can be held accountable for inappropriate actions. University Code of Conduct or State Law violations may result in additional hearings with the Dean of Student Life Office or legal action through the Department of Public Safety and Maricopa County Court system.

GOALS OF BEHAVIOR EDUCATION

1. To determine the reason for the misconduct.
2. To educate the resident by explaining the reasons for the Community Standards and how their actions adversely affect their community.
3. To bring student's behavior into compliance with the Community Standards.
4. To help students accept responsibility for their actions.
5. To assist students in making more positive choices that will better support their academic and community endeavors.
6. To help clarify student's values as they relate to the behavior in question and the impact on the community.
7. To help students consider, in advance, the potential consequences of their behavior.
8. To create a cohesive community living and learning environment, which promotes academic excellence, fosters personal development and enhances

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the university experience for a diverse student population.

In summation, Behavior Education is intended to encourage self-discipline, to discourage inappropriate behavior and to promote a positive community. While Residential Life Behavior Education processes attempt to be educational and to allow students to correct unacceptable behaviors, our priority is to create a living/learning environment, which emphasizes the safety, well being and academic achievement of all students. Therefore, behaviors or activities that threaten or endanger the individual or other residents, such as possession of weapons, use of drugs, verbal and/or physical assaults, may result in **immediate dismissal** from the residence halls.

Failure to comply with Community Standards may lead to one or more of the following: written assignments and/or projects, community service, alcohol awareness classes, relocation, restitution, probation (once on probation, additional policy violations may result in termination of contract without refund) or **removal from Residential Life**. Sanctions may vary by Residential Life Staff and/or the Community Standards Board.

BEHAVIOR EDUCATION PROCESS

1. Students, Resident Assistants and/or professional staff file incident reports where there is a disruption of the community environment and/or a violation of Community Standards or Student Code of Conduct. Note: in cases where there is a violation of the Student Code of Conduct, and a complaint is filed or DPS is involved, an additional but separate request will also be made to meet with the Office of Student Judicial Affairs. (see three-tier system)
2. When a report has been filed, a designated hall staff member (Hall Director or Coordinator) and/or Community Standards Board will meet with the student(s) in question to discuss the circumstances of the incident and to determine if there is need for further action. The decision on who to see will be made by the hall staff member.
3. If further action is necessary, it may involve either an Administrative or Community Standards Board Meeting.

*Failure to meet with the hall staff member or Community Standards Board when such an appointment has been formally requested will result in disciplinary action without the benefit of the student's participation. If repeated attempts have been made and the resident refuses to meet with hall staff, the resident's locks may be changed and the resident billed.

Administrative Meeting

A Graduate Hall Director or Residence Hall Coordinator may serve as the initial meeting officer. From there a meeting is arranged, which typically involves the hall staff, the student involved in the incident and in some cases the community member who filed the complaint. In sensitive cases such as harassment or assault, the hall staff may choose whether or not to involve the community member who filed the incident in the formal meeting to preserve the rights of the victim. Sanctions resulting from an administrative meeting are usually designed to be educational in nature and to bring a positive focus to the student and their community. Failure to comply with sanctioning may result in more severe Behavior Education action.

Community Standards Board (CSB) Meeting

Comprised of student representatives from the residence halls, the Campus and FYE Community Standards Board serves as a peer review system. When the Community Standards Board is used for moderation, the Community Standards Board Director sends a request, along with any pertinent information, for the student to appear for a meeting where the complaint will be considered along with the student's statements concerning the situation. At the close of the meeting, the board will make a decision as to the student's involvement and, if necessary, will issue corrective sanctions. As in the case of an administrative meeting, sanctions are usually designed to be of an educational nature and to positively impact the community. Failure to comply with sanctioning may result in more severe Behavior Education action.

RIGHTS OF STUDENTS IN THE BEHAVIOR EDUCATION PROCESS

1. The right to be assumed not responsible until proven responsible.
2. The right to be informed of all impending action; the student shall have the right to be informed when formal conduct action, complaints or grievances are filed against him/her. Furthermore, s/he shall be given the opportunity to read all pertinent written reports regarding the circumstances and allegations of the case.
3. The right to a meeting without undo delay. During this meeting, the student shall have the right to present pertinent witness information or to substantiate circumstances related to the case. The student shall also have the right to hear/see any information related to the case, which may adversely affect him/her and to question such information. The student will be given the opportunity to give his/her reaction to the report(s) and to offer any additional information, which might be helpful in resolving the case.
4. The right to be accompanied by an advisor of the student's choice who is not party to the case. This may not include legal counsel or members of the Bar unless the student is involved in criminal proceedings stemming from the same incident. The advisor's role is only in a private consulting capacity. The student may not allow the advisor to speak on their behalf. The advisor is allowed to attend the meeting, but must remain silent or ask for a temporary recess to consult with the student.
5. The right to appeal the case in the following circumstances: violation of due process, new information discovered after original meeting, failure to attend the meeting for an acceptable cause, clearly erroneous findings of the meeting or sanctioning which specifies relocation or revocation of the Residential Life License Agreement. Appeals must be directed, in writing, outlining the reason for appeal, to the appropriate appeals moderator within three days of notification of sanction.
6. The right to confidentiality throughout the disciplinary process, except in cases where disclosure to the victim is required by law.

Appeals must be requested and take place within three days of notification of sanction. Students should be advised that an impartial moderator who may increase, decrease or revise the sanction previously issued will meet regarding appeals. Failure to comply with the sanctions issued may result in more severe

Behavior Education action.

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