

INTERIM ACTIONS AND RESTRICTIONS

In the interest of maintaining a productive academic community where all students can freely access and fully participate in their educational and employment opportunities in a safe environment, the University may implement administrative, non-disciplinary interim actions and restrictions at any time and without prior notice to protect its members and preserve its property.

Limited Actions and University Restrictions

Interim actions and restrictions can take various forms and will be calibrated to address a perceived risk or heightened severity, but tailored to minimize to the extent possible, the impact on the affected parties, whose underlying allegations of prohibited conduct have not yet been adjudicated on the merits.

No Contact Directive – A remedial method for curtailing or prohibiting contact or communications between or among individuals to defuse conflict or to protect safety prior to the conclusion of an investigation and adjudication process. A No Contact Directive is not a restraining or protective order with force of law. It does not establish a minimum distance in which the parties must remain separated. No Contact Directives are administrative records, not disciplinary sanctions, and therefore do not constitute an education record unless it is part of an investigative file that concluded through the conduct process.

The withdrawal of specified privileges and the mechanics of the restrictions will be clearly specified, as well as how long the restriction will remain in effect, at the time of issuance.

Interim actions may be implemented individually or in combination. The following are other actions the University may take to address the issue at hand:

- Administrative room or building reassignments for students residing in university housing
- Prohibition from representing the University in any capacity
- Limiting access to certain areas of campus or specific facilities
- Exclusion from participation in designated activities

Temporary Suspension and Campus Exclusion

In circumstances when a student's behavior significantly interferes with or poses a credible substantial threat to other individuals or the community, the Director may remove a student from the physical campus or temporarily suspend a student from university housing or the University pending adjudication through the conduct process or while criminal proceedings are underway.

Implementation of an interim suspension will be predicated on an individualized and objective assessment of the controlling facts and conduct under challenge. The primary considerations in making this assessment will be the severity of the conduct presented or rapid escalation of the student's behavior and the impact on the community.

Notice and Conditions for Interim Suspension

The Director will notify the student that an interim suspension or campus ban has gone into effect. Notice of the interim action will provide information regarding the alleged prohibited conduct and the rationale for such action and instructions on the appeal process.

When interim suspended from the University, the student is prohibited from attending classes (in-person or distance learning), participating in curricular or cocurricular activities, residing in university-owned or operated housing facilities, or otherwise being on university premises for any reason during the interim suspension period. The student's ID access will be deactivated, and the University reserves the right to place a hold on the account to prevent future registration.

Alterations to In-person Class Participation

The Director will work with the students' academic college to communicate that an interim suspension has gone into effect. At the time of the interim suspension or upon request for modification, distance learning may be explored as a temporary alternative for students enrolled in-person.

If the student has been permitted to work remotely, the student's faculty will be asked to work flexibly with the student whenever possible. If the course design or learning objectives are not practical for remote participation, faculty are not obligated to deliver all-virtual instruction.

Remote participation is contingent upon assessing feasibility in each course in collaboration with the instructor of record.

Grounds for Appeal

A student who is temporarily removed from university housing, excluded from campus or placed on interim suspension from the University, will have the opportunity to appeal to the Director within five (5) business days from the date of notice. The appeal must be submitted in writing and include any documentation or information that supports the student's grounds for the appeal.

The grounds for appeal are:

1. The reliability of the information concerning the student's conduct, including the matter of identity.
2. The conduct and surrounding circumstances reasonably indicate that the student's behavior would not signal that their continuance in classes or presence on university premises would significantly interfere with or pose a credible threat to others, the community or to the University as a whole.

Appeal Review and Determination

The Director will review the appeal as soon as administratively possible. The Director will provide the student with a written notice of the outcome of the appeal. The interim action will remain in effect while any review is pending.

- The Director has the discretion to stay, modify or vacate the interim action as circumstances may warrant at any point during the interim suspension period and will explicitly communicate to the student if there has been a change.

- If the interim action under review is modified, the Director may place other interim restrictions or limited access during the pendency of an investigation, adjudication and/or criminal proceedings regarding behavior relevant to such proceedings.
- When there is a criminal proceeding, conditions for reinstatement to the University may be specified.
- Interim suspension does not replace adjudication through the student conduct process, which shall proceed in accordance with the procedures of the Code of Conduct. Timelines will be reasonably adjusted to ensure an expedient resolution.
- There will be no further appeals against the decision rendered upon review.

Deprivation of Privileges and their Practical Effects

- The consequent interference of an interim suspension is not viewed as trivial. The rights and protections afforded to students at all stages of the conduct process will ensure an expedient resolution without prohibitive cost to the student's educational process.
- In the event of resumption of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irreparable in the short term.