



2022-2023

# STUDENT CODE OF COMMUNITY STANDARDS



Berklee

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## SECTION I:

### INTRODUCTION

As an institution of higher education, Berklee strives to provide academic programs within an environment that enhances students' professional and personal development, preserves the rights of individuals and organized groups, and encourages individuality while affirming a commitment to the community dimensions of campus life. Berklee endeavors to provide a living and learning environment in which students can meet their creative, artistic, and personal goals. All members of the Berklee community are responsible for preserving an environment conducive to the pursuit of the institution's mission and programs.

By enrolling at Berklee, students accept the responsibility to become fully acquainted with the institution's regulations, to comply with the institution's policies and authority, to respect the rights and property of others, and to recognize that student actions reflect upon the students involved as well as upon the entire community. Berklee also exists in a larger society, and therefore, local, state, and federal laws can and do apply to student activity. Additionally, Berklee strives to be a good neighbor and recognizes the importance of maintaining amicable relationships with local residents and businesses. Therefore, students should be aware that the jurisdiction of the institution extends beyond the physical boundaries of the campus. Activities that harm the reputation of Berklee, cause problems for members of the greater community, or suggest that an individual may pose a threat to others will result in disciplinary action. Being a Berklee student is a privilege, and with that privilege comes the expectation that students will uphold the standards and values set forth by the institution and will conduct themselves as individuals who contribute positively to the campus community.

Berklee determines, publishes, and makes known its rules and regulations concerning the standards of conduct in this Student Code of Community Standards. These regulations should be read broadly and are not designed to define prohibited conduct in exhaustive terms. The dean of Student Affairs is designated by the Berklee president to be responsible for the administration of the Student Code of Community Standards.

We expect each student and officially recognized student organization at Berklee to read, understand, and uphold the standards of conduct outlined in this and other official Berklee communications to students. In addition, unfamiliarity with institutional policies will not exempt any persons or groups from the conduct process. Berklee will take appropriate disciplinary action for any conduct that violates the Student Code of Community Standards, whether such conduct occurs on campus, off campus, or online. The Student Code of Community Standards is generally reviewed on a biannual basis with input from students. We encourage you to share with Berklee officials and the Student Government Association ideas and concerns regarding these policies and their implications.

## SECTION II:

### DEFINITIONS USED IN THIS CODE

- a. "Responding student" means any student who is alleged to have violated any of the Student Code of Community Standards.
- b. "Berklee community" refers collectively and individually to students, institution officials, trustees, and all visitors, contractors, and guests to the institution, facilities, or events.
- c. "Berklee official" includes any person employed by the institution, performing assigned administrative or professional responsibilities (including resident assistants).
- d. "Berklee premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the institution (including adjacent streets and sidewalks).

- e. "Berklee-sponsored activity" means any activity on campus or off campus that is initiated, aided, authorized, or supervised by the institution.
- f. "Bullying" is defined as behavior that is intentional and repeated, or meant to be done in humor or in jest, that reasonably results in the intimidation, injury, or distress of another individual physically, mentally, or socially.
- g. "Conduct officer" means a Berklee official authorized by the Office of Community Standards and Conflict Resolution to determine whether a student has violated the Student Code of Community Standards and to impose sanctions.
- h. "Faculty member" means any person hired by the institution to conduct classroom activities.
- i. "Good disciplinary standing" is defined as having no pending disciplinary cases or active disciplinary or educational sanctions.
- j. "Harassment" is conduct (not based on a protected characteristic for the purposes of this policy) that is severe, pervasive, or persistent to a degree that a reasonable person similarly situated would be prevented from accessing an educational opportunity or benefit. The behavior includes, but is not limited to, persistent verbal abuse, threats, intimidation, and coercion.
- k. "Institution" refers to Berklee, which includes Berklee College of Music and Boston Conservatory at Berklee (including Boston, Valencia, other off-campus affiliated programs, as well as Berklee Online programs).
- l. "Organization" means any number of persons who have complied with the formal requirements for Berklee recognition.
- m. "Paraphernalia" refers to items related to alcohol and drug use, and includes, but is not limited to, empty bottles and cans, flasks, beer bong, funnels, boxes of wine, kegs, pipes, grinders, roach clips, bong, blow tubes, scales, or any material or apparatus containing drug residue.
- n. "Policy" is defined as the written regulations of the institution including, but not limited to, those found in the Student Code of Community Standards, Graduate Bulletin, Policy Handbook for Students, Housing Handbook, and any other department- or program-specific policies.
- o. "Protected characteristics" refer to an individual's race, color, religion, gender, gender identity, transgender status, national origin, age, disability, military or veteran status, sex, sexual orientation, genetic information, marital status, pregnancy, or any other characteristic protected by law.
- p. "Restriction" refers to a block placed on a student's record that may affect a student's ability to register for classes; request a transcript, diploma, degree, or grades; or attend other Berklee activities, including graduation.
- q. "Sanction" refers to outcome(s) imposed on a student found responsible for violation of the Student Code of Community Standards.
- r. "Student" includes all persons enrolled in courses at Berklee campuses, as well as online programs, both full time and part time, including students who serve in any capacity as a part of the institution's staff; and those pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Student Code of Community Standards, who are not officially enrolled for a particular term, but who have a continuing

relationship with the institution, or who have been notified of their acceptance for admission also are considered students.

- s. "Tobacco products" means all forms of tobacco, including, but not limited to, cigarettes, cigars, pipes, water pipes, e-cigarettes, vaporizers (any device intended to simulate smoking), and smokeless tobacco products.

## SECTION III:

### STUDENT CODE OF CONDUCT

Berklee rules and regulations are set forth herein and are intended to give students general notice of prohibited conduct. The following is not designed to be all-inclusive, but should serve as a list of examples of prohibited conduct and, thus, be broadly read.

Any student found to have committed or to have attempted to commit conduct described herein is subject to the disciplinary sanctions outlined in Section VII.

Please refer to "Section II: Definitions Used in This Code" for additional information on specific terms used within the policies.

### ALCOHOL AND OTHER DRUGS

Berklee seeks to maintain a healthy, safe, and productive learning environment for students and its members. Berklee, therefore, requires responsible decision-making regarding the use of alcohol and drugs and strictly prohibits the use of illegal drugs. Recognizing the detrimental impact of alcohol and other drug abuse, Berklee offers counseling and educational programs for students. All Berklee students also are responsible for observing and abiding by federal, state, and city laws and ordinances regarding the use of alcohol and other drugs.

#### 1. Alcohol

Students are expected to comply with federal, state, and local laws with regard to possession, use, and distribution of alcohol. The possession or use of alcoholic beverages is restricted in all cases to persons at or over the legal drinking age.

For students studying abroad in Valencia, Spain, alcohol is not allowed on the Berklee Valencia campus by students of any age, and students living in any Valencia residence hall are not allowed to possess or consume alcohol in their residence or in communal areas of such residence hall, regardless of age.

Students residing in Berklee or Boston Conservatory at Berklee residence halls must also abide by the residential-specific policies related to alcohol. Residential students who are 21 years or older are only allowed to possess beer, wine, wine coolers, champagne, cider, and malt beverages. The alcohol content of beverages must be below 22 percent alcohol by volume. Hard liquor, distilled spirits, and grain alcohol are prohibited. Residential students who are under the age of 21 are not allowed to be in the presence of alcohol while in the residence halls. Residential students may not possess more than the equivalent of six drinks per number of legal-age residents in a campus residence. One drink is equivalent to a 12-ounce beer, wine cooler, malt beverage, or cider, or a five-ounce glass of wine or champagne. One standard (750 ml) bottle of wine is equal to five drinks. For the purpose of clarity, students are allowed to possess only one standard bottle of wine. Additionally, residents or guests of legal drinking age may not possess, consume, or provide alcoholic beverages if any resident of that room is not of legal drinking age or if any person under the age of 21 is present in the room.

Decorative drinking glasses (such as beer steins and wine glasses), as well as shot glasses, are permitted for residential students. The institution will utilize its discretion when determining whether such items are considered decorative. Empty alcohol containers including, but not limited to, beer bottles/cans and bottles of wine, are not considered decorative and are not permitted.

Any alleged violations of the alcohol policy will result in the immediate disposal and/or confiscation of substances and the confiscation of any prohibited devices, in addition to other appropriate sanctions.

By way of example, violations of the alcohol rule of conduct may include, but are not limited to:

- a. Possessing, consuming, or being under the influence of alcohol under the age of 21 in the United States or under the legal age of consumption according to the laws of a foreign host-country. Being under the influence of alcohol may be demonstrated through one's actions, behaviors, or the results of a blood alcohol content reading.
- b. Being knowingly in the presence of alcohol under the age of 21 on campus, excluding Berklee-sponsored events where alcohol has been authorized.
- c. Possessing hard liquor, distilled spirits, grain alcohol, and/or beverages with an alcohol content greater than 22 percent by volume in a campus residence.
- d. Possessing or consuming alcoholic beverages in a campus residence when underage residents are living in the room and/or when any person under the age of 21 is present in the room.
- e. Purchasing, providing, or serving alcohol to or for an underage person.
- f. Manufacturing, distributing, or engaging in the sale of alcohol.
- g. Possessing more than the permitted amount of alcohol in a campus residence.
- h. Possessing, providing, or consuming alcohol in common areas, corridors, lobbies, elevators, the exterior of a residence hall or facility, academic building, or any residence halls where alcohol is not permitted, excluding Berklee-sponsored events where alcohol has been authorized.
- i. Creating and/or engaging in drinking games involving rapid and/or excessive consumption of alcohol.
- j. Possessing devices designed as a central source of alcohol or designed for the purpose of the rapid consumption of alcohol (e.g., beer bongs, funnels, yards of ale, kegs, party balls, and punch bowls) on campus property or at student organization events that occur either on or off campus.
- k. Possession of empty alcohol containers and paraphernalia on campus property.
- l. Public intoxication or misconduct under the influence of alcohol as demonstrated through one's actions or behaviors, regardless of age. Behavioral symptoms frequently associated with intoxication will be considered in determining public intoxication. These symptoms include, but are not limited to, impaired motor-skill coordination, difficulty communicating, vomiting, glazed and/or red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior that may endanger oneself or others.
- m. Any operation of a motor vehicle during consumption of alcohol, or following consumption of alcohol that creates a risk of danger to self, others, or the Berklee community.

## 2. Controlled Substances/Drugs

Although some state laws permit the use of medical and recreational marijuana, Berklee must comply with federal laws regarding the use of controlled substances. Federal law prohibits marijuana use, possession, distribution, and/or cultivation at educational institutions. Such activity is therefore not allowed in any Berklee residence hall or on any other Berklee property; nor is it allowed at any Berklee-sponsored event or activity off campus or any student organization event activity.

Federal law allows for possession and use of CBD oil products derived from hemp, not marijuana. CBD products containing an amount of 0.3 THC or greater is not permitted. Berklee allows the possession and use of CBD oil products derived from hemp, so long as the product is clearly labeled as hemp-derived and free from all but trace amounts of THC oil (nothing greater than 0.3 percent). Students are responsible for retaining the packaging for these items and must be able to produce the packaging upon request to prove the content of the CBD product.

The odor of marijuana or any other prohibited substance may suffice to constitute a violation of the below policy. All student prescription medication should be stored in its original, labeled container and kept in a secure location. Any alleged violations of the controlled substances/drugs policy will result in the immediate disposal and/or confiscation of substances and the confiscation of any prohibited devices, in addition to other appropriate sanctions.

By way of example, violations of the controlled substances/drugs rule of conduct may include, but are not limited to:

- a. Possessing, consuming, being under the influence, or knowingly in the presence of marijuana on campus or during Berklee-sponsored events and activities.
- b. Possessing, consuming, being under the influence, or knowingly in the presence of any illegal drug or controlled substance not prescribed to the user by a licensed medical professional while on or off campus.
- c. Use of substances for purposes or in manners not as directed, including use of prescription medication not prescribed to an individual and/or providing prescription medication to an individual to whom it is not prescribed.
- d. Use of any substance to provide an altered state of being, including huffing, snorting, smoking, or otherwise possessing or using legal substances in manners not as intended.
- e. Possessing and/or using drug paraphernalia.
- f. Manufacturing, selling, transporting, distributing, and/or engaging in the social sharing of controlled and unprescribed or illegal substances or any prohibited substances as defined above.
- g. Possessing, consuming, or being under the influence of marijuana/THC-based CBD products.

## RESPECT FOR INDIVIDUALS

Because mutual respect is essential for an artistic and educational institution to thrive, Berklee expects that students conduct themselves in a manner that respects each member of the community.

## 3. Harmful Behavior

By way of example, violations of the harmful behavior rule of conduct may include, but are not limited to:

- a. Physical harm or threat of physical harm to any person or persons, which encompasses any action where physical contact is made resulting in harm or with the intent to cause harm. This

harmful behavior policy may not apply in those instances where it is found that a student is acting in self-defense.

- b. Verbal or written abuse, threats, intimidation, coercion, or conduct that would reasonably tend to cause alarm or fear in others or interfere with the ability to learn. This may be conducted through a variety of media, including, but not limited to, physical, written, visual, electronic (e.g., texting and social media, etc.), or oral means.
- c. Engaging in harassment (not based on a protected characteristic) toward another individual, which is behavior that is severe, pervasive, or persistent to a degree that a reasonable person similarly situated would be prevented from accessing an educational opportunity or benefit. The behavior includes, but is not limited to, persistent verbal abuse, threats, intimidation, and coercion. Harassment may be conducted through a variety of media, including, but not limited to, physical, written, visual, electronic (e.g., texting, social media, etc.), or oral means.
- d. Engaging in bullying behavior, which is intentional and repeated, or meant to be done in humor or in jest, that reasonably results in the intimidation, injury, or distress of another individual physically, mentally, or socially. Bullying may be conducted through a variety of media, including, but not limited to, physical, written, visual, electronic (e.g., texting, social media, etc.), or oral means.
- e. Condoning or encouraging acts of harmful behavior as defined above or failing to stop an act of such behavior while it is occurring.

#### 4. Equity Policy Violations

- a. The equity policy prohibits and addresses acts of discrimination, harassment, and sexual misconduct, including, but not limited to, sexual assault or harassment, domestic violence, dating violence, and stalking. Such cases are addressed under Berklee's Equity Policy and Process, available at [berklee.edu/equity](http://berklee.edu/equity).

#### 5. Hazing

Berklee supports all laws of the Commonwealth of Massachusetts governing hazing. The specifics of the anti-hazing statute are in Sections 17, 18, and 19 of Chapter 269.

By way of example, violations of the hazing rule of conduct may include, but are not limited to:

- a. Engaging in any conduct or method of initiation into any activity or group that willfully or recklessly endangers the physical or mental health of any student or other person, regardless of location, intent, or consent of participants. Such conduct includes, but is not limited to, whipping; beating; branding; forced calisthenics; exposure to the weather; forced consumption of food, liquor, beverages, drugs, or other substances; or any other brutal treatment or forced physical activity that is likely to adversely affect the physical health or safety of any student or other person, or that subjects a student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.
- b. Condoning or encouraging acts of hazing or failing to stop an act of such behavior while it is occurring.

#### 6. Retaliation

Berklee prohibits retaliation against any person who, in good faith, reports, assists in reporting, or participates in an investigation of possible violation of the rules of conduct.

By way of example, violations of the retaliation rule of conduct may include, but are not limited to:

- a. Any conduct or behavior that interferes with a person's rights and ability to pursue and participate in internal disciplinary processes and/or charges through external law enforcement authorities. Retaliation may include intimidation, threats, coercion, or adverse employment or educational actions.

## 7. Invasion of Privacy

Massachusetts law prohibits private citizens from secretly recording others, or possessing a device with the intent to secretly record, or disclosing the contents of a secret recording.

By way of example, violations of the invasion of privacy rule of conduct may include, but are not limited to:

- a. The recording, filming, photographing, viewing, transmitting, or producing the image or voice of another person without the person's knowledge and expressed consent while in an environment that is considered private or where there is a reasonable expectation of privacy.

## RESPECT FOR COMMUNITY

Berklee requires that all students conduct themselves with the respect for the rights of others required of an artistic and educational institution. Maintaining the artistic and educational reputation of Berklee is vital in preserving the standing of the institution with the local, national, and global community.

## 8. Academic Dishonesty

Instances of academic dishonesty will be adjudicated according to the policies of the academic department for the course. For further information, review the Student Policy Handbooks for Berklee and Boston Conservatory at Berklee.

By way of example, violations of the academic dishonesty rule of conduct may include, but are not limited to:

- a. Engaging in acts of dishonesty, including, but not limited to, cheating, plagiarism, and other forms of academic dishonesty.

## 9. Smoking/Tobacco

In recognizing the health risks of people who smoke and the hazards of involuntary smoking to nonsmokers, it is our expectation that all members of the community comply with Berklee's commitment to a smoke-free and tobacco-free community.

By way of example, violations of the smoking/tobacco rule of conduct may include, but are not limited to:

- a. The use of tobacco products in property that is owned, operated, leased, occupied, or controlled by the institution.
- b. Smoking or vaping within 25 feet of a Berklee exit, entrance, or operable window.

## 10. Disorderly Conduct

By way of example, violations of the disorderly conduct rule may include, but are not limited to:

- a. Engaging in any behavior that disrupts the orderly conduct, processes, and functions of the institution or infringes on the rights of others' normal activities.
- b. Public intoxication or substance abuse that creates an unsafe environment for self and others.

- c. Disruption or obstruction of teachings and academic learning.
- d. Any act which deliberately impedes the normal flow of pedestrian and/or vehicular traffic.
- e. Any act that aids, abets, or causes another person to breach the peace of Berklee premises or Berklee-sponsored/related functions.
- f. Causing community disturbances, including, but not limited to, excessive or unreasonable noise, excessively large parties, or rude and abusive language or behavior.
- g. Engaging in lewd or indecent behavior, including but not limited to, public urination, public defecation, and/or deliberately and publicly exposing one's intimate body parts.

## 11. Complicity

A student who has knowledge of another student committing or attempting to commit a violation of the Student Code of Community Standards is advised to remove themselves from the situation. Failure to do so when reasonable under the circumstances may be the basis for a violation of this policy.

By way of example, violations of the complicity rule of conduct may include, but are not limited to:

- a. Assisting, through act or omission, another student, individual, or group in committing or attempting to commit a violation of the Student Code of Community Standards.

## 12. Obstruction of Investigation

Berklee strives to provide a fair disciplinary process for all members of the community. Obstructing this process prohibits the institution from providing fairness.

By way of example, violations of the obstruction of investigation rule of conduct may include, but are not limited to:

- a. Attempting to discourage participation in or use of the complaint/disciplinary process.
- b. Attempting to influence the impartiality of any member of the Berklee community or anyone else that is involved in an investigation, meeting, or hearing.

## 13. Misrepresentation/Filing False Reports

By way of example, violations of the misrepresentation/filing false reports rule of conduct may include, but are not limited to:

- a. Knowingly or willfully providing false information or statements to any representative of the institution in any form.
- b. Creating, possessing, using, and/or distributing fabricated IDs.
- c. Forgery, alteration, or misuse of any documents, materials, files, records, or instruments of identification.
- d. Withholding information, including failing to disclose or update records of convictions or disciplinary actions, on applications.
- e. Signing contracts or authorizing payment for services on behalf of Berklee. This also pertains to student clubs and organizations.

## 14. Failure to Comply

By way of example, violations of the failure to comply rule of conduct may include, but are not limited to:

- a. Failure to comply with the directives of Berklee officials and their authorized agents, including, but not limited to, the directives of Public Safety; Community Standards and Conflict Resolution; Student Affairs, and Housing and Residential Education professional and student staff.

## 15. Fire Safety

By way of example, violations of the fire safety rule of conduct may include, but are not limited to:

- a. Tampering with or using fire-safety equipment such as extinguishers, smoke detectors, sprinklers, alarm-pull stations, or emergency exits other than in emergency situations. This includes the use of fire escapes as regular entrances and exits to and from a building, as these are only to be used in the case of a fire or an alarm.
- b. Failure to evacuate buildings and follow emergency procedures issued by Public Safety, Housing and Residential Education, or local authorities/emergency personnel during a fire drill or alarm.
- c. Possessing any substance or device within Berklee facilities that could cause a fire, damage, or an explosion. Examples of this include, but are not limited to, fireworks, kerosene heaters, fuel, fuel containers for motorcycles or motor vehicles, blow torches, hover boards, fragrance pots, candles, and similar burning devices.
- d. Burning, or attempted burning, of any personal or public property.
- e. Negligence that contributes to the activation of a fire alarm and/or fire department response, including the unauthorized use of candles or open flames in a Berklee building.

## 16. Solicitation

By way of example, violations of the solicitation rule of conduct may include, but are not limited to:

- a. Any personal, commercial, or political solicitation, sale or distribution of material, pamphlets, newsletters, or newspapers on Berklee campuses without the approval of Campus Life, Housing and Residential Education, and/or other appropriate offices.

## 17. Gambling

By way of example, violations of the gambling rule of conduct may include, but are not limited to:

- a. Betting on, wagering on, or selling pools on any event.
- b. Possessing on one's person or premises any card, book, or other device for registering bets.
- c. Knowingly permitting the use of one's premises, telephone, or other electronic communication device for illegal gambling.
- d. Offering, soliciting, or accepting a bribe to influence the outcome of an event.

## 18. Animals

By way of example, violations of the animals rule of conduct may include, but are not limited to:

- a. Possessing animals within residence halls or in administrative buildings, with the exception of service animals that accompany a visually impaired person or other persons with disabilities or an approved emotional support animal in the residence halls. Those that need a service animal or emotional support animal must work with the Accessibility Resources for Students Office for approval.

## 19. Weapons

By way of example, violations of the weapons rule of conduct may include, but are not limited to:

- a. Possessing a concealed or unconcealed firearm, weapon, or other hazardous material on the campuses of Berklee, on premises owned or within the control of Berklee, or at functions sponsored by Berklee.
  - i. Items covered by this policy include, but are not limited to, guns and firearms of all types; stun guns, air guns, and spearguns; machetes, swords, and knives, except for pocket knives with blades less than three inches and knives normally used for cooking or dining; billy clubs, metallic knuckles, and martial arts weapons; bows and arrows; slingshots; incendiary devices and explosives of any type; and any other types of dangerous weapons. This policy does not apply to lawfully obtained self-defense, chemical, pepper-based spray. An individual may carry a chemical, pepper-based spray sold commercially solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemicals.
- b. Possessing replica or “toy” weapons on campus, other than for use as props in official Berklee activities. Students utilizing such props must receive approval from the director of Community Standards and Conflict Resolution and Berklee Public Safety, and follow departmental procedures for proper transport and storage. Failure to properly secure and transport a prop weapon is also a violation of this policy. At no time can a real weapon be used in any capacity during a Berklee production.
- c. Possessing on-campus component parts that can readily be assembled into a weapon.

## 20. Abuse of Berklee Resources

Demonstrating a lack of regard for Berklee regulations or policies may constitute abuse of Berklee resources.

By way of example, violations of the abuse of Berklee resources rule of conduct may include, but are not limited to:

- a. Excessively locking oneself out of their residence, abusing printing privileges, and/or failing to consistently carry one's Berklee ID on their person.

## RESPECT FOR PROPERTY

In order to ensure the collectively beneficial functionality of an artistic and educational community, Berklee requires the responsible use of all property, including rehearsal spaces, practice rooms, buildings, tangible goods, technology, and equipment. Respect for property also involves helping to foster a positive and supportive environment. As such, this expectation requires students to respect personal and institutional property, inside and outside the Berklee community.

## 21. Unauthorized Entry

By way of example, violations of the unauthorized entry rule of conduct may include, but are not limited to:

- a. Unauthorized entry or attempt to enter any Berklee facility or portion thereof, or unauthorized use or abuse of any Berklee building, facility, or premise.

- b. Unauthorized presence of a student on the roof of any building at any time, unless authorized by professional Berklee staff acting in the performance and scope of their duties.
- c. Unauthorized possession, duplication, or use of any Berklee facility key. This includes unauthorized use/misuse of card access. Only professional Berklee staff acting in the performance and scope of their duties may authorize use of Berklee keys/access.

## 22. Theft

By way of example, violations of the theft rule of conduct may include, but are not limited to:

- a. Attempted or actual theft of property of the Berklee community or other personal or public property. This includes physical or digital theft of services on Berklee premises.
- b. Knowingly possessing stolen property.

## 23. Property Damage

By way of example, violations of the property damage rule of conduct may include, but are not limited to:

- a. Attempted or actual vandalism, damage, or destruction of property of the institution, community, or other personal or public property.

## 24. Vehicles

By way of example, violations of the vehicles rule of conduct may include, but are not limited to:

- a. Possessing bicycles or electric scooters within Berklee buildings. These forms of personal conveyance must be kept outside the building in the approved designated areas (e.g., Bicycle Pavilion).
- b. Using boards (e.g., skateboards, longboards, etc.) of any kind and/or fold-up scooters within Berklee buildings.
- c. Operation or parking of vehicles in unauthorized spaces, restricted areas, and non-designated parking spaces.

## 25. Technology Resources

By way of example, violations of the technology resources rule of conduct may include, but are not limited to:

- a. Sending abusive or unwanted material causing the work or experience of others to be disrupted.
- b. Copying files without permission.
- c. Copying passwords belonging to others.
- d. Anonymous or pseudo-anonymous communications that appear to dissociate oneself from responsibility for one's actions.
- e. Distributing or making one's password or another person's password or access code available to others; otherwise attempting to evade, disable, or "crack" a password or other security provisions; or assisting others in doing so.
- f. Use of resources for unlawful purposes or for use not specifically permitted by the institution, or assisting another in such use.

- g. Targeting another person or organization to cause distress, embarrassment, injury, unwanted attention, or other substantial discomfort.
- h. Transmitting through or posting on any online network sexually explicit images or any other content the institution deems to be offensive.
- i. Communications under a false name or designation or a name or designation community members are not authorized to use, including instances in conjunction with representing that one is somehow acting on behalf of or under the auspices of Berklee.
- j. Unauthorized possession or transmission of copyrighted or other proprietary content.
- k. Use of any symbol, logo, or graphic used by or associated with Berklee for personal use.

## GENERAL PROVISIONS

### 26. Institutional Policies

By way of example, violation of the institutional policies rule of conduct may include, but are not limited to:

- a. Violations of published institutional policies, procedures, regulations, or rules. Such regulations include, but are not limited to, information in the Housing Contract, Summer Program handbooks, and Student Policy Handbook.

### 27. Institutional Housing Policies

By way of example, violation of the institutional housing policies rule of conduct may include, but are not limited to:

- a. Failure to abide by the proper procedures listed on the Housing and Residential Education website and housing contract.
- b. Possession of unapproved furniture, room decorations, and/or prohibited items. A list of prohibited items can be found by reviewing the Housing and Residential Education website at [berklee.edu/housing-and-residential-education](http://berklee.edu/housing-and-residential-education).
- c. Excessive garbage, unsanitary living conditions, and any behaviors that contribute to the health and safety concerns of the students or community.
- d. Violation of guest policy. Guests must abide by all guest policies, which includes properly registering a guest with appropriate residence life member, or security, as described in the Housing and Residential Education website.
- e. Engaging in noise violations. This includes, but is not limited to, playing amplified music loud enough to be heard outside one's room, shouting out windows, violating established quiet and courtesy hours, or in any way creating noise that is disruptive of residents' ability to sleep or study.
- f. Tampering with, removing, or damaging window screens and window locks, in addition to utilizing an open window to throw an item from any building.
- g. Engaging in hall sports in the residence halls.

### 28. Federal, State, and Local Laws

Berklee prohibits the violation of any federal, state, and/or local laws.

## SECTION IV:

### STANDARD OF EVIDENCE

A "preponderance of the evidence" will serve as the standard of evidence used in disciplinary decision-making (i.e., it is "more likely than not" that the responding student violated the Student Code of Community Standards). The admissibility of evidence or information presented for consideration to a conduct officer is at the discretion of the Office of Community Standards and Conflict Resolution.

## SECTION V:

### DISCIPLINARY PROCEDURES

#### 1. Authority

- a. The director of Community Standards and Conflict Resolution shall serve as the chief conduct officer and shall determine the composition of the conduct officers and which conduct officer shall be authorized to hear each case.
- b. The Office of Community Standards and Conflict Resolution shall develop policies for the administration of the conduct program and procedural rules for the conduct of hearings that are consistent with provisions of the Student Code of Community Standards.
- c. Decisions made and sanctions imposed by the chief conduct officer or other conduct officer(s) shall be effective and final, pending the normal appeal process.

#### 2. Applicability

- a. The policies outlined in the Student Code of Community Standards apply to all Berklee students, regardless of whether they live on campus or off campus.
- b. Student organizations are held accountable to the policies outlined in the Student Code of Community Standards. Any violation of the Student Code of Community Standards by one or more members of a student organization may constitute a violation by the organization itself. When reasonable connections are made between the acts of individual students and an organization to which they belong, sanctions may be imposed on the organization as well as any offending member.

#### 3. Jurisdiction of the Institution/Off-Campus Conduct

- a. Berklee's jurisdiction and discipline shall be limited to conduct which adversely affects the Berklee community or the pursuit of its objectives.
- b. Berklee may choose to review or initiate the disciplinary process against a student:
  - i. If a student is charged with an off-campus conduct violation of federal, state, or local laws; or
  - ii. When a student's behavior off campus interferes with the rights of others, reflects adversely on the institution, or results in a criminal charge. The circumstances of the case shall be reviewed by the Office of Community Standards and Conflict Resolution to determine whether the student may be subject to further disciplinary action and/or determine the status of the student.

- c. Students may be accountable to both civil and criminal authorities, in addition to the institution, for acts that constitute violations of law and of the Student Code of Community Standards. Although the institution may choose to withhold adjudication pending further investigation or resolution of civil or criminal charges, disciplinary action at the institution normally will proceed concurrently with these civil or criminal proceedings. Disciplinary proceedings will not be subject to challenge on the grounds that civil or criminal charges involving the same incident have been dismissed or reduced. When a student has been charged by a civil authority for violation of law, the institution will neither request nor agree to special consideration for the student solely because of their status as a student.

## 4. Filing an Incident Report

Any member of the Berklee or extended community may report an incident of alleged violations or concerns about any student to the Office of Community Standards and Conflict Resolution, Public Safety, or the Division of Student Affairs. Such information shall be submitted as soon as possible after the incident takes place. Incident reports are reviewed

by the institution, which makes the determination of possible next steps, including additional investigation; the provision of resources, care, and support; the pursuit of any alleged violations; and/or the creation of an educational meeting or follow-up letter. To report an incident, visit [www.berklee.edu/community-standards](http://www.berklee.edu/community-standards) or [communitystandards@berklee.edu](mailto:communitystandards@berklee.edu).

## 5. Adjudication Process

- a. A student who is alleged to have violated the Student Code of Community Standards shall have the matter adjudicated by a conduct officer.
- b. Alleged violations of Berklee regulations by officially recognized student organizations also are handled by the Office of Community Standards and Conflict Resolution.
- c. The Office of Community Standards and Conflict Resolution shall make every effort to have student misconduct matters considered as expeditiously as possible in order to remove any question of a student's continuance at the institution. The Office of Community Standards and Conflict Resolution will secure all available information concerning the alleged misconduct to determine if the alleged violations have merit.
- d. Prior to adjudication, the Office of Community Standards and Conflict Resolution may establish restrictions or specific parameters and expectations for the behavior of the alleged student if, in the judgment of the Office of Community Standards and Conflict Resolution, lack of such restrictions or parameters may lead to disruption of the residential or Berklee community.
- e. If the student withdraws from the institution or is no longer an active student, reentry shall not occur until all cases are resolved.
- f. The Office of Community Standards and Conflict Resolution shall communicate the alleged violations to the student via their Berklee email account. Notices of alleged violations will include a scheduled hearing appointment.

## 6. Hearing Procedures

- a. Hearings shall be conducted according to the following guidelines:
  - i. The hearing is for the purpose of discussing the alleged violation(s) of the Student Code of Community Standards.
  - ii. The responding student's hearing shall be open only to the responding student, their advisor, the conduct officer, witnesses (when called upon by the conduct officer), and a

- representative from the Office of Community Standards and Conflict Resolution.
- iii. Admission of any person to the hearing shall be at the discretion of the conduct officer.
    1. Relevant witnesses may be interviewed by the conduct officer outside of the formal hearing.
    2. Advisors: Students shall be afforded the privilege to have an advisor present who does not have a direct role in the Community Standards and Conflict Resolution process or potential violation. Although students are permitted to select an advisor of their choice, the advisor may not speak for the student or interfere with the hearing in any way.
  - iv. All procedural questions are subject to the final decision of the conduct officer.
  - v. Any oral or written statements that the student may make pertaining to the alleged violation may be presented to the conduct officer.
  - vi. Participants will be afforded the right to prepare a written statement concerning the alleged violation to be shared at the time of the hearing.
  - vii. The responding student is presumed not responsible until determined responsible for the alleged violation(s) based on a preponderance of the evidence standard.
  - viii. Participants will be afforded the opportunity to inspect and review all nonconfidential information regarding the alleged violation(s) in any proceeding, including incident reports and other materials upon which the alleged violations are based from the Office of Community Standards and Conflict Resolution. Requests to inspect and review such materials shall be made in writing at least two business days preceding the established time for the disciplinary hearing. The parties involved will review the materials at the Office of Community Standards and Conflict Resolution or prior to the start of the Community Standards and Conflict Resolution meeting.
- b. In absentia: If the student fails to appear for a scheduled hearing or fails to reschedule a meeting and the Office of Community Standards and Conflict Resolution has, in good faith, exhausted all reasonable efforts to schedule a hearing, the Office of Community Standards and Conflict Resolution, on the basis of the information available, may make a determination of a violation of the Student Code of Community Standards and may impose sanctions for such violations. This decision shall be communicated in writing to the student via their Berklee email account. The appeal process as outlined in Section VI shall be in place for hearings in absentia.
  - c. At the conclusion of the meeting or within a reasonable amount of time thereafter, the conduct officer shall determine whether the student has been found responsible or not responsible for violation of each section of the Student Code of Community Standards that the student is alleged to have violated.
  - d. If the student is found to have violated the Student Code of Community Standards, the conduct officer shall create sanctions to be imposed. A communication outlining the hearing decision and any applicable sanctions will be sent to the student's Berklee email account and, in cases of violence or harassment and/or as required by law, to the complaining student, parents, or Berklee employees who have a legitimate need to know.
  - e. If it is determined that a violation occurred, a student's prior record (legal or disciplinary) may be considered in determining appropriate sanctions.

- f. Any student who fails to complete the sanction(s) issued in their disciplinary hearing and outlined in the decision letter will be viewed as noncompliant. Noncompliance is looked on unfavorably by the institution and may result in further disciplinary action and a restriction being placed on the student's account.
- g. In cases where it is determined that a student is not responsible for violation of the policies alleged, no sanctions will be imposed.
- h. Any student who is suspended or separated from the institution must work directly with the Financial Aid Office to understand the effect on aid and scholarships.
- i. Any international student who is suspended or separated from the institution must work directly with the International Student Services Office regarding the impact on their visa status.
- j. Parties to student conduct matters may request reasonable accommodations for disabilities at any point before or during the disciplinary process that do not fundamentally alter the process. Student requests for accommodations should be directed to the Accessibility Resources for Students office (<https://www.berklee.edu/accessibility-resources>).

## 7. Conflict Resolution

Conflict resolution may be used for incidents that are less severe, persistent, and/or pervasive in which all principal parties express a willingness to participate in a conflict resolution process. Conflict resolution processes, such as mediation, are alternatives to the formal disciplinary procedures outlined above. The director of Community Standards and Conflict Resolution will determine if conflict resolution is appropriate based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to conflict resolution. In a conflict resolution process, an individual designated by the director of Community Standards and Conflict Resolution will facilitate a communication with the parties to an effective resolution, if possible. Sanctions are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies, in which case the report is resolved. The Office of Community Standards and Conflict Resolution will keep records of any resolution that is reached. Conflict resolution will not be used to address complaints of violence or in other cases of serious violations of policy. Anyone participating in conflict resolution can stop that process at any time and request a formal process. The results of conflict resolution are not subject to appeal.

## SECTION VI:

### APPEALS

- a. Students have the right to appeal decisions reached by the Office of Community Standards and Conflict Resolution. The student shall adhere to the following stipulations:
  - i. Appeal requests shall be made in writing to the Office of Community Standards and Conflict Resolution via the online appeal form within five business days of the decision being sent.
  - ii. Appeals will be heard solely on the following grounds:
    - 1. New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter;
    - 2. Procedural irregularity that affected the outcome of the matter;
    - 3. The sanction is disproportionate to the violation for which the student was found responsible.

- b. Upon receipt of the appeal, the request will be evaluated to determine whether an appeal hearing will be granted. If an appeal hearing is granted, the appellate officer will notify the student of an appeal hearing. The appellate officer may determine an outcome based on the information provided in the appeal without further action of the student(s) involved or participation in an additional hearing. If an appeal hearing is not granted, an official response as to why the appeal request is denied will be sent.
- c. Appeal hearing decisions will:
  - i. Affirm the original decision(s);
  - ii. Modify/reverse the original decision(s) and/or sanction(s); or
  - iii. Remand the matter back to the original or new conduct officer to address the appealed aspects of the case.
- d. Decisions in appeal hearings shall be the final determinant of policy violations. If the appellate officer upholds the original findings, the effective date of any sanction(s) imposed will revert back to the date of the original decision letter.
- e. Sanctions will be final pending the outcome of a formal appeal. Students may continue to attend classes and access Berklee facilities unless interim action has been implemented.
- f. Students are expected to uphold the Student Code of Community Standards at all times. Any alleged violation(s) of the Student Code of Community Standards that occur while an appeal is pending may result in more severe sanctions if a student is found responsible for the additional violation(s).
- g. Appeals shall be heard by designated appellate officers identified by the Office of Community Standards and Conflict Resolution.

## SECTION VII:

# SANCTIONS

It is important for students to know that our system aims to be educational and developmental. It is, however, important for students to recognize that there are consequences for policy violations. All violations are taken very seriously and each situation is individually assessed in determining appropriate sanctions.

## 1. Educational/Restorative Sanctions

The sanctions listed below are examples of educational sanctions, which are aimed at providing the student who is found responsible for violations of the Student Code of Community Standards the opportunity to reflect upon their experiences and take individual and community responsibility into consideration. Sanctions aim not only to deter repeat offenses but also to encourage the student to learn and grow from the experience. This list is not all inclusive of the potential educational sanctions a student may be assigned.

- a. Brief Alcohol Screening and Intervention for College Students (BASICS) comprises two brief sessions, created specifically for college students, that address a student's alcohol or other drug use. The goals are selected by the student and aimed at reducing risky behavior and potentially harmful consequences from usage. BASICS meetings focus on discussing alcohol and/or drug use, giving personalized feedback, and developing strategies to help make informed decisions about alcohol and/or drugs.

- b. The Alcohol Education Group is a one-time discussion that provides tips to minimize the negative effects and consequences of alcohol, as well as ways to stay safe, whether or not students choose to drink.
- c. Campus Clarity's Think About It courses are a set of three online education and prevention courses that address alcohol, drugs, and sexual violence.
- d. Referrals are recommendations to internal and external resources and offices that can serve as support and/or educational experiences.
- e. A Letter of Apology is a personal communication from the student outlining involvement in a situation, showing personal responsibility, and reflecting a commitment not to duplicate the initial violation.
- f. A Check-In/Success Meeting between the student and a selected staff member provides updates on personal goals/growth, reflection on the incident, and current status.
- g. Restitution is compensation for damage, loss, theft, or injury. The conduct officer shall set the amount and form of restitution, which shall not exceed the fair amount of damage, loss, theft, or injury incurred.
- h. Reflection/Research Papers may be assigned as an opportunity for the student to reflect upon and/or research topics related to the incident. Topics may include, but are not limited to, general reflection; impact on others; impact on the future; research of Berklee policies and local, state, or federal laws; and interviews.
- i. Community Restitution consists of a designated number of service hours the student must complete by volunteering with the Berklee and/or local community.

## 2. Disciplinary Sanctions

The below listed items are status-level sanctions placed on a student as a result of their violations, or used in other circumstances for the safety and security of an individual or greater community. Any student who has been required to leave the institution for disciplinary reasons and has exhausted the appeal process shall leave the premises immediately after being notified unless permission to remain longer is obtained. Any student who is required to leave the institution for disciplinary reasons shall not be eligible for a refund of tuition or fees.

- a. **Disciplinary Warning:** It should be known that future or similar behavior will be subject to more severe disciplinary sanctions, including, but not limited to, probation or dismissal from the institution with no reimbursement of fees or tuition.
- b. **Disciplinary Probation:** Probationary status means that if the student violates any policies of the institution or exhibits behavior prohibited by the institution, they may face more serious disciplinary sanctions, including immediate dismissal from the institution with no reimbursement of fees or tuition. Students seeking to study abroad and/or participate in certain leadership, student engagement, and travel opportunities must be deemed in good standing and cleared by the Office of Community Standards and Conflict Resolution. Probationary status may restrict one's ability to pursue and engage in such opportunities.
- c. **Disciplinary Suspension:** Suspension bars the student from participating in any Berklee classes, activities, or Berklee-sponsored events during the term of suspension. After suspension has been served, the student will be able to return to the institution, contingent upon certain conditions, such as being placed on disciplinary probation.

- d. **Expulsion:** This means termination of the student's enrollment and permanent separation of the student from the institution. Students expelled from the institution are not permitted to enter any Berklee facility or be on any Berklee property. Violators of this sanction could be subject to arrest for trespassing. This sanction also includes the same restrictions listed in Disciplinary Suspension.

In addition to the above status-level sanctions, the following disciplinary sanctions can be implemented:

- e. **Fines:** This includes a fee for service to cover costs associated with the incident or to support educational development. Previously established and/or appropriate fines may be imposed, depending on the incident.
- f. **Restriction of Privileges:** This means a denial of specific privileges for a definite period of time. Restrictions will be clearly defined.

### 3. Administrative Actions

The below listed actions are administrative decisions that may be made as a result of behavior exhibited for the safety and security of an individual or greater community; they are not subject to appeal.

- a. **Behavioral Agreement:** This is an agreement between a student and the institution that defines expected behavior and unacceptable behavior, consequences for breaking the agreement, and resources for the student's success while at Berklee.
- b. **Confiscation:** This means the removal of items possessed in violation of the Student Code of Community Standards.
- c. **Restriction:** This refers to a block placed on a student's record that may affect a student's ability to register for classes and/or request transcripts, diploma or degree, and grades, and prevent them from participating in other Berklee activities, including graduation.
- d. **Deferred Removal:** This status indicates that the resident's status in Berklee housing is now in jeopardy. Deferred removal results in a decision in consultation with Housing and Residential Education to reassign a resident's living unit within housing to another assignment and usually prohibits the resident from returning to the residential area associated with their former living unit. Any additional violation will result in termination of the student's housing agreement. This status may be extended for a specific period of time, until the completion of a specific condition, or permanently.
- e. **Parental/Guardian Notification:** The Family Educational Rights and Privacy Act (FERPA) allows institutions to notify parents/guardians when students violate student conduct codes pertaining to the use or possession of alcohol or a controlled substance. While Berklee respects student privacy, it will exercise its right to notify parents/guardians when its policies regarding the use and possession of alcohol or other controlled substances are violated. Notification of parents/guardians will typically occur when a student is hospitalized for alcohol/substance use or has repeated alcohol/substance violations that may affect their success at Berklee. The institution reserves the right to contact parents/guardians in other circumstances. It is in students' best interest to contact parents/guardians first, when possible. The full parental notification policy is set forth in Section IX: Additional Policies and Procedures.
- f. **No-Contact Orders:** These are administrative directives put in place to limit the in-person and digital interactions between individuals as a means of separating them so that the institution is better able to control possible information sharing, which can distort the recollection of events pertaining to an alleged violation; separate individuals from physically or mentally/emotionally endangering situations; and provide time to further investigate incidents.

- g. Interim Suspension: In certain circumstances, Student Affairs executive leadership may impose an institutional and/or on-campus housing suspension prior to the student conduct hearing.
  - i. Interim suspension may be imposed only:
    - 1. To ensure the safety and well-being of members of the institution;
    - 2. To ensure the student's own physical or emotional safety and well-being; or
    - 3. To prevent a student who poses a threat of disruption from interfering with the normal operations of the institution.
  - ii. During interim suspension, the student may be denied access to on-campus housing and/or the campus (including classes) and/or all other Berklee activities or privileges that are determined to be appropriate.

## SECTION VIII:

### DISCIPLINARY FILES AND RECORDS

- a. Case referrals may result in the development of a disciplinary file in the name of the student alleged. Other than disciplinary suspension or expulsion, disciplinary action shall not be made part of the student's academic record, but shall become part of the student's disciplinary record.
- b. Records of disciplinary meetings for students found to have violated the Student Code of Community Standards shall be retained as a disciplinary record in the Office of Community Standards and Conflict Resolution for a minimum of seven years from the date of the sanction or four years after the student's graduation from the college—whichever comes first. Records shall be kept in a secured file and subject to limited access by the Office of Community Standards and Conflict Resolution. Disciplinary records may be retained for longer periods of time or permanently, if a student was suspended or expelled, and in situations that may result in future litigation.
- c. Students will be afforded the opportunity to inspect and review all information in their disciplinary file. Requests to inspect and review such materials shall be made in writing. The institution does not assume responsibility for making available these materials in advance of the hearing, but will attempt to provide access to the materials once it receives the written request.
- d. In all such cases where the alleged student is found not responsible for violation of the Student Code of Community Standards, such finding shall be clearly noted in the records.
- e. Students may be accountable to both civil and criminal authorities, in addition to the institution, for acts which constitute violations of law and the Student Code of Community Standards. Berklee administrative meetings are separate and distinct from any civil/criminal proceedings. As such, any notification or requests regarding the expunging or sealing of criminal/civil records are not applicable to Berklee disciplinary records, and the record will remain on file per the institution's records-retention policy. This is designed to maintain the integrity of Berklee's records and ensure compliance with all federal reporting guidelines.

## SECTION IX:

# ADDITIONAL POLICIES AND PROCEDURES

## 1. Medical Amnesty Policy

- a. Berklee stresses the importance of safety on campus and within residential-living facilities for its students. It is a realistic possibility that a student could be placed in a life-threatening situation through the consumption or abuse of alcohol or drugs. As such, the institution seeks to avoid situations in which a student requiring medical attention refrains from contacting emergency services because of the potential risk of reprimand and disciplinary consequences. Berklee understands that this inaction can severely threaten the life of the endangered student. In an effort to advance individual health and wellness, a core value of Berklee, and provide a healthful working environment for every Berklee student, the following medical amnesty policy is in effect:
  - i. In cases of intoxication through the consumption or abuse of alcohol or drugs, the primary concern is the health and safety of the individual(s) involved. Students are strongly encouraged to call for medical assistance for themselves or a friend/acquaintance who is dangerously intoxicated or incapacitated.
  - ii. A student who calls for medical assistance for themselves, or for whom medical treatment is sought by a friend/acquaintance, for an alcohol- or other drug-related overdose will not be subject to Berklee's disciplinary meeting for the sole violation of using or possessing alcohol or drugs. In addition, students seeking help for a dangerously intoxicated or incapacitated student will not be subject to the institution's disciplinary meetings for the sole violation of using or possessing alcohol or drugs.
  - iii. Students may be required to attend an alcohol education or customized developmental program as prescribed by the Office of Community Standards and Conflict Resolution or designee to be eligible for amnesty protection.
  - iv. Amnesty also applies to equity cases. For more information on the equity policy, visit [berklee.edu/equity](http://berklee.edu/equity).
  - v. This policy applies only to those students who seek medical assistance, or for whom medical assistance was sought by a friend/acquaintance, in connection with an alcohol- or drug-related medical emergency. This policy does not apply to students experiencing an alcohol- or drug-related medical emergency who happen to be found by any Berklee employee (including residence hall staff).
  - vi. The Office of Community Standards and Conflict Resolution reserves the right to contact any student to discuss an incident, whether or not this medical amnesty policy is implicated.
  - vii. A representative of an organization hosting an event is expected to promptly call for medical assistance in an alcohol- or drug-related emergency. This act of responsibility will mitigate the disciplinary consequences against the organization resulting from any Berklee policy violations that may have occurred at the time of the incident. Likewise, failure to call for medical assistance in an alcohol- or drug-related emergency will be considered an "aggravating circumstance," and may affect the conduct resolution against the organization if policy violations have occurred.

- viii. The medical amnesty policy covers the institution's conduct process only. It does not provide protection from the legal consequences of underage or excessive drinking.

## 2. Parental Notification Policy

- a. The Family Educational Rights and Privacy Act (FERPA) allows the institution to notify parents/guardians when students under the age of 21 violate student conduct codes pertaining to the use or possession of alcohol or a controlled substance. While Berklee respects student privacy, it will exercise its right to notify parents/guardians when its policies in regard to use and possession of alcohol or other controlled substances are violated. Parents of students under the age of 21 will be notified if:
  - i. The student has been found for the second or more time(s) to be responsible for violation of the alcohol policy.
  - ii. The student has been found for the second or more time(s) to be responsible for violation of the college policy regarding public intoxication.
  - iii. The student has been found responsible for violation of the institution's controlled substances policy.
- b. At the discretion of the dean of Student Affairs or their designee, the institution also reserves the right to contact the parent of any student, regardless of age, when:
  - i. The student has been arrested for violation of a local, state, or federal law.
  - ii. The student has been hospitalized for any reason.
  - iii. The student engages in behavior that endangers the health, safety, or success of themselves or other individuals in the community.
  - iv. The alleged offense and subsequent hearing outcome is deemed to be of a serious nature and jeopardizes or changes the student's status as a resident or student at Berklee.
- c. Parents/guardians will not be notified if a student can prove financial independence from their parents/guardians. However, in the case of financially independent students under the age of 21 who have been found responsible for violating drug and alcohol policies, parents/guardians may be notified as permitted by the Family Educational Rights and Privacy Act, at the discretion of the dean of Student Affairs or their designee.

## 3. Reentry Procedures

- a. Students who request to be reinstated or who are interested in returning to campus following a disciplinary suspension must obtain clearance from the Division of Student Affairs, and the Office of Community Standards and Conflict Resolution. Such requests should be submitted in writing at least three weeks prior to the beginning of the semester for which readmission is being requested.
- b. Any student who has outstanding sanctions must complete those prior to reinstatement. After obtaining clearance for readmission, students must comply with all student deadlines and requirements for registration and enrollment in effect at the time of their reentry. Students must also adhere to any reentry requirements put in place by the Office of Community Standards and Conflict Resolution.

# FLOWCHART



