

Saraswathi Law College Code of Student Conduct and Disciplinary Processes 2024-25

Saraswathi Law College takes pride in the responsibility of its students and the social and educational atmosphere of its campus.

Saraswathi Law College students are held responsible for their conduct at all times. Any student who engages in academic or social misconduct shall be subject to Student Conduct Committee.

The College reserves the right to withdraw from any student the privilege of attending college for any lawful reason that the College deems appropriate.

The following considerations constitute the foundation of the College's justification for establishing expectations of student conduct, codifying those expectations, and adopting equitable processes for assessing student conduct.

1. The standards and procedures do not attempt to duplicate civil and criminal legal processes, nor do they attempt to substitute for them. As an institution structured to accomplish its stated educational mission, the College has an independent interest in upholding standards of academic and social conduct, and these expectations may differ from those found in society at large. The College is committed to fundamental fairness in its student conduct procedures.
2. In choosing to enroll in the College, students become responsible in their conduct to those standards as stated in the Student Conduct Code.

The College may address student academic and social misconduct through its own processes and apply sanctions governing the terms of membership in the College. The College reserves the right to deal with misconduct whether or not law enforcement agencies are involved and/or criminal charges may be pending.

Part I: Saraswathi Law College Code of Student Conduct

The purpose of the Code is to express community standards of honesty, respect for persons and property, and responsible use of freedom. In addition, we seek to support each student in accessing the resources they need to be well. The Code reflects the College's mission and identity, and it exists to guide conduct, safeguarding and promoting the College's educational activity.

Students are responsible for reading and reviewing the Code of Student Conduct, and for understanding the responsibilities they assume by enrolling in the College.

For purposes of handling student conduct matters, a "student" is defined as someone who has matriculated and has not formally severed recognized student status with the College. Students retain this status throughout their careers at Saraswathi Law College, including academic terms, scheduled vacations, summer months, periods of leave, or off-campus study.

The College reserves the right to at any time bar any non-current member of the Saraswathi Law College community from being on campus or participating in College-sponsored activities. In situations

where it may not be possible to resolve a case prior to a student's graduation, the President (or designee) may cause the student's degree to be withheld until the case is fully resolved.

The College reserves the right to investigate and sanction alleged misconduct even when it occurs off campus. The College usually will apply the Code in instances where the off-campus misconduct:

1. Occurs in connection with a College-sponsored event or when students are acting as representatives of the College, or
2. Directly affects another member of the Saraswathi Law College community, or
3. Suggests a potential danger or threat to others.

It is important that students know where to turn when they have questions, and for the College to be confident that those to whom they turn understand the student conduct system.

A. Saraswathi Law College Statement on Academic Integrity

Saraswathi Law College is an academic community deeply engaged in inquiry and intellectual exchange and is committed to core principles of academic freedom, academic integrity and rigorous, creative scholarship. We recognize that intellectual and artistic exchange depend on a mutual respect for independent inquiry, reflection and expression. Faculty, staff, and students alike are therefore dedicated to fostering an environment that upholds the highest standards of fairness, integrity, and respect in all their academic endeavours.

As contributors to an ongoing scholarly and creative conversation that depends upon thoughtful and fair acknowledgment and treatment of the inquiries, reflections, and expressions of others, each member of the Saraswathi Law College community is expected to use and represent the work of others fairly and honestly; to acknowledge the work of others fully and accurately through proper attribution and citation; and to produce their own work unless collaboration is permitted. Students are subject to the policies and procedures described below.

In educating students in the values, dispositions, and responsibilities of independent thinkers and scholars, the Saraswathi Law College faculty recognizes that certain scholarly practices reflect complex tasks that require instruction and practice. Faculty are committed to teaching these critical practices. Students, in turn, are responsible for learning these scholarly practices and demonstrating them in all their work; they are not only a means of showing learning but of developing genuine understanding, not only the mark of an independent scholar but the way to become one.

Violations of Academic Integrity

Violations of principles and practices of academic integrity fall into two subcategories: (1) plagiarism and misuse of sources and (2) cheating.

1. Plagiarism and Misuse of Sources

Plagiarism is the use without proper attribution of someone else's words, ideas or other work as if it were one's own. Failure to properly indicate and acknowledge the work of others can lead a reader, listener or

viewer to think that information, research, ideas, words, images, data, artistic and creative elements, or other work are the student's own efforts, when they are not. Plagiarism significantly departs from accepted standards in the academic community and misleads others into thinking the work is the student's own.

Misuse of sources, like plagiarism, reflects failure to properly credit the work of others but involves errors, mistakes, incomplete, or inadequate attempts and other errors in citation, quotation, and attribution that would not seriously mislead others into thinking the work is the student's own.

Plagiarism and misuse of sources carry different consequences as described in Saraswathi Law College

Academic Integrity Procedures:

The responsibility to give credit for material that would not qualify as common knowledge applies to almost all types of assignments and situations, not just papers, and not only to final work but also submitted drafts. Work in which students must acknowledge sources and the contributions of others includes but is not limited to draft and final versions of the following:

- Talks and other oral presentations
- Visual aids, presentation slides, or other media tools
- Websites, web pages, webcasts, and other multimedia work
- Artistic, musical, and other creative work
- Problem sets
- Thesis chapters, papers, proposals, literature reviews, abstracts, annotated bibliographies, and other writing
- Exams, including in-class and take-home exams.

2. Cheating

Cheating involves violating recognized norms for academic inquiry or specific norms established by faculty for particular assignments or using other methods, including technology, to gain unearned academic advantage. Examples of cheating include but are not limited to the following:

- Unauthorized collaboration
- Using materials not permitted during an exam, when writing a paper, or in completing other assignments
- Receiving assistance beyond what is permitted
- Manufacturing or falsifying data
- Submitting the same work to satisfy the requirements of two different courses without getting permission from the instructor of the second course or permission from both instructors if the same work is submitted in two courses during a single semester
- Knowingly providing assistance of any kind to another person who is attempting to cheat or plagiarize

Violations of academic integrity are among the most serious offenses that students can commit; any violation may result in consequences at both the course and institutional levels. Procedures, findings, and consequences for violations of academic integrity may depend on specific circumstances, such as the student's grade level, educational background, prior violation of academic integrity policies, attempts made to cite or acknowledge sources, and the amount and type of work at issue.

B. Social Misconduct

Saraswathi Law College students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in any disturbance, interferes with the rights of others, damages property, or is individually or as a member of a group involved in unacceptable social behavior on or off campus may be subject to student conduct action by the Office of Student Support & Community Standards and/or the Student Conduct Committee.

General Categories of Social Misconduct

Cases of social misconduct usually fall into one of several general categories. While not exhaustive, the following categories illustrate the expectations of the College and provide examples of misconduct subject to student conduct action. Many of these categories, and the accompanying examples, have a counterpart in the State of Maine Criminal Code. The stipulated definitions of state and local criminal codes and the processes of the criminal justice system are not part of the Saraswathi Law College Code of Student Conduct. Addressing a violation of the College's Code of Conduct does not exempt the individual from prosecution by proper authorities under criminal or civil code, and criminal or civil prosecution does not exempt the individual from being held accountable under the College's Code of Student Conduct.

1. Actions against Persons

Conduct which involves force, threat of force, or intimidation directed at an individual or group of individuals may constitute an "action against persons" violation.

Examples of actions against persons violations include:

Assault

- This includes any unwanted physical contact, as well as fighting and physical altercations.

Sexual Misconduct

- It is refer to the College's Sexual Harassment Cell for sexual misconduct violations (e.g., rape, sexual assault, dating violence, domestic violence, and stalking) and the procedures for adjudicating alleged violations.

Hazing

- Following Ch. 159 of Maine Public Laws, 1983, Saraswathi Law College prohibits injurious hazing, defined as "any action or situation which recklessly or intentionally endangers the mental or physical health of a student" Specifically, hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or

the consumption or other substances to excess, or (4) violates any College policy. An act may be considered hazing regardless of the person's consent to participate.

Harassment, Intimidation, or Bullying

- This includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the educational environment, or damage to property. Such acts may be committed in person, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites.

2. Actions against Property

Conduct which results in damage to property of another individual or of the College, or conduct which improperly converts another's property to personal use may constitute an "action against property" violation.

Examples of actions against property violations include:

Theft

- To steal or knowingly possess stolen property or any item reasonably thought to be lost and not abandoned.

Illegally entering College facilities

- This includes unauthorized possession, use, or duplication of College keys or cards, passwords, or other means of access.

3. Dangerous or Disorderly Conduct

Conduct that is dangerous to self or others, or conduct that creates a disturbance or disrupts the ability of the College to carry on its essential functions may constitute a "dangerous or disorderly conduct" violation. In accordance with the Drug-Free Schools and Communities Act, the College's standards of conduct prohibit the unlawful possession, use, or distribution of illegal drugs and alcohol by students and employees, on the College's property, or as part of any of its activities.

Examples of dangerous or disorderly conduct violations include:

Illegally possessing, using, or distributing any scheduled drugs

- Unlawful possession, distribution, or use of illegal drugs and narcotics, including amphetamines, marijuana, cocaine, heroin, and LSD, renders a student liable to disciplinary action, including confiscation of materials, student conduct action up to and including suspension and dismissal, and/or referral to local police authorities.

Disorderly conduct

Conduct which infringes on the freedom and activities of others, or conduct which is disruptive, harassing, or a nuisance may constitute disorderly conduct.

4. Actions against the Institution

Conduct which involves the unauthorized accessing or alteration of documents and records controlled by the College, including class papers and examinations, or improper use of College electronic and physical resources, may constitute an “action against the institution” violation.

Examples of actions against the institution violations include:

Altering a College ID

Tampering with College documents or records by hand or electronically

Misappropriation of College funds

Claiming falsely to represent the College or a College registered organization

Use of any College resources, including electronic and physical, in support of any for-profit enterprise. This may include access to student, staff, and faculty information, residence halls, and other campus-owned spaces, etc.

Information, network, computer, social media account, and telephone violations including violations of the Information & Library Services Acceptable Use Policy or any other related college policy

Misrepresentation to gain access or use of a service or facility

- Violations may include lying in order to gain access to a College building, office, lab, etc..

5. Obstruction of College Procedures

Conduct which interferes with the regular procedures of the College, investigation of alleged Code violations, the process by which they are resolved, or their outcomes, or that violates any College policy.

Examples of obstruction of College procedures include:

Refusing to identify oneself to College employees in the pursuit of their duties or to comply with appropriate instructions (e.g., refusing to provide one’s name or to disperse when asked to do so by

Refusing to appear before College administrators or Security personnel charged with authority in matters of student conduct

Refusing to attend or to testify when called as a witness in a student conduct hearing

Knowingly providing false information to any College official with intent to deceive during any phase of the student conduct process (including the investigatory stage) or conspiring with others to do so

Harassing witnesses or others involved in the student conduct process at any time during the student conduct process, including the time during which any sanction is in effect

Violating the terms of any sanction or not completing a sanction imposed by an appropriate authority (e.g., the Office of Student Support & Community Standards or the Student Conduct Committee) in a student conduct matter.

Bribing or attempting to bribe a College official

Use or possession of a forged, altered, or falsified document, such as a fake ID

Assisting a person in violating a College policy or attempting to violate a College policy

Part II: Disciplinary Process:

A. Investigation of Complaints Alleging Misconduct

All reports of misconduct shall be referred to the authority to investigate such reports and refer students for alleged violations of the Code of Conduct to the appropriate level of the student conduct system. Before referring a student for an alleged violation, the In-charge Officer shall conduct such investigation into the facts and circumstances of the reported misconduct as may be necessary, at a minimum, to establish that there is reasonable cause to believe that (1) there has been a violation of the Student Code of Conduct and (2) a particular student has committed that violation. The In-charge Officer may conduct such additional investigation as the In-charge Officer may deem necessary to determine the pertinent facts of the matter at hand. For cases alleging violations of the sexual misconduct.

1. The Judicial Officer calls students in for questioning at an initial stage of an investigation. Students are expected to cooperate with the Judicial Officer and must meet with the Judicial Officer when called upon to do so. For this purposes a “respondent” is a student who is responding to an allegation that they violated the Code of Student Conduct. Although any person may bring a matter to the attention of the In-charge Officer for further investigation, for the purposes of this policy, a “complainant” is a student, faculty member, or staff member who has brought a concern to the attention of the Judicial Officer alleging that a student violated the Code of Student Conduct.
2. Any student called upon to provide information in connection with a student conduct matter may ask a current member of the Saraswathi Law College community (i.e., students, faculty, staff) to serve as an advisor, provided that this individual is willing and available to serve at the appropriate time (i.e., without significantly delaying the investigation).

B. Composition of the Pool of Members of the Student Conduct Boards

The pool of members from which the composition of the Student Conduct Committee or the Student Conduct Appeals Committee shall be drawn for a specific case shall be comprised of at least 2 members of the Saraswathi Law College community. The pool shall include a minimum of 2 students, 2 faculty members, and 2 staff members.

C. Procedures for Resolving Alleged Misconduct

Following an investigation, the College provides several methods for addressing alleged violations of the Code of Student Conduct. The In-charge Officer has the authority and discretion to refer any given case to the method of resolution the In-charge Officer deems most appropriate in a given situation or to determine that there is not sufficient evidence to support a referral for a violation of the Code of Student Conduct. This decision is final and may not be appealed.

1. In-charge Officer Review

The In-charge Officer shall have authority to render decisions in minor cases of misconduct where outcomes of suspension or expulsion are not under consideration.

Sanctions in these cases may include, but are not limited to, letters to a student's file, loss of various privileges, referral to counselling, community service, removal of a student from College housing, other required actions, or being placed on probation.

The Principal's Review method of resolution is not a formal hearing. Rather, it provides an opportunity for a student accused of minor misconduct to meet with the In-charge Officer, discuss the allegations of misconduct, and have the In-charge Officer determine whether the student is responsible for the alleged violation and the appropriate penalty. For the In-charge Officer to find a violation of the Code, the Judicial Officer must determine that the alleged violation has been established by a preponderance of the evidence. To establish "by a preponderance of the evidence" means to prove that something is more likely than not.

The decision in a minor case of misconduct shall not be recorded on the student's permanent record, but will remain in the student's confidential file until graduation. The In-charge Officer shall send the student a letter identifying the misconduct, stating the In-charge Officer's decision regarding sanctions, and notifying the student of the right to appeal to the President for Saraswathi Education Society.

If the In-charge Officer makes a decision in a minor case of misconduct that the student found responsible feels is unjustified, that student may appeal the decision to the President for Saraswathi Education Society. The student appealing the decision must submit the appeal in writing to the President for Saraswathi Education Society within two class days from the time at which the original decision was communicated to them in writing by the In-charge Officer. Students may appeal the decision of the In-charge Officer only on the following grounds:

1. That the In-charge Officer violated the fair application of the procedures of the student conduct process as outlined in the Code and that such violation may have had a prejudicial effect upon the outcome of the In-charge Officer Review;
2. That new evidence was discovered after the In-charge Office Review and could not readily have been discovered beforehand and such evidence might have had an effect upon the outcome of the hearing; or
3. That the penalty imposed upon the respondent is grossly inappropriate.

The President for Saraswathi Education Society may affirm, reverse, or otherwise modify the original decision of the In-charge Officer.

3. Student Judicial Board

A. Statement on Confidentiality and Public Reporting

All participants to a student conduct hearing are reminded of their obligation to maintain confidentiality. The names of individuals involved in a case as well as all pre-hearing proceedings, testimony, evidence, deliberations, and discussion shall remain confidential. Similarly, the hearing record and all proceedings on appeal are confidential. Violating this confidentiality may be considered a form of retaliation and may be investigated as a violation of this Code.

B. Status of Student during the Disciplinary Process

At any stage of the student conduct process, including the investigation stage, the status of a respondent shall not be altered, nor shall the respondent's right to be present on campus or attend classes be suspended, except as deemed necessary by the President for Saraswathi Education Society (or designee) to insure the physical and/or emotional safety of the members of the College community or to protect College property. However, during this time the Principal may impose on the respondent prohibitions against contact with a complainant, other witnesses, or certain other members of the Saraswathi Law College community, may require the respondent to reside in a location other than the respondent's ordinary residence, and may take such other steps as the Principal to be necessary to protect the respondent, the complainant, witnesses, other members of the Saraswathi Law College community, and/or the community at large.

4. Disciplinary Actions

The normal actions taken on student misconduct are as follows:

1. *Censure*. Penalties involving censure are available to the In-charge Officer at a In-charge Officer Review. The term "censure" applies to a variety of actions resulting in letters to a student's file and/or loss of privileges and may include any one or any combination of the following actions:
 - A. Loss of the privilege of participating in any public function (e.g., literary, dramatic, forensic, radio, television, musical, or athletic) wherein the participant will be thought of as a representative of Saraswathi Law College;
 - B. Loss of privilege of participating in social or ceremonial events on campus;
 - C. Loss of the privilege of maintaining a motor vehicle on campus;
 - D. A requirement that a student resign membership in any or all offices, elected or appointed, held in campus organizations;
 - E. A letter from either the In-charge Officer with a copy to the parent(s) or guardian(s);
 - G. Any other restriction (except probation, suspension, or dismissal) that seems appropriate to the violation.
2. *Required Action*. Penalties that require a particular action of a student are available to the Judicial Officer at a Judicial Officer Review. This may include requests to attend various forms of counselling or educational sessions. A student may be told by the Committee, Board or the In-charge Officer to engage in some form of community service (this service may take place either on or off the Saraswathi Law College campus, or both). The Committee, Board or In-charge Officer may either specify the terms of such counselling, education or service, or may designate another individual or body to determine appropriate terms.
3. *Disciplinary Probation*. The term "disciplinary probation" means that a sanction of suspension or dismissal is held in abeyance and will take effect only after the Committee finds that the student has committed a further violation. If a student already on disciplinary probation comes before the Committee for a second case of misconduct and is found to have violated the Code of Student Conduct

again, the first penalty held in abeyance now goes into effect. The Committee also may take additional action on the second offense. Disciplinary probation is not recorded on the student's permanent record, but will remain in the student's confidential file until graduation.

4. *Suspension*. The Committee may suspend a student for a specified period of time, or indefinitely. The Committee also may impose conditions to a student's readmission to the College. A student who is suspended must leave the campus and may not return until the suspension is revoked. Unless otherwise specified, the suspension goes into effect immediately (within two class days) and the student is dropped from all courses. In some cases, the Committee may decide to defer the suspension until the end of the semester. Suspension will be noted on the student's official transcript, but only during the time that it is in effect.
5. *Dismissal*. The Committee may dismiss (i.e., expel) a student. This severs with finality a student's connection with the College. Dismissal will be noted on the student's permanent record and on the student's official transcript.

In determining appropriate sanctions, the Student Conduct Committee may decide that some combination of these penalties should be imposed. The Committee's sanctioning decisions should specify any special conditions. Unless otherwise provided for by the Committee, all sanctions go into effect two class days after the hearing.

5. Time

Any time period, deadline, or date prescribed by this Code may be changed or modified on request of the In-charge Officer, a respondent, or, in the case of Actions against Persons, the complainant, by the Co-Chairs of the Student Conduct Committee. In deciding whether to honor such a request, the Co-Chairs shall consider (i) the health, safety, and education progress of all involved including the College community, (ii) the complexity of the case, and (iii) the likelihood that delay or hastening would markedly serve the cause of fairness. The President shall also have authority to cause a case to be heard earlier or later in exceptional circumstances.


Principal
Saraswathi Law College
CHITRADURGA