

**Lesson 5 Personal Reflection: Code of Conduct**

Emily Lane

Department of Higher Education, The Penn State University

HIED 849: Legal Issues in Higher Education

Dr. Mercy Roberg

October 3, 2021

## **Grinnell and University of Cincinnati Code of Conduct Reflection**

**1. Can you tell to what extent the institutions have different procedures for how a potential non-academic violation versus an academic violation is handled? If so, why do you think this might be the case?**

The University of Cincinnati (UC) Codes are incredibly thorough and repeat the specific qualifying violations and subsequent actions that would result from violating a conduct policy for each clause in the document. There is also clear effort taken to define specific vocabulary found in policies. For example, hazing's definition: "Hazing includes participating in, allowing, or coercing another, including the victim, to do any act that creates a substantial risk of causing mental or physical harm to any person" (University of Cincinnati, n.d., p. 20). There is no room to argue what is considered hazing, so it is likely that dealing with hazing is currently a concern or has been a concern in the past. Each of UC's policies reflect this same specificity.

On the other hand, Grinnell College's student handbook seems to be intentionally vague. They first notify the reader that students should become familiar with the handbook and are expected to follow it both online and in person. They then define their discrimination and religious observance policies. Very few definitions are included, and almost no reference is made to specific punishments students will be subject to if they break the handbook's guidelines.

**2. What kind of roles do the codes provide for students to participate in the adjudication of student conduct violations? For example, do they participate as hearing officers on conduct panels?**

The UC codes explain that student government members and chosen witnesses will be invited to disciplinary hearings. It also clearly states that parents may be contacted in the event of alcohol abuse by students under the age of 21. Grinnell College does not specify if students or

parents will be allowed to participate in student conduct violation hearings. Instead, two points of contact are listed for reporting violations of their nondiscrimination policy.

**3. Do the codes contain any special provisions for dealing with issues involving allegations involving sexual misconduct? Why do you think this might be so? (We will examine this issue in more detail in Lesson 9.)**

The UC code of conduct goes into great detail regarding how to report sexual misconduct and how these reports will be dealt with. In short, involved parties will be asked to give a statement regarding the event, a student conduct disciplinary hearing will be held, an attorney may be consulted or present but they may not present on behalf of the students, and faculty advisors may be involved. Grinnell College specifies that their nondiscrimination policy "prohibits sexual harassment, sexual violence, sexual assault, and intimate partner violence against Grinnell College community members of any gender, gender identity, gender expression, or sexual orientation" (Grinnell College, 2021, para. 7). This might be because they are a smaller institution than UC and they will likely deal with less instances of sexual misconduct. It also seems like they are intentionally vague so they can deal with each instance of violating their policy individually. UC on the other hand has specific procedures in place that detail the proceedings. It almost feels like a warning to not commit these infractions because they will take infractions seriously.

**4. What kinds of provisions do the codes make for students having an advisor to assist an accused student in a conduct proceeding? What kinds of assistance is an advisor allowed to provide? Can an advisor be an attorney?**

The University of Cincinnati allows an advisor or an attorney to assist an accused student in a conduct proceeding, but they will not make exceptions to the assigned meeting time to

accommodate an advisor's schedule. The hearing committee must also be notified between 48-72 hours, depending on the infraction, in advance of the hearing if the advisor is an attorney. The advisor may not speak on behalf of the student, but they may be present and provide guidance where appropriate. Grinnell College's code of conduct does not specify how a conduct proceeding will occur.

**5. In reading the conduct codes, which attributes most surprised or stood out to you, including in relation to comparing and contrasting the codes?**

I am most surprised by the incredible detail in UC's code versus the short and vague code of Grinnell College. It seems like UC views their code of conduct as a legal contract while Grinnell College views theirs as a way to tell students that they must respect their peers.

## References

Grinnell College. (n.d.). *2021-2022 Student Handbook*. Retrieved September 29, 2021, from

<https://catalog.grinnell.edu/index.php?catoid=12>.

University of Cincinnati. (n.d.). Student Conduct and Community Standards. Retrieved

September 29, 2021, from <https://www.uc.edu/campus-life/conduct/student-code-of-conduct.html>.