

COS Sanctioning Considerations

For any disciplinary system to be credible, consistency must be a central element. Ideally, over time, precedent should show that similar violations result in similar outcomes. This provides the community a basic understanding of the consequences that result from specific behavior. However, for a disciplinary system to be considered fair, it must be flexible enough to respond to each student as an individual and to the facts and circumstances of each individual case. Sanctions should reflect the institution's desire to educate the student and the community given a particular set of circumstances. Sanctioning decisions at Dartmouth strive to balance consistency of the process with fairness to individual students and a focus on what is educationally appropriate given the facts of each individual case.

If a committee determines that a student is responsible for a violation, it will determine a sanction based on the specific facts of the case, the student's level of intent, information about the student's previous disciplinary history, and the information that follows below about conduct expectations, aggravating and mitigating factors, and outcomes of previous cases. In cases of sexual abuse, physical violence or threatening harm, misappropriation and other misconduct that causes harm to another member of the community, aggravating factors may include whether or not the student responsible was substantially motivated by the victim's race, color, religion, sex, age, sexual orientation, gender identity or expression, national origin, disability, or military or veteran status. Unless otherwise noted, the sanctions described below were for first-time offenses.

Alcohol Summer 2004-Spring 2008

“Adjudication of the College alcohol policy is informed by the College's primary concern for the health and safety of the College community. First-time violations of the alcohol policy will result in a referral to Dartmouth's educational and medical intervention programs in lieu of a disciplinary sanction. Students must participate in the programs to avoid a disciplinary sanction. In addition, students are encouraged to talk with their class dean, counselors, and/or alcohol educator about the role alcohol is playing in their life at Dartmouth.

Dartmouth imposes disciplinary sanctions for violations of the alcohol policy as a means to educate students and deter behavior that negatively impacts the individual or the community. If a student fails to complete the education/intervention program, repeatedly violates the alcohol policy, or violates other college policies, he or she will be subject to disciplinary sanctions that usually include compliance with the education/intervention program. Sanctions increase in severity with repeated offenses and serious misconduct.”

~2008-09 Dartmouth College Student Handbook p. 94

Between 2004 and 2008, 70% of the total incidents that were adjudicated through the undergraduate disciplinary system involved alcohol. Deans managed the minor alcohol incidents by requiring education and/or medical intervention and imposing warnings, reprimands, or probation. Between 2004 and 2008, 87 cases of serious alcohol allegations were referred to the COS or a senior dean because students were involved in multiple violations, DUI/DWI court findings, or serious misconduct in addition to the alcohol policy violation. Many students choose to get medical help prior to their disciplinary hearing. In some cases when students have engaged

in intensive alcohol treatment while on a medical leave, part or all of the sanction has been retroactive to the time of the intensive treatment.

In 44 cases (50.5%) involving serious alcohol policy violations, students were suspended from the College. DUI/DWI findings resulted in eleven suspensions. Driving under the influence of alcohol in violation of state law is a serious offense that endangers the driver as well as members of the community. The likely sanction for driving under the influence is suspension. In the 11 responsible findings for DUI/DWI violations over the past four years, all of the students have been suspended. The length of suspension has varied depending on the specifics of the case and the student's previous history.

Twenty-two of the suspensions were a result of violations of the alcohol policy in combination with other behavior (disorderly conduct, sexual assault, property damage, etc.) The remaining cases that resulted in suspensions involved students who were publicly intoxicated and possessed drugs, students who came to the attention for their fourth or fifth violation of the public intoxication policy, students who violated the alcohol policy after they failed to comply with the medical requirements of a sanction, and students who were on probation at the time of the current incident. The length of suspension was based on the prior history, engagement with treatment recommendations, and the impact the behavior had on others. Most of students were required to comply with medical treatment recommendations before they could be readmitted.

Eight students were placed on probation for their remaining time at Dartmouth for intoxication and failure to comply with a prior sanction, third and fourth violations of the alcohol policy with no compounding behavior and first offense intoxication combined with other behavior (threat, property damage, disorderly conduct etc.). Twenty-five students were placed on fewer terms of probation for serious incidents when the incident was a second or third alcohol policy violation with no other misconduct, the result of a misunderstanding, the behavior accompanying the alcohol incident was minor, and when a student was actively engaged in treatment for his or her alcohol problem. The length of probation was determined by the impact the behavior had on the community or other students and the demonstrated commitment of the accused student to getting help to avoid further violations. In most of these cases, students were required to be assessed by a counselor and complete any medical recommendations for treatment.

Students were given reprimands in two cases which the COS considered to be minor violations given the facts and circumstances, and in which the students involved had little or no prior misconduct. Students were found "not responsible" by the COS in three cases.

Good Samaritan

Every effort is made to assist students in obtaining medical care for their alcohol problems. In five serious cases, students received a "Good Samaritan" rather than a suspension when friends called for medical help for them. These students were required to participate in an education or treatment program to avoid a possible suspension for third, fourth, or fifth alcohol policy violation.