1.2 University-wide Conduct Regulations

1.2.1 Respect for Others
Respect for the rights, privileges, and sensibilities of each other is essential in preserving the spirit of community at Princeton. Actions which make the atmosphere intimidating, threatening, or hostile to individuals are therefore regarded as serious offenses. Abusive or harassing behavior, verbal or physical, which demeans, intimidates, threatens, or injures another because of personal characteristics or beliefs or their expression, is subject to University disciplinary sanctions as described above. Examples of personal characteristics or beliefs include but are not limited to sex, sexual orientation, gender identity, race, ethnicity, national origin, religion, and disability. Making tolerance of such behavior or submission to it a condition of employment, evaluation, compensation, or advancement is an especially serious offense. Procedures for resolving complaints or grievances on such matters are discussed on pages 19–22.

Princeton University strives to be an intellectual and residential community in which all members can participate fully and equally, in an atmosphere free from all manifestations of bias and from all forms of discrimination, harassment, exploitation, or intimidation. As an intellectual community, it attaches great value to freedom of expression and vigorous debate, but it also attaches great importance to mutual respect, and it deplores expressions of hatred directed against any individual or group. The University seeks to promote the full inclusion of all members and groups in every aspect of University life.

Mutual respect requires special sensitivity to issues of race and ethnicity. Expressions of racial or ethnic bias directed at individuals or groups undermine the civility and sense of community on which the well-being of the University depends. They devalue the distinctive contributions of the individuals affected and impair their ability to contribute their views and talents to the community and to benefit fully from participating in it. By alienating those individuals, they harm the whole community. The University calls on all its members to display the appropriate sensitivity and to challenge expressions of racial or ethnic bias whenever they encounter them.

1.2.2 Discrimination, Bias, or Harassment (based on a protected characteristic)
Discrimination against a person on the basis of his/her sex, race, creed, color, gender identity, age, national origin, ancestry, religion, physical or mental disability, veteran’s status, marital or domestic partnership status, affectional or sexual orientation, or any other classification protected under applicable law is unlawful and in violation of this policy. The University expects all members of the University community, as well as its visitors, to be treated equally based on merit in all aspects related to its educational programs and activities, and in all aspects related to employment.

At Princeton University, harassment is defined as unwelcome verbal or physical behavior which is directed at a person because of his/her race, creed, color, sex, gender identity, age, national origin, ancestry, religion, physical or mental disability, veteran’s status, marital or domestic partnership status, affectional or sexual orientation, or other classification protected by applicable law, when these behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual’s educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.
While each situation must be considered in light of the specific facts and circumstances to determine if a violation of this policy has occurred, the University is seriously committed to addressing and stopping all forms of discrimination and harassment. Procedures for resolving complaints or grievances relating to issues of harassment or discrimination are described on pages 21–22.

The full text of the Nondiscrimination/Anti-Harassment Policy and Procedures can be viewed online. [Add URL to link to policy.]

1.2.3 Sexual Misconduct

Princeton University does not tolerate sexual misconduct. Sexual misconduct is harmful to the well-being of our community members, the learning/working environment, and collegial relationships among our students, faculty, and staff. All forms of sexual misconduct are regarded as serious University offenses and violations are likely to result in discipline, including the possibility of suspension, expulsion, or termination of employment. State and federal laws also address conduct that may meet the University’s definition of sexual misconduct, and criminal prosecution may take place independently of any disciplinary action instituted by the University (see “The University, the Law, and Property Rights,” page ___). In seeking to create a community free from sexual misconduct, the University expects all members of the community to take responsibility for their actions in the realm of sexual activity and encourages the reporting of sexual misconduct.

Definition of Sexual Misconduct

A broad range of behaviors may be classified as sexual misconduct. Sexual misconduct can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships. In determining whether the alleged conduct constitutes sexual misconduct, consideration will be given to the totality of circumstances involved in the incident, including the nature of the sexual conduct and the context in which the alleged incident occurred. Sexual misconduct includes the behaviors described below.

Non-Consensual Sexual Penetration (commonly referred to as rape): Any act of vaginal or anal penetration by a person’s penis, finger, other body part, or an object, or oral penetration by a penis, without consent. Such an act involving force, duress, or inducement of incapacitation will be deemed especially egregious.

Non-Consensual Sexual Contact (commonly referred to as sexual assault): Any sexual touching other than non-consensual sexual penetration without consent. Such an act involving force, duress, or inducement of incapacitation will be deemed especially egregious. Examples of non-consensual sexual contact may include: genital-genital or oral-genital contact not involving penetration; contact with breasts, buttocks, or genital area, including over clothing; removing the clothing of another person; and kissing.

Sexual Exploitation: Any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute non-consensual sexual penetration or non-consensual sexual contact. Examples may include: recording, photographing, transmitting, viewing or distributing intimate or sexual images or sexual information without the knowledge and consent of all parties involved; voyeurism (i.e., spying on others who are in intimate or sexual situations).
**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) Submission to or rejection of such conduct is made implicitly or explicitly a term or condition of instruction, employment, or participation in any University activity or benefit; or (2) Submission to or rejection of these behaviors by an individual is used as a basis for evaluation in making academic or personnel decisions; or (3) These behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual's educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.

**Sexually Inappropriate Conduct:** Unwelcome sexual conduct that may not rise to the level of sexual harassment or sexual exploitation, but that is sexual in nature. Examples may include: obscene or sexually offensive gestures and comments; and lewdness.

The consumption of alcohol or the use of illegal substances does not constitute a mitigating circumstance when it contributes to a violation regarding sexual misconduct.

**What are Consent and Incapacitation?**

In reviewing possible violations of sexual misconduct, the University considers consent as the voluntary, informed, uncoerced agreement through words and actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; and when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in a person's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity or lack of resistance does not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.

In the context of this policy, incapacitation is the state in which a person’s perception or judgment is so impaired that he or she lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person
knows or ought reasonably to have understood that the individual is incapacitated, constitutes sexual misconduct.

Resolution of Complaints and Grievances in Matters Involving Sexual Misconduct

Members of the University community who believe they have been subjected to sexual misconduct are encouraged to learn about their options by first contacting the University’s Sexual Harassment/Assault Advising, Resources and Education (SHARE) office. [Add URL link to SHARE website] SHARE is a confidential resource offering confidential support and advocacy services, and provides information about the roles and reporting obligations of other offices at the University in order to empower persons who have experienced sexual misconduct to make informed decisions about their options, which may include counseling, medical services, and/or interim measures, such as accommodations with respect to classes or housing or a “Dean’s no contact order” (DNCO). Other confidential resources on campus include Counseling and Psychological Services, University Health Services, the University Ombuds Office, and Princeton-affiliated chaplains.

Members of the University community who seek University action in response to an act of sexual misconduct may: (i) request interim measures from the appropriate dean/official; (ii) file an internal complaint against another member of the University community with the appropriate dean/official and (iii) contact the Department of Public Safety for assistance in filing a criminal complaint and preserving physical evidence. An individual also may contact local law enforcement to file a criminal complaint.

Members of the University community who feel that the University has failed to fulfill its obligations under Title IX of the Education Amendments of 1972 (not to discriminate on the basis of sex in its programs and activities) may utilize the University’s Title IX grievance procedures to bring concerns regarding the University’s non-compliance with its Title IX obligations to the attention of the University Title IX Coordinator for the purpose of obtaining a prompt and equitable resolution of the Community Member’s grievance. Procedures for filing and resolving Title IX grievances may be accessed at [add URL to link to Title IX grievance procedures on Provost’s Office diversity website].

Under certain circumstances, University offices which are not confidential resources may be obliged to investigate and report allegations of sexual misconduct internally or externally (e.g., to external law enforcement), so that appropriate action may be taken. Where necessary, these steps may be taken against the wishes of the reporting individual, though every effort will be made to accommodate the preferences and sensitivities of the individual. Offices where confidentiality may be limited for these reasons include the Department of Public Safety, the Office of the Dean of Undergraduate Students, the Office of the Dean of the Graduate School, Office of the Dean of the Faculty, Office of Human Resources, the Title IX Coordinator in the Office of the Provost, the residential colleges, external organizations such as Womanspace, and local law enforcement agencies (see page __). Under federal law, the Department of Public Safety may be required to disclose publicly a reported incident of sexual misconduct, although that disclosure will not include the name or other personally identifiable information of the reporting individual.

In order to encourage reports of sexual misconduct, the University may offer leniency with respect to other violations which may come to light as a result of such reports, depending on the circumstances involved (see page __).
Retaliation against anyone involved in filing an internal or external complaint of sexual misconduct, or participating in the complaint process, is prohibited and will not be tolerated.

1.2.4 Peaceful Dissent, Protests, and Demonstrations
Free speech and peaceable assembly are basic requirements of the University as a center for free inquiry and the search for knowledge and insight. These rights involve a concurrent obligation on the part of all members of the University, guests, and visitors to maintain on the campus an atmosphere conducive to scholarly pursuits and to respect the rights of all individuals.

In view of Princeton's obligation to promote the free expression of all views, the campus is open to any speaker whom students or members of the faculty have invited and for whom official arrangements to speak have been made with the University. The right of free speech in a university also includes the right to acts of peaceful dissent, protests in peaceable assembly, and orderly demonstrations which include picketing and the distribution of leaflets. These are permitted on the Princeton campus, subject to approval as to schedule and location, unless, or until, they disrupt regular and essential operations of the University or significantly infringe on the rights of others, particularly the right to listen to a speech or lecture.

All individuals and groups planning to engage in activities of the sort described in the previous paragraph should seek approval from the Office of the Dean of Undergraduate Students. Locations generally approved for these activities include the following:

- the area adjacent to Chancellor Green Center (on the Firestone Library side);
- the area in front of Frist Campus Center on the north side, by the Frist "gateway”;
- the areas to the west and south of Alexander Hall, and to the east of Alexander Hall, between Stanhope Hall and West College;
- the area in the vicinity of the east entrance to the University Store;
- the area between Whig and Clio halls;
- the cobblestone area between Firestone Library and Washington Road;
- the area in the vicinity of the arch near the entrance to McCosh Hall, Room 50;
- Scudder Plaza at Robertson Hall;
- the area adjacent to Shapiro Walk between the Department of Computer Science and Mudd Manuscript Library;
- the walkway in front of Nassau Hall;
- the area in the vicinity of the north entrance to Jadwin Gymnasium.

In asking groups and individuals to seek prior approval for schedule and location, the University's goal is not to restrict free speech or peaceable assembly. Rather, it is to give the University the opportunity to provide space that accommodates the reasonable needs of both the University community and those engaged in acts of speech or protest. The University reserves the right to determine the time, place, and manner of all such activities.

Whenever appropriate, the Office of the Dean of Undergraduate Students, with assistance from and in consultation with the Department of Public Safety, will designate clearly marked areas for protests and demonstrations from among the list that appears above. In addition to those on this list, other locations may be designated because of particular circumstances associated with a protest or demonstration (for example, to schedule a protest in the vicinity of a campus public lecture held in a location not near those on the list). To the
extent practicable, the marked areas will be within reasonable sight and sound of the speaker’s and the audience’s ingress to and egress from the location of the event. The University reserves the right to refuse permission to use a particular area for protests or demonstrations, including those on the designated area list. When such a decision is reached, the University will provide reasons when asked.

It is a violation of these policies whenever any individual prevents, or willfully attempts to prevent, the orderly conduct of a University function or activity, such as lectures, meetings, interviews, ceremonies, and public events; or blocks, or willfully attempts to block, the legitimate activities of any person on the campus or in any University building or facility.

Whenever a member of the University community, that is a member of the faculty, staff or student body, violates these policies, that individual will be subject to University discipline and/or arrest. Whenever a nonmember of the University community violates these policies, that individual will be subject to arrest. Decisions to invoke University disciplinary action or arrest in the course of a protest or demonstration will be made after due warning and, wherever possible, such decisions will be made by officers of the University (see the Bylaws of the Board of Trustees).

All members of the press and media, both those affiliated with the University and those with no affiliation to the University, are fully subject to these provisions unless special arrangements for press coverage have been authorized by the University’s Office of Communications. Ordinarily, arrangements of some kind to permit press coverage will be made when circumstances allow, and will be administered by the Office of Communications.

1.2.5 Distribution of Written Materials by Members of the University Community
Free inquiry, free expression, and civility within this academic community are indispensable to the University’s objectives. Inclusion of the name, telephone number, and/or e-mail address of the University sponsoring organization or individual member of the University community on material resembling petitions, posters, leaflets distributed on campus, including materials disseminated using campus information technology resources or University Internet access is encouraged, since such attribution promotes and facilitates civility as well as vigorous debate in the academic community. Anonymous public postings without sponsorship of a registered University organization shall be removed or deleted if a complaint by a member of the University is lodged with the Office of the Dean of Undergraduate Students or the Office of the Dean of the Graduate School.

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1.6 Resolution of Complaints Against Members of the University Community

1.6.1 Informal Procedures
The University encourages open and honest communication between members of the community. Most conflict and differences of opinion between members of the University community can be resolved by the individuals directly confronting issues and jointly exploring alternatives. In addition, there are a variety of resources available to individuals who may be called upon to assist in informal conflict resolution. These are, in the case of students and faculty: the dean of the faculty, dean of undergraduate students, and dean of the Graduate School, and, in the case of staff: the supervisor’s supervisor or department head, the human resources representative, and the Employee Assistance Program counselor. All members of the community also can contact the director for equal opportunity
programs or the Title IX coordinator for concerns or complaints relating to harassment and discrimination. Additional resources include: the SHARE counselor for cases relating to sexual misconduct and the University ombudsperson.

### 1.6.2 Formal Procedures

In cases where conflicts cannot be mutually resolved, the University has established formal complaint procedures. For further information, students should consult the Orange Pages. Faculty, administrators, and staff should consult their applicable policy manuals.

### 1.6.3 Protection from Retaliation

Federal and state laws, as well as University policies, provide members of the University community with protection from retaliation, and underscore that retaliatory conduct may have serious consequences, including disciplinary sanctions.

Retaliation against a person who, in good faith, files a complaint or participates in the reporting or investigation process pertaining to a complaint is a particularly serious offense. Complaints of retaliation should be reported as possible violations of University policies.

A complaint of retaliation does not constitute proof of prohibited conduct. Therefore, such a complaint shall not be taken into account during reappointment, tenure, promotion, merit, or other evaluation or review until a determination has been made that there has been a violation of University policy.

### 1.6.4 Academic Matters

An undergraduate student with a grievance should first bring it to the attention of the faculty member(s) involved. If the grievance cannot be resolved in this way, the student should discuss the matter with the chair of the relevant department. If the student feels that a satisfactory resolution has not been found, he or she may present the grievance to the dean of the college. The dean of the college resolves all aspects of the complaint unless he or she determines that the grievance raises issues of faculty misconduct, in which case he or she should refer those portions of the complaint to the dean of the faculty. The dean of the faculty renders a decision about issues of faculty misconduct and may, in his or her discretion, choose to appoint a special committee of faculty to advise with regard to resolution of those issues. (A graduate student with a grievance should consult the procedures under section 2.6.7.)

A student who questions the appropriateness of a grade should begin by talking to the faculty member in charge of the course. If the student continues to believe that the grade seems unjust, the next step would be to talk to the chair of the department (or departmental representative) or the director of the program in which the course is offered. If the student is still not satisfied, the situation may be reported to the dean of the college. In unusual circumstances, where these conversations have not yielded a satisfactory understanding, a formal appeal may be presented to the Faculty Committee on Examinations and Standing. A grade change can be submitted by the faculty member in charge of the course if circumstances warrant such an action.

*Rules and Procedures of the Faculty* provides that the Faculty Advisory Committee on Policy may hear appeals from decisions of faculty committees made on academic grounds that directly affect a student’s academic standing and for which appeal is not otherwise provided.

### 1.6.5 Nonacademic Matters Involving Sexual Misconduct

See 1.2.3.
1.6.6 Nonacademic Matters Other Than Sexual Misconduct Involving Students
In some instances, an alleged infringement upon the rights or sensibilities of an individual, including complaints of discrimination or harassment in the student-on-student context, can be discussed among the involved parties. If this is not appropriate or advisable or does not lead to a satisfactory resolution, the matter should be immediately brought to the attention of the dean or an associate dean of undergraduate students or the dean or an associate dean of the Graduate School. If the matter is not resolved through discussion or through formal action by a dean, a complaint can be made in accordance with the normal disciplinary procedures (see section 2.5, or, in cases of alleged infringement by graduate students, see section 2.6.7).

If a matter involving alleged discrimination, or harassment is not resolved informally, then a complaint may be made to the dean or an associate dean of undergraduate students or the dean or an associate dean of the Graduate School. (Individuals may elect to submit a complaint utilizing the University’s complaint form, which may be accessed at – insert link/URL.) The dean or associate dean may refer the matter to the appropriate disciplinary committee or administrator for adjudication in accordance with the normal disciplinary procedures. (For additional information regarding the student disciplinary process, including appeal procedures, see section 2.5, or, in cases of alleged infringement by graduate students, see section 2.6.7).

1.6.7 Nonacademic Matters Involving Undergraduate Student Organizations
If a grievance cannot be resolved directly with the leadership of the student organization, a grievance may be brought to the attention of the dean or an associate dean of undergraduate students. The dean may seek advice from the Committee on Undergraduate Life in resolving the matter.

1.6.8 Nonacademic Matters Other Than Sexual Misconduct Regarding Faculty, Staff, or Administration
In some instances, an individual who has any concern about, or complaint against, a member of the faculty, staff, or administration regarding nonacademic matters can discuss the concern or complaint with the individual involved. If this is not appropriate or advisable, or does not lead to a satisfactory resolution, the person should immediately, in the case of a faculty member, appeal to the department chair and, in the case of a member of the University staff or administration, to the head of the office. Further appeal, if necessary, may then be made to the Office of the Dean of the Faculty for matters pertaining to faculty, professional library staff, and professional research and technical staff, or to the Office of Human Resources or to the director for equal opportunity programs for all other staffs. All complaints will be investigated promptly.

If the matter is such that a direct discussion of it with the individual involved and/or with his or her department chair or office head does not seem appropriate (because, for example, the concern or complaint is of a personal or private nature), an initial discussion may be sought directly with the Office of the Dean of the Faculty or the Office of Human Resources, as appropriate.

Concerns or complaints about nonacademic matters can often be resolved on an informal basis. Whenever an individual wishes to make a formal complaint, however, he or she should review the appropriate staff rules or handbook and then contact the Office of the Dean of the Faculty, the Office of Human Resources to implement the formal review process.
In cases of alleged discrimination or harassment the individual may wish to first discuss the problem, in confidence, with the University ombudsperson or other confidential campus resource. [For a full list of campus resources in this context, see the University’s Nondiscrimination/Anti-Harassment Policy and Procedures – insert link to Provost’s Office diversity web page.]

In cases of alleged infringement by members of the faculty or other academic staff members (professional library staff, professional research staff or professional technical staff), complaints may be made to the dean or associate deans of the faculty; in cases of alleged infringement by members of the administrative and support staff, complaints may be made to the vice president for human resources or the director for equal opportunity programs. (Individuals may elect to submit a complaint utilizing the University’s complaint form, which may be accessed at – insert link/URL.) The investigating office will conduct a fact-finding inquiry in accordance with the process set forth in the Nondiscrimination/Anti-Harassment Policy and Procedures. (The full text of this policy, including investigation and appeal procedures, can be accessed at: [insert link/URL].)
Unlawful Forms of Bias, Discrimination, or Harassment

At Princeton University, unlawful harassment is defined as unwelcome verbal or physical behavior which is directed at a person because of his/her race, creed, color, sex, gender identity, age, national origin, ancestry, religion, physical or mental disability, veteran’s status, marital or domestic partnership status, affectional or sexual orientation, or other classification protected by applicable law, when these behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual’s educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.

Discrimination against a person on the basis of his/her race, creed, color, sex, gender identity, age, national origin, ancestry, religion, physical or mental disability, veteran’s status, marital or domestic partnership status, affectional or sexual orientation, or any other classification protected under applicable law is unlawful and in violation of this policy. The University expects all members of the University community, as well as its visitors, to be treated equally based on merit in all aspects related to its educational programs and activities, and in all aspects related to employment.

While each situation must be considered in light of the specific facts and circumstances to determine if a violation of this policy has occurred, the University is seriously committed to disciplinary action against all forms of harassment.

Procedures for resolving complaints or grievances relating to issues of harassment or discrimination are described on pages 21–22.

Sexual Harassment and Assault

Every member of the University community should be aware that the University is strongly opposed to sexual harassment and assault and that such behavior is prohibited both by federal and state law and by University policy. It is the intention of the University to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior that violates this policy.

Definition of Sexual Harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to or rejection of such conduct is made implicitly or explicitly a term or condition of instruction, employment, or participation in any University activity or benefit; or
2. Submission to or rejection of these behaviors by an individual is used as a basis for evaluation in making academic or personnel decisions; or
3. These behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual’s educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.

Definition of Sexual Assault. Princeton University defines sexual assault (including but not limited to rape) as committing any of the following acts:

1. Any sexual physical contact that involves the use or threat of force or violence or any other form of coercion or intimidation;
2. Any sexual physical contact with a person who is unable to consent due to incapacity or impairment, mental or physical. “Incapacity” or “impairment” normally includes but is not limited to being asleep or under the influence of alcohol or drugs.
The University defines rape as sexual assault involving an act of penetration and considers it to be an especially serious offense. Sexual assault includes both "stranger rape" and "acquaintance rape" (in which the assailant and victim know each other).

All forms of sexual assault and all attempts to commit such acts are regarded as serious University offenses which are likely to result in suspension, suspension with conditions, or expulsion. New Jersey criminal law encompasses the offenses identified above, and prosecution may take place independently of charges under University regulations. Convictions under New Jersey law can result in imprisonment for up to 20 years; see "The University, the Law, and Property Rights" (pages 8–13).

In determining whether the alleged conduct constitutes sexual harassment or assault, consideration will be given to the totality of circumstances involved in the incident, including the nature of the sexual conduct and the context in which the alleged incident occurred. Procedures for resolving complaints or grievances relating particularly to sexual harassment and assault are described on pages 21–22. Details of University procedures for responding to complaints, including an explicit listing of victim's rights, can be obtained from the Offices of: SHARE (University Health Services), the Dean of Undergraduate Students (West College), the Dean of the Graduate School (Nassau Hall), the Dean of the Faculty (Nassau Hall), and the Vice President for Human Resources (New South).

Peaceful Dissent, Protests, and Demonstrations

Free speech and peaceful assembly are basic requirements of the University as a center for free inquiry and the search for knowledge and insight. These rights involve a concurrent obligation on the part of all members of the University, guests, and visitors to maintain on the campus an atmosphere conducive to scholarly pursuits and to respect the rights of all individuals.

In view of Princeton's obligation to promote the free expression of all views, the campus is open to any speaker whom students or members of the faculty have invited and for whom official arrangements to speak have been made with the University. The right of free speech in a university also includes the right to acts of peaceful dissent, protests in peaceable assembly, and orderly demonstrations which include picketing and the distribution of leaflets. These are permitted on the Princeton campus, subject to approval as to schedule and location, unless, or until, they disrupt regular and essential operations of the University or significantly infringe on the rights of others, particularly the right to listen to a speech or lecture.

All individuals and groups planning to engage in activities of the sort described in the previous paragraph should seek approval from the Office of the Dean of Undergraduate Students. Locations generally approved for these activities include, but are not limited to the following:
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- the area in front of Frist Campus Center on the north side, by the Frist "gateway";
- the areas to the west and south of Alexander Hall, and to the east of Alexander Hall, between Stanhope Hall and West College;
- the area in the vicinity of the east entrance to the University Store;
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- the area in the vicinity of the arch near the entrance to McCosh Hall, Room 50;
- Scudder Plaza at Robertson Hall;
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- the walkway in front of Nassau Hall;
- the area in the vicinity of the north entrance to Jadwin Gymnasium.

In asking groups and individuals to seek prior approval for schedule and location, the University's goal is not to restrict free speech or peaceable assembly. Rather, it is to give the University the opportunity to provide space that accommodates the reasonable needs of both the University community and those engaged in acts of speech or protest. The University reserves the right to determine the time, place, and manner of all such activities.

Whenever appropriate, the Office of the Dean of Undergraduate Students, with assistance from and in consultation with the Department of Public Safety, will designate clearly marked areas for protests and demonstrations from among the list that appears above. In addition to those on this list, other locations may be designated because of particular circumstances associated with a protest or demonstration (for example, to schedule a protest in the vicinity of a campus public lecture held in a location not near those on the list). To the extent practicable, the marked areas will be within reasonable sight and sound of the speaker's and the audience's ingress to and egress from the location of the event. The University reserves the right to refuse permission to use a particular area for protests or demonstrations, including those on the designated area list. When such a decision is reached, the University will provide reasons when asked.

It is a violation of these policies whenever any individual prevents, or willfully attempts to prevent, the orderly conduct of a University function or activity, such as lectures, meetings, interviews, ceremonies, and public events; or blocks, or willfully attempts to block, the legitimate activities of any person on the campus or in any University building or facility.

Whenever a member of the University community, that is a member of the faculty, staff or student body, violates these policies, that individual will be subject to University discipline and/or arrest. Whenever a nonmember of the University community violates these policies, that individual will be subject to arrest. Decisions to invoke University disciplinary action or arrest in the course of a protest or demonstration will be made after due warning and, wherever possible, such decisions will be made by officers of the University (see the Bylaws of the Board of Trustees).

All members of the press and media, both those affiliated with the University and those with no affiliation to the University, are fully subject to these provisions unless special arrangements for press coverage have been authorized by the University's Office of Communications. Ordinarily, arrangements of some kind to permit press coverage will be made when circumstances allow, and will be administered by the Office of Communications.

Distribution of Written Materials by Members of the University Community

Free inquiry, free expression, and civility within this academic community are indispensable to the University's objectives. Inclusion of the name, telephone number, and/or e-mail address of the University sponsoring organization or individual member of the University community on material resembling petitions, posters, leaflets distributed on campus, including materials disseminated using campus information technology resources or University Internet access is encouraged, since such attribution promotes and facilitates civility as well as
Discrimination, people living with HIV infection are accorded rights of access to every aspect of Princeton University life, including regular academic, employment, social, cultural, spiritual, and athletic activities, and student support and human resources services. Princeton University makes reasonable accommodations for people living with HIV infection.

**HIV Prevention**

*Occupational Health and Safety Practices and Training.* Princeton University adheres to Occupational Safety and Health Administration (OSHA) standards to decrease and prevent transmission of infectious diseases, including HIV infection and hepatitis B virus, through occupational exposure. Employees whose occupations place them at risk of exposure to contaminated blood and other body fluids must practice universal precautions at the worksite. In accordance with OSHA regulations, the University’s Office of Environmental Health and Safety is responsible for coordinating OSHA mandated training.

**Screening for HIV Infection**

As an institution, Princeton University does not mandate testing for any individual or group. However, the University encourages voluntary testing, which may be obtained through confidential or anonymous testing facilities, because early identification of the infection can minimize its transmission and allow early treatment which may prolong life expectancy and enhance quality of life.

**Health Maintenance and Services for People Living with HIV Infection**

*Health Maintenance.* Individuals with HIV infection who choose to seek treatment for their condition may be covered under the appropriate University Health Services (UHS) clinic or through the University’s insurance plan. However, the University does not encourage testing for HIV infection as a matter of policy. Individuals with HIV infection are encouraged to seek medical care and treatment from qualified health care providers.

*Insurance.* Members of the University community are covered under a variety of health care plans that can be used to cover the cost of medical management of HIV infection. Individual policies cover illnesses at different levels and should be consulted as needed.

**Legal Issues**

*Compliance.* The vice provost for institutional equity and diversity oversees the University’s compliance with federal, state, and local laws which protect people with disabilities, including HIV infection, from discrimination. The University’s Office of Environmental Health and Safety oversees the University’s compliance with OSHA standards.

*Confidentiality.* All members of the University community are expected to respect others’ rights to confidentiality. Non-consensual disclosure of another person’s HIV status is strongly discouraged. In addition, those who are responsible for supervising others, such as managers and administrators, may only reveal information about the disabilities of their faculty, staff or students, including their HIV status, on a need to know basis such as to fulfill a request for a reasonable accommodation or provide information to a health care professional providing emergency medical treatment. Clinicians conducting confidential HIV testing at University Health Services are obligated to report positive HIV test results to the New Jersey Department of Health.

**Discrimination.** HIV infection status is treated like any other disability when considering an individual’s ability to participate in the community or to fulfill academic or job responsibilities. HIV status does not affect determinations regarding working and living arrangements, admission, hiring, advancement, promotion, or termination of students, faculty, or staff.

In addition, acts of discrimination against any member of the community living with HIV infection, perceived to be HIV positive or serving as a care-taker for someone who is HIV positive may violate federal and state statutes, and recourse may be available under these statutes. Acts of discrimination also violate University regulation and are not tolerated.

**Conclusion**

Princeton University encourages its community to work together to prevent transmission of HIV and to become actively involved in supporting and caring for members of our community who are living with HIV infection.

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**Resolution of Complaints and Grievances**

**Informal Procedures**

The University encourages open and honest communication between members of the community. Most conflict and differences of opinion can be resolved by the individuals directly confronting issues and jointly exploring alternatives. In addition, there are a variety of resources available to individuals who may be called upon to assist in informal conflict resolution. These are, in the case of students and faculty: the dean of the faculty, dean of undergraduate students, and dean of the Graduate School and, in the case of staff: the supervisor’s supervisor or department head, the human resources representative, and the Employee Assistance Program counselor. Additional resources include the SHARE counselor for cases relating to sexual harassment; the director for equal opportunity programs; for problems relating to discrimination; and the University ombudsperson.

**Formal Procedures**

In cases where conflicts cannot be mutually resolved, the University has established formal grievance procedures. For further information, students should consult the Office of the Vice Provost for Institutional Equity and Diversity. Faculty, administrators, and staff should consult their relevant policy manuals.

**Protection from Retaliation**

Federal and state laws, as well as University policies, provide members of the University community with protection from retaliation, and underscore that retaliatory conduct may have serious consequences, including disciplinary sanctions.

Retaliation against a person who, in good faith, files a complaint or participates in the reporting or investigation process pertaining to a complaint is a particularly serious offense. Complaints of retaliation should be reported as possible violations of University policies.
A complaint of retaliation does not constitute proof of prohibited conduct. Therefore, such a complaint shall not be taken into account during reappointment, tenure, promotion, merit, or other evaluation or review until a determination has been made that there has been a violation of University policy.

**Academic Matters**

An undergraduate student with a grievance should first bring it to the attention of the faculty member(s) involved. If the grievance cannot be resolved in this way, the student should discuss the matter with the chair of the relevant department. If the student feels that a satisfactory resolution has not been found, he or she may present the grievance to the dean of the college. The dean of the college resolves all aspects of the complaint unless he or she determines that the grievance raises issues of faculty misconduct, in which case he or she should refer those portions of the complaint to the dean of the faculty. The dean of the faculty renders a decision about issues of faculty misconduct and may, in his or her discretion, choose to appoint a special committee of faculty to advise with regard to resolution of those issues. (A graduate student with a grievance should consult the procedures on pages 75–76.)

A student who questions the appropriateness of a grade should begin by talking to the faculty member in charge of the course. If the student continues to believe that the grade seems unjust, the next step would be to talk to the chair of the department (or departmental representative) or the director of the program in which the course is offered. If the student is still not satisfied, the situation may be reported to the dean of the college. In unusual circumstances, where these conversations have not yielded a satisfactory understanding, a formal appeal may be presented to the Faculty Committee on Examinations and Standing. A grade change can be submitted by the faculty member in charge of the course if circumstances warrant such an action.

**Nonacademic Matters Involving Students**

In some instances, an alleged infringement upon the rights or sensibilities of an individual, including complaints of discrimination or harassment by an undergraduate or graduate student, can be discussed with that student. If this is not appropriate or advisable, or does not lead to a satisfactory resolution, the matter should be immediately brought to the attention of the dean or an associate dean of undergraduate students or the dean or an associate dean of the Graduate School. If the matter is not resolved through discussion or through formal action by a dean, a complaint can be made in accordance with the normal disciplinary procedures (see pages 65–70), or, in cases of alleged infringement by graduate students, to the dean of the Graduate School (see pages 72–76).

**Nonacademic Matters Involving Undergraduate Student Organizations**

If a grievance cannot be resolved directly with the leadership of the student organization, a grievance may be brought to the attention of the dean or associate dean of undergraduate students. The dean may seek advice from the Committee on Undergraduate Life in resolving the matter.

**Nonacademic Matters Regarding Faculty, Staff, or Administration**

In some instances, an individual who has any concern about, or complaint against, a member of the faculty, staff, or administration regarding nonacademic matters, including complaints of discrimination or harassment, can discuss the concern or complaint with the individual involved. If this is not appropriate or advisable, or does not lead to a satisfactory resolution, the person should immediately, in the case of a faculty member, appeal to the department chair and, in the case of a member of the University staff or administration, to the head of the office. Further appeal, if necessary, may then be made to the Office of the Dean of the Faculty for matters pertaining to faculty, professional library staff, and professional research and technical staff, or to the Office of Human Resources or to the director for equal opportunity programs for all other staffs. All complaints will be investigated promptly.

If the matter is such that a direct discussion of it with the individual involved and/or with his or her department chair or office head does not seem appropriate (because, for example, the concern or complaint is of a personal or private nature), an initial discussion may be sought directly with the dean of the faculty or the Office of Human Resources as appropriate.

Concerns or complaints about nonacademic matters can often be resolved on an informal basis. Whenever an individual wishes to make a formal complaint, however, he or she should review the appropriate staff rules or handbook and then contact the Office of the Dean of the Faculty or Office of Human Resources to implement the formal review process.

**Matters Involving Sexual Harassment or Assault or Other Forms of Bias, Discrimination, or Harassment**

In cases of alleged sexual harassment or assault—defined on page 5—the complainant may wish to discuss the problem, in confidence, with a member of the Sexual Harassment and Assault Advising Resources and Education (SHARE) Office. In cases of alleged unlawful discrimination or harassment—defined on page 5—the complainant may wish first to discuss the problem in confidence with the University ombudsperson.

In addition, other administrators, specifically designated to handle these matters discreetly, are available in such offices as: dean of the faculty, dean of the Graduate School, dean of undergraduate students and Human Resources. These administrators have been selected for their sensitivity to the needs of the diverse population of the University community. They are prepared to offer support and advice about established policies and procedures for dealing with matters of sexual or other harassment and discrimination. Other resources available to members of the University community who wish to discuss their concerns about discrimination or sexual or other forms of harassment include: the counselors of the University Health Services Counseling Center; the chaplains in the Office of Religious Life; the directors of the Women's Center, the Fields Center, the Davis International Center, the Lesbian, Gay, Bisexual, and Transgender Center; and the masters and directors of studies of the residential colleges. For more information, consult the anti-harassment policy and grievance procedures at www.princeton.edu/diversity/policy/anti-harassment/.
If a matter involving alleged harassment or discrimination or sexual harassment or assault by an undergraduate or graduate student is not resolved through discussion, then a complaint may be made to the dean of undergraduate students or the dean of the Graduate School who may refer the matter to the appropriate disciplinary committee or person for action. In cases of alleged infringement by members of the faculty or other academic staff members (professional library staff, professional research staff or professional technical staff), complaints may be made to the dean or associate deans of the faculty; in cases of alleged infringement by members of the administrative and support staff, complaints may be made to the vice president for human resources or the director for equal opportunity programs.

**Appeals Regarding Procedural Unfairness in Initial Proceedings**

The Judicial Committee of the Council of the Princeton University Community may, in accordance with the charter of the council, hear procedural appeals from the Committee on Discipline and nonacademic decisions of the dean of the Graduate School. Rules and Procedures of the Faculty provides that the Faculty Advisory Committee on Policy may hear appeals from decisions of faculty committees made on academic grounds that directly affect a student’s academic standing and for which appeal is not otherwise provided.

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**The Council of the Princeton University Community (CPUC)**

In May 1969, a Special Committee on the Structure of the University, chaired by Professor Stanley Kelley Jr., proposed the establishment of a Council of the Princeton University Community as “a permanent conference of the representatives of all major groups of the University” where “they could each raise problems that concern them and . . . be exposed to each other’s views.” The council first met on October 27, 1969. Typically, it meets five times during the academic year, with special meetings as needed. Copies of the CPUC Charter are available in the office of the council secretary, 1 Nassau Hall.

**Powers**

The Council of the Princeton University Community is primarily a deliberative and consultative body, with authority to:

1. Consider and investigate any question of University policy, any aspect of the governing of the University, and any general issue related to the welfare of the University; and to make recommendations regarding any such matters to the appropriate decision-making bodies of the University or to the appropriate officers of the University.

2. Make rules regarding the conduct of resident members of the University community, which rules shall be binding on them; but the council may delegate authority to make rules, and, with respect to matters mainly of concern to a particular group within the University community, the authority to make rules shall normally be delegated to a body representing that group or shall be exercised in a manner otherwise acceptable to the members of that group.

3. Oversee the making and the applying of rules regarding the conduct of resident members of the University community, whether such rules shall have been made by other bodies, by the council itself, or by officers of the University, for the purpose of ensuring that such rules protect the rights of individuals and the legitimate interests of the University, and that they are clear in meaning, fair, enforceable, and in conformity with the law. The council normally would not consider matters primarily academic in nature.

**Membership**

Following a series of charter amendments in the fall of 1975, membership of the CPUC was set at 50, as follows:

1. Administration. (6) The president, the provost, and four appointed each year by the president from among the executive vice president, the financial vice president and treasurer, the secretary of the University, the dean of the faculty, the dean of the Graduate School, the dean of the College, and the vice president for campus life.

2. Faculty. (15) At least two from each division and four non tenure.

3. Undergraduates. (12) Including the president and vice president of the Undergraduate Student Government and 10 undergraduates elected at large from the student body in April.

4. Graduate Students. (7) At least one from each division.


6. Staff. (7) One each from the professional library staff, the administrative staff, the professional research staff, the professional specialists, and the office staff, and two staff members from groups not otherwise represented.

**Committees**

Much of the work of the Council of the Princeton University Community is conducted through its standing committees or through such special committees as have been established from time to time. The standing committees of the CPUC are:

1. The Executive Committee. The President of the University is the presiding officer of the council and of the Executive Committee. The committee has 14 members, including, in addition to the president, six faculty members (at least one from each division and one non tenure), three undergraduates (including the chair of the Undergraduate Student Government), two graduate students, and two members selected by the council from among the staff and alumni representatives. The Executive Committee sets the council’s agenda, recommends the appointment of members of council committees, may consider any matter within the jurisdiction of the council, and serves as an informal advisory body to the president.

2. The Committee on Rights and Rules. The Committee on Rights and Rules, on behalf of the Council, considers and investigates the adequacy of all rules regarding the conduct of resident members of the University community, and the adequacy of the procedures for making and applying such rules.

3. The Committee on Governance. The Committee on Governance, on behalf of the council, considers and investigates questions relating to the governing of the University. It also consults with the Executive Committee of the Board of Trustees regarding the filling of vacancies among the charter and term trustees, and meets with the Committee on Honorary Degrees of the Board of Trustees to consult with it concerning the awarding of honorary degrees.
Student Disciplinary Processes for All Graduate and Undergraduate Behavioral (Nonacademic) Infractions, Including Sexual Misconduct, in the Faculty-Student Committee on Discipline

Rationale

The working group convened by Provost Christopher Eisgruber to implement the recommendations of the Sexual Misconduct Working Group (SMWG) and the SHARE Task Group in as timely a manner as possible, informed by the DOE-OCR guidance, began by focusing on the University’s student discipline process as pertains to student-on-student sexual misconduct. The group recognized the likelihood that instances of sexual misconduct may be inextricably linked to other infractions, such as theft or assault, and found it compelling to expand the work to encompass the student discipline process for all serious behavioral (nonacademic) infractions.

The primary changes being proposed include 1) establishing an integrated process for undergraduate and graduate students for behavioral (nonacademic) cases, 2) increasing the number of faculty (from four to six) and adding five graduate students to the CoD, and 3) creating one appellate body consisting of the chair of the Judicial Committee, Dean of the College and the Dean of the Graduate School to hear all three grounds of appeal (procedural fairness, penalty and new information).

These changes will simplify and expedite the process, achieve an optimal balance between broad community involvement, specialized procedural expertise and efficiency, and reduce the imposition of faculty time in the process.

These amendments to the University’s student discipline process address several of the most significant issues that were highlighted in the DOE-OCR “Dear Colleague Letter.” In particular, the student discipline procedures described below are informed by the DOE-OCR recommendations for timely, equitable, efficient and clear adjudication and appeals procedures for student-on-student sexual harassment and sexual violence cases.

Below is a description of the initial hearing and appeal process.

Initial Hearing

Jurisdiction:

The Faculty-Student Committee on Discipline will adjudicate all alleged behavioral infractions committed by graduate and undergraduate students 1) that might reasonably result in separation from the University or 2) for which no clear precedent exists.

As in current practice, the Committee on Discipline also will adjudicate all alleged academic infractions committed by undergraduates outside the classroom not covered under the
jurisdiction of the Undergraduate Honor Committee. Also reflecting current practice, all alleged academic infractions committed by graduate students will continue to be resolved by the Subcommittee on Student Life and Discipline of the Faculty Committee of the Graduate School.

**Membership:**

The Dean of Undergraduate Students will serve as chair of the Committee on Discipline without vote and an Associate or Assistant Dean of Undergraduate Students or an Associate Dean of the Graduate School will serve as secretary to the committee without vote. The Committee will consist of the following voting members: Six members of the faculty (no more than four of whom may be present during any hearing); a dean from the Office of the Dean of the College and a dean from the Office of the Dean of the Graduate School (only one of whom may be present during any hearing); and five undergraduate students and five graduate students (a maximum of five students may be present during any hearing). A quorum consists of at least three student members and at least two faculty members.

Graduate student members will serve on cases involving graduate students and undergraduate members will serve on cases involving undergraduates. In a case involving a graduate student and an undergraduate student, student Committee members will be drawn from both the graduate and undergraduate members. Normally, a dean from the Office of the Dean of the College will serve on cases involving undergraduates and a dean from the Office of the Dean of the Graduate School will serve on cases involving graduate students, and either may chair the Committee (or the Subcommittee described below) without vote in lieu of the Dean of Undergraduate Students.

**Subcommittee on Sexual Misconduct:**

A subcommittee drawn from the Committee on Discipline comprising four voting members -- two faculty members and two students -- as well as a chair and secretary will adjudicate cases of sexual misconduct. The Subcommittee will normally be chaired by the Dean of Undergraduate Students, serving without vote except in the event of a tie. Usually, in instances where the respondent is an undergraduate student, a dean from the Office of the Dean of Undergraduate Students will serve as secretary without vote. Similarly, when the respondent is a graduate student, a dean of the Graduate School will serve as secretary without vote.

When both respondent and complainant are undergraduates, the two student members of the committee will be undergraduates; when both respondent and complainant are graduate students, the two student members will both be graduate students; when the respondent is an undergraduate and the complainant is a graduate student (or vice versa), one undergraduate and one graduate student will serve on the subcommittee.

The Committee on Discipline and the Subcommittee on Sexual Misconduct will continue to use the “clear and persuasive” standard of evidence when deciding all cases, including sexual
misconduct. The Subcommittee will issue a decision about whether the student is responsible for the violation for which they have been charged and assign appropriate penalties.

Appeals

In all behavioral cases heard by the Committee on Discipline or its Subcommittee on Sexual Misconduct a student has the right to appeal questions of procedural unfairness, severity of penalty, or new information to a three-person appellate body comprising the Dean of the College, the Dean of the Graduate School and the chair of the Judicial Committee.

Grounds for appeals are as follows:

1) The procedures have not been fair and reasonable. The period of time under review starts when a student is formally charged with a violation and ends when the committee or subcommittee issues a final decision. Neither the choice of venue for the hearing nor the nature of the investigation is grounds for appeals.

2) There exists substantial relevant information that was not presented, and reasonably could not have been presented, to the Committee or Subcommittee.

3) The imposed penalty does not fall within the range of penalties imposed for similar misconduct.

The appellate body may decide to uphold the original decision of the Committee or Subcommittee; to reduce the imposed penalty; or to return the case to the original hearing body for additional proceedings, a rehearing, or other action. If modifications are made the body will consult with the Vice President for Campus Life before issuing its final decision.

The Associate Secretary of the University will serve as the secretary for the appeals process, with primary responsibility for interactions with the parties and for the gathering of information needed by the appellate body to inform a decision.