SECTION 4: SEXUAL VIOLENCE PROTOCOLS
4-6 INTERIM ARRANGEMENTS AND POST-HEARING INTERVENTION

UND actively provides services for all parties in domestic violence, dating violence, sexual assault, and stalking cases. UND continues a coordinated response system that attends to the complainant’s and respondent’s physical and emotional well-being as well as the safety of the community.

ADMINISTRATIVE SERVICES TO ASSIST A STUDENT COMPLAINANT OR RESPONDENT
The Dean of Students Office (DOS) will assist students, including collaborating with UPD and other departments to provide:

1. Referral to a counselor at the University Counseling Center (UCC), or referrals to outside provider(s). (Counseling Center)
2. Escort services. (UPD)
3. Assistance in petitioning for a protection order. UND honors orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court. (Women’s Center, DOS, and/or CVIC)
4. Withdrawal from the University. (DOS)
5. An on-campus investigation and, if appropriate, initiate on-campus disciplinary procedures. (DOS)
6. Other referrals as necessary.

ADMINISTRATIVE SERVICES TO ASSIST FACULTY OR STAFF COMPLAINANT OR RESPONDENT
The Title IX coordinator will assist faculty and staff, including collaborating with UPD and other departments to provide:

1. Referral to the Employee Assistance Program.
2. Escort services. (UPD)
3. Assistance in petitioning for a protection order. UND honors orders of protection, no-contact orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court. (Women’s Center and/or CVIC)
4. An on-campus investigation and, if appropriate, initiate disciplinary/dismissal procedures. (Title IX coordinator and/or Human Resources)
5. Other referrals as necessary.

INTERIM CONDITIONS AND POST-HEARING INTERVENTIONS APPLYING TO COMPLAINANTS AND RESPONDENTS

1. The complainant and/or respondent may have parking re-assigned.
2. The complainant and/or respondent may have on-campus residence changed.
3. The complainant and/or respondent may have his/her academic schedule altered and/or arrangements with instructors to assist in offsetting potential academic problems will be coordinated. This service is not applicable for a respondent who has been temporarily or immediately removed from campus and/or classes.
4. The respondent may be directed not to have contact, by any means, with a complainant.
5. The complainant may be directed not to have contact, by any means, with a respondent.
6. Any individual who is alleged to have committed a violent act, including domestic violence, dating violence, sexual assault, or stalking upon a member of the campus community, may be banned from campus and campus activities.
7. Other conditions as deemed appropriate.

University Disciplinary Sanctions for Students
A Student Conduct Administrator may impose one or more UND sanctions as described below for violations of the Code.

**STATUS SANCTIONS**

1. **Written Reprimand** — Written reprimand refers to official censure of a student’s conduct in violation of a regulation of the UND community. A written reprimand indicates no ongoing status change for the student.

2. **Warning Probation** — Warning probation indicates that further violations of the Code will result in more severe disciplinary action. Warning probation shall be imposed for a period of not more than one year and the student shall be removed automatically from probation when the imposed period expires.

3. **Conduct Probation** — Conduct probation indicates that further violations of the Code may result in Suspension. Conduct probation may not be imposed for more than one calendar year.

**RESTRICTIONS OR EDUCATIONAL ACTIVITIES SANCTIONS**

Having the intent of effecting a safer campus environment and/or promoting the development of a student determined responsible for Code violations, the SCA or judicial body may impose additional sanctions. Such sanctions may include but are not limited to:

1. The VPSA will direct a disciplinary withdrawal of a student who has been suspended by the SRC.

2. **No Contact Directive**: A directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, email, telephone, or through third parties.

3. Suspension of or restriction(s) on access to all or to specified campus facilities, buildings, or other locations; or services; or events.

4. Residence hall transfer, residence hall floor transfer, restricted access within the residence halls, restricted access to dining services, and removal and/or ban from the residence hall system for a specified period of time.

5. Suspension of or restriction(s) on driving on or parking in campus-controlled streets, roads, and parking lots.

6. Restitution to UND for cleaning, replacing, or restoring some specific area or thing when loss or damage was a result of the student’s disciplinary violation.

7. Referral for a behavioral assessment, to the University Counseling Center (UCC), or another provider approved by the UCC Director.

8. Mandated community service and/or participation in campus educational programs.

9. Mandated participation in one or more campus activities, lectures or workshops, and/or other activity that employs an educational purpose and accepted pedagogy.

10. **Enhanced Sanctions for Bias-Motivated Offenses** – Violators of the regulations and policies outlined in this document whose violations are motivated by bias may face more severe or enhanced sanctions. Violations motivated by bias include the intentional selection of a person against whom the violation is committed because of the race, religion, color, genetic information, gender, disability, sexual orientation, gender identity, national origin, ethnicity, age, or ancestry of that person.

**SUSPENSION**

The SRC may impose one or more University sanctions listed above and/or others and/or the UND sanction of suspension as described below.

Suspension will normally be for at least the remainder of the semester in which the penalty is imposed and will normally result in the cancellation of registration of the student. Suspension may be recommended for violations involving assault, domestic violence, dating violence, sexual assault, stalking, possession or trafficking in the
sale of drugs or weapons, false emergency report, interference in UND activities (classes, administration, research, fire, police, etc.), or other serious offenses, or knowingly violating the terms of any disciplinary sanctions imposed in accordance with the Code.

1. Suspension — Suspension is a temporary withdrawal of enrollment privileges and ban from campus property and activities (student) or recognition (student organization) for a specific period. Suspension notification will include conditions of the suspension and terms for reinstatement. In some cases, short term suspension may be imposed depending on the nature and severity of the offense.

2. Indefinite Suspension — Indefinite suspension is a suspension which involves no definite time limit and may carry conditions which must be met before the student/student organization may request reinstatement.

3. Emergency Suspension – The Vice President for Student Affairs (VPSA) or designee may direct the temporary, immediate removal of a student in accordance with the Code.

RECOMMENDATION AND AUTHORITY TO IMPOSE SUSPENSION
DOS has the final authority in the recommendation of suspension. The VPSA or designee authorizes an Emergency Suspension, subject to an Emergency Suspension Review Hearing by the SRC. The SRC has the sole authority to impose suspension.

University Disciplinary Sanctions for Faculty and Staff
The University will follow the disciplinary policies and procedures in the Faculty Handbook for faculty. North Dakota University System Human Resource Policy Manual section 25 and section 27 will be followed for any disciplinary acts involving staff. For employees excluded from the broadbanding system, State Board of Higher Education (SBHE) policy 608.2 will be followed. Faculty are not included under SBHE 608.2.

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