STUDENT CODE OF CONDUCT

The Fletcher School of Law and Diplomacy

A. PREAMBLE

The Fletcher School at Tufts University is a broad community of students, faculty, administrators, and many visitors. The long-standing mission of the School is:

- to educate professionals from around the world and to prepare them for positions of leadership and influence in the national and international arenas;
- to increase understanding of international problems and concerns through teaching, research, and publications;
- to serve local, national, and international communities in their search to develop relationships of mutual benefit, security, and justice in an increasingly interdependent world.

Fletcher students are expected to be responsible citizens of the School and should exercise good judgment and ethical behavior in their academic, professional, and personal lives. A professional, ethical environment requires a common set of behavioral expectations, the participation of all students, and adherence to Tufts University and Fletcher School policies.

The Fletcher Code of Conduct encompasses School and University policies that are designed to ensure that all students share a collective responsibility for maintaining the highest ethical standards and professional conduct. The Code of Conduct sets forth a process to ensure accountability, in order to reinforce the need for all students to comply with University policies and federal, state, and local laws of the surrounding cities in which they live, study, work, and visit.

The Code is supplemented by the Guiding Principles of The Fletcher School, which are set forth immediately below.

B. GUIDING PRINCIPLES OF THE FLETCHER COMMUNITY

The Guiding Principles of the Fletcher Community are values that students are expected to honor in their time at the School. These Principles are not formally part of the Code of Conduct but rather complement it by providing guidance on matters of broader concern that may arise within our community. Some actions that community members might find uncivil, rude, or disrespectful cannot be dealt with under the Code of Conduct Procedures set forth in Section E below. However, such concerns may be addressed in other ways, such as through counseling, mediation, and/or school-wide conversations to raise awareness of the perceived problems.
Accordingly, Fletcher students are expected to uphold the following Guiding Principles:

- **Community**—Build and enhance the community by fostering inclusiveness and collaboration. Treat all members of the community fairly.
- **Compassion**—Show kindness and compassion to others. Seek to interact with and understand people who are different from yourself. Understand and appreciate how your decisions and actions impact others.
- **Integrity**—Maintain the highest standards of academic and professional integrity, as set forth in the Code of Academic Integrity.
- **Respect**—Respect yourself, others, property, and the community, which includes respecting others’ safety, privacy, and personal autonomy. In both the intellectual and social community, respect transcends disagreement and facilitates learning and understanding.
- **Responsibility**—Be accountable for your decisions and actions, and do not abuse any position of authority or responsibility. Refrain from decisions and/or actions that would interfere with University activities or would expose the University to legal risk. Do not engage in any activity that would damage the health, safety, or welfare of anyone.

**C. Scope (Jurisdiction) of the Code of Conduct**

Fletcher’s Code of Conduct applies to all students, degree and non-degree, at The Fletcher School. Alleged violations of the Code of Conduct will be considered under the Procedure Regarding Violations of the Fletcher Code of Conduct set forth in Section E below.

The Code of Conduct applies during regular academic terms; during academic breaks, such as the summer or winter breaks; during internships; and while students are on personal, medical, or other leave. The Code of Conduct applies to behavior that occurs on any of Tufts' campuses, off campus, and online; it applies to students who are cross-registered at other universities or who are studying abroad. The Code of Conduct applies to all Fletcher student organizations.

In the event of serious misconduct committed while enrolled but reported only after the accused student has graduated, the University may invoke and utilize the Procedure Regarding Violations of the Fletcher Code of Conduct detailed in section E. Should the former student be found responsible for misconduct, the University may impose penalties up to and including revocation of that student’s degree.

In some instances, an action that violates Fletcher and/or Tufts policy may also violate the laws of Massachusetts or of federal or local governments. Any such violation of law may be pursued in civil or criminal court simultaneously with and separate from the resolution of a complaint through the Procedure Regarding Violations of the Fletcher Code of Conduct. A pending legal action shall not delay University action, nor shall the outcome of a civil or criminal case determine the outcome of a University proceeding.

**C. School and University Policies Included within the Code of Conduct**
Students are expected to abide by all published University policies, including the following Fletcher and Tufts University policies, which taken together make up the Fletcher Code of Conduct. All of the policies below are set forth or summarized in the Fletcher Student Handbook.

C1. Student Safety Policies

- Weapons & Violence Free University
- Alcohol and Other Drugs
- Smoking
- Disorderly Conduct
- Physical Abuse and Reckless Endangerment
- University-Affiliated International Travel Safety
- Threats
- Theft
- Unauthorized access
- Fire Safety, Life Safety Equipment, and Residence Hall Security Devices

C2. Working with Others Policies

- Prohibited Relationships with Students Policy
- Hate Crimes and Bias-Motivated Violations
- Harassment
- Hazing
- Retaliation

C3. Community Living Policies

- Disruption of Community Well-Being
- Disruption of a Community Activity
- Gatherings, Protests, and Demonstrations
- Declaration on Freedom of Expression
- Noise Complaints
- Off-Campus Disturbances
- Property Damage and Vandalism
- Unauthorized Recording
- Tufts Policy on Political Activities
- Controversial Speakers and Programs
- Failure to Comply with a University Official
- Gaming and Gambling
- Public Nudity

C4. Information Technology Policies
C5. **Student Organization Policies**

- Fletcher Trek Policy
- Fundraising

**D.** **Conduct Not Addressed by the Code of Conduct**

**D1. Sexual misconduct**

Allegations of a sexual misconduct policy violation are resolved using the sexual misconduct adjudication process (SMAP). Information about the SMAP is available online at [https://oeo.tufts.edu/policies-procedures](https://oeo.tufts.edu/policies-procedures) and is summarized in the Student Handbook.

**D2. Discrimination**

Allegations that University non-discrimination policy was violated are investigated by the Office of Equal Opportunity (OEO). Information about the OEO’s non-discrimination investigation and resolution procedures are available online at [https://oeo.tufts.edu/policies-procedures](https://oeo.tufts.edu/policies-procedures) and is summarized in the Student Handbook.

**D3. Violations of academic or professional integrity**

Allegations of violations of standards of academic or professional integrity are governed by the Code of Academic Integrity (“Honor Code”) and resolved under that Code. The Code of Academic Integrity is available in the Student Handbook and available on-line at [https://sites.tufts.edu/fletcherconnect/academics/policies/honor-code/](https://sites.tufts.edu/fletcherconnect/academics/policies/honor-code/).

**D4. Grievances against a faculty member or administrator affiliated with Fletcher**

Grievances against Fletcher faculty member or administrator are governed by the Student Grievance Procedure set forth in the Student Handbook.

**E.** **Procedure Regarding Violations of the Fletcher Code of Conduct**

Alleged violations of the University or Fletcher policies embodied in Fletcher’s Code of Conduct by any Fletcher student, as witnessed by any employee, student, or other individual, will be
handled as described in the following section, unless otherwise indicated in the relevant policy. Allegations of failure to conform to the Guiding Principles (Section B above) are not subject to these Procedures.

E1. Code of Conduct Committee

At the beginning of each academic year, the Dean of The Fletcher School shall appoint a Code of Conduct Committee composed of five people drawn from the School. Three members of the committee shall be members of the faculty; one member shall be a second-year Fletcher student, elected by the student body of the School; and one member shall be the Fletcher Director of Student Affairs or her/his designated representative. When a matter is referred to the Code of Conduct Committee, the Committee shall evaluate the information presented and determine an appropriate outcome or sanction, if any, pursuant to the following procedures. Decisions regarding a violation of the Code of Conduct are based upon the preponderance of the evidence (whether it was more likely than not that policy was violated by the conduct alleged).

E2. Disciplinary Action and Fair Process

The procedures described in this section and the following sections ensure that a fair review has taken place and that the information presented by the complainant, respondent, and any witnesses has received full consideration.

The University makes every effort to protect the privacy of each individual. The Committee shall give due consideration to such privacy interests and will conduct its work accordingly.

Official records of disciplinary investigation and action are maintained in the Office of the Registrar. These records are generally considered private and internal. They may be released to third parties pursuant to University policies and federal law, including the Family Educational Rights and Privacy Act of 1974, as amended. These policies currently provide that information may be released “[w]hen the information is a record of a campus disciplinary proceeding.”

E3. Reporting Violations of the Code of Conduct

An allegation is a written assertion that a violation of the Code of Conduct may have occurred. Any employee, student, faculty member, or visitor of the University may present an allegation to the Director of Student Affairs. Each allegation should describe, with as much specificity as possible (e.g., dates, names, locations, occurrences), the particular factual events that constitute the alleged violation. If such specificity is missing, the person making the allegation will be asked to supplement as appropriate.

Should community members wish to report violations of the Code of Conduct anonymously, they may do so through EthicsPoint, by calling EthicsPoint toll-free at 866-384-4277 or visiting http://tufts-oeo.ethicspoint.com.

E4. Anonymity

Students or others who submit only information that is of a general or descriptive nature and that does not arise from their personal observation or knowledge may request to remain anonymous.
They should indicate this desire when they deliver the information to the Director of Student Affairs, and the remainder of the process will use reasonable efforts to maintain the anonymity of these students or others. However, anonymity cannot be guaranteed. In most circumstances, students or others who provide information regarding alleged Code of Conduct violations in the form of their own observations cannot remain anonymous.

**E5. Initial Review of an Allegation**

*The respondent must not contact the complainant with respect to the alleged violation. Any attempt to influence the complainant or to retaliate is itself a violation of the Code of Conduct and is subject to being considered under these Procedures.*

*Dishonesty in any stage of the Committee process could lead to further sanctions.*

Upon receiving an allegation or complaint, the Director of Student Affairs will consider the information received. After reviewing the allegation or complaint and any other documentation s/he deems appropriate, the Director of Student Affairs will determine whether the grievance is within the jurisdiction of the Code of Conduct. If the Director determines that the allegation may allege conduct that, if confirmed, might violate the Code of Conduct, the respondent will be immediately notified of the substance of the allegation, either orally or in writing.

If the alleged policy violation is a minor infraction, the Director of Student Affairs, in consultation with the Executive Associate Dean, may:

1. dismiss the case based on a lack of evidence;
2. meet with the complainant and respondent and come to an informal resolution based on the requests of the complainant and the nature of the complaint; or
3. advise and/or provide a verbal or written reprimand in cases when the facts are not disputed.

For all other allegations, the Director of Student Affairs will consider the complaint with the Code of Conduct Committee Chairperson. Code of Conduct Committee members also may be consulted to assess the allegation and assist in the decision to either:

1. dismiss the case based on a lack of evidence;
2. meet with the complainant and respondent and come to an informal resolution based on the requests of the complainant and the nature of the complaint;
3. advise and/or provide a verbal or written reprimand in cases when the facts are not disputed;
4. forward the case to the appropriate department at Tufts for further review and handling;
5. forward the case to the Code of Conduct Committee and, if necessary, further investigate the allegation; or
6. determine any outcomes or impose sanctions identified in sections E10(a) through E10(d).

An additional investigation pursuant to subparagraph 5 may include interviewing the respondent, the complainant, and witnesses, as well as gathering and reviewing pertinent documents and any
other information. The Chairperson and/or individuals selected by the Chairperson (including but not limited to the Tufts University Police Department) will investigate the allegations.

The Committee Chairperson, after consulting with Committee members, will decide to proceed with or without a hearing, depending on the severity of the allegation and/or possible sanctions.

In all cases, a Report shall be prepared that summarizes the allegations, the information obtained from the investigation, and the decision to dismiss or proceed with the case.

**E6. Cases Presented to the Code of Conduct Committee without a Hearing**

The Code of Conduct Committee will meet, and the Chairperson will present the Report to Committee members. The respondent will be provided a copy of the Report and will be invited to submit a written explanation of the situation to the Committee.

The discussion will be followed by a vote in which a majority of the Committee will decide to either dismiss the case, hold a hearing as described in sections E7 through E9, or find that a violation has occurred. If the Committee finds that a violation has occurred, it may, but need not, impose a sanction (see section E10 below). However, the sanction(s) imposed may not include suspension or expulsion. If the Committee decides to consider a sanction that includes suspension or expulsion, the Committee must hold a hearing.

Whatever the outcome, the Committee Chairperson will notify the respondent and the complainant in writing of the Committee’s decision and any next steps.

**E7. Cases Presented to the Code of Conduct Committee with a Hearing**

Prior to the hearing, the Chairperson will provide the respondent with a written letter of notification which shall include the following:

1. the time of the hearing (no sooner than ten business days from the date of notification);
2. the location of the hearing;
3. the allegation(s) to be considered;
4. the range of disciplinary sanctions that could result;
5. the names of the witness(es) and/or complainant(s) expected to meet the Committee; and
6. a copy of the Report prepared at the end of the Initial Review of an Allegation (see section E5 above) and any other written or documentary information that the Committee will consider.

The complainant and respondent will be invited to appear at the hearing either in person or via video/phone and be given the opportunity to:

1. present information personally or through the testimony of witnesses, provided that written notice of the identities of these witnesses is provided to the Chairperson of the Committee five business days before the scheduled hearing;
2. submit further written or documentary information for the consideration of the Committee, provided that s/he does so at least two business days before the scheduled hearing;

3. question any person who presents information, except in cases when a person not physically present at Fletcher provides only a written statement rather than appearing in person;

4. make an oral or written statement presenting his or her position(s) to the Committee; and

5. be accompanied by a support person who is a current member of the faculty or administration. Written notice of such accompaniment must be given to the Committee at least two business days before the hearing and must include the name of the support person. The support person will be present only to advise the respondent and will not be allowed to address the Committee. The support person cannot be a member of the Committee and must sign a confidentiality agreement that prevents disclosure of any information from the hearing.

E8. The Code of Conduct Hearing

The Chairperson of the Committee or some other Committee member appointed by the Chairperson will conduct the hearing. The hearing will proceed as set forth in the Committee Chairperson’s letter of notification (described in section E7), beginning with a presentation of the Report. After all information is presented, the respondent will be invited to make a statement to the Committee and respond to its questions. Upon request, the complainant also may address the Committee and answer questions. Upon request, the complainant may participate in the hearing outside the presence of the respondent, subject to the approval of the Committee. In such circumstances, the respondent shall be provided as soon as is practicable with a written transcript of any statement(s) made by the complainant and may respond thereto.

Code of Conduct hearing procedures are intended to be as flexible and informal as practicable. There are no formal rules of evidence. The Committee may consider any information that it deems relevant and may attach whatever weight, if any, it deems appropriate to such information. Any such information submitted to or considered by the Committee shall be transmitted to the complaint and respondent, who may comment thereon. When s/he deems it appropriate, the Chairperson of the Committee will conclude the end of the hearing.

No audio or visual recording of any kind is allowed during the hearing; no transcript of the hearing should be made, unless otherwise provided herein. A documentary record of the proceedings will be kept in the files of the Office of the Registrar. This record should include: (1) the complaint and the respondent's response, (2) all documents submitted at the hearing, and (3) the decision letter. This record does not summarize or otherwise attempt to preserve the hearing or deliberative discussions.

E9. Committee Deliberation and Decision

After the hearing, the Committee will deliberate in private and make a decision by majority vote. Any Committee decision that finds a violation or imposes a sanction must be accompanied by a
short summary of the case and a reasoned explanation for the decision. This summary and explanation will be provided to the complainant (if any) and respondent.

E10. Outcomes and Sanctions

Any or all of the sanctions below may be applied by the Committee.

(a) Counseling: The student will be counseled by members of the Committee or by a person or persons appointed or authorized by the Committee. Counseling is not considered a punishment or penalty; it is designed to help the student understand how his/her actions violated the Code of Conduct and how to avoid further violations.

(b) Verbal Reprimand: The student will receive a verbal reprimand from the Chairperson, a written record of which shall be documented but not noted on the student’s transcript.

(c) Written Reprimand: The student will receive a written reprimand from the Committee and signed by the Chairperson. The reprimand will not be noted on the student’s transcript, but the student will not be eligible for graduation honors or awards.

(d) Restitution: Where the student has damaged, converted, or otherwise impaired the value of the property of The Fletcher School, Tufts University, a Fletcher/Tufts University affiliate, or individual, the student may be required to make adequate restitution any injured party. Restitution may be by monetary compensation or by the student taking appropriate action, as specified by the Director of Student Affairs or Chairperson of the Committee, to redress the situation. The fact that restitution was ordered shall not be noted on the student’s transcript.

(e) Probation: The student will be placed on probation for a specified period of time. The Committee may take appropriate steps, including requiring the student to appear regularly before the Committee or designated member(s), to ensure that the student is acting in accordance with the applicable Code policies. Probation will be noted on the student’s transcript.

(f) Limited Suspension: The student will not be permitted to continue as a registered student for a specified period. At the expiration of this period, the student shall be re-enrolled upon his/her request. The student will receive credit only for those courses that were completed and passed prior to the suspension. At the discretion of the Committee, the student may be permitted to complete courses in progress, the current semester, or the current academic year before beginning the term of suspension. Suspension will be noted on the student’s transcript.

(g) Indefinite Suspension: Indefinite suspension is a sanction just below dismissal and is given to a student who must demonstrate to the Committee that s/he merits re-entry to Fletcher. Students who are suspended indefinitely must be given specific assignments, benchmarks, requirements (for example, a verification from a healthcare professional), and/or tasks that they must accomplish, and a time frame, not to exceed two years, within which they must meet them. The Committee must decide by majority whether to allow
the student’s re-entry, continue the suspension, or dismiss the student. If the student does not fulfill all of the conditions for re-entry set by the Committee, the indefinite suspension converts to permanent dismissal without the right to re-apply, at the expiration of the time set for fulfilling the conditions. This action will be noted on the student’s transcript.

(h) Dismissal with the Possibility of Re-Application: The student will be dismissed from the program but will be permitted to re-apply for admission to Fletcher, subject to all the conditions of the regular admissions process. This action will be noted on the student’s transcript.

(i) Permanent Dismissal: The student will be permanently dismissed from the program and not permitted to re-apply or re-enroll. This action will be noted on the student’s transcript and shall be reported to the Student Exchange Visitor Information System (SEVIS), as needed.

E11. Appeal Process

Either a complainant or a respondent may appeal a decision made by the Code of Conduct Committee to the Dean of The Fletcher School. The appeal must be made within one month of being notified of the decision. The appeal must state the specific grounds for the appeal and present any relevant information or evidence in support of the appeal.

The appeal process is designed to ensure that decisions reached by the Code of Conduct Committee are fair and consistent with Code of Conduct procedures. The appeal is not a re-hearing or reconsideration, but rather a review of the record.

There are only three grounds on which a decision may be appealed. They are:

1. **Newly Available Information.** There exists substantive and relevant information that was not available to the complainant or respondent at the time of the resolution of the complaint or that could not have been discovered through due diligence at the time of the resolution.

2. **Denial of Fair Process.** There was a substantial departure from the procedures outlined in the Procedures Regarding Violations of the Fletcher Code of Conduct that significantly affected the fairness of the process.

3. **Disproportionate Consequences.** The sanction(s) imposed vary significantly from the range of sanctions appropriate in the situation and have disproportionate consequences on the student concerned.

The Dean can review the appeal and make a final decision or may appoint an ad-hoc appellate committee for a second review. The Dean or appellate committee may:

1. deny the appeal and uphold the original decision;
2. accept the appeal and return the case to the Code of Conduct Committee (in situations where new information has become available); or
3. accept the appeal and revise the original decision and/or accompanying sanctions, with a reasoned explanation for the decision and revision(s).

The appellate decision is final and cannot be appealed further.

Nothing in this Code of Conduct is to be construed as contradictory to present or future University policies and procedures. In the event of any conflict, University policies and procedures will prevail. Approval of this Code of Conduct does not constitute approval or disapproval of the underlying Fletcher or University policies. Any amendment to this Code must be approved by the Fletcher faculty.