



## CODE OF STUDENT CONDUCT

*(Excerpted from the Student Handbook of the Seminary)*

**4.0 Philosophy.** Students matriculating at St. Tikhon's Seminary assume an obligation to conduct themselves in a manner compatible with the Seminary's function as an institution of pastoral formation and theological education of the Orthodox Church in America. The Church teaches that theology cannot be separated from the spiritual life. Thus, it is the position of St. Tikhon's Seminary that training those pursuing studies preparatory to the Holy Priesthood, and other areas of Church service, requires academic effort that is not separated from spiritual effort and community life.

All students are subject to ecclesiastical regulations, moral standards, and behavioral patterns set forth by the Holy Orthodox Church, as manifested in this *Handbook*, and as traditionally expected of those preparing for Church service. Formal application to St. Tikhon's Seminary, as well as the acceptance of an offer of admission, constitutes a student's agreement to these requirements. Hence, it is the expectation that students will conduct themselves as responsible members of the Seminary community, adhering completely to the *Code of Seminary Conduct* (see Section 4.1 below) while formally associated with the institution.

As seminarians, students are in training as potential candidates for Holy Orders. They must therefore conduct themselves in such a manner as will reflect that potential calling. Accordingly, students must present themselves in such a way that the Gospel injunction might be fulfilled: "Let your light so shine before men, that they may see your good works and give glory to your Father Who is in heaven" (Matt. 5:16).

Each student, upon entering St. Tikhon's, is furnished with this *Handbook* and will be asked to acknowledge in writing his/her commitment to adhere to the codes spelled out in this *Handbook*.

St. Tikhon's Seminary, as an institution of the Holy Orthodox Church, has an interest in student behavior quite separate from that of civil authorities, and, therefore, has the right and responsibility to exercise its jurisdiction and take such actions appropriate to the protection of this interest. Student misconduct, or any other action that discredits the individual or the Seminary, may lead to disciplinary probation or, if deemed substantial, to immediate dismissal. Whenever appropriate, the Seminary reserves the right to report a disciplinary matter to civil authorities.

All regular students, all special students, and all married students, whether living on- or off-campus, are considered as being in residence. This means that not only their academic work, but also their participation in church life, ecclesiastical status, spiritual formation, voluntary or paid activities and assignments, as well as any change in condition (i.e., marriage, ordination, employment, enrollment in other institutions) are subject to Seminary approval.

**4.1 Code of Student Conduct.** By virtue of their admission to St. Tikhon's Seminary, students are welcomed as active participants in the life of our distinctive religious and academic community, called to fulfill a vital role in the ongoing process of learning, teaching, and service to others, and expected to reflect the highest standards of ethical living and acceptable conduct. These standards include:

- (a) Commitment to Orthodox Christian religious values and spiritual living in a personal following after Christ;
- (b) Academic honesty and integrity;

- (c) Actions that are always civil, courteous, and respectful of all members of the campus community, their property, and the property of the Seminary;
- (d) Personal behavior that encourages social responsibility, and discourages the unlawful use of alcohol, controlled substances, and weapons; and
- (e) Group behavior that promotes the overall safety and security of the learning and teaching environment, asserts the human dignity and personal safety of its members, and opposes actions of harassment, intimidation, or discrimination of any person.

**4.2 Student Misconduct.** Violation of the principles of the *Code of Student Conduct* set forth in Section 4.1 above constitutes student misconduct. The Seminary recognizes two forms of student misconduct: (a) academic misconduct, and (b) non-academic misconduct.

**4.2.1 Academic Student Misconduct.** Academic misconduct means the violation of Seminary policies involving academic integrity. Examples include, but are not limited to:

- (a) Intentional tampering with grades;
- (b) Resubmitting assignments for more than one class without the permission of the professor;
- (c) Intentionally taking part in obtaining or distributing any part of a test that has not been administered;
- (d) Cheating as defined as any act of deception by which a student misrepresents or misleadingly demonstrates that he/she has mastered information on an academic exercise that he/she has not mastered. Examples include but are not limited to:
  - i. Giving or receiving unauthorized help in an academic exercise;
  - ii. Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, or carrying out other assignments;
  - iii. Acquisition, without permission, of tests or other academic material belonging to a member of the Seminary Faculty or Staff; and/or
  - iv. Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion; and/or
- (e) Plagiarism as defined as using the ideas or writings of another as one's own. Examples include, but are not limited to:
  - i. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment; and/or
  - ii. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

The above actions will be considered misconduct or unacceptable academic conduct.

**4.2.2 Non-Academic Student Misconduct.** Non-academic misconduct for which a student may be subject to disciplinary action includes the following:

- (a) Forgery; alteration or misuse of Seminary documents or records; fraud; or knowingly furnishing false information to the Seminary;
- (b) Intentional obstruction or disruption of the teaching, research, or administrative process or disciplinary proceedings, or of any other Seminary activities, including public service functions, or Seminary-sponsored or supervised events;
- (c) Harassment, assault, or intimidation of any person on Seminary or Monastery property or at Seminary-sponsored or -supervised functions or events, or threatening to engage in any of those acts; or any other action or conduct that threatens or endangers the health, human dignity, or safety

- of another person;
- (d) Stealing, concealing, defacing, or intentionally damaging Seminary or Monastery property, or the personal or intellectual property of any student, Seminary employee, or campus visitor; or threatening to do so;
  - (e) Unauthorized entry to, or use of, Seminary or Monastery property, including failure to leave any Seminary or Monastery grounds after being asked to do so by an authorized representative of the Seminary or Monastery while in performance of his/her duties;
  - (f) Use, possession, or distribution of unauthorized alcoholic beverages; being intoxicated in the Seminary dormitory, on Seminary or Monastery grounds, or at Seminary-sponsored or -supervised functions or events (students may not frequent bars or taverns on a regular basis);
  - (g) Use, possession, or distribution on Seminary or Monastery property, or at Seminary-sponsored or -supervised functions or events, of controlled or dangerous drugs or substances, or drug paraphernalia, as defined by state and/or federal law, except as may be expressly permitted by law;
  - (h) Possession, storage, or use on Seminary or Monastery property or at Seminary-sponsored or -supervised functions or events, of any firearm, rifle, pistol, gun, or any other dangerous or deadly weapon of any kind, or of any explosive material or incendiary device, except in connection with a Seminary-approved activity, as expressly authorized by the Rector or his designee. This also includes unauthorized use of any instrument capable of inflicting bodily injury to any person;
  - (i) Failure to comply with reasonable directions of Seminary or Monastery officials acting in performance of their duties; and/or
  - (j) Violation of other published Seminary policies or regulations; or violation of federal, state, or local laws which may constitute a felony or misdemeanor.

Unless otherwise provided, the above actions will be considered misconduct or unacceptable conduct on the Seminary campus, including student rooms, Monastery grounds, at Seminary-sponsored or -supervised functions or events, or in any situation where students officially represent the Seminary away from campus.

**4.2.3 Statement on Sexual Misconduct.** The Seminary adheres to the “Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct,” issued by the Synod of Bishops of the Orthodox Church in America in Spring 2014. In that document, sexual misconduct is defined as a “range of behavior used to obtain sexual gratification against another or at the expense of another or in a situation where the perpetrator is in a position of authority – physical, psychological, emotional, or spiritual – over the victim. Sexual Misconduct includes sexual harassment, sexual assault, and any conduct of a sexual nature that is without consent, or has the effect of threatening, intimidating or using the person against whom such conduct is directed.” In conformity with these guidelines, the Seminary utilizes screening procedures of students, faculty members, other employees, and volunteers and periodically reviews procedures reduce the risk of sexual misconduct. The Seminary also maintains ongoing development sessions for the entire Seminary community on the nature of sexual misconduct.

Allegations of sexual misconduct shall be investigated promptly. In cases of alleged sexual misconduct involving a student or a member of a student’s family, Seminary employees, or volunteers, allegation shall be reported to the Dean. In cases of alleged sexual misconduct involving the Dean, allegations shall be reported to the Rector. The Seminary will report allegations in accordance with civil law, in conformity with the OCA guidelines, and will cooperate in accordance with civil and canon law in any investigation by civil or ecclesiastical authorities.

### **4.3 Disciplinary Action and Processes**

**4.3.1 Disciplinary Actions.** Seminary disciplinary actions may be of a formal or informal nature. The Seminary will follow the procedural guidelines described below. Generally, academic disciplinary matters are handled in an informal manner and appropriate sanctions are imposed by the Dean. Non-academic disciplinary matters are handled in an informal manner and appropriate sanctions are imposed by the Director of Student Life.

Students who are found to be in violation of the *Code of Student Conduct* may be subject to any of the following disciplinary sanctions: disciplinary warning, disciplinary probation, suspension, or dismissal from the Seminary. The following guidelines will apply:

- (a) **Warning:** An oral or written statement that the student is in violation of the *Code of Student Conduct*. Students will generally be given a disciplinary warning in oral or written form if the misconduct is a first offense, or if the nature of the misconduct is deemed to be non-malicious. Since all students are admitted to St. Tikhon's Seminary on provisional status during their first academic year, students may be subject to non-academic probation or suspension without previous disciplinary warning during their first academic year at St. Tikhon's Seminary;
- (b) **Probation and/or Suspension:** Exclusion from classes and/or exclusion from other privileges or activities (e.g., temporary removal of the cassock), or from campus for a specific period of time. Students will be placed on disciplinary probation for the entire following semester or will be suspended if the nature of their misconduct follows a repetitive pattern of offenses, and they have been previously subject to disciplinary warning. Students on non-academic probation or suspension must fulfill the conditions of their probation or suspension and remove themselves from probation or suspension within the semester in which they were disciplined; and
- (c) **Dismissal:** Exclusion from the Seminary for a specific or indefinite period or permanently. Students will be subject to withdrawal of offer of admission and disciplinary dismissal from the Seminary if they do not meet the conditions of their disciplinary probation and/or suspension from the Seminary. Most students who do not meet the conditions of their probation or suspension are subject to dismissal from the Seminary, and are ineligible to re-enroll without the approval of the Admissions Committee.

**4.3.2 Jurisdiction:** Determination and notification of disciplinary warning, or probationary or suspended status, will be made informally by the Dean or Director of Student Life, who are generally responsible for administering the *Code of Student Conduct*. In cases where dismissal is to be considered and formal procedures are deemed necessary, a specially constituted Committee of Student Discipline functions to hear all allegations, charges, and appeals. The Committee is composed of four members: the Dean (*ex officio*) and three faculty members appointed by the Dean.

**4.3.3 Procedures for Academic Misconduct.** Academic misconduct can have repercussions within a course that are mediated by individual professors in consultation with their Department Chair and/or the Dean. These repercussions may include such things as failure of a course assignment, requirement to redo coursework, failure of the course, etc.

Beyond this, allegations of academic student misconduct that are deemed by a faculty member to require further action beyond the confines of the academic classroom must be reported to the Dean, who will be responsible for an initial review of the allegations and any supporting facts. If the initial review shows the allegations to be lacking in merit, the allegations will be dismissed. If facts appear to support the allegations, the Dean may make a determination to take formal or informal action for imposition of appropriate disciplinary sanctions.

If determination is made to take informal action, the Dean may impose disciplinary warning consistent with 4.3.1(a) above, or, in consultation with the Rector, impose academic probation or suspension consistent with 4.3.1(b) above.

If the facts and allegations warrant further review, the Dean will make a determination to take formal disciplinary action. In this case, within ten (10) Seminary business days after the allegations were initially lodged with the Dean, accused students will receive written notification of the allegations or charges against them, of this procedural policy, and of their right to a hearing before the Committee on Student Discipline. The Dean will constitute the Committee on Student Discipline and refer to it the allegations and any supporting facts for

the purposes of substantiating the charge(s) and making recommendations for disciplinary action.

A student charged with academic misconduct shall be presumed innocent of all allegations and charges until the Committee on Student Discipline has determined that the facts of the case indicate the student to be in violation of the *Code of Conduct*. The Committee may review any facts supporting or opposing the allegations, whether offered through documents or personal testimony.

Students charged with academic misconduct shall be permitted to attend in person any hearings or proceedings of the Committee, and be provided with an opportunity to respond to the charges. Students shall also be permitted to bring with him/her a friendly advisor of their own choosing, who shall be a fellow student, or members of the Faculty or Staff. The chosen friendly advisor shall not ordinarily be allowed direct participation in the proceedings, unless the accused student is unable to do so. Refusal by a student to participate in disciplinary proceedings shall ordinarily constitute substantiation of allegations against him/her, unless the Committee previously agrees to consider in written form whatever rebuttal the student desires to offer for the Committee's review.

The Dean shall be responsible for convening the appointed Committee on Student Discipline within two (2) weeks of initial receipt of written allegations and supporting documentation from individuals bring such allegations, and subsequently for providing written notification to the Rector of the Committee's findings and recommendations for discipline. Sanctions for academic misconduct must be consistent with the policies and procedures of St. Tikhon's Seminary.

Within five (5) Seminary business days of the conclusion of the Committee's proceedings, the Dean shall provide a written report of the Committee's findings and recommendations to the Rector. The report will include a determination of whether the charges have been substantiated, together with the Committee's recommendations for disciplinary sanctions. In turn, within five (5) Seminary business days of the receipt of the Dean's report, the Rector will notify the accused student in writing regarding the outcome of the hearing and the disciplinary sanctions to be imposed, if any. Unless good causes exist for rejecting the Committee's recommendations, the Rector's decision should reflect the Committee's recommendations.

**4.3.4 Procedures for Non-Academic Misconduct.** Allegations of non-academic student misconduct must be reported to the Director of Student Life, who will be responsible for an initial review of the allegations and any supporting facts. If the initial review shows the allegations to be lacking in merit, the allegations will be dismissed. If facts appear to support the allegations, the Director of Student Life may make a determination to take formal or informal action for imposition of appropriate disciplinary sanctions.

If determination is made to take informal action, the Director of Student Life may impose disciplinary warning consistent with 4.3.1(a) above, or, in consultation with the Dean, impose non-academic probation or suspension consistent with 4.3.1(b) above.

If the facts and allegations warrant further review, the Director of Student Life will make a determination to take formal disciplinary action. In this case, within ten (10) Seminary business days after the allegations were initially lodged with the Director of Student Life, accused students will receive written notification of the allegations or charges against them, of this procedural policy, and of their right to a hearing before the Committee on Student Discipline. The Dean will constitute the Committee on Student Discipline and refer to it the allegations and any supporting facts for the purposes of substantiating the charge(s) and making recommendations for disciplinary action.

A student charged with non-academic misconduct or violation of the *Code of Student Conduct* shall be presumed innocent of all allegations and charges until the Committee on Student Discipline has determined that the facts of the case indicate the student to be in violation of the *Code*. The Committee may review any facts supporting or opposing the allegations, whether offered through documents or personal testimony.

Students charged with non-academic misconduct shall be permitted to attend in person any hearings or proceedings of the Committee, and be provided with an opportunity to respond to the charges. Students shall also be permitted to bring with him/her a friendly advisor of their own choosing, who shall be a fellow student, or members of the Faculty or Staff. The chosen friendly advisor shall not ordinarily be allowed direct participation in the proceedings, unless the accused student is unable to do so. Refusal by a student to participate in disciplinary proceedings shall ordinarily constitute substantiation of allegations against him/her, unless the Committee previously agrees to consider in written form whatever rebuttal the student desires to offer for the Committee's review.

The Dean shall be responsible for convening the appointed Committee on Student Discipline within two (2) weeks of initial receipt of written allegations and supporting documentation from the Director of Student Life, and subsequently for providing written notification to the Rector of the Committee's findings and recommendations for discipline. Sanctions for non-academic misconduct must be consistent with the policies and procedures of St. Tikhon's Seminary.

Within five (5) Seminary business days of the conclusion of the Committee's proceedings, the Dean shall provide a written report of the Committee's findings and recommendations to the Rector. The report will include a determination of whether the charges have been substantiated, together with the Committee's recommendations for disciplinary sanctions. In turn, within five (5) Seminary business days of the receipt of the Dean's report, the Rector will notify the accused student in writing regarding the outcome of the hearing and the disciplinary sanctions to be imposed, if any. Unless good causes exist for rejecting the Committee's recommendations, the Rector's decision should reflect the Committee's recommendations.

**4.3.5 Appeals.** An adverse action or decision concerning academic or non-academic misconduct against a student by the Director of Student Life / Dean may be appealed by the student to the Committee on Student Discipline. In cases where the Committee on Student Discipline initially heard allegations against the student and submitted its recommendations to the Rector, adverse action by the Committee on Student Discipline may be appealed to the President of the Seminary.

Written notice of intent to appeal must be received by the Rector and the President within five (5) Seminary business days of the notification of adverse action, or by the deadline specified in the letter of notification, whichever is longer. Student failure to submit such written notice of intent to appeal by the stipulated deadline will cause the action to become final and no longer subject to appeal. If a student submits a written notice of intent to appeal an action, the effect of the action is stayed pending the outcome of the appeal. A specific date for an appeal review will be established no sooner than five (5) Seminary business days after the student submits a written notice of intent to appeal, unless the student requests an earlier review and it can be arranged.

Within ten (10) Seminary business days of the receipt of a written intent to appeal, the President of the Seminary or the President's designee(s) will conduct an appeal review of the grievance process. The appeal review may include a meeting with the student. Appeal review by the President is final, and cannot be further appealed. The President or designee(s) will notify the student of the final decision in writing, within five (5) Seminary business days of the established review.

Students should be aware that procedural hearings and appeal reviews established by the Seminary are not constituted or construed as legal proceedings. The intent of these hearings and reviews is to offer students a structured opportunity to be heard by the Faculty, the Dean, the Rector, and the President of the Seminary. While a friendly advocate or advisor may informally accompany the student to hearings, representation by legal counsel is ordinarily not permitted, or may be permitted only with prior written consent by the President of the Seminary, in extraordinary circumstances. However, if legal counsel is to be present for the student, the Seminary reserves the right to have legal counsel present as well.

**4.3.6 Administrative Removal.** It is the understanding of the Seminary Administration that regular disciplinary actions related to students will be handled according to the procedures outlined above. In extraordinary situations, however, a student who exhibits behavior that (1) poses a significant risk to the health or safety of one's self or of others, (2) poses a significant risk of damage to property, (3) provides considerable disruption to the normal educational processes of the Seminary may be administratively removed on an interim basis pending a formal investigation. An administrative removal may be implemented by the Rector of the Seminary in consultation with the Dean. In most cases, administrative removal will be immediate and shall be for a reasonable length of time. If the situation warrants, the Seminary will follow its internal post-incident policies in following up with parties involved in the events connected to the removal. There is no appeal to implementation of an administrative removal. Note that at any time prior to the implementation of an administrative removal, a student may choose to withdraw voluntarily and take a leave of absence from the Seminary.

Decisions regarding administrative removal will be based on observations of the student's conduct, actions, and statements and not based on knowledge or belief that a student has a disability. Any student that is subject to administrative removal will be given the opportunity to be heard on the decision by the Rector and Dean with understanding that in exigent circumstances, this opportunity may be after the removal has gone into effect. The Seminary will apply this policy in a nondiscriminatory manner.

When a student is administratively removed, he/she shall be provided with the following in writing:

- The reason(s) for this action;
- Conditions which must be met prior to the individual's re-instatement (if appropriate). In appropriate cases, this will include recommendation that an individual receive professional counseling/intervention;
- A delineation (if any) of investigative process related to circumstances leading to the action;
- Information regarding the student's presence on campus or use of Seminary services/facilities; and
- Results of non-compliance with the conditions for re-instatement.

The written plan outlined above may be subject to amendment as determined by the Rector.

The Seminary Administration considers the following actions of students to be subject to immediate consideration of administrative removal:

- Instances of physical, sexual, or verbal assault;
- Instances of destruction of personal or Seminary Property; and/or
- Threat of injury to self, others persons, or property.

If the Rector determines that the issues connected to the removal warrant the consideration of an individual's dismissal from the Seminary, the Rector shall initiate a disciplinary process in accord with policies delineated in Section 4.3.4 above.

It is understood that a student returning to the Seminary following the administrative removal will enter a probationary period upon his/her return.