

NEWSCHOOL OF ARCHITECTURE & DESIGN 2019-2020 ACADEMIC CATALOG & STUDENT HANDBOOK FALL ADDENDUM

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EFFECTIVE DATES

The information contained in this addendum supplements or replaces information found in the 2019-2020 catalog.

The following changes reflect current information about NewSchool of Architecture & Design and go into effect beginning January 6, 2020, unless otherwise noted.

UNDERGRADUATE DEGREE PROGRAM INFORMATION

GRADUATION REQUIREMENTS

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Students qualify for graduation once the following requirements are met:

- Achieve a 2.0 CGPA as an undergraduate student.
- Meet individual program requirements, including major GPA (if applicable).
- Fulfill residency requirements outlined for their degree.
- Successfully complete the program pertaining to the degree.
- Complete a thesis or graduation project (if applicable).
- Successfully complete the noncredit portfolio course requirement.
- Submit Petition to Graduate to the Registrar's Office by the applicable deadline.

The degree conferral date will be backdated to reflect the date in which all the above degree requirements are met. However, degrees will not be conferred until the end of the quarter after all the following requirements are met, and the student notifies the Registrar's Office of completion. Diplomas will not be ordered until after the degree is conferred.

- Meet financial obligations to the school including payment of the graduation fee.
- Receive clearance from the librarian.
- Receive clearance from the Financial Aid Office (if applicable).
- Receive clearance from the Career Services Office.

GRADUATE DEGREE PROGRAM INFORMATION

GRADUATION REQUIREMENTS

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Students qualify for graduation once the following requirements are met:

- Achieve a 3.0 CGPA as a graduate student.
- Meet individual program requirements, including major GPA (if applicable).
- Fulfill residency requirements outlined for their degree.
- Successfully complete the program pertaining to the degree.
- Complete a thesis or graduation project (if applicable).
- Successfully complete the noncredit portfolio course requirement.
- Submit Petition to Graduate to the Registrar's Office by the applicable deadline.

The degree conferral date will be backdated to reflect the date in which all the above degree requirements are met. However, degrees will not be conferred until the end of the quarter after all the following requirements are met, and the student notifies the Registrar's Office of completion. Diplomas will not be ordered until after the degree is conferred.

- Meet financial obligations to the school including payment of the graduation fee.
- Receive clearance from the librarian.
- Receive clearance from the Financial Aid Office (if applicable).
- Receive clearance from the Career Services Office.

WITHDRAWAL POLICY

ADMINISTRATIVE REMOVAL

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In situations where a student's presence at NewSchool constitutes a substantial and sustained threat to the health, safety, and well-being of the university community, CIRT can elect to remove the student from the university campus and/or university housing, until such time as the university can be assured that the problem is no longer a significant issue. CIRT may require a psychiatric, psychological, or physical evaluation by an appropriate physician and/or mental health professional for the purpose of evaluating the student's stability. The student will be responsible for any evaluation fees.

Prior to removal being finalized, the student will be notified that a removal is being considered and the basis for the proposed administrative removal. The student will be given an opportunity to provide medical and other relevant information regarding the proposed removal to the Student Life Manager for CIRT review. An administrative removal will be recorded on the student's permanent academic record. Refunds for tuition and room and board charges will be made as outlined in the withdrawal schedule in the university catalog.

The student will also have the opportunity to appeal any administrative removal to a designated appeal officer. Appeals must be made in writing and submitted within 3 academic days of the student's receipt of the decision. The written appeal must specify the aspect(s) of the decision with which the student disagrees. The appeal officer will render an appeal decision within 3 academic days after receipt of the student's appeal and may consult with CIRT as part of their deliberation. The appeal officer may uphold the decision, reverse the decision, or make such other disposition as the appeal officer deems just and proper under the circumstances. The appeal officer's decision on the appeal shall be final and shall be effective immediately upon issuance.

READMISSION AFTER AN ADMINISTRATIVE REMOVAL

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CIRT will provide an individualized assessment recommending the conditions for the readmission of any student serving an administrative removal to the Student Life Manager. Conditions for readmission may be noted in a Behavioral Contract and may include a medical evaluation, treatment plan, personal statements, and evidence of the student's ability to meet the university's academic and Code of Conduct requirements.

VOLUNTARY MEDICAL LEAVE

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A student who is experiencing a physical or mental health issue that significantly interferes with the student's wellbeing, safety, or academic performance may request a voluntary medical leave. The student will notify the dean of the Academic Advising Manager, who will determine if a voluntary medical leave is appropriate. The student may be required to consent to the disclosure of relevant medical information to the appropriate university personnel. The Academic Advising Manager will make a recommendation to CIRT whether or not to approve a medical leave of absence. Where a leave is appropriate, the Academic Advising Manager, in consul-

tation with CIRT, will also recommend an individualized plan, which may be noted in a Behavioral Contract, which will include conditions necessary to return from the leave and may include a recommended length of leave. If a leave is granted, the student will meet with the dean of the Academic Advising Manager to review the individualized plan. If an appeal is denied, the student may request that the appeal be forwarded to the Office of the President for review. The President's decision to deny a leave is final.

Withdrawal for medical reasons must be made for all courses. An approved medical leave/withdrawal will be recorded on the student's permanent academic record. Refunds for tuition and room and board charges will be made as outlined in the withdrawal schedule in the university catalog.

READMISSION AFTER A VOLUNTARY MEDICAL LEAVE

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A student who desires to be return to the university from a voluntary medical leave must notify the dean of the Academic Advising Manager of the student's intent to return at least 30 days prior to the start of the relevant term. The student will meet with the Academic Advising Manager to ensure that all conditions of the individualized plan have been met. The student may be required to consent to the release of relevant medical information to appropriate university personnel. Based upon evaluation of the relevant information, the dean of the Academic Advising Manager, in consultation with CIRT, will assess whether the student is prepared to be readmitted.

QUALIFICATION TO REQUEST PERMISSION TO WALK DETERMINATION

DOCUMENT FOR PERMISSION TO WALK

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It is intended that this process will be recorded on a form prepared by the Registrar's Office and entered into the student's record. The signature lines on the form must include the academic advisor and the senior academic administrator of the academic unit.

EMERGENCY PROCEDURES

CRISIS INTERVENTION TEAM

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If an individual is identified as being a potential threat, NewSchool will convene a multidisciplinary threat assessment team to intervene with the individual, and will take whatever action necessary to prevent acts of aggression and/or violence. For cases involving students, this team may consist of the president, chief academic officer, Student Life Manager, Human Resources, facilities manager, and Academic Advising.

NO CONTACT ORDER

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In order to maintain a safe and secure learning environment, NewSchool maintains the right to issue a No Contact Order (NCO) as an interim protective measure for students who may feel at risk and when there are allegations of behavior or activity prohibited under the university's Title IX Grievance and Sexual Misconduct Reporting Policy and Procedures or other Code of Conduct or policy violations. NewSchool will consider all available facts and circumstances that may be relevant to whether an NCO should be issued, including, but not limited to, the following factors:

- Allegations, threats, or evidence of physical violence by one student against another
- Allegations, threats, or evidence of emotional abuse by one student against another
- There is a substantial risk of emotional harm from continued contact between students
- Continued contact between students may have a material impact on campus disciplinary proceedings

The issuance of an NCO does not in any way imply guilt upon the person that the order is issued to, but it is designed to ensure the safety of the NewSchool community while an investigation is underway. Violations of an NCO will result in disciplinary action up to and including expulsion from NewSchool. If a student is issued an NCO, he or she is not allowed to have any contact with the other student(s) listed—either on or off NewSchool's campus.

Conditions of restriction may include but are not limited to:

- In person contact
- Contact by phone, text message, and voice mail
- Contact via third party
- Notes, letters, or other written communication
- Email or Internet messenger, social media, including Instagram and Facebook, or any other Internet-based communication
- Close physical proximity to the other student(s), closer than 50 feet, except in passing

The university may also restrict a student's access to cocurricular or extracurricular activities, when academically possible, and provide for revisions to class schedules if appropriate.

An NCO will be issued by the Title IX Coordinator. A student that is issued an NCO order will be required to meet with the Title IX Coordinator to review the NCO. An NCO will remain in effect while either party is still enrolled as an active student at NewSchool. The NCO will end when all parties either withdraw, are withdrawn, or graduate from NewSchool. A student wishing to modify or rescind an NCO can do so by filing a formal written appeal with the Title IX Coordinator.

TITLE IX GRIEVANCE & SEXUAL MISCONDUCT REPORTING POLICY & PROCEDURES

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The U.S. Department of Education mandates that institutions comply with specific requirements under Title IX of the Educational Amendments of 1972. Title IX is a federal civil rights law that prohibits discrimination on the basis of sex. NewSchool is committed to providing a safe educational and working environment for its students, faculty, staff, and other members of the university community.

NewSchool believes that all members of the university community should be free from all acts of sexual misconduct, including sexual assault, sexual harassment and discrimination, sexual exploitation, relationship violence, and stalking. All members of the NewSchool community and all visitors, regardless of sex, gender, sexual orientation, gender identity, or gender expression are advised that any sexual misconduct by any student, employee, or third party is prohibited. Any attempt to commit sexual misconduct, or to assist or willfully encourage any such act, is a violation of this Policy. Sexual misconduct is contrary to the basic values of NewSchool, which include promoting a sense of community, fostering learning, instilling integrity, and achieving excellence. NewSchool is committed to providing for the prompt and equitable resolution of

all complaints of sexual misconduct.

This policy applies to all complaints of sexual misconduct in NewSchool's education programs and activities. It prohibits conduct that: occurs on campus or other university property; occurs in connection with NewSchool's educational programs or activities, whether on or off-campus; or otherwise affects the university community. This policy prohibits sexual misconduct by all third parties (including but not limited to visitors, guests, volunteers and contractors) on NewSchool's campuses and during university activities. It also applies to applicants for admission to, or employment with, NewSchool.

Violations of this policy may result in disciplinary action up to and including removal from the university for students and termination of employment for faculty and staff. When used in this policy the term complainant refers to a person claiming that a violation of this policy occurred, and the term respondent refers to a person accused of violating this policy.

1. Definitions

Consent: Consent is defined at NewSchool as a clear and unambiguous and conscious agreement expressed in mutually understandable words or actions to voluntarily engage in specific sexual or intimate activity or conduct. Conduct will be considered "without consent" if no clear affirmative consent, verbal or otherwise, is given. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others engaged in the sexual activity. Affirmative consent is not present (1) if obtained through the use of force, threat, coercion, or intimidation; (2) when an individual is incapacitated, such as by consumption of drugs, alcohol, or medication; or being unconscious or asleep; (3) if given by someone who is not able to effectively communicate or to understand the fact, nature, or extent of the sexual activity being engaged in; or 4) if the individual is unable to communicate due to a mental or physical condition.

Silence or an absence of resistance on the part of the individual does not imply or constitute consent. The existing of a dating relationship between the persons involved, or past consent to sexual activity does not imply consent. Affirmative consent must be ongoing throughout a sexual activity and can be withdrawn at any time. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. The intoxication or recklessness of a respondent is not an excuse for him or her not receiving affirmative consent from the complainant before engaging in a specific sexual activity.

Relationship violence: Relationship violence means a violent act committed by a person who is or has been in a social relationship of a romantic nature or intimate nature with the complainant, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Relationship violence includes dating violence and domestic violence.

Retaliation: Retaliation means intimidating, threatening, coercing, or in any way discriminating against an individual because the individual made a report of a claim of sexual misconduct or participated in any way in the investigation or resolution of such a report or complaint, or exercised any right or responsibility under this policy.

Sexual discrimination: Sexual discrimination for the purpose of this policy is defined as including, but not limited to, treating individuals differently because of their gender or sexual orientation, in connection with the terms and conditions of employment or educational opportunities. Discrimination does not occur, however, when an individual is treated differently than another individual for legitimate reasons.

Sexual assault: Sexual assault is nonconsensual physical contact of a sexual nature. Sexual assault includes rape and any other acts using force, threat, intimidation, or coercion, or taking advantage of a victim's inability to make reasoned decisions about sexual activity. This includes:

- a. **Nonconsensual sexual intercourse:** Nonconsensual sexual intercourse is any sexual intercourse, however slight, with any object, by one person upon another, which is without consent and/or by force. It includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
- b. **Nonconsensual sexual contact:** Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object by a person upon another person that is without consent and/or by force, threat or intimidation. It includes intentional contact with the genitals, breasts, thighs, buttocks, anus, or groin, touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts, any intentional bodily contact in a sexual manner, though not involving contact with/of/by genitals, breasts, thighs, buttock, anus, groin, mouth or other orifice. It also includes attempted nonconsensual intercourse.

c. Statutory rape: Sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction.

Sexual exploitation: Sexual exploitation occurs when an individual takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. Examples include but are not limited to invasion of sexual privacy; prostituting another student; nonconsensual video or audio-taping or photography of sexual activity; distributing sexual or intimate information, images, or recordings of another without that individual's consent; going beyond the boundaries of consent (such as allowing friends to hide in the closet watching consensual sex); voyeurism; knowingly transmitting an STD or HIV to another student; exposing one's genitals in nonconsensual circumstances or inducing another to expose his/her genitals; and sexually based bullying, including, but not limited to, through social media.

Sexual harassment: Sexual harassment can include, but is not limited to, unwelcome sexual advances; requests for sexual favors; unwelcome physical contact of a sexual nature; e-mails containing inappropriate sexual content; obscene or harassing phone calls or jokes of a sexual nature; suggestive gestures, sounds, stares, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of a student's academic progress;
- Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting assessment of academic progress; or
- Such conduct, by instructors, staff, or students, including between students, has the purpose or effect of interfering with academic performance or creating an intimidating, hostile, or offensive environment.

Sexual misconduct: Sexual misconduct includes, but is not limited to, sexual discrimination, sexual exploitation, sexual harassment, sexual assault, relationship violence, and stalking. While NewSchool may use different standards and definitions than state criminal codes, sexual misconduct often overlaps with crimes under applicable criminal codes.

Stalking: Stalking is engaging in a course of conduct that would cause a reasonable person to suffer substantial emotional distress or to fear for his or her safety or the safety of others. A course of conduct means two or more acts in which a person follows, monitors, observes, surveils, communicates with another person, threatens, intimidates or communicates with or about another person, or vandalizes another person's property

2. Reporting Violations of This Policy

Students, faculty, or staff members who believe that they are a victim of sexual misconduct should contact the Title IX coordinator. The Title IX coordinator is responsible for receiving and processing, in a timely manner, reports from students, faculty, staff, and administrators regarding rights and responsibilities concerning sexual misconduct in violation of Title IX.

Any questions or complaints regarding Title IX may be referred to the NewSchool's Title IX coordinator or to the U.S. Department of Education's Office of Civil Rights.

NEWSCHOOL'S TITLE IX COORDINATOR

Prisca Bermudez

Telephone: (619) 684-8876

Email: pbermudez@newschoolarch.edu

NEWSCHOOL'S DEPUTY TITLE IX COORDINATORS

Marcy Madix

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U.S. DEPARTMENT OF EDUCATION

U.S. Department of Education

50 Beale Street, Room 9700 San Francisco, CA 94105

Telephone: (415) 486-5700

Fax: (415) 486-5719

Email: OCR@ed.gov

FILING A CRIMINAL COMPLAINT

Students, faculty, and staff members have the right to file both a criminal complaint and a Title IX complaint simultaneously. To file a criminal complaint please contact the San Diego Police Department, Central Division:

SAN DIEGO POLICE DEPARTMENT - CENTRAL DIVISION

2501 Imperial Avenue San Diego, CA 92102

Telephone: (619) 744-9500

Email: sdpcentral@pdsandiego.gov

Students, faculty, and staff members must report an incident of alleged discrimination to a responsible employee. For the purposes of this policy, the responsible employees are the Title IX coordinator the manager of Student Life. For complaints where both the complainant and respondent are employees, responsible employees include the director of Human Resources.

NewSchool takes all reports of sexual misconduct seriously and, upon receiving notice of any alleged violation of this policy, shall

take immediate steps to conduct a thorough, prompt, and appropriate investigation of the complaint.

A complainant who contacts the Title IX coordinator or responsible employee with an allegation of sexual misconduct will be notified of his or her right to confidentiality and his or her right to remain anonymous and how that may affect NewSchool's ability to conduct an investigation. Please note that there are certain situations where NewSchool may not be able to guarantee confidentiality or anonymity. If the complainant wishes to move forward with the process, he or she will be asked a series of questions to provide information. If the complainant prefers, he or she may complete the information from the form and submit it to the Title IX coordinator. The Sexual Misconduct or Discrimination Complaint Incident Report is available from the Title IX coordinator or by downloading here <http://newschoolarch.edu/student-life/title-ix/>. In certain circumstances, it may be necessary for the complaint to go forward even if the complainant does not consent to that course of action.

NewSchool strongly supports the complainant's right to confidentiality in cases involving sexual misconduct. Complainants have the right to ask that their names not be disclosed to the alleged perpetrators. However, there are limited situations in which the university must override a complainant's request for confidentiality to meet the institution's legal obligations under Title IX. In these situations, the information will only be shared with individuals who are responsible for handling the university's response to incidents of sexual violence. Given the sensitive nature of reports of sexual violence, NewSchool shall ensure that the information is maintained in a secure manner. If the complainant requests that his or her name not be revealed to the alleged perpetrator or if complainant asks the university not to investigate or seek action against the alleged perpetrator, NewSchool will be limited in its ability to respond fully to the incident, including taking disciplinary action against the alleged perpetrator. If the complainant still requests that his or her name not be disclosed to the alleged perpetrator, or that the university not investigate or seek action against the alleged perpetrator, the Title IX coordinator will need to determine whether or not the institution can honor such a request while providing a safe and nondiscriminatory environment for all students, faculty, and staff.

3. Determination of Interim Measures

Upon notification of an incident of sexual misconduct, NewSchool shall take steps to ensure equal access to its education programs and activities and protect the complainant as necessary, including taking interim measures before the final outcome of an investi-

gation. These measures are designed to protect the complainant and provide the complainant with options to avoid contact with the alleged perpetrator. These measures may include a change in academic activities, living, transportation, dining, and working situation as appropriate.

After the initial report of alleged sexual misconduct, possible immediate interim suspension can be invoked on the accused (respondent) if there is a reasonable cause to believe the respondent's behavior is of such a nature as to pose a threat of harm or injury to the complainant or any other member of the campus community. The Title IX coordinator shall work with the complainant to determine what, if any, interim measures shall be implemented.

4. Student Amnesty Policy & Bystander Intervention

NewSchool encourages the reporting of sexual misconduct. Sometimes, students may be reluctant to come forward and report an incident of sexual misconduct, or serve as a witness, because they are concerned that they may be charged with violating other campus policies, such as NewSchool's alcohol or drug policy. In order to encourage reporting of sexual misconduct, students who report an incident of sexual misconduct or who serve as witnesses to an incident of sexual misconduct, NewSchool will not face disciplinary sanctions for violations of the Code of Conduct at or near the time of the incident as long as any such violations did not place the health or safety of any other person at risk, or involves plagiarism, cheating, or academic dishonesty.

5. Advocates

For complaints of sexual misconduct where the complainant or respondent is a student, the complainant and the respondent may be accompanied throughout the investigation and appeal process by an advocate of their choice. Advocates should be from the university community, unless otherwise approved, and must agree to keep the matter confidential. However, the advocate may not be a witness or possible witness in the case, a person involved in the university's disciplinary process, or a complainant or a respondent in the case. The purpose of the advocate is to provide advice to the student in a manner that is not disruptive to the proceedings. The advocate may accompany the party to any meeting or hearing held pursuant to this policy. The advocate may not provide verbal, written, or other input during the investigation or appeal process other than to the student being advised; the advocate may not speak on the party's behalf or otherwise participate or address or question the investigator, resolution officer, or other parties or witnesses.

6. Informal Resolution

If the complainant and respondent agree, certain cases may be resolved informally, including through mediation in appropriate cases. Cases involving allegations of sexual assault are not suitable for mediation. The Title IX coordinator may also determine that informal resolution is not appropriate based on the facts and circumstances of the particular case. All informal resolutions will be conducted or overseen by the Title IX coordinator or designee. Under no circumstances will a complainant be required to resolve a matter directly with the respondent.

If both parties are satisfied with a proposed informal resolution, and the Title IX coordinator considers the resolution to satisfy NewSchool's obligations to provide a safe and nondiscriminatory environment, the resolution will be implemented, and the informal resolution process will be concluded. If informal resolution does not resolve the matter, the resolution process will proceed to formal investigation. At any point in the process, either the complainant or the respondent may elect to end the informal process in favor of proceeding with a formal investigation.

7. Investigations

If informal resolution is inappropriate, unsuccessful, or not desired by the complainant and the respondent, a formal investigation will be conducted. The investigation of a report of sexual misconduct will begin promptly. Notice will be provided simultaneously to the complainant and the respondent in writing that a complaint has been received by NewSchool and will be investigated under this policy. The notice shall specify any interim measures that have been implemented.

NewSchool shall determine, given the circumstances surrounding the complaint, the proper party to conduct the investigation. The proper party may or may not be the Title IX coordinator, and this person shall be the person best able to conduct an impartial and fair review of the complaint. The investigation will normally include interviewing the complainant(s), respondent(s), witnesses, and other relevant parties and will include a review of any relevant documents and other information. It may include reviewing law enforcement investigation documents (if applicable) and reviewing student and personnel files. Both the complainant and the respondent may provide the investigator(s) with the names of witnesses, documents, and other information. The investigator(s) will exercise their discretion in deciding which individuals identified as witnesses during the investigation should be interviewed and which documents or other information should be reviewed. The interviews, meetings, and other proceedings are not recorded by

NewSchool and may not be recorded by others. The complainant and the respondent are afforded equal procedural rights during the investigation. No expert witnesses shall be permitted.

The complainant's prior sexual relationships or conduct are neither relevant nor admissible during the investigation and will not be considered, other than the prior sexual relationship or conduct with the respondent if the respondent alleges consent. The fact that a complainant may currently have or had in the past a dating or sexual relationship with the respondent that was consensual is not sufficient by itself to constitute consent and does not preclude a determination that sexual misconduct occurred.

At any time prior to or during an investigation, the respondent may accept responsibility for some or all of the alleged violations; the matter will then proceed to the sanctioning phase and any appeal of the sanctioning decision.

8. Preparation of Investigation Report

Upon completion of the investigation, the investigator(s) will prepare a report summarizing the interviews conducted and the evidence reviewed. The report will include the investigator's finding of fact, an assessment of the credibility of the parties and witnesses when appropriate, and a recommended determination as to whether a violation of this policy has occurred. In reaching this conclusion, the investigator shall use the preponderance of evidence standard.

9. Resolution Procedures

I. Cases Involving Allegations of Employee Violations

If the respondent is a nonstudent employee, the Title IX coordinator or designee will report his or her findings to university Human Resources and leadership. If leadership determines, based on the contents of the report, that no violation of NewSchool policy has occurred, the incident will be closed.

If leadership determines, based on the contents of the report that a violation of university policy has or may have occurred, university leadership will determine an appropriate resolution including remedial and/or disciplinary action up to and including termination of the employee. University leadership will determine if a hearing is appropriate prior to the determination of the sanctions based on the particular facts presented, including but not limited to the identity of the complainant (student or employee), the nature and/or severity of the offense, and the evidence presented by the investigative report. Resolution, sanctions, and appeals will be governed by

the procedures in NewSchool's personnel policies or Faculty Handbook, if applicable, in accordance with the requirements of Title IX.

II. Cases Involving Allegations of Student Violations

Sexual misconduct complaints involving student respondents will be governed by the following process. Upon the completion of the investigation, the Title IX coordinator shall present the investigative report to university leadership which may include, as appropriate, the chief academic officer or the manager of Student Life. The individual or individuals charged with making a determination as to the resolution of the complaint, and sanction, and any remedies for the complainant shall be referred to herein as the resolution officer, although more than one individual may be charged with resolving the complaint. The resolution officer shall then determine the appropriate resolution to the complaint, considering factors including but not limited to the identity of the complainant (student or employee), the nature and/or severity of the offense, and the evidence presented by the investigative report. The resolution officer shall determine whether a hearing, as outlined in the Judicial Affairs section of the Student Handbook, is appropriate prior to imposition of any sanction. Generally, a hearing will be provided if the probable sanction to be imposed is suspension or expulsion.

The resolution officer shall provide written notice to both the complainant and the respondent of the process to be used to resolve the complaint. If no hearing is to be held, both complainant and respondent may make a written submission to the resolution officer if they choose. If a hearing is held, the proceedings shall be closed. The complainant and respondent and their respective advisors may be present in the hearing room for all or any portion of the hearing; any witnesses may only be present in the hearing room when being questioned by the resolution officer.

If either the complainant or respondent does not wish to be present in the hearing room, he or she shall be given the opportunity to hear or view the proceedings via audio or video transmission from a separate room. Neither party shall be permitted to ask questions at the hearing, although either party may submit to the resolution officer requested questions for the other party or witnesses. It shall be in the discretion of the resolution officer whether or not to ask the submitted questions, in whole or in part.

The resolution officer shall provide both parties with written

notice of his or her findings and the reasons for such findings. The resolution officer shall use the preponderance of evidence standard in making his or her findings. If a violation of this policy is found, the notice shall provide the sanctions to the respondent and to the complainant, as appropriate under Title IX. The notice shall set forth either party's right to appeal, the identity of the appeal officer, and the process and time limit for such an appeal.

In addition to discipline against the respondent, resolutions may include remedies for the complainant, which may include steps such as reassignment of a course, change in housing, counseling services, medical services, academic support services, or changes to the school's overall services or policies, including altering withdrawal penalties within courses. Any remedies offered would be separate from, and in addition to, any interim measure that may have been provided prior to the conclusion of any investigation. Resolutions may also include remedies for the broader university population, such as training or changes to policies or services.

10. Appeals

Appeals for sexual misconduct complaints involving nonstudent employee respondents will be governed by the procedures in university personnel policies or Faculty Handbook, as applicable. If any right of appeal is granted through those policies, both the complainant and the respondent shall have equal rights of appeal.

In cases involving student respondents, both parties have the right to appeal the resolution officer's finding of responsibility and/ or imposition of sanctions. Any appeal must be filed in writing within 5 days from the notice of resolution. NewSchool will determine the appropriate individual in university leadership to hear any appeal (appeal officer), depending on the circumstances of the case, including the identity of the respondent. There is a presumption that the decision, and any sanction or discipline, were made properly, and the appeal officer may not substitute his or her judgment for that of the resolution officer. The sole grounds for appeal are (1) a procedural error that substantially impacted the determination or sanction; (2) new information that was not available at the time of the investigation or hearing and that could reasonably have had had a substantial impact on the determination or sanction; and (3) excessiveness or insufficiency of the sanction. The sanction may be increased only if the complainant appeals on the ground that the sanction was insufficient, and it may only be decreased if the respondent appeals on the ground that the sanction was excessive.

The appeal officer shall give both parties timely notice of the receipt of an appeal. Both parties shall be provided the opportunity to make a written submission to the appeal officer. The appeal officer shall be limited to the record below, including any information that was part of the investigation or the resolution hearing. The appeal officer shall not conduct another hearing but may conduct interviews with the complainant, respondent, or witnesses in his or her discretion. The party appealing shall have the burden of proof in any appeal. The appeal officer shall use the preponderance of evidence standard in the determination of any appeal.

The appeal officer shall give written notice to both parties of the outcome of the appeal and the reasons for his or her decision. The decision of the appeal officer is final.

RETALIATION

Title IX includes protections against retaliation. NewSchool will take immediate and appropriate steps to investigate or otherwise determine if retaliation due to the reporting of sexual misconduct or discrimination occurs.

TRAINING

All individuals with responsibilities under this policy shall have appropriate training in this policy and in the requirements of Title IX and related laws. Training shall include training relating to sexual misconduct, including sexual assault, relationship violence, and stalking as defined in this policy.

SOURCES OF COUNSELING, ADVOCACY, & SUPPORT

Victims of sexual misconduct can receive assistance immediately by calling the local police department (911, if emergency). Students may contact the Student Assistance Program (SAP) by calling 1-866-465-8942 or TDD: 1-800-697-0353. When contacting the SAP, please reference NewSchool's ID, NEWSCHOOL. NewSchool employees may contact the SAP is free, confidential resources at NewSchool, which means that all conversations will remain confidential and will not initiate any type of investigation into the incident. Sexual assault reports must be made by contacting the NewSchool Title IX coordinator who is the appropriate university official for receiving reports of sexual assault. Victims of sexual misconduct can also receive counseling and support services through the Center for Community Solutions (CCS). CCS is a member of the San Diego County Sexual Assault Response Team (SART). To contact, please call: 24-Hour Toll Free Crisis Line: 1-888-DVLINKS (385- 4657); Coastal Location: 858-272- 5777; East

County Location: 619-697- 7477 North County Location: 780-747-6282.

Time Frames for Process: While each situation is different and there can be no way to determine how long an investigation will take, the Title IX coordinator shall use her or his best efforts to reach resolution within 60 days from the time the complaint is reported to notice of resolution, exclusive of any appeals.

RIGHT TO APPEAL

At the conclusion of the investigation and disciplinary process, both parties have the right to appeal any findings. The appeals process is described in the Code of Conduct.

TUITION AND FEES

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RELEASE OF TRANSCRIPTS WITH OUTSTANDING FINANCIAL OBLIGATION TO THE INSTITUTION.

Effective January 1, 2020 in accordance with California State Law, NewSchool will no longer hold official or unofficial transcripts for students that owe an outstanding balance or have outstanding library fees owed to the institution. However, the final grades for the last quarter attended will be changed to UP for Unpaid when a balance is owed to the institution on the official transcripts. Grades of UP will count as neither attempted nor earned credits and will not be calculated in the student's GPA.

JUDICIAL AFFAIRS

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The president or designee retains ultimate responsibility for the administration of the Code of Conduct while faculty members have jurisdiction for behavior that occurs within the classroom environment, though the Student Life Manager will retain a record of all academic dishonesty and classroom disruption/obstruction incidents.

The judicial affairs coordinator, who is appointed by the President, shall develop policies for the administration of the judicial program and procedures for the conduct of hearings that are consistent with provisions of the Code of Conduct. The judicial affairs coordinator shall also determine the composition of judicial bodies and determine which judicial body, including the temporary Campus Judicial Board, shall be authorized to hear each case.

Decisions made by a judicial body and/or judicial affairs coordinator shall be final, pending the normal appeals process as outlined in this code.

Generally, NewSchool jurisdiction and student discipline shall be limited to student conduct that occurs on property owned or controlled by NewSchool or on trips or activities sponsored by NewSchool, or which adversely affects the college community and/or the pursuit of its objectives. In matters where a student's guest violates NewSchool policies, NewSchool will hold the student host responsible for the guest's behavior and may impose sanctions as if the student had committed the behavior.

Any student who violates state, federal, or municipal law while on property owned or controlled by NewSchool or on trips sponsored by NewSchool entities shall be subject to judicial action for said offense(s) and to sanctions prescribed by this code in addition to possible prosecution by state, federal, or municipal authorities. This applies to violation of any law while students are on NewSchool-sponsored outings or trips.

NewSchool gives full cooperation to local law enforcement agencies concerning their investigation and enforcement of city, state, and federal laws. Students must realize that NewSchool will not serve as a haven or refuge for violators of the law. If a student violates laws governing such areas as drugs, alcohol, theft, and/or other civil violations, the student must also accept the consequences of such actions. All students will be held responsible for their behavior.

JUDICIAL PROCEEDINGS

Students should understand that NewSchool disciplinary procedures are not identical to procedures in criminal or civil cases but are, instead, designed to ensure fundamental fairness so that students will be protected from any arbitrary or capricious disciplinary action. NewSchool disciplinary procedures will be adhered to as faithfully as possible given all the circumstances of each individual case. Variations in the procedure, which are dictated by particular circumstances, will not invalidate NewSchool disciplinary procedures unless these variations prevent a fair hearing.

CHARGES & NOTIFICATION

■ Any member of the college community (students, faculty members, college officials, or staff) may initiate charges for alleged violations of this code or other NewSchool policies by filing said charges in writing with the Student Life Manager. All students have the ability to complete an incident report at any time to document incidents of concern on campus. The Incident

Report Form may be found on the NewSchool website.

- Any charge should be submitted within a reasonable time (preferably within 3 NewSchool administrative working days) of the alleged violation.
- A student shall be notified by the appropriate NewSchool official, in writing, of any judicial proceedings instituted to adjudicate said student's alleged misconduct.
- Notice to the student shall take place within a reasonable amount of time (if possible, within 3 NewSchool administrative working days) after the appropriate NewSchool official has concluded a preliminary investigation of the alleged violation. The student shall have reasonable prior notice, in writing, of scheduled judicial proceedings. Notice shall be considered received upon delivery to a student's current local address or official student email address, as recorded with NewSchool, unless the student can show just cause why such receipt substantially impaired adequate notice and preparation for said hearing.
- Written notification of judicial proceedings shall include:
 - Time and place of incident review meeting and/or hearing
 - A statement of the charges brought
 - The name of the person(s), group, or NewSchool office filing said charges

NewSchool reserves the right to suspend the above provisions of notification to expedite judicial proceedings during exams, holidays, and any other period when classes are not normally in session. Nothing in these provisions shall be read to preclude an informal investigation and resolution of a student conduct issue prior to or in lieu of an initiation of charges under these judicial proceedings.

INCIDENT REVIEW MEETINGS & HEARINGS

At the discretion of the Student Life Manager a hearing option will be chosen. An accused student may choose to forgo a hearing in consideration of a more immediate disposition of the alleged violation.

- Incident Review Meeting – A student who has had charges brought against him or her may be required to meet with the Student Life Manager for an incident review meeting to discuss the charges, the judicial proceedings, rights of the accused, and the possible sanctions associated with said charges.
- Informal Proceeding – The Student Life Manager who was responsible for the incident review meeting will also facilitate an informal proceeding if an accused student chooses to forgo a formal hearing in consideration of a more immediate disposition of the alleged violation.

- Dean of the Division of Student Affairs Review – This procedure is implemented by the senior academic administrator of the academic unit and/or chief academic officer and is intended to review the status of a student in a faculty member’s course. This review may include a mediation between the student and the faculty member, or it may be an administrative proceeding to determine whether a student should be allowed to remain in the given course. Because of the necessity for swiftness, this review should take place as soon as possible following the incident and is not subject to the requirement of advanced, written notice to the student. After consulting with the student and the faculty member (together and/or separately), and with any witnesses, the senior academic administrator of the academic unit and/or chief academic officer shall render a decision in writing. The senior academic administrator of the academic unit’s decision may be appealed to the chief academic officer, and the chief academic officer’s decision may be appealed to a campus Judicial Board.
- Formal Administrative Hearing – The Student Life Manager will act as or appoint a hearing officer to facilitate a formal administrative hearing when necessary. It is the responsibility of the Student Life Manager that all hearing officers have received the appropriate training to conduct a just and fair hearing as provided by this code. Any and all appeals of decisions by the hearing officer of a formal administrative hearing shall be directed to the chief academic officer.
- Formal Committee Hearing – When necessary, the Student Life Manager will appoint members to a temporary Campus Judicial Board. The composition of the temporary Campus Judicial Board will be determined by the Student Life Manager. Every temporary Campus Judicial Board will have one nonvoting advisor appointed by the judicial affairs coordinator (or designee) to ensure a just and fair hearing as provided by this code and shall be the official representative of the college under whose authority the board may act in fulfillment of the provisions of this code. All recommendations for sanctions by the Campus Judicial Board through a majority vote will be sent to the Student Life Manager for a final decision and imposition of sanctions and explanation to the student. In the event that the Campus Judicial Board is inoperative, an administrator appointed by the Student Life Manager will conduct an administrative hearing.
- Failure to Appear – The evidence in support of the charges shall be presented and considered even if the accused fails to appear and answer charges. Failure to appear at an incident review meeting or hearing, or failure to reschedule 24 hours before the

date and time of the incident review meeting or hearing, may result in the determination of responsibility for policy violations and, if found responsible, the imposition of sanctions in a person’s absence. No recommendation for the imposition of sanctions shall be based solely upon the failure of the accused to answer charges or to appear at the hearing. The accused may reschedule a maximum of two times before the case will be reviewed in his or her absence.

RIGHTS OF THE ACCUSED

To ensure that all judicial proceedings are conducted in a fair and reasonable manner, all accused students are entitled to the following:

- The right to an expeditious hearing
- The right to appear in person to answer charges and present witnesses and evidence in support of their defense
- The right to be accompanied by an advisor of their choice (Advisors must be from the campus community except when approved by the Student Life Manager. Advisors are to give advice and direction to the student but, as a general rule, may not speak in defense or on behalf of the student. Advisors may not serve as a witness to facts in the case, but may speak as a character witness on behalf of the accused.)
- The right to refuse to answer questions of an incriminating nature
- The right to have a hearing audio-taped by the judicial body (This tape recording shall be considered the sole property of NewSchool and shall be part of the official record of the accused.)
- The right for students with documented disabilities to request reasonable accommodations to assist them through the judicial process

HEARINGS

Hearings shall be conducted by a judicial body according to the following guidelines:

- Hearings will be confidential and closed to the general public (i.e., those who are not primary participants, authorized witnesses and advisors, the Student Life Manager and other members of the judicial body).
- Admission of any person to the hearing shall be at the discretion of the judicial body and/or the Student Life Manager.
- Where a single incident or occurrence gives rise to charges against more than one student, a student shall be eligible to have a separate hearing if he or she can substantiate the likelihood of prejudice by association.

- The accused student and his or her advisor shall be present during the entire time of the hearing and shall be absent only during times in which the judicial body or administrator is deliberating.
- The charging party, the accused, and the judicial body shall have the privilege of presenting witnesses, subject to the right of cross-examination by the judicial body. If either party is unable to locate or receive compliance from any person asked to testify, that party may seek assistance of the appropriate NewSchool administrator. NewSchool, however, may not compel a student to testify against his or her will. The adjudicatory agent may elect not to hear a witness.
- Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the judicial body at the discretion of the Student Life Manager.
- The judicial body's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Code of Conduct. All matters on which a decision should be based must be introduced into evidence during the proceedings. The decision should be based on careful evaluation of such evidence.
- It is to be understood that all adjudicatory bodies will have access to all past judicial records of that student after they have reached a decision as to the disposition of the alleged violation. This prior record, and any mitigating or aggravating circumstances, may be used for the purpose of determining the type of sanction(s) to be recommended, if any.
- The NewSchool adjudicatory agent shall notify the accused student(s) of its findings within the shortest reasonable time after a decision has been rendered. This notice shall be in writing and shall specify the charges for which the accused student has been found responsible or not responsible, and the action, if any, being recommended.
- All proceedings, testimony, findings, and recommendations of any and all judicial hearings are confidential. The charging party, on receipt of information regarding the findings and/or recommendation of any adjudicatory agent, shall be bound to keep in confidence such information. Information from disciplinary records is subject to all the same provisions of confidentiality as other student records.

DISCIPLINARY SANCTIONS

The purpose of the imposition of sanctions in a student disciplinary hearing is to redirect the student's behavior toward a pattern more acceptable within the college community, if such redirection is feasible; to protect the college community from possible harm or injury from said person; or to give financial redress to a complainant for loss, harm, or destruction of property resulting from the actions of the accused. Although not intended to be inclusive, the following are possible sanctions that may be imposed, either singularly or in combination, upon a student for infractions of the Code of Conduct.

- **Disciplinary Expulsion** – Expulsion is a permanent dismissal from NewSchool. Any recommendation for expulsion is automatically subject to review by the president (or designee) whether or not the student appeals the recommendation of the judicial body. In the case of expulsion, financial refunds for tuition and fees will follow the refund schedule as outlined in this publication. The student's parents or guardians will be notified of a disciplinary expulsion.
- **Disciplinary Suspension** – If a student is suspended, he or she is deprived of student status and must carry out total separation from NewSchool for a specified period of time. A student placed on suspension will be withdrawn from classes. Conditions of readmission shall be stated in the letter of suspension. Any recommendation for suspension is automatically subject to review by the chief academic officer (or designee) whether or not the student appeals the recommendation of the judicial body. In the case of suspension, financial refunds for tuition and fees will follow the refund schedule as outlined in this publication. A student's parents or guardians will be notified of a disciplinary suspension.
- **Interim Suspension and Other Interim Sanctions** – The chief academic officer (or designee) may suspend a student and/or restrict a student's access to campus and/or impose other forms of interim action, such as exclusion from one or more classes or other locations, for an interim period prior to the resolution of a disciplinary proceeding if the chief academic officer (or designee) becomes aware of reliable information that supports an allegation of misconduct and determines that the continued presence of the student on the campus or at NewSchool-sponsored events poses a threat of harm or substantial disruption. The interim action will remain in effect until a final decision has been made on the pending charges or until the chief academic officer determines that the reasons for imposing interim action no longer exist.

- **Disciplinary Probation** – A written statement to the student indicating that his or her behavior is of such a nature as to place him or her near removal from the college community. Any student placed on probation will be notified of the terms, which may include restrictions deemed appropriate by the Student Life Manager and the length of the probation. Parents or guardians may be notified if a student is placed on disciplinary probation. Any conduct in violation of the probation of a similar or more serious nature shall result in the imposition of additional restrictions, suspension, or expulsion.
- **Disciplinary Service** – A student is required to complete a specific number of hours of service to the campus or general community and fulfill any educational action associated with the disciplinary service as determined by the Student Life Manager.

EDUCATIONAL ACTION & ASSIGNED PROJECTS

Educational action and assigned projects designed to assist the accused student in better understanding the overall impact of his or her alleged behavioral infraction may be assigned. Educational action could include mandatory attendance to classes, seminars, or workshops, etc., relating to the alleged policy infraction. Assigned projects could include a term paper, the creation of educational posters, or the planning of an educational program related to the alleged policy infraction. Assigned projects may not include work details except as may be directly related to the alleged offense nor may such assigned projects be of such a nature in scope as to cause undue humiliation or degradation of the accused student. Said assigned projects will be under the direct supervision of the Student Life Manager.

ENROLLMENT HOLD, CANCELLATION OF ENROLLMENT, & GRADUATION HOLD

- **Enrollment Hold** – Should a student not respond to a request to meet with the Student Life Manager, or if a student should fail to complete assigned sanctions, such college official may either place a hold on the student's account, which would prevent the student from enrolling in subsequent quarters and from receiving transcripts, or may declare a default by the student and impose disciplinary sanctions.
- **Cancellation of Enrollment** – In instances where the Student Life Manager has placed a hold on a student's enrollment for failure to comply with sanctions resulting from a prior informal or formal hearing, such hold may be cleared with the condition that the student's enrollment will be canceled for failure to meet

the conditions of the clearance. To be reinstated or to obtain transcripts, the student must fulfill all judicial obligations.

- **Graduation Hold** – Should a student not respond to a request to meet with the Student Life Manager or if a student does not comply with already imposed disciplinary sanctions, then the chief academic officer may place a hold on his or her participation in graduation exercises and his or her diploma. This hold will also prevent transcripts denoting graduation from being released. Diploma and transcripts will be released upon fulfillment of all judicial obligations.

FINES & RESTITUTIONS

Fines, when deemed appropriate, may be assigned by the Student Life Manager. Restitution is expected when a student's actions damage, deface, or destroy any NewSchool or personal property in order to restore said property by replacement or monetary reimbursement unless good cause can be otherwise substantiated. Such restitution shall be in addition to any sanction the judicial body may recommend.

Fines and restitution are payable by personal check, cashier's check, credit card or cash. In rare circumstances, and with parents' permission, fines and restitution may be added to a student's account. If a student separates from NewSchool prior to paying fines or restitution, the outstanding balance will be added to the student's account, which could result in an account being sent to collections.

INFORMAL ADMONITION OR WARNINGS

Informal admonitions may be given for less serious offenses without the initiation of formal procedures. All charges referred to the Student Life Manager may be disposed of by mutual consent of the judicial affairs coordinator and the parties involved. The accused shall regard the case as closed and may not appeal. Failure to reach a consensus allows either party to request that the case be heard by the appropriate judicial body.

NOTIFICATION OF PARENTS OR GUARDIANS

At the discretion of the judicial body and following the Code of Conduct, FERPA, and with the approval of the chief academic officer, notification by letter or telephone may be made by the appropriate administrative officer to the parents or legal guardian of the accused student. A decision involving disciplinary probation, suspension, or expulsion will result in notification to the student's parents or guardians at NewSchool's discretion.

RECOMMENDATION OF COUNSELING

The judicial body may request the Student Life Manager to direct a student to receive an evaluation or assessment or to attend a prescribed number of counseling sessions with a licensed counselor. If such a request is made, the judicial body may inquire only into whether the student has attended the prescribed number of sessions and cooperated with efforts made by the counselor to help him or her adjust to NewSchool responsibilities and issues relevant to the infraction; all other content discussed in the sessions is confidential.

REPRIMAND

A reprimand is a written warning to a student that his or her conduct is unacceptable under NewSchool standards and policies and that continuation or repetition of the specified conduct may be cause for further disciplinary action. During formal proceedings, the reprimand is the least sanction the judicial body may impose if the accused is found to be in violation of the Code of Conduct. (A reprimand becomes part of a student's disciplinary record but is not a part of the student's academic record.)

RESTRICTION

A restriction on a student's campus privileges may be imposed for a period of time. This restriction may include, but is not limited to, denial of the right to represent NewSchool in any way, the denial of the use of specific facilities, or denial of the opportunity to participate in extracurricular activities. Individuals on campus restriction may not be present on campus for any reason. This includes NewSchool activities both on and off campus.

BIAS-MOTIVATED OFFENCES

Any offense that is motivated by bias may result in stronger penalties. An offense motivated by bias is any offense wherein the accused intentionally selects the alleged victim because of the alleged victim's race, creed, disability, color, religion, national origin, gender, age, marital status, sexual orientation, or inclusion in any group or class protected by state or federal law.

The Student Life Manager and other judicial bodies are not limited to the sanctions listed above, but may impose other sanctions which bear a reasonable relation to the violation for which the sanction is imposed.

COMPLETION OF SECTIONS

- Responsibility – The Student Life Manager will be responsible for ensuring that sanctions have been carried out. As part of an assigned sanction, a student may be required to meet periodically with the judicial affairs coordinator (or designee) to discuss and assess the progress of the sanction.
- Time period – Where time periods for sanctions are appropriate, they should be designated by the adjudicating body. The time period will be determined at the discretion of the adjudicating body and should always be within reason for the type of sanction imposed. If no specific time period is stated in the sanction, then the term (whether for restrictions, probation, or suspension, etc.) is determined to be 1 academic year.
- Failure to complete assigned sanctions – Failure to complete assigned sanctions within the specified time frame constitutes abuse of the judicial system, which can result in additional sanctions and/or an enrollment or graduation hold.

APPEAL

An appeal may be made by either party to a judicial action to the appropriate adjudicatory agent through the Student Life Manager or judicial hearing officer within 3 administrative working days. With the exception of suspension or expulsion, which are automatically subject to review by the chief academic officer or president (or designee) whether or not the student appeals the recommendation of the judicial body, all decisions or sanctions may be appealed to one level above the original jurisdiction adjudicatory agent. After that point, the appeal route is exhausted. The parties will be informed as to the appropriate individual or body to receive an appeal.

An appropriate letter of appeal should be of sufficient detail to stand on its own merit and should include the following information:

- Student's full name, ID number, and contact information
- Stated grounds for the appeal (as noted below)
- Rationale for the stated grounds of the appeal

The adjudicatory agent having jurisdiction shall consider only the following as grounds for said appeals:

- A substantial procedural error has unreasonably impaired either party.
- An unduly harsh sanction has been recommended for the accused student.
- New evidence of a substantive nature, which was not available at the time of the original hearing, has been uncovered.

- Substantiated bias on the part of any judicial board member or administrative hearing officer has been identified.
- A sanction considered to be too lenient has been recommended for the accused.

Any adjudicatory agent in receipt of the appeal may, after review of all available information through a paper review or an actual appeal review meeting, elect to:

- Deny the appeal for lack of adequate grounds or justification for said appeal,
- Accept the appeal and lessen the sanctions recommended,
- Accept the appeal and dismiss all charges and sanctions,
- Accept the appeal, but sustain the decision of the adjudicatory agent of previous jurisdiction, or
- Accept the appeal (and at the discretion of the adjudicatory agent considering the appeal, re-hear all or a portion of the case and/or take new evidence) and establish his or her own recommendation, which may call for greater or lesser sanctions than the previous agent.

INTERPRETATION & REVISION

Any questions of interpretation regarding the Code of Conduct and the judicial proceedings shall be referred to the chief academic officer (or designee) for final determination.

REFUND, CANCELLATION, & TERMINATION POLICY

Student's Right to Cancel

- A student has the right to cancel an agreement for a program of instruction, without any penalty or obligations, through attendance at the first-class session, or the seventh calendar day after enrollment, whichever is later. After the end of the cancellation period, a student also has the right to stop school at any time; and the right to receive a pro rata refund if he or she has completed 60% or less of the scheduled quarter through the last day of attendance.
- Cancellation may occur when a student provides a written notice of cancellation at the following address: 1249 F Street, San Diego, CA 92101. This can be done by mail or by hand delivery.
- The written notice of cancellation, if sent by mail, is effective when deposited in the mail properly addressed with proper postage.
- The written notice of cancellation need not take any particular form, and, however expressed, it is effective if it shows that the student no longer wishes to be bound by the enrollment agreement.

- If the enrollment agreement is cancelled, the school will refund the student any money he or she paid, less an application fee not to exceed \$250, and less any deduction for equipment not returned in good condition, within 45 days after the notice of cancellation is received.

STUDENT APPEALS & GRIEVANCE POLICY

A student has the general right to appeal decisions and/or policies that may affect his or her progress. A student who feels there are extenuating reasons for his or her failure to adhere to specific decisions or policies may file a written appeal with the chief academic officer provided said appeal is filed within 2 weeks of notification of the decision.

The chief academic officer will evaluate the extenuating circumstances presented by the student. Extenuating circumstances are defined as unavoidable and/or unexpected events (e.g., illness, death in the immediate family, or state of emergency caused by a disaster). Students petitioning the chief academic officer with an appeal should describe the situation completely and provide outside documentation for verification purposes. The chief academic officer will base his or her decision on these supporting materials. If it is determined that the student's circumstances were extenuating, the appeal may be approved at the discretion of the chief academic officer.

STUDENT GRIEVANCE

A student who has a grievance must first see the appropriate faculty or staff member with whom the grievance lies. If a solution is not reached on the part of the student and faculty or staff member, the student may seek the aid of the senior academic administrator of the academic unit in writing. If a solution cannot be reached the student may seek a solution by completing a confidential Student Grievance Form. This form is located on the NewSchool website under "Student Resources" on the "Registrar" page, on the student portal and in student support offices, such as the Registrar's and Academic Advising offices. The student is responsible for completing the form with as much detail as possible and returning the form to the Student Life Office. The form will be reviewed within 30 days, and a resolution and/or recommendation will be presented to the student within 45 days of the date of grievance submission. Confidential records of this grievance process are kept in the Student Life Manager' office.

STUDENT COMPLAINTS PROCEDURE – WASC

Senior College and University Commission (WSCUC): A student may file a complaint with NewSchool's accreditation body by contacting WSCUC ([http:// www.wascsenior.org](http://www.wascsenior.org)) and adhering to the Policy on Complaints and Third-Party Comments for the appropriate means of communicating comments and complaints.

California Bureau for Private Postsecondary Education Complaint Procedure: A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (888) 370-7589 toll-free or by completing a complaint form, which can be obtained on the bureau's internet web site www.bppe.ca.gov.

ACADEMIC INTEGRITY

NewSchool students are expected to exhibit the highest standards of academic propriety. Academic misconduct prejudicial to the academic integrity of the student, fellow classmates, and/or school will lead to disciplinary action that may include suspension or dismissal. Academic misconduct includes but is not limited to the following:

- Cheating: Cheating includes attempting to receive or receiving assistance from persons, papers, or other material without the permission of the instructor; or the acquisition of an examination and/ or quiz prior to the examination date.
- Plagiarism: Plagiarism is defined as taking and using as one's own the ideas and writings of another without giving appropriate credit through proper documentation. The reuse of one's own prior work in another class or institution without acknowledging it is also plagiarism.
- Other acts of academic dishonesty: Such acts include inaccurately reporting research, fabricating information and sources, providing assistance to a student attempting to cheat or plagiarize, and bribery

The process for investigating and sanctioning suspected violations of academic integrity is outlined below.

To ensure academic integrity, NewSchool recognizes the American Psychological Association (APA) citation style for all scholarly work at NewSchool. Unless an alternate style is specified by an instructor and has been approved by the senior academic administrator of the academic unit, all students are expected to know and use APA conventions per the current Publication Manual of the American Psychological Association.

POSSIBLE VIOLATIONS OF ACADEMIC INTEGRITY

Procedure

The following is the process when a potential violation of academic integrity (plagiarism, providing false information, misrepresentation of credentials, copyright violation, etc.) is identified.

Should an instructor suspect that a student has violated the academic integrity policy, the instructor will conduct an appropriate investigation, which may include use of a plagiarism detection service. If, after reviewing the evidence, the instructor determines that academic dishonesty has occurred, he or she will send a letter of inquiry to the student that describes the concern and the evidence. The student will be given an opportunity to respond to this evidence in writing. The next level of academic leadership and the academic integrity designee should be copied on the letter of inquiry. The instructor may choose to resolve the matter at the class level with the report (letter of inquiry, student's response, and the resolution) placed in the student's file, at which point the case will be considered closed.

If the instructor doesn't resolve the matter at the class level, a copy of the letter of inquiry must be given to the next level of academic leadership and the academic integrity designee, who will review the report and determine appropriate sanctions, if any. If the student accepts and completes the sanction(s), the report (letter of inquiry, student's response, and sanction letter) will be maintained in the database and the case considered closed. If the student accepts the sanction(s) but fails to complete it, or misses the deadline for completion, a disciplinary hold will be placed on the student's account. If the student disagrees with the sanction(s), he or she may submit an appeal to the senior academic administrator of the academic unit within 10 days. Once rendered, the deans' decision will be considered final and may not be appealed, with the report being maintained in the database and the case considered closed.

Suspected violations of academic integrity that are reported to the university by students or other NewSchool community members will be investigated by the academic leadership in the program and the academic integrity designee, and a disposition will be provided to the student in the same manner.

Sanctions

The university takes all violations of the Code of Conduct, including academic integrity, very seriously and takes actions that are appropriate to the violation. Possible sanctions may include, but are not limited to, one or more of the following: a requirement to redo work, a reduction in grade for the work, award of a failing assignment or course grade including retroactive application of failing grades to past courses, completion of a learning module, revocation of proposal or thesis approval, academic probation, suspension, or permanent dismissal from the university. Other discretionary sanctions may also be imposed, such as essays, reflections or research papers, service to NewSchool or the local community, and behavioral assessment or counseling sessions. The existence of a prior violation in a student's file will lead to stronger sanctions for subsequent acts. The senior academic administrator of the academic unit and the President must approve all suspensions or dismissals from the university and will notify students in writing of such action.

All disciplinary actions are maintained in the student's file. Students who have been dismissed from the university for violation of the academic integrity policy are not eligible for readmission.

COURSE DESCRIPTIONS

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AR262 ARCHITECTURAL STUDIES II

Credits 3

Schedule: 3 hours weekly [Lecture (3)]

The course examines significant monumental and vernacular buildings, settlement patterns, and urban forms from the Early Christian period to the Baroque.