

MEMORANDUM

American University Student Conduct Data from Off Campus Cases, 2001-2010

The director of Student Conduct and Conflict Resolution Services has provided data on findings of responsibility for off campus incidents that occurred between 2001-2010, and the sanctions that were assigned.

Note that some records have been expunged according to the Disciplinary Records policy:

XVIII. Disciplinary Records

Except as noted below, disciplinary records are maintained by Student Conduct and Conflict Resolution Services for seven (7) years from the date of the letter providing notice of final disciplinary action. Release of disciplinary records to third parties is provided in accordance with the Family Educational Rights and Privacy Act of 1974, as amended, (FERPA) until a student has graduated from the university, or as required by law. Records for a student who is suspended, dismissed, or who withdraws with a disciplinary case pending are maintained indefinitely; release of these categories of disciplinary records to third parties is provided in accordance with FERPA.

[See also the Confidentiality of Student Records policy for additional information.]
Amended and approved by the president, May 2010.

Disciplinary cases can result in findings of “responsible” or “not responsible.” Those cases where findings were “not responsible” are not included in the data provided in this memorandum. For the period of 2001-2010, a total of 69 cases resulted in findings of “responsible.” Those cases were as follows:

- 51 students received a censure and educational sanctions;
- 10 students were placed on Disciplinary Probation and received educational sanctions;
- 3 students were suspended; and
- 5 students withdrew from the University, and their cases remain pending.

The overwhelming majority of these cases resulted from citations that were issued to students for underage consumption of alcohol off campus.

Explanations of the sanctions:

- “Censure”—a written reprimand for violation of specified regulations, including a warning that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- “Disciplinary Probation”—status assigned for a designated period of time, during which any other violation of the Code may result in removal from university housing, suspension, or dismissal from the university. Students on disciplinary probation may not hold or run for any elected or appointed positions. Additional conditions appropriate to the violation may be imposed.

- “Suspension”—exclusion from university premises and other privileges or activities as set forth in the suspension notice. This action is permanently recorded on the student’s academic transcript.

Students who were issued a censure were also sanctioned to complete the HEADS UP course, a 7 ½ hour alcohol and other drug education course. Students who were placed on Disciplinary Probation were required to complete between 30 and 75 hours of community service, and their parents were notified about the case outcome. Additionally, the students were required to complete an Alcohol and Other Drug Evaluation off campus.

If a student withdraws from the University prior to their disciplinary case being resolved, a stop is placed on the student’s account. A student cannot register for classes until the stop is removed.

Prepared by Student Conduct and Conflict Resolution Services, American University,
November 15, 2011

American University Dean of Students Office Annual Report Abstracts: Neighbor Relations for the Period 2001-2010.

2001-2002 Annual Report: *Neighbor Complaints*

While the dean's office typically deals with one or two complaints from neighbors each year, there were five situations this year which led to multiple calls from neighbors and necessitated extensive consultation and intervention with all parties. Three were Greek related, one involved an underground Greek organization, and one involved anonymous vandalism. All of these situations were ultimately resolved.

The Addition of Park Bethesda to the housing inventory created concern among Park Bethesda (PB) neighbors about students' behavior. While the Student Conduct Code will be applied (*PB was university-leased and operated*), neighbors continued to have questions about how the university would respond, particularly to issues of drug and alcohol use. The dean attended two meetings with neighbors where these issues were addressed.

2002-2003 Annual Report: *Neighbor Relations*

The office continues to address the complaints received from neighbors about students living in the surrounding community. This past academic year we received complaints against nine properties. These complaints range from noise violations, trespassing, and littering of property, to vandalism and fighting. While some of the nine properties identified may have one or two isolated incidents reported, three properties posed problems which were chronic and required repeated interventions by the office.

While complaints were dealt with on a case-by-case basis, the university employed a number of measures to address the complaints. When residents were identified as athletes, coaches intervened. Likewise, when residents were members of Greek organizations, the coordinator of Greek Life, as well as representatives from the national headquarters and advisors, met with students to resolve the issues. Both the associate dean of students and the coordinator of Greek Life have met with neighbors to hear complaints and seek an end to disruptive behaviors. In one instance, students met with the associate dean and assistant director of Judicial Affairs and Mediation Services to resolve the problems. The office advises neighbors to call the police when situations warrant such a response. We continue efforts to obtain from the police the names of students who have been issued citations or arrested so we can adjudicate these violations on campus where indicated.

In addition to responding to complaints as they occur, the office seeks to be proactive in its relationships with the neighbors. The dean and the associate dean attended six meetings with neighbors and neighborhood associations to inform them of the protocols for addressing complaints and to seek their input on behavioral issues so that we can work collaboratively to address situations as they develop.

2003-2004 Annual Report: *Neighbor Relations*

Although the number of complaints from neighbors about students living in the surrounding community was the same as in 2002-2003 (17), there were fewer problem properties. Two of the six properties names this year had been identified as problem properties in prior years. Only one property had residents who could be identified as members of an AU Greek organization. The

complaints ranged from noise violations, littering or property, use of profane language, parking violations, reckless driving and vandalism.

Neighbors were advised to call the police when situations warranted such a response. In addition, the associate dean met with students who were residents of these properties when they could be identified, and the assistant to the dean talked with property managers and others involved where appropriate. These interventions were effective in resolving most of the issues raised.

One property manager associated with a realtor said that she has had relatively few problems with student tenants over the years. Student misbehavior was also not an issue at two meetings with neighbors, one with Park Bethesda neighbors and one mandated by the campus plan.

2004-2005 Annual Report: *Neighbor Relations*

In comparison to AY2003-2004, we saw a significant drop last year in the number of complaints from neighbors regarding students in off-campus housing. We responded to nine complaints from six properties as compared to 17 complaints from six properties in AY 2003-2004. All complaints were resolved as evidenced by no further contact from neighbors. Concerns included excessive noise, student parking, suspicions of underage drinking, and trash in yards. Three of the properties were occupied by Greeks and in each instance, national headquarters were notified of the situation. The coordinator of Greek Life also spoke to the students in the properties. One of the properties was occupied by student athletes. This property received two separate complaints and in each instance, Athletics was notified, the coach intervened to address the situation, and the problems ended. We have been informed that student in this property have graduated and moved from the residence.

As in the past, our protocol in these situations is to speak to the residents and seek their cooperation to stop the activities that are disruptive to neighbors. We have continued to advise neighbors to contact the police when a situation warrants a response from the authorities. Public Safety is developing a stronger working relationship with 2D headquarters so that in the event police do respond to a property occupied by AU students, we will be notified of the situation and informed of whether or not citations were issued or arrests made at the scene.

The associate dean attended the quarterly meetings between neighbors and the university administration, which are mandated by the Campus Plan. The focus of these meetings has been the construction of the Katzen Arts Center and the problem of students parking in the neighborhoods, not student behavior. Transportation Services, through increased patrols and ticketing, has reduced the number of students parking in the neighborhood streets. The university will continue to encourage students to be "good neighbors" through the efforts of the off-campus housing office, the CIVITAS campaign, Greek 101 sessions, communication with Greek national organizations, and coaches setting expectations of behavior for student athletes living off campus.

Annual Report 2005-2006: *Neighbor Relations*

Ten problematic properties came to our attention in AY 2005-2006 (6 in AY2004-2005). Concerns ranged from noise from parties, trash in yards, and parking problems to more minor concerns such as students talking outside on cell phones late at night. In all of the cases, the office made contact with the occupants of the houses when they were identified, cautioned the students about repeated behavior that could lead to police and judicial actions, and discussed ways that they could be more

considerate of the neighbors. We also worked with police departments, owners, and property managers to address situations. All cases were ultimately resolved.

Annual Report 2006-2007: *Neighborhood Issues*

During AY 2006-2007, we received complaints about ten different properties. While this number of properties matched the number of problem residences from previous years, two properties received numerous complaints from the fall through the spring semester. These on-going disturbances generated ill will among neighbors and among members of the neighborhood committees who contended that AU was not effectively responding to students' off campus behavior. Disturbances from parties, ongoing concerns about parking in neighborhood streets, and fears that the renovation of Nebraska Hall would increase noise and parking violations fueled neighbors' criticisms of the university's master plan and demands that AU do more to hold students accountable for off-campus behaviors.

Other data about neighborhood issues include:

- Five of the 10 complaints were received during the first two weeks of the fall semester.
- Three of the residences housed members of fraternities, and one residence housed members of a sorority.
- One of the residences was occupied by student athletes.

In addition to concerns about underage drinking, noise, and trash, neighbors also have begun complaining about students talking on cell phones outside on decks and porches late at night. While these issues contributed to a difficult year for neighbor relations, they also results in efforts to improve how we respond to neighbor complaints and educate students on being good neighbors. Steps taken to respond more effectively to neighborhood issues include:

- Collaboration with the Office of the Registrar to match addresses with students more efficiently
- Collaboration with Public Safety to develop a database of neighborhood complaints that records the issue, the actions taken, and the follow-up with the complainant
- Implementation of a Greek Leader Coach Session on "Good Neighbor Relations"
- Presentation of "CIVITAS" during Greek 101 in both the fall and spring semesters with an emphasis on good neighbor relations
- Presentation at a quarterly meeting with neighbors on who to contact about student behaviors. This presentation included an explanation of the "AU Response to Neighborhood Incidents," a process chart used to inform neighbors about how complaints are handled by AU

These efforts may result in more timely and effective responses to neighbors' complaints. We are also exploring additional ways to obtain off-campus addresses of students. While Athletics and Greek Life obtain addresses from students living off campus, the university does not make it mandatory for all students to provide off campus addresses. A goal for the coming year is to work with the off campus housing office through Housing & Dining Programs to obtain off-campus addresses and to educate students about the university's Good Neighbor policy.

We also continue to contact students and meet with them about neighbors' concerns. When necessary, we have involved national headquarters for Greek organizations and coaches to address issues with student athletes.

Annual Report 2007-2008: *Neighborhood Relations*

During AY 2007-2008, eight properties came to the attention of the office, compared to ten properties in each of the two previous years. It is interesting to note that of the eight properties, six came to our attention before the start of classes in August and were attributed to parties during move-in and the start of the semester. The Office of the Dean of Students and Judicial Affairs and Mediation Services responded quickly to hold students accountable for off-campus behaviors. All students were notified via letter and e-mail that violations of local, state, and federal law could result in violations of the Student Conduct Code which could be adjudicated on campus.

Only two of the six properties remained problematic through the fall and into the beginning of the spring semester. A house on Sedgwick Place, occupied by members of a fraternity, and a house on River Road, occupied by members of a club sports team, received numerous complaints. Despite early interventions by the dean's office, Athletics, and Greek Life, these two houses consumed a great deal of time as we tried to work with students and neighbors to resolve the issues. The River Road house was finally resolved in February, after the team had been sanctioned by Recreational Sports and Fitness and lost university recognition. An appeal ultimately restored their sponsorship. Residents in the Sedgwick Place home finally agreed to a mediation with neighbors and university officials in April to resolve differences. None of the students in that house will be returning to the property.

This year we were fortunate to be able to identify all of the students living at the addresses brought to our attention. While this has been a problem in the past, the Registrar's Office will begin requiring all students to report their off-campus addresses two weeks into the fall semester. The updated data base will ensure that we will be able to identify and quickly contact students in houses about which we have received complaints. We have also worked closely with Public Safety to share information about complaints and to create a data base to be able to track problem houses.

Communication with the Montgomery County Police Department remains strong and we continue to receive reports of citations and arrests of students at off-campus locations. Many of these reports have resulted in the adjudication of cases on campus this year. While the Metropolitan Police Department responds to many neighbors' complaints, it rarely issues citations or arrests AU students for noise or underage drinking. We are still having difficulty obtaining information from MPD about their involvement with students in off-campus properties.

The issue of off-campus behavior received a great deal of attention on campus this past year. The Student Government backed the dean's office and JAMS in their efforts early in the fall semester to hold students accountable for off-campus behaviors. *The Eagle* covered the sanctioning of the club sports team and the Interfraternity Council's challenge to the Greek Life requirement to report off-campus addresses. The SG president attended the regularly scheduled January neighborhood meeting in an effort to communicate the students' desire to maintain good neighbor relationships. JAMS adjudicated 70 cases involving violations of local, state, and federal law, the majority of which came from Montgomery County Police Department involving citations issued at off-campus parties.

While difficult to measure, we hope these steps will result in fewer problems in the coming year as we anticipate more students living in the surrounding neighborhoods.

Annual Report 2008-2009: *Neighborhood Issues*

From July 2008 through May 2009, the office received 11 contacts from neighbors about disturbances from seven different properties and vandalism that occurred along Massachusetts Avenue. This represents an increase over 2007-2008, when eight properties came to our attention. Four of the 11 complaints were about one property which was occupied by members of a Greek organization.

The nature of the complaints received ranged from trash left on the curb and loud parties with allegations of underage drinking, to noise and vandalism along Massachusetts Avenue. In each of the cases involving properties, the Associate Dean worked with the Registrar to identify students at the addresses. Residents were called or contacted by e-mail to speak with the Associate Dean about the nature of the complaints and how the students would modify their behavior to prevent future disturbances. With the exception of the one property occupied by members of the Greek organization, there were no repeat disruptions reported at any of the properties.

In addition to the property occupied by the Greek organization, one other house was occupied by members of a fraternity and one property housed members of a club sports team. The leadership of the Greek organizations and their national headquarters were notified in each incident. The Greek Life Coordinator met with the individual students and national representatives to discuss ways to prevent future disturbances. Each fraternity participated in a risk management program on alcohol use and hosting parties. Recreational Sports addressed the issues with the club sports team and there were no further complaints.

Over the past few years, the Dean's office has received complaints about parties at the start of the academic year. This year, we worked with Housing & Dining Programs to change the move-in date for returning students to the weekend just before classes begin. This gave first year students an opportunity to assimilate to campus without the lure of invitations to off-campus parties during Welcome Weeks. In contrast to previous years, we received no complaints about off-campus parties in August 2008. At those times of the year when we anticipate off campus parties (beginning and end of the semesters, Inauguration Weekend) the Greek Life Coordinator sent e-mail reminders to Greeks to celebrate responsibly and to be respectful of campus neighbors. The office encouraged Athletics to do the same with student athletes. Only one complaint was received at the end of the fall semester and one at the end of the academic year.

In April 2009, we were notified about vandalism and noise by groups along the Massachusetts Avenue corridor from below the Berkshire Apartments, Westover Place, and towards the Washington College of Law. Although not positively identified as AU students, the Dean of Students and the President of the Student Government sent letters to the AU student body reminding students of the need to be respectful of neighbors' property and to avoid activities that would disrupt these quiet neighborhoods. No further incidents were reported.

The Associate Dean served on the Neighborhood Liaison Committee which met with neighbors at quarterly meetings. Among items of concern were the ongoing construction of Kogod and SIS Buildings, ticketing of autos on neighboring streets, and noise from events on athletic fields. As the University begins development of its next Campus Plan, careful and direct communication will need

to occur to keep neighbors informed of the progress of the plan. Similarly, we will continue to educate and remind students of our expected standards of behavior in the surrounding community.

Annual Report 2009-2010: *Neighbor Relations*

The Dean of Students office responds to all neighborhood complaints by following up with students who have been identified as causing disturbances in the surrounding neighborhoods. In cases where students have violated a local, state or federal law, Conduct Code charges are filed against the student.

There were 27 neighbor complaints in 2009-2010 representing 11 properties. Among these complaints, there were 10 different complainants. The most common complaint made by neighbors was excessive noise, especially in the early morning hours. In prior years, neighborhood complaints were recorded by property as opposed to the number of total complaints. The number of properties with complaints this year is on par with last year.

Neighborhood Complaints by Complaint Type:

Noise -17

Alcohol-6

Disorderly Conduct-4

Poorly Maintained Residence-4

Parking-4

Violation of lease -1

Drug use-1