Our Lady of the Lake University
Student Code of Conduct

Definitions
1. The term “University” means Our Lady of the Lake University.
2. The term “student” includes all persons taking courses at the University, both full-time and part-time, pursuing undergraduate, graduate or professional studies, and those who attend post-secondary educational institutions other than Our Lady of the Lake University and who reside in University residence halls. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students.”
3. The term “faculty member” means any person hired by the University to conduct classroom activities.
4. The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities.
5. The term “member of the University community” includes any person who is a student, faculty member, University official or any other person employed by the University. A person’s status in a particular situation shall be determined by the Director of Residence Life/Student Judicial Affairs.
6. The term “University premises” includes all land, buildings, facilities and other property in the possession of, or owned, used or controlled by the University, including adjacent streets and sidewalks.
7. The term “organization” means any number of persons who have complied with the formal requirements for University recognition.
8. The Director of Residence Life/Student Judicial Affairs is the person designated by the University President, and The Vice President for Student Life to be responsible for the administration of the non-academic components of the Student Code of Conduct.
9. The Vice President of Academic Affairs and Dean of the appropriate school is the person designated by the University President to be responsible for the administration of the academic components of the Student Code of Conduct.
10. The term “hearing officer” means a University official authorized on a case-by-case basis by the Director of Residence Life/Student Judicial Affairs to impose sanctions upon students found to have violated the Student Code of Conduct. Nothing shall prevent the same hearing officer from imposing sanctions in all cases.
11. The term “shall” is used in the mandatory sense.
12. The term “may” is used in the permissive sense.
13. The term “regulation” is defined as the rules concerning student conduct including, but not limited to, the following publications of the University: the Student Code of Conduct, the Student Handbook, the Faculty Handbook, the Undergraduate and Graduate Bulletins, the Residence Life Handbook and the Worden School of Social Service Code of Ethics.
14. The term “cheating” means an act or attempted act of deception by which a student seeks to misrepresent information. Please refer to Article II, Academic Dishonesty Policy for detailed information.
15. The term “plagiarism” means the inclusion of someone else’s words, ideas or data as one’s own work. Please refer to Article II, Academic Dishonesty Policy for more detail.
16. The term “academic misconduct” means the intentional violation of University policies, tampering with grades, or taking part in obtaining and/or distributing any
part of an unadministered test. Some examples of academic misconduct include, but are not limited to, the following:

a. Stealing, buying or obtaining all or part of an un-administered test, including answers.
b. Selling or giving away all or part of an un-administered test, including answers.
c. Bribing another person to obtain an un-administered test, including answers.
d. Entering a building or office for the purpose of changing a grade.
e. Changing, altering or supporting another student in the changing or altering of grades or other academic records.
f. Forging signatures or changing information on class authorization forms.
g. Continuing to work on a test or project after the time allowed has elapsed.

Explanation of Judicial Authority

The authority to enact and enforce regulations of the University is vested in the University’s President by the Board of Trustees. The responsibility for enforcing those policies may be delegated to any University official the President designates.

- The Vice President for Academic Affairs is the principal officer designated for the administration of academic discipline and the Vice President for Student Life is the principal officer designated for the administration of non-academic discipline.

Persons may be designated by these individuals to implement disciplinary policies. Generally, discipline is utilized as a means of regulating conduct that occurs on University premises or any action or behavior that brings serious disrepute to the University, its community, and/or the pursuit of its objectives.

The Director of Residence Life/Student Judicial Affairs shall act as the primary judicial hearing officer for non-academic violations and shall develop policies for the administration of the judicial program and procedures for the conduct of meetings that are consistent with the provisions of the Student Code of Conduct. Decisions made by the Director of Residence Life/Student Judicial Affairs shall be final unless a timely request for review is filed in accordance with Student Code of Conduct. The University reserves the right to notify parents of dependent students regarding conduct situations as necessary.

Violation of Law and University Discipline

1. The University disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of the Student Code of Conduct, depending on the situation, without regard to the tendency of civil litigation or criminal investigation and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings.
2. If a student is charged with an off-campus violation of federal, state or local laws, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed for grave misconduct demonstrating flagrant disregard for the University community.
3. When a student is charged with a violation of the law by federal, state, or local authorities, the University shall not request or agree to special considerations for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding under the Student Code of Conduct, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters shall be handled internally within the University community. The
University shall cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and the conditions imposed by criminal courts for the rehabilitation of student violators. Students, faculty members and staff members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

Article I: Disciplinary Conduct
Any student found to have committed the following misconduct is subject to disciplinary sanctions:

A. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including public-service functions on or off campus, or other authorized non-University activities, when the activities occur on University premises.

B. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, assault (including sexual), stalking, hate speech and/or any other conduct that threatens or endangers the health or safety of any person or if based on race, creed, color, gender, national origin, religion, physical ability, sexual orientation or illness.

C. Attempted or actual theft of and/or damage to University property or property of a member of the University community.

D. Forgery of signatures or information or fabrication of University-related documents.

E. Hazing is defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization; any act that is in conflict with the Texas Education Code (Title II, Subtitle G, Chapter 37, Subchapter F, §§ 37.151 through §§ 37.157).

F. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties; failure to properly identify oneself to these persons when requested to do so; furnishing false information.

G. Unauthorized possession, duplication or use of keys or access cards to any University premises; unauthorized entry to or use of University premises.

H. Unauthorized possession, duplication or use of University ID cards or failure to present ID cards when requested by University officials acting in performance of their duties; possession of an altered or “fake” ID card on University premises.

I. Violation of published or posted University policies, rules or regulations.

J. Violation of federal, state or local laws on University premises or at University-sponsored or supervised activities.

K. Use, possession or distribution of narcotic and/or other controlled substances or paraphernalia, except as permitted by law.

L. Use, possession or distribution of alcoholic beverages, except as expressly permitted by law and University regulations, including public intoxication and driving while intoxicated. The University alcohol policy is as follows: The University does not permit the sale, purchase, possession or consumption of alcohol to or by persons less than 21 years of age. The use of alcohol in Providence Hall and/or designated areas is permitted when done in a responsible, moderate and legal manner. Kegs, party balls and wine boxes are prohibited in all of the residence halls.

M. Possession of firearms, including handguns and concealed weapons allowed by permit, explosives, fireworks, other weapons and/or dangerous chemicals or substances as determined by a University official on the University premises.
N. Participation in a campus demonstration that disrupts the normal University operations and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities on University premises;

O. Intentional obstruction that interferes with freedom of movement, whether pedestrian or vehicular at supervised University sponsored functions.

P. Conduct that is disorderly, lewd or indecent, or is in any way inconsistent with the Christian goals and values that are an integral part of the University community.

Q. Breach of peace and/or aiding, abetting or procuring another person to breach the peace on University premises or at any function sponsored by or participated in by the University.

R. Theft or other abuse of computer time, including, but not limited to, the following:
   1. Unauthorized entry into a file to use, read or change the contents or for any other purpose.
   2. Unauthorized transfer of a file.
   3. Unauthorized use of another individual’s identification password.
   4. Use of computing facilities to interfere with the work of another student or University official.
   5. Violation of software copyright laws.
   6. Use of computing facilities to interfere with normal University operations.
   7. Use of computer facilities to harass, coerce, or in any way intimidate persons.
   8. Acceptance or distribution of pornographic material via University computer lines.

S. Abuse of the University’s judicial process, including, but not limited to, the following:
   1. Failure to obey the summons of a judicial body or University official.
   2. Falsification of information.
   3. Disruption or interference of the orderly conduct of a judicial proceeding.
   4. Initiation of a judicial proceeding knowingly without cause.
   5. Attempting to discourage an individual’s proper participation in or use of the judicial system.
   6. Attempting to influence the impartiality of a member of a judicial body or a witness prior to and/or during the course of the judicial proceeding.
   7. Harassment (verbal or physical) and/or intimidation of a member of a judicial body or a witness prior to, during and/or after a judicial proceeding.
   8. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
   9. Influencing or attempting to influence another person to commit an abuse of the judicial process.
   10. Discussing a judicial proceeding following the proceeding without the expressed written consent of the accused, the accuser and the hearing officer.

T. Awareness of and/or providing assistance to another individual to violate University policy.

U. Possession of animals, with the exception of animals that provide ADA assistance (e.g. seeing-eye dogs) and authorized pets, in the residence halls.

V. Unauthorized presence in and/or use of any University building or designated area which is officially closed according to hours posted or which is restricted for designated purposes or to designated individuals.

W. Acting as an agent of the University unless authorized to do so.
X. Use of skateboards, in-line skates, roller skates, bicycles, scooters and motorized vehicles inside University buildings including residence halls.

Article II: Academic Dishonesty Policy

*Academic Dishonesty* refers to student conduct in academic assignments or situations which violates the norms of the academic community of students and scholars. In practice, it usually refers to *academic cheating* or *plagiarism*. Our Lady of the Lake University distinguishes between Academic Dishonesty, which is handled through the Academic Affairs Division, and other violations of the Student Code of Conduct, which are dealt with by the Office of Student Life.

Penalties for academic dishonesty may include expulsion or suspension from the University, failure or grade reduction in the affected course or assignment, or a lesser penalty as appropriate.

*Academic Cheating* means an act or attempted act of deception by which a student seeks to misrepresent information. Examples include, but are not limited to, the following:

a) copying from another student's test paper;
b) allowing another student to copy from one’s test paper;
c) using textbooks, notes, and other unauthorized materials during a test;
d) collaborating with others during a test or on a project where collaboration is not permitted;
e) theft, purchase, or other acquisition of all or part of an un-administered test;
f) soliciting or giving away all or part of an un-administered test;
g) bribing another person to obtain all or part of an un-administered test;
h) substituting for another student or permitting any other person to substitute for oneself to take a test;
i) submitting as one's own, in fulfillment of academic requirements, a theme, report, term paper, essay, other written work, painting, drawing, sculpture, other art work, computer program, media production, or other academic assignment prepared totally or in part by another;
j) selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements, any theme, report, other written work, art work, computer program, media production, or other academic assignment.

*Plagiarism* means the inclusion of someone else’s words, ideas, or data as one’s own work. Examples of plagiarism include, but are not limited to, the following:

a) quoting another person’s work, complete sentences or paragraphs, or whole works without acknowledgement of the source;
b) using another person’s ideas, opinions or theories without acknowledgement of the source;
c) borrowing facts, statistics or other illustrating material without acknowledgement of the source;
d) copying another person’s essay test answer;
e) copying or allowing another person to copy computer files that contain another student’s assignments and submitting them either in part or in full as one’s own work;
f) working together on an assignment or sharing computer files and submitting that assignment as one’s individual work.

**Procedures:**

**Step 1 – Informal Resolution**
A. First the student must talk with the faculty member about his/her complaint. A faculty member must be willing to meet with a student for discussion. The faculty member is required by University policy to confer with a student who requests redress.

B. If the student and the faculty member are unable to resolve the matter through good faith, reexamination of the issues and negotiation, the student must then talk with the faculty member’s department head, who will attempt to collaboratively resolve the complaint between the parties. Prior to this meeting, the student must submit the grievance in writing; state how the decision or action is unfair and harmful to the grievant; list the University policies or state or federal laws that have been violated, if known; name the respondent parties (the person(s) against whom the grievance was filed); state how the respondents are responsible for the action or decision; and state the requested remedy.

C. If the complaint is not satisfactorily resolved through A and B, a student may proceed to Step 2, Mediation, or, if necessary Step 3 – Formal Resolution.

**Step 2 - Mediation**

Assuming that the grievance is not resolved at the department chair level, the issue goes to the dean of the school or college to mediate. The dean is empowered to hear both sides of the matter, to examine all relevant documents and evidence held by either the student or the faculty member, to bring the student and the faculty member together for further clarification, discussion and negotiation, and to suggest possible compromises or other remediation of the issue. The dean, the faculty member, and the student will collaborate to try to resolve the matter within five business days of the dean/receiving the mediation request.

**Step 3 – Formal Resolution**

If these mediating efforts do not satisfactorily resolve the matter at the dean level, the student may petition the Vice President of Academic Affairs [VPAA] in writing to establish a hearing committee, provided that this request is made no later than 10 business days after the previous attempt to resolve the issue is completed. The student may request the VPAA to appoint a faculty advisor to assist in the preparation and presentation of the student’s case. Before establishing a hearing committee, the VPAA shall verify that good faith efforts were made to resolve the matter through discussion and mediation, and shall explain the due process guidelines to all parties. If, in the judgment of the VPAA, the student’s complaint is clearly without substance for allegations of prejudice or capriciousness, the grievance process may be terminated at this point.

In situations where the VPAA believes that a review is warranted she/he shall name two tenured faculty members and one staff member in consultation with the General Secretary of the Faculty Assembly; and two students who are elected officers of the Student Government Association. If the complaint is from a graduate student, two students from other graduate programs will be named. If a member of the hearing committee disqualifies himself or herself for possible bias or conflict of interest prior to the date of the hearing, the VPAA shall appoint a replacement. If the member disqualifies himself or herself only immediately before or during the hearing, the hearing shall be conducted with remaining members, except that in no case shall the hearing be conducted with less than three members, at least one of whom must be a student and one a faculty member.

For each hearing the committee will elect a chairperson from among its members. The chairperson is responsible for keeping committee records, for preserving documents that relate to the hearing, and for seeing that an adequate record is made regarding the hearing, its proceedings, findings, and recommendations. The hearing must be held within 10 business days after the formal written request for the review of the grievance is received by the VPAA. At the hearing, the burden of proof shall be on the student to demonstrate that the application of policies has been improper because it has been significantly and adversely affected by prejudice and/or capriciousness. The grievance
hearing is an internal review and, as such, shall be private. The grievant may be assisted by a faculty representative. However, persons external to the University (including outside counsel) shall be excluded.

The hearing shall consist of the following: a. presentation of charges and evidence by both grievant and respondent; b. informal questioning of either or both parties by committee members for the purpose of clarification; c. final statements by each party, if desired or requested; and d. a closed session in which the hearing committee assesses the evidence to decide whether the application of policies was, according to the evidence, affected significantly and adversely by prejudice and/or capriciousness.

The recommendation of the hearing committee including a course of action must be reported in writing by the chairperson to the VPAA within four business days after the hearing. In the event that the decision rendered by the VPAA is in opposition to the committee’s recommendation, the VPAA will communicate the decision and the rationale for it to the committee. The VPAA will communicate the decision in writing to the involved parties. The VPAA’s decision is final. Communication of the decision ends institutional due process on the matter, and no further appeal is possible.

The petition requesting the hearing, the report of the hearing committee, and any resultant action shall be the only official records kept of the hearing. Copies of these records shall be maintained by the VPAA’s Office for seven years or as otherwise mandated by applicable law.

* A business day is defined as a day when the University offices are open for business excluding Saturday and Sunday.

Approved by the Faculty Assembly 10/28/09

Article III: Student Organization Conduct

Whether on or off campus, RSO and CSO members are representatives of the University and are expected to act in a mature and responsible manner. As such, individual members, advisors, or organizations as a whole may be subject to sanction by the Student Leadership and Development Office for inappropriate behavior. Additionally, any damages caused by an organization or its members will be charged to the organization and the members’ own pockets, as applicable. The sanctions available to the Student Leadership and Development Office are indicated in the most recent edition of the University’s “Student Handbook.” Copies are available by contacting the Student Leadership and Development Office or on the University webpage. Judicial Authority for Student Organizations shall rest with the Director of Student Leadership and Development Office.

While it is not possible to list all behavior inconsistent with membership in a scholarly community, judicial procedures may be implemented when violations, including, but not limited to, the following occur.

1. Normal University Operations: Disruption of normal University operations (e.g. classes, movement of traffic, special events).
2. Rights of Organization Members: Actions that interfere with the rights of organization members in their academic pursuits or within the organization itself without due process.
3. **Representation of Organization**
   a. Misrepresentation of the purpose and intent of the organization.
   b. Unethical representation of the purpose and intent of the organization.
   c. Failure to act within recognized norms or within the context of the constitution and bylaws or mission statement of the organization.
   d. Interference with proper representation within any organization recognized by the University.

4. **University Policies and Regulations:** Noncompliance with applicable University policies and regulations.

5. **Civil Laws:** Noncompliance with applicable civil laws.

6. **Rights of Members or Others**
   a. Denial and interference with the rights of members or others.
   b. Failure to respect the dignity of the human person.

7. **Responsible and Ethical Actions:**
   a. Failure to display responsible and ethical actions on and off campus as members and representatives of the University community.
   b. Failure to conduct personal or organization business in a responsible manner.

8. **Discrimination**
   a. Actions that result in discrimination in membership on the basis of race, religion, creed, physical ability, gender, national origin, color, or political affiliation.
   b. Actions that result in discrimination toward nonmembers on the basis of race, religion, creed, physical ability, gender, national origin, color, or political affiliation.

9. **Authorized and Consistent Functions:** Actions that sponsor, advertise, implement, or otherwise endorse functions that are unauthorized and inconsistent with the University’s mission, goals, values, and policies.

10. **Advisor:** Failure to have an advisor who is a faculty or staff member employed by the University on a full or three quarter time basis and approved by the Director of Student Leadership and Development Office and, in cases of academic groups, the appropriate academic dean.

11. **Current and Approved Constitution:**
    a. Failure to maintain a current, approved constitution and bylaws (and local, state, national, or international constitution and bylaws, if applicable) on file in the Campus Activities Office.
    b. Failure to comply with, uphold, or enforce applicable rules, regulations, policies, and procedures of an organization’s approved constitution and bylaws or other legislative actions.

12. **Respond Promptly and Ethically:** Failure to respond promptly and ethically to all inquiries and policies outlined by the University and local, state, national, or international affiliates, if applicable.

13. **Mailing Address, Phone System, Email System, Website, Seal, Logo, and Name:** Inappropriate or unauthorized use of the University’s mailing address, phone system, email system, website, seal, logo, and name.

14. **Use of Facilities:**
    a. Unauthorized use of University facilities and equipment.
    b. Use of University facilities and equipment that is not related to the goals of the organization and University.
    c. Failure to assume responsibility for setup, cleanup, and monitoring of facilities, as appropriate.
    d. Misappropriation of University facilities.

15. **Fundraising:**
a. Fundraising activities for purposes not directly related to the organization.
b. Fundraising activities that are not approved by the University through the Student Leadership and Development Office.

16. Guest Speakers:
   a. Extending invitations to speakers and other guests who are inconsistent with the University’s mission, goals, values, and policies.
   b. Extending invitations to speakers or other guests without authorization from the Director of Student Leadership and Development Office or relevant University official.

17. Advertising and Publicity:
   a. The use of obscenity, profanity, vulgarity, racially or culturally insensitive, or otherwise inappropriate language and drawings in any printed, electronic, or verbal publicity or other forms of advertising or marketing (e.g. t-shirts, stickers, other objects that form a public display).
   b. Advertising or actions those are inconsistent with the University’s mission, goals, values, and policies.

18. Membership Recruitment: Actions that are in violation of the University’s membership recruitment policies, procedures, and guidelines.

19. Requirements for Student Organizations: Failure to fulfill all requirements applicable to Student Organizations.

20. Real Estate: Ownership, leasing, or rental of real estate.

21. Financial: Utilizing a finance system off campus under an organization title or personal name of a current officer, member, or advisor.

Temporary Suspension of Recognition:
The Vice President of Student Life may temporarily suspend recognition of a student organization pending formal disciplinary procedures. Such action may occur when the continued presence of the organization on campus poses a threat to the physical or emotional wellbeing of an individual student, a group of students, or members of the faculty and staff, or when the presence of the organization would seriously disrupt the University’s normal operations.

Article IV:
Sanctions for Student Organizations
Student Organizations must comply with all local, state, and federal laws, as well as all University policies and procedures. Officers and advisors of student organizations are held responsible for the RSOs and CSOs activities in the event that the organization violates University policies and civil laws. Any student, faculty or staff member, or other student organization may file charges against an RSO or CSO. The following sanctions may be imposed upon RSOs and CSOs by the Director of Student Leadership & Development, or a designate, for failure to comply with applicable policies, procedures, and guidelines. These sanctions apply to administrative policies only. For discipline violations, similar sanctions may be imposed through the “Student Code of Conduct.”

1. Warning: Written notice for a specified length of time, usually no less than the remainder of the semester, which additional incidents may result in more severe sanction.
2. Probation: Restrictions of specified privileges for a specified length of time, usually no less than the remainder of the semester. Additional conditions may be imposed before the probation period is lifted at the discretion of the Director of Student Leadership & Development, or a designate.
3. **Numbers Probation:** Restrictions of specified privileges for a specified length of time, usually no less than one academic year, imposed when membership numbers are below the minimum of 10 members for RSOs. If membership does not reach a minimum of 10 after the probation period, the RSO will lose its official recognition. CSOs do not have a specific numbers requirement.

4. **Withdrawal of Privileges:** Privileges that may be withdrawn include facility usage, advertising and posting, financial transactions, fundraising, participation in University events, usage of the University’s phone and email systems, and usage of other support services.

5. **Mandated Counseling:** Probation status of a member by the advisor for a specified length of time, usually no less than one semester. Recommended counseling services may be the following: Career Services, Counseling Services, Tutoring Center, CSLV, University Ministry, Academic Advisement, or other specified meetings.

6. **Suspension:** Suspension of all privileges for a specified length of time, usually no less than the remainder of the semester. Additional conditions may be imposed before the suspension is lifted at the discretion of the Director of Student Leadership & Development, or a designate.

7. **Withdrawal of Recognition:** Complete revocation of recognition and all privileges thereof. The Director of Student Leadership & Development Office will secure the approval of the Vice President of Student Life when imposing this sanction.

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**Article V: Judicial Procedures**

A. Any member of the University community may file charges against any student or student organization for misconduct. Charges shall be presented in writing and directed to the Director of Residence Life/Student Judicial Affairs. Any charge should be submitted as soon as possible after the event takes place, preferably within the same semester. Judicial Authority for Student Organizations shall rest with the Director of Student Leadership & Development. However, there is no limitation on the time that charges can be brought.

B. The Director of Residence Life/Student Judicial Affairs may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the hearing officer. Such disposition shall be final. There shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the hearing officer may later serve in the same matter as the judicial body or a member thereof.

C. All charges shall be presented to the accused student or student organization in written form. A time shall be set for a hearing, not less than five nor more than 15 calendar days after the student or student organization has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the hearing officer during examination periods, holidays and student breaks.

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**Article VI: Behavior Consultation Team**

The University Behavior Consultation Team shall be composed of the Vice President of Student Life, who serves as chairperson, the Director of Counseling Services, the Director of Health Services, the Director of University Ministry and the Director of Residence Life/Student Judicial Affairs. In the absence of the Vice President of Student Life, the Assistant Vice President for Student Life shall serve as acting chairperson. The team’s responsibility shall be to receive and review information related to students who are
experiencing significant physical or psychological crisis and to give advice regarding appropriate courses of action. Other University officials who are involved in any given case may be invited to attend meetings by any member of the team with approval of the Vice President for Student Life or acting chairperson. Any member of the University community may request a team meeting for the purpose of evaluating a student’s situation.

Article VII: Sanctions
A. Personal and General Conduct Sanctions
The following non-academic sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
1. Warning - A written notice to the student that the student is violating or has violated the Student Code of Conduct. The notice may specify that more severe disciplinary action shall occur should the student be involved in further violations during the written notice period.
2. Probation - A written notice to the student that the student is violating or has violated the Student Code of Conduct and is placed on probation for a designated period of time. This notice may specify that more severe disciplinary action shall occur should the student be involved in further violations during the period of the probation.
3. Loss of Privileges - Denial of specified privileges for a designated period of time.
4. Fines
   a. alcohol-related activity: increments of $50, up to $300;
   b. damages to University property and equipment: actual cost of repair, including labor and materials;
   c. failure to return reserved space to proper condition: labor costs and other expenses;
   d. false alarms: $200;
   e. non-compliance with community retribution or other discretionary sanctions: $5 per hour of unperformed service;
   f. possession or use of narcotics or controlled substances: $50;
   g. unauthorized residence hall room change: $35;
   h. pets in residence hall: $50 plus any related charges/deodorizing treatment, as determined by the Director of Residence Life.
5. Restitution - Compensation for loss, damage or injury. This sanction may take the form of appropriate service and/or monetary or material replacement.
6. Behavioral Requirement - Participation in required activities such as academic and/or personal counseling, conducting specific projects with administrative offices, and writing letters of apology, among others.
7. Discretionary Sanctions - Work assignments, community retribution and university service, among others.
8. Residence Hall Probation - Placement on official notice that if further violations of the Student Code of Conduct occur during the probationary period, the student may immediately be removed from the residence hall.
9. Residence Hall Reassignment - Relocation to another residence hall if, in the opinion of the or Director of Residence Life/Student Judicial Affairs, other resident students and/or the University community would benefit from such a move.
10. Residence Hall Suspension - Separation from the residence halls for a designated period of time, after which the student shall be eligible to return; conditions for readmission may be specified.
11. Residence Hall Expulsion - Permanent separation from the residence halls.
12. Administrative Suspension - Restriction of the student’s right to conduct official
business with the University because of the student’s outstanding obligations. This suspension shall be lifted when obligations are met.

13. Co-curricular Suspension - Exclusion from all University facilities, services and functions, except the attendance of classes. Use of any other facilities, including residence halls, must be approved by the Director of Residence Life/Student Judicial Affairs.

14. Suspension - Separation from the University for a designated period of time, after which the student is eligible to petition for return. During the period of suspension, the student shall be banned from the University’s premises.

15. Dismissal - Removal from the University. The student is ineligible to enroll in classes for a minimum of one year, but may petition for reconsideration or readmission at the conclusion of the dismissal period. During the period of dismissal, the student shall be banned from the University’s premises.

17. Expulsion - Permanent separation from all University facilities, services and functions. The student shall be permanently banned from the University’s premises.

B. Minimal Sanctions for Offenses

The following are the minimal sanctions for violations of the Student Code of Conduct. These sanctions apply only to first time offenses. Repeat offenders may receive more serious sanctions, up to and including any combination of the aforementioned sanctions:

1. Alcohol-related activity: Probation, Fine ($50 minimum), Evaluation and/or Personal Counseling and/or referral, Community Retribution (25 hours minimum);
2. Damage to University property or equipment: Probation, Restitution, Community Retribution (20 hours minimum);
3. Failure to comply with directions: Probation;
4. Failure to return reserved space to proper condition: Probation, Loss of Privilege(s), Restitution;
5. False Alarms: Fine ($200 minimum), Suspension, Dismissal, Expulsion;
6. False testimony: Suspension;
7. Forgery of signatures or fabrication of documents: Suspension;
8. Hazing: Probation, Community Retribution (15 hours minimum);
9. Lewd conduct: Probation, Behavioral Requirement, Evaluation and/or Personal Counseling and/or referral, Community;
10. Misuse of computer resources and/or e-mail accounts: Probation, Loss of Privilege(s), Restitution, Suspension;
11. Misuse of ID card: Warning;
12. Misuse of telephone or long distance service: Probation, Restitution;
13. Non-compliance with community retribution or other discretionary sanctions: Fine ($5 minimum per hour of unperformed service);
14. Physical abuse, verbal abuse, harassment or sexual assault: Suspension
15. Possession or use of firearms or other weapons: Probation, Confiscation of Weapon(s), Community Retribution (15 hours minimum);
16. Possession or use of incense, fireworks, candles or other open flamed devices in residence halls: Confiscation and Disposal of Items, Community Retribution (10 hours minimum);
17. Possession or use of narcotics or controlled substances: Probation, Fine ($50 minimum), Drug Assessment, Evaluation and/or Personal Counseling and/or referral, Community Service, hours will be determined;
18. Smoking indoors and in designated smoke-free areas: Probation, Community Retribution
(10 hours);
19. Theft of property: Restitution, Suspension;
20. Unauthorized residence hall room change: Fine ($35 minimum);
21. Violation of overnight guest policy in residence halls: Probation, Loss of Privilege(s);
22. Violation of quiet hours in residence halls: Warning, Probation;
23. Violation of visitation policy in residence halls: Warning, Loss of Privilege(s).

Article VIII: Sanctioning Procedures

A. Determining and Imposing Sanctions
1. Any combination of the aforementioned sanctions may be imposed for any single violation.
2. Other than expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s confidential record. Upon graduation, the student’s confidential record may be expunged of disciplinary actions other than residence hall expulsion, suspension or expulsion, upon application to the Director of Residence Life/Student Judicial Affairs. The Director of Residence Life/Student Judicial Affairs may consider whether the student has complied with the sanctions imposed by the hearing officer in making this determination.
3. In each case in which it is determined that a student has violated the Student Code of Conduct, sanction(s) shall be determined and imposed by the hearing officer. Following the hearing, the hearing officer shall advise the accused in writing of its determination and of the sanction(s) imposed, if any. At the discretion of the hearing officer, the accuser may be notified of the determination.

B. Involuntary Administrative Withdrawal
1. The criteria for Involuntary Administrative Withdrawal from the University and/or University residence halls includes, but is not limited to, one or more of the following:
   a. The student engages in or threatens to engage in behavior which poses a danger or causes physical harm to self or others.
   b. The student engages in or threatens to engage in behavior which would cause significant property damage and/or directly and substantially impede normal University operations.
   c. The student does not respond to pending disciplinary charges resulting from such behavior.
   d. The student did not comprehend the nature or wrongfulness of such behavior at the time of the offense.
2. The Vice President for Student Life may refer a student for evaluation by independent licensed psychiatrists or psychologists chosen by the University if the Vice President reasonably believes that the student may meet the aforementioned criteria or if a student subject to disciplinary charges wishes to introduce relevant evidence of any mental disorder.
   a. The student referred for evaluation shall be so informed in writing, either by personal delivery or by certified mail, and shall be given a copy of this policy. The evaluation must be completed within a reasonable time frame as indicated in writing by the Vice President for Student Life. The student shall sign a release permitting the evaluating psychologists or psychiatrists to submit a report of the findings to the Vice President for Student Life.
b. At the discretion of the Vice President for Student Life any pending disciplinary action may be withheld until the evaluation is completed.

c. A student who fails to complete the evaluation may be administratively withdrawn on an interim basis, referred for disciplinary action or both.

3. A student subject to interim administrative withdrawal shall be notified, either by personal delivery or by certified mail, and shall be given a copy of these standards and procedures. The student shall be given an opportunity to appear before the Vice President for Student Life, or a designate, within two business days from the effective date of the interim administrative withdrawal, in order to review the following issues only:
   a. The reliability of the information concerning the student’s behavior;
   b. Whether the student suffers from a mental disorder;
   c. Whether the student has completed an evaluation, in accordance with these standards and procedures.

4. A student subject to interim administrative withdrawal may be assisted in the proceeding by an advocate (family members and licensed psychologists or psychiatrists). Furthermore, the student may be accompanied by legal counsel, although the role of counsel shall be limited to providing legal advice to the student. Students shall be expected to speak for themselves whenever possible.

5. An informal hearing shall be held within a reasonable time frame after the student has been evaluated by the appropriate mental health professional. Such evaluation should be undertaken within a reasonable time frame after the student submits proper requests for an appointment. The student shall remain withdrawn on an interim basis pending completion of the informal hearing, but shall be allowed to enter upon University premises to attend the hearing, or for other necessary purposes, as authorized in writing by the Vice President for Student Life.

6. Students subject to an involuntary withdrawal shall be accorded an informal hearing before the Vice President for Student Life or a designee. The following guidelines apply:
   a. The student shall be informed of the time, date and location of the informal hearing, in writing, by personal delivery, email or certified mail, within a reasonable time frame.
   b. The entire case file, including an evaluation and the names of prospective witnesses, shall be available for inspection by the student in the Student Life Office during normal business hours. The file, which shall be available a minimum of two business days before the informal hearing, need not include the personal and confidential notes of any University official or participant in the evaluation process.
   c. The informal hearing shall be conversational and non-adversarial. Formal rules of evidence shall not apply. The Vice President for Student Life, or a designee, shall direct the proceedings. Any individual who disrupts the hearing may be required to leave the hearing.
   d. The student may choose to be assisted by an advocate.
   e. Those assisting the student, except for legal counsel, shall be given reasonable time to ask relevant questions of any individual appearing at the informal hearing, as well as to present relevant evidence.
   f. Whenever possible, the student shall be expected to respond to questions asked by the Vice President for Student Life, or a designee.
   g. The informal hearing may be conducted if a student fails to appear after proper notice.
h. The mental health professional who prepared the evaluation may be expected to appear at the informal hearing and to respond to relevant questions, upon request of any party, if the Vice President for Student Life, or a designee, determines that such participation is essential to the resolution of a dispositive issue in the case.

i. The Vice President for Student Life, or a designee, may permit a University official and the mental health professional who prepared the evaluation to appear at the informal hearing and to present evidence in support of any withdrawal recommendations. Such evidence shall not be presented by legal counsel for the University.

j. The informal hearing may be tape recorded. The tape(s) shall be kept with the pertinent case file for as long as the case file shall be maintained by the University.

k. A written decision shall be rendered by the Vice President for Student Life, or a designee, within a reasonable time after the completion of the informal hearing. The written decision, which shall be mailed or personally delivered to the student, shall contain a statement of reasons for any determination leading to involuntary withdrawal. The student shall also be advised as to when a petition for reinstatement would be considered, along with any conditions for reinstatement.

l. The decision of the Vice President for Student Life, or a designee, shall be final and conclusive and not subject to appeal.

7. Reasonable deviations from these procedures shall not alter or invalidate a proceeding.

8. All parties involved shall be informed of the student’s right to confidentiality and their obligation to comply.

9. These standards do not preclude removal from the University nor do they provide exemptions to the University Residence Hall Agreement or other University regulations.

C. Interim Suspension

In certain circumstances, the Vice President for Student Life and/or the Director of Residence Life/Student Judicial Affairs, in consultation with appropriate University officials, may impose University or residence hall suspension prior to the judicial hearing.

1. Interim suspension may be imposed only to accomplish the following:
   a. To ensure the safety and well-being of members of the University community and preservation of the University facilities;
   b. To ensure the student’s own physical or emotional safety and well-being;
   c. To prohibit the student from posing a definite threat of disruption or interference with normal University operations.

2. During the period of interim suspension, students shall be denied access to University premises, including attending classes and/or the residence halls.

D. No-Contact Agreements

Upon request of a student and after investigation by the Director of Residence Life/Student Judicial Affairs/Vice President for Student Life, or a designee, a No-Contact
Agreement may be enforced between two or more students. These agreements shall be for a minimum of six weeks and may be reviewed at the end of the period for extension.

Article IX: Appeals Procedures (non-academic)
A. The accused student may request a review of the decision(s) reached by the hearing officer within five business days of the receipt of the decision. Such requests for review shall be in writing and shall be delivered to the Vice President for Student Life or a designee.
B. Except as required to explain the basis of new evidence, a request for review shall be limited to those matters raised in writing and shall be limited to review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
   1. To determine whether the original hearing was conducted fairly and in conformity with prescribed procedures giving both the complainant a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated, and giving the accuser a reasonable opportunity to prepare and present a rebuttal of those allegations.
   2. To determine whether the verdict was based on substantial evidence (i.e. whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred).
   3. To determine whether sanction(s) imposed were appropriate for the violation of the Student Code of Conduct.
   4. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing because such evidence and/or facts were not known to the persons requesting a review at the time of the hearing.
D. The decision of the Vice President for Student Life is final.

Article X: Interpretation and Revision
A. Any questions of interpretation regarding the Student Code of Conduct shall be referred to the Director of Residence Life/Student Judicial Affairs and the Vice President for Student Life for final determination. The Student Code of Conduct shall be reviewed every year under the direction of the Vice President for Student Life.
B. Director of Residence Life/Student Judicial Affairs. The Student Code of Conduct may be modified by the Director of Residence Life/Student Judicial Affairs or the Vice President for Student Life. Any modification of the Student Code of Conduct shall be made in writing, shall be available in the Student Life Office, and shall become effective upon publication.