

Student Conduct Procedures and Due Process

Terms, Roles and Definitions

Administrative Officer: A University employee who is authorized by the Dean of Students to review alleged violations of the Student Conduct Code, evaluate charges, administratively resolve alleged violations, determine responsibility, and issue sanctions.

Advisor: Person who serves in a support capacity for a complainant or respondent. An advisor may be present during a hearing, but may not participate in the hearing, discussion, or questioning.

Amnesty: A protocol in which students who violate the University's alcohol and drug policies are not subject to disciplinary sanctions. The protocol is applicable only for alcohol/drugs use and not for other prohibited behavior.

Assistant Director(s) for Student Housing: Administrative officer for alleged violations of the Student Conduct Code in the residential community (campus housing).

Director of Student Engagement: Administrative officer for alleged violations of the Student Conduct Code in registered student organizations.

Complainant: Person or organization accusing a student or student organization of a violation of the Student Conduct Code.

Dean of Students: Chief judicial officer and administrative officer for the university. Responsible for the implementation of the student judicial system.

Director for Housing & Residence Education: Administrative officer for alleged violations of the Student Conduct Code in the residential community (campus housing).

Mediation: A voluntary process that utilizes an impartial, neutral third party who acts as a facilitator to help the parties reach a mutually acceptable outcome.

Preponderance of the Evidence Standard: "More likely than not" standard used in determining whether a student is responsible or not responsible for violating the Student Conduct Code.

Respondent: Student or student organization accused of violating the Student Conduct Code.

Responsible/Not Responsible: Student conduct finding. A student may be found Responsible if it is determined that, more likely than not, the student violated the Student Conduct Code. A student may be found Not Responsible if there was not sufficient evidence or information to find the student responsible for violating the Student Conduct Code.

Sanction: A consequence or mandate due to a violation of the Student Conduct Code. Sanctions are intended to provide educational opportunities and accountability while also reducing the likelihood of future prohibited conduct.

Student Disciplinary Committee: Hearing committee for students who have been charged with violations of the Student Conduct Code that may lead to suspension or dismissal from the University. Appellate body for administrative officer decisions made or upheld by the Dean of Students.

Vice President for Student Affairs (VPSA). Senior student affairs administrator who may modify or remand a case back to the Dean of Students. The VPSA may exercise the authority of the chief judicial officer and/or administrative officer in the absence or recusal of the Dean of Students.

Misconduct Allegations

Allegations of misconduct may be initiated via several sources, including but not limited to, law enforcement reports, incident reports, direct observations, and complaints. Any member of the university community may file a report against a student for misconduct. Reports should be prepared in writing and directed to the Dean of Students or, in the case of infractions occurring in the residential community, to the Director for Housing & Residence Education. Allegations of misconduct by a Registered Student Organization may be reported to the Director of Student Engagement. Reports not submitted in writing will be independently verified prior to initiating the conduct process.

If a reporting party requests that their identity be withheld or the allegation not be investigated, the University may consider if the request can be honored while still providing a safe and nondiscriminatory environment (federal law mandates reporting in some cases) for the University. The reporting party should be aware that: 1) the University cannot guarantee confidentiality; 2) honoring the request may limit the ability to fully respond to the incident, and; (3) such request may limit the University's ability to carry out its conduct process.

The Student Conduct Code and conduct process are administrative functions, separate and distinct from local, state and federal law. The student conduct process may proceed against students charged with a violation of the law when the alleged conduct is also a violation of the Student Conduct Code. The student conduct process may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

Administrative Evaluation of Conduct

After receiving a report, an administrative officer will be assigned to review the circumstances of the incident and determine if a Student Conduct Code has been violated. The administrative officer has discretion to dismiss any alleged violation if the officer determines that the reported conduct does not violate the Student Conduct Code. A report that alleges behavior that does not violate the Student Conduct Code, or that lacks sufficient information, may result in no action being taken. In the event that a complainant disagrees with this decision, the complainant may request a review by the Dean of Students or the Vice President for Student Affairs.

If an administrative officer believes that the complaint/information merits further action, then the officer will initiate an investigation. The investigation may include meeting with any sources with

knowledge of the complaint, the complainant, and any witnesses for the purpose of establishing necessary facts of the incident in question. If the administrative officer determines that the alleged conduct constitutes a violation of the Student Conduct Code, then the investigation shall include notification to the respondent of the charges under the University's conduct process (*See Initiation of Conduct Process*).

If a report of misconduct is a result of an unresolved, on-going dispute between students, then the students may be informed of the option to resolve the matter through mediation instead of the student conduct process.

Amnesty for Alcohol or Drug Use.

A student who reports a potential violation of the Student Conduct Code, or who is participating in an investigation as a witness, may be granted amnesty for their use of alcohol or drugs if: 1) The student reports the alcohol/drug violation voluntarily and in good faith, and 2) The reported use is not a pending/existing case or currently under investigation. However, the student may be provided resources on drug and alcohol counseling and/or education, as appropriate.

A student who seeks emergency/medical treatment for another student believed to be experiencing an alcohol or drug related medical emergency may be granted amnesty for their own use of alcohol or drugs. The protocol also applies to students who are experiencing an alcohol or drug related medical emergency and seek emergency/medical treatment on their own behalf or are the subject of such a request. The student may be provided resources on drug and alcohol counseling/education, and the parents of the student may be notified. A record of the alcohol/drug use will be maintained should subsequent alcohol/drug violations occur, and will be considered for sanctioning purposes. This protocol does not apply to other prohibited behaviors, including the distribution of illicit substances.

Note: Complaints involving sexual misconduct will be referred to the university's Title IX Coordinator and administratively adjudicated per PG-6 and UAR 337, Sexual Misconduct Policy.

Interim Measures and Immediate Actions

The Dean of Students, Title IX Coordinator, or a designee may issue interim measures at any point after the University becomes aware of an allegation or potential incident of misconduct and finds it necessary to enact the measure to protect the University, protect any member of the University community, or to mitigate the threat of a disruption or interference with normal University operations. Interim measures are not a determination of responsibility for misconduct and the measures are limited in scope and time. Interim measures may include, but are not limited to: Change of university housing assignment, no contact order, property restrictions, changes to academic or employment arrangements/schedules, or supervision.

If the Dean of Students or the Vice President for Student Affairs determines that a student's presence is of a serious or immediate threat to the university community, then the student may be suspended on an interim basis. Under the terms of the interim suspension, the student may be required to leave the University property immediately. The student shall have the right to a hearing

following the interim suspension in accordance with the Student Disciplinary Committee hearing procedures. The student may also request reinstatement of all or part of their rights and privileges as a student while awaiting the hearing. Such a request must be in a written petition to the Vice President for Student Affairs. This request typically includes only class attendance.

Initiation of Conduct Process

When a report has been filed, and the administrative officer has determined that the alleged conduct constitutes a violation of the Student Conduct Code, then the respondent will receive a written notification of charges (includes notification sent via university email). The notification will include the date of the report, the alleged conduct code violation(s), a request to meet with an administrative officer, the contact information for the administrative officer, and instructions to refer to the Student Conduct Code for the purpose of understanding the process and student rights. Any further information about the incident requested by the respondent should be addressed during the meeting.

The respondent is responsible for arranging the requested meeting within the parameters stated in the notification. If the student fails to arrange for the requested meeting, or otherwise disregards the request to meet, then a hold may be placed on the respondent's student account or final resolution may be made without the student's input.

Conduct Resolution:

Administrative Officer.

If a charge of misconduct is not serious enough (if substantiated) to result in suspension or dismissal, then an administrative officer may resolve the case. The officer will make a reasonable attempt to meet with the respondent following the initiation of the conduct process. During the meeting with the respondent the administrative officer will review the alleged violation(s) with the respondent. Such review may include presentation of evidence, any discussion to establish the facts of the case, any mitigating or extenuating circumstances, and/or any defense that the respondent wishes to present. If the respondent accepts responsibility for the misconduct, then the administrative officer will determine the appropriate sanction(s). If the respondent does not accept responsibility for the misconduct, then the administrative officer must determine if there is sufficient information/evidence to make a decision of responsibility. If further information is needed, the administrative officer will continue the investigation. Once there is sufficient information/evidence to make a decision, the administrative officer will determine if the respondent is responsible or not responsible for violating the Student Conduct Code. If the student fails to meet with the administrative officer, or otherwise disregards the request to meet, then a hold may be placed on the respondent's student account or a final resolution may be made without the student's input. If the respondent is found responsible for the violation, then the administrative officer may determine the appropriate sanction(s).

The respondent will be notified of the decision, in writing (includes notification sent via university email), to include the specific conduct code violation(s) and related sanction(s), if applicable.

If the respondent disagrees with the decision, the respondent may request an appeal. Cases decided by an administrative officer, other than the Dean of Students, will be reviewed by the Dean of Students. Cases decided or reviewed by the Dean of Students will be appealed to the Student Disciplinary Committee. The request for appeal shall be honored if submitted in writing within five class days of the decision.

If a charge of misconduct is serious enough (if substantiated) that it may result in suspension or dismissal, then the case shall be referred to the Student Disciplinary Committee. However, if the respondent agrees in writing to accept the decision of the Dean of Students, and waives the right to appeal, then the Dean of Students may decide the case and impose the sanction (if applicable).

Student Disciplinary Committee.

If a charge of misconduct is serious enough (if substantiated) that it may result in suspension or dismissal, then the Student Disciplinary Committee shall resolve the case, unless waived by the respondent. The Dean of Students shall notify the respondent in writing of the charges filed (includes notification sent via university email), the date/location of the committee hearing, and instructions to refer to the Student Conduct Code for the purpose of understanding the process and student rights. The Dean of Students will make a reasonable attempt to meet with the respondent to review the alleged violation(s), the conduct process, the hearing procedures/format, and the respondent's rights. Upon request, the respondent will be permitted to review the evidence and obtain a copy of each document.

The hearing will be held no earlier than 10 class days from the date of notification. For extenuating circumstances, a hearing may be held earlier than the 10 class days if agreed upon by the respondent and the Student Disciplinary Committee chairperson, and approved by the Vice President for Student Affairs or Dean of Students. Finals week, winter term, summer term, and closed periods are not considered class days. If a hearing is scheduled at any time other than the fall or spring semester, the University president may appoint an ad hoc committee to hear the case.

The hearing will be closed to the public. The respondent and the complainant may be accompanied by an advisor. The advisor serves only in a support role and may not participate in the questioning or discussion. The respondent and complainant will be given the opportunity to hear the evidence presented and to question witnesses who testify. The respondent and the complainant may present witnesses who will testify, and make arguments. Reasonable limits may be placed by the chairperson on the questions, and discussion. The respondent may remain silent, which fact will not be considered adversely against the respondent. At the conclusion of the presentation of all evidence, the Student Disciplinary Committee will move into a closed, executive session for deliberation.

The committee shall determine whether the respondent violated each section of the student conduct code of which the respondent is charged. The determination will be made on the basis of whether it is "more likely than not" that the respondent violated the conduct code. If the committee finds that the respondent is responsible for violating University policies, rules, regulations, or the conduct code, then the committee shall determine the appropriate sanctions.

All proceedings, except deliberations in executive session of the Student Disciplinary Committee, will be recorded. Upon request, the respondent may receive copies of these records at a reasonable cost.

Should the respondent fail to appear and the Student Disciplinary Committee determines that the notification process was reasonable and adequate; the case may be heard in absentia and decided with the available evidence. If the respondent withdraws or otherwise leaves the University, the Student Disciplinary Committee retains the option of conducting a hearing.

The committee chairperson will notify the Dean of Students, in writing, of the committee's decision within three class days following the hearing. Within five class days of receiving the committee's decision, the Dean of Students will provide the committee's decision, in writing, to the respondent and any other appropriate individuals. The respondent may appeal the committee's decision to the University president under the conditions and stipulations outlined in the appeals section.

Other Conduct Committees.

In student conduct situations that involve identified groups or part of a community, the Dean of Students may designate another judicial body (e.g., Residence Hall Association, Panhellenic Council, National Pan-Hellenic Council, or Inter-Fraternity Council) to hear the case. This judicial body will have the authority to recommend sanctions to the Dean of Students or another administrative officer.

Additional ad hoc hearing committees may be appointed by the University president as required or in emergency situations.

Conduct Appeals and Reviews

Appeal of decisions made by an administrative officer.

The Dean of Students shall review appealed student conduct decisions made by the Director of Housing & Residence Education, Assistant Directors of Student Housing, Student Courts, or any others entities designated by the Dean of Students to hear student conduct cases. A request for appeal must be in writing and submitted to the Dean of Students within five class days following written notification of the conduct decision. The Dean of Students shall make a decision after reviewing all recommendations and supporting material. The Dean of Deans will notify the respondent of the decision within 10 class days of receiving the appeal.

Appeal of decisions made by the Dean of Students.

The Student Disciplinary Committee shall serve as the appellate body for student conduct decisions made by the Dean of Students. The appeal is not simply a second hearing, therefore, the request for appeal must clearly state the reasons for seeking modifications to the student conduct decision.

A request for appeal must be in writing and submitted to the Dean of Students within five class days following written notification of the conduct decision. The Dean of Students will forward the

appeal letter to the Student Disciplinary Committee chairperson within three class days after receiving the document. The respondent may request suspension of all or part of the decision being appealed while awaiting the appeal process. The request must be made in writing to, and be approved by, the Vice President for Student Affairs.

The appeal will be held no earlier than 10 class days from the date of notification. For extenuating circumstances, an appeal may be held earlier than the 10 class days if agreed upon by the respondent and the Student Disciplinary Committee chairperson, and approved by the Vice President for Student Affairs or Dean of Students. Finals week, winter term, summer term, and closed periods are not considered class days. If a hearing is scheduled at any time other than the fall or spring semester, the University president may appoint an ad hoc committee to hear the case.

The appeal will be closed to the public. The respondent and the complainant may be accompanied by an advisor. The advisor serves only in a support role and may not participate in the questioning or discussion. The respondent will present the reasons for requesting a dismissal or modification of charges and/or sanctions. The Dean of Students (or designee) will present the reasons for the action taken against the respondent. The committee may ask questions of the respondent, complainant and/or the Dean of Students (or designee). The committee will move to a closed, executive session for deliberation.

The committee may remand a case, dismiss some or all charges, affirm the original decision, or change the sanction(s) imposed.

The committee chairperson will notify the Dean of Students, in writing, of the committee's decision within three class days following the hearing. Within five class days of receiving the committee's decision, the Dean of Students will provide the committee's decision, in writing, to the respondent and any other appropriate individuals.

Appeal of decisions made by the Student Disciplinary Committee.

Decisions of the Student Disciplinary Committee, either as the initial hearing body or as an appeal, may be appealed to the President of the University. The President shall make a decision after reviewing all recommendations and supporting material. In sanctions other than suspension or dismissal from the University, the decision of the President is final. A request for appeal must be in writing and submitted to the President's office, with a copy to the Dean of Students, within five class days following written notification of the action of the Student Disciplinary Committee. The letter of appeal must clearly state the reason(s) for the appeal. The President shall review the findings of the Student Disciplinary Committee, including hearing transcripts and other documents relating to the case. At the discretion of the President, the review process may include a meeting with the student filing the appeal. The President shall issue a decision within 10 class days.

Appeal of decisions made by the University President.

Respondents suspended or dismissed from the University for violations of the Student Conduct Code shall have the right to appeal to the Board of Regents. The various levels of University review must be exhausted before appealing to the Board of Regents. Appeals to the Board of Regents must be in writing and submitted to the Chair of the Board of Regents, with a copy to the Dean of Students, within five class days following written notification of the action of the President. The

letter of appeal must clearly state the reason(s) for the appeal. The Chair of the Board of Regents may present the appeal to the entire board or a subcommittee of the board with no fewer than three members. At the discretion of the Chair, or the subcommittee, the review process may include a meeting with the respondent. Appeals will be completed as soon as possible but no later than the Board of Regents regularly scheduled quarterly meeting subsequent to the filing of the appeal. The decision of the Board of Regents is final. The decision will be relayed in writing to the respondent and to the Dean of Students within five class days of the date of the decision. The Dean of Students will notify appropriate individuals and maintain all student conduct records.

Review for Cause.

The Vice President for Student Affairs may modify or remand a case back to the Dean of Students for cause. Cause may include, but is not limited to, the outcome of a court proceeding or availability of new evidence. Review for cause is exercised at the discretion of the Vice President for Student Affairs.

Student Organization Conduct Process

The conduct process for Registered Student Organizations will generally follow the same protocols as individual student conduct cases. Potential variations to the protocols are listed in this subsection. (Note: A student may be held accountable as an individual and as a member of an organization for the same incident.)

Administrative Evaluation of Conduct. The Director of Student Engagement may serve as the administrative officer for alleged violations of the Student Conduct Code by a student organization. The Director of Student Engagement will coordinate the process through, and receive administrative support from, the Dean of Students.

Initiation of Conduct Process. When a report has been filed, and the administrative officer has determined that the alleged conduct constitutes a violation of the Student Conduct Code, then the president of the student organization will receive a written notification of charges. The president of the student organization will act as the representative of the organization throughout the conduct process. The president of the student organization may delegate this responsibility to another active member of the student organization, but must notify the administrative officer in writing. The national organization affiliated with the local student organization may be notified by the University, if applicable.

Interim Measures. The Dean of Students or administrative officer may issue interim measures at any point after the University becomes aware of an allegation or potential incident of misconduct by a student organization. Interim measures include, but are not limited to: 1) interim suspension; 2) interim social suspension, and; 3) restriction.

Conduct Resolution.

A review of an alleged violation of the Student Conduct Code by a student organization will consider all circumstances, including, but not limited to whether: 1) the allegation involved one or

more members of the organization; 2) officers of the organization had prior knowledge of the alleged misconduct; 3) organization funds were used in relation to the alleged misconduct; 4) the alleged misconduct occurred as a result of an organization's sponsored function, and; 5) members of the organization lied about the alleged incident. The amnesty protocol does not apply to organizations, however potential conduct consequences may be mitigated if a representative of the student organization hosting an event calls for medical assistance.

If a charge of misconduct is serious enough (if substantiated) that it may result in loss of recognition or suspension, then the case shall be referred to the Dean of Students. Charges in this category include, but are not limited to: Hazing, Sexual Misconduct, Drugs, alcohol law violations, and other law violations that result or have a high likelihood of resulting in injury or arrest. Law violations include conduct that could constitute a violation of law, regardless of formal charges or conviction in court.

If a charge of misconduct is not serious enough (if substantiated) that it may result in loss of recognition or suspension, then the student organization may request that their case be resolved through a student judicial body. Resolution through a student judicial body requires the following conditions: 1) the student organization that is charged with misconduct accepts responsibility for the conduct and waives their right to appeal, in writing, and; 2) the student judicial body hearing the case has a written judiciary protocol that is accepted/approved by the Office of Student Activities.

If heard by a student judicial body then the hearing shall include the presentation of any available evidence and the student organization's testimony. After the hearing is complete, the student judiciary body will meet in a closed session to determine the appropriate sanctions and any other recourse authorized by organizational bylaws or rules. The student judiciary body will present their decision to the administrative officer who may uphold, overturn, or remand the decision. The final decision shall be submitted to the Dean of Students within five class days of the hearing. Upon receipt of the final decision from the student judicial body, the Dean of Students will provide the decision, in writing, to the student organization and any other appropriate offices.

Appeal. The Student Disciplinary Committee shall serve as the appellate body for student organization conduct decisions made by the Dean of Students. Decisions of the Student Disciplinary Committee may be appealed to the President of the University, whose decision is final.

Administrative Information

Standard of Evidence.

A determination of whether a student is responsible or not responsible for violating the student conduct code will be based upon a preponderance of the evidence standard. This means that a determination is made on the basis of whether it is "more likely than not" that the respondent violated, or did not violate, the conduct code.

Procedural Presumption.

The respondent shall be presumed to be not responsible for the alleged violation(s), and has not committed a violation of the Student Conduct Code, until the standard of evidence is met. Such presumption shall not be grounds to construe that any complainant or witness presented false information or evidence.

Procedural/Process Variations.

Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student results.

The following student conduct code violations may follow a different procedure that is prescribed by a university regulation or policy:

- SCC 100 Academic Misconduct – Dishonesty or Disruption
- SCC 700 Copyright Infringement
- SCC 2800 Sexual Misconduct

Student Conduct Records and Release of Information.

1. Conduct records, except for Title IX, are maintained by the Dean of Students within the Office of Student Affairs. The Dean of Students is responsible for safeguarding the conduct records and ensuring privacy. The University Title IX Coordinator maintains and safeguards the Title IX Sexual Misconduct records.
2. Files documenting academic integrity code violations, suspensions, and dismissals, including any records of previous student conduct action, shall be indefinitely maintained by the Dean of Students. The student's admission record will indicate any action that prohibits readmission as long as the suspension/dismissal is in effect.
3. Files documenting student conduct violations, other than those listed in paragraph 2, will be retained until three (3) years after graduation or three (3) years after last date of attendance or three (3) years after all sanctions have been met, whichever is longer.
4. If a student fails to complete a sanction, then the student's record will be annotated so as to restrict that student from registering for new courses. Once the sanction has been completed, removed by expiration, or by action of the Dean of Students, then the notation will be removed from the record by the Dean of Students.
5. Disciplinary Holds. The Dean of Students, or designee, may place an administrative hold on a student's account in order to compel the student's compliance with a reasonable request, administrative protocol, student conduct process, or sanction.

Student Disciplinary Committee Membership and Responsibilities.

The Student Disciplinary Committee consist of members of the Morehead State University community. Voting membership of the committee shall consist of one faculty member from each college selected by the Faculty Senate, two staff members from the executive managerial and/or professional non-faculty categories selected by the Staff Congress, four students (one from each

college) selected by the Student Government Association, and one student who resides in University housing and is selected by the Student Government Association or Residence Hall Association.

The committee will elect a chairperson, vice-chairperson, and secretary. The secretary shall maintain committee meeting minutes and forward the minutes to the Dean of Students. The vice-chairperson shall assume the duties of the chairperson in the chairperson's absence. The Chairperson shall be responsible for making arrangements for committee meetings and disciplinary hearings, ensuring due process in cases heard by the committee, and ensuring the committee renders a decision on cases heard by the committee.

Members of the Student Disciplinary Committee who cannot continue to serve shall notify the Dean of Students, who shall arrange for another appointment. Members of a hearing committee who cannot serve on a particular case will notify the chairperson. In the case where the chairperson and vice-chairperson cannot serve on a particular case, the chairperson shall notify the Dean of Students who will arrange for a chairperson pro tem.

In rendering a decision in a student conduct hearings, the committee will determine if the respondent is responsible or not responsible for violating University policies, rules, regulations, or the Student Conduct Code. A determination of whether a student is responsible or not responsible for violating the student conduct code will be based upon a preponderance of the evidence standard. This means that a determination is made on the basis of whether it is "more likely than not" that the respondent violated, or did not violate, the conduct code. A student's academic performance or similarly unrelated information will not be taken into consideration in determining if the respondent violated University policies, rules, regulations, or the conduct code.

If the committee determines that the respondent is responsible for violating University policies, rules, regulations, or the Student Conduct Code, the committee shall also determine the appropriate sanction(s). Academic performance, past behavior, and other mitigating factors may be used in determining the appropriate sanctions.

Five voting members shall constitute a quorum, although reasonable efforts shall be made to have all members of the Student Disciplinary Committee present. Committee decisions will be determined by a simple majority of a quorum and each committee member present will have one vote. The committee chairperson is a non-voting member except in circumstances in which the committee vote is tied.

Sanctions.

Students who are found responsible for violating the guidelines established within the Student Conduct Code shall be subject to one or more of the following sanctions:

Protective & Disciplinary Sanctions

Dismissal:

The Student Disciplinary Committee may impose the sanction of suspension. Dismissal is for an indefinite period of time, and may be imposed even though the violator has not received a previous sanction of suspension, warning or probation. Only when a sanction of dismissal has been removed by action of the President or his/her designee may a student apply for readmission. Normally,

dismissed students must wait two years before requesting removal of the dismissal sanction from their records and annually thereafter. Students who have been dismissed must meet all other University requirements before being reinstated. Under provisions of KRS 164.370, a student dismissed for violations of the Student Conduct Code shall have the right of appeal to the Board of Regents. The decision of the Board of Regents is final.

Suspension:

The Student Disciplinary Committee may impose the sanction of suspension. Suspension from the University is for a specific period of time as determined by a designated University official. The sanction of suspension may be imposed even though the violator has not received a previous sanction of warning or probation. Only when the designated period of suspension has expired may a student apply for readmission to the University. Students who have been suspended must meet all other University requirements before being reinstated. Under provisions of KRS 164.370, a student suspended for violations of the Student Conduct Code shall have the right of appeal to the Board of Regents. The decision of the Board of Regents is final.

Interim Suspension:

The Vice President for Student Affairs or the Dean of Students may suspend a student on an interim or temporary basis when there is a determination that the student's presence is of a serious or immediate threat to the university community, or when under crisis or emergency circumstances. The student retains the right of a hearing as outlined in the Eagle Student Handbook. Under the terms of interim suspension a student may be asked to leave the campus immediately.

University Housing Suspension:

Suspension from University Housing removes a student from university housing for a specific period of time as determined by a designated University official. The sanction of suspension from a residence hall may be imposed even though the violator has not received a previous sanction of warning or probation. Only when the designated period of suspension has expired may a student apply to live in University-owned housing facilities. Students who have been suspended from University Housing must meet all other sanctioning requirements before being reinstated.

Restriction:

An official notice that a student may not be present or have access, or may have limits to access, to a place, service, event, or function. Restrictions will be imposed for designated periods of time, and the parameters will be given to students in written form.

Administrative Loss of Privileges:

Suspension of a student privilege to participate in a university recognized role, event, or activity. Loss of privileges will be for a designated period of time, and the parameters will be given to student in written form.

No Contact Order:

A restriction prohibiting any type of contact with another person. No contact restrictions include, but are not limited to, phone calls, text messages, social media, and/or third party messages.

Fine:

A financial penalty to hold students accountable for their actions or to pay for resources required to fund another sanction.

Parent Letter:

A copy of the student's conduct decision letter and sanctions sent to the student's parent/guardian in accordance with the parameters of FERPA.

Warnings

Probated Dismissal:

The Vice President for Student Affairs or the Dean of Students may impose the sanction of probated dismissal. This sanction serves as written notification that further violation of University policies, procedures, or regulations may result in a hearing before the Student Disciplinary Committee to determine if the student should be dismissed from the University. Probated dismissal will be for a specific period of time as determined by the Vice President for Student Affairs or the Dean of Students.

Probated Suspension:

The Vice President for Student Affairs or the Dean of Students may impose the sanction of probated suspension. This sanction serves as written notification that further violation of University policies, procedures, or regulations may result in a hearing before the Student Disciplinary Committee to determine if the student should be suspended from the University. Probated suspension will be for a specific period of time as determined by the Vice President for Student Affairs or the Dean of Students.

Probated Housing Suspension:

A written notification that further violation of University policies, procedures, or regulations may result in the removal of the student from university housing for a specific period of time as determined by a designated University official.

Housing Probation:

A written notice that any further violation of the student conduct code occurring in a University residential facility will result in a Probated Housing Suspension or may result in immediate Housing Suspension. Housing Probation may include designated restrictions on the student.

Probation:

A written notice that any further violation of the student conduct code will result in more serious sanctions. Probation may include designated restrictions on the student.

Formal Reprimand:

A written notice advising that the student's behavior has been found in violation of the Student Conduct Code. In addition, the student is advised against recurrence of behavior in violation of the Student Conduct Code.

Restorative Sanctions

Community Service:

Required performance of community service hours at a location either on or off campus as determined by the Dean of Students or his/her designee. Students who do not complete their community restitution hours in a timely fashion, or who do not represent the University in a positive

fashion while performing their community restitution hours, will be subject to further disciplinary action and/or payment of financial restitution in the amount equal to the assigned number of community restitution hours multiplied by minimum wage.

Financial Restitution:

Restitution requires the reimbursement for damages, misappropriation of property, financial loss due to fraud or gross negligence, or for personal injury cost.

Other Restorative Actions:

Restorative actions require a student to engage in actions to repair the harm caused by the misconduct. Actions may include mediation, letters of apology, attendance of a program or event, completing a bulletin board or presentation, or other similar activities or actions.

Educational Sanctions

Community Service:

Required performance of community service hours at a location either on or off campus as determined by the Dean of Students or his/her designee. Students who do not complete their community restitution hours in a timely fashion, or who do not represent the University in a positive fashion while performing their community restitution hours, will be subject to further disciplinary action and/or payment of financial restitution in the amount equal to the assigned number of community restitution hours multiplied by minimum wage.

Referral to Counseling & Health Services:

Referral requires a student to visit the University Counseling & Health Services for an initial evaluation and follow-through on any prescribed treatment program. Although the content of sessions will remain confidential, the student will be required to sign a waiver allowing the Counseling & Health Services to communicate with the Dean of Students regarding the student's commitment to scheduling and attending required meetings.

Alcohol/Drug Assessment:

Requires a student to meet with a qualified substance use/abuse counselor for an initial evaluation and follow-through on any prescribed education or treatment program and provide proof of completion or continued treatment.

Reflection Paper:

An assigned paper that requires the student to reflect on their experiences, decision-making, impact, and future actions.

Other Educational Sanctions:

Other educational sanctions intended to promote student learning such as research projects, writing assignments, meeting with designated University officials, etc.

Student Organization Sanctions. The following sanctions apply to student organizations found responsible for violations of the Student Conduct Code.

Loss of Recognition:

A permanent loss of the student organization's relationship with the University, including loss of all privileges associated with organizational membership. The Vice President for Student Affairs or the Dean of Students may impose the sanction of Loss of Recognition.

Suspension of Student Organization:

A temporary loss of the student organization's relationship with the University, including loss of all privileges associated with organizational membership, for a specified period of time and/or mandated requirement. The Vice President for Student Affairs or the Dean of Students may impose the sanction of Suspension of Student Organization.

Organizational Probation:

A notification that any further violation of the Student Conduct Code may result in a hearing with a recommendation of Loss of Recognition or Suspension of Student Organization. Notification will be sent to any national or regional organization with whom the student organization is affiliated, if applicable. The period of probation shall be specified. An administrative officer may impose the sanction of Organizational Probation.

Organizational Warning:

Official notification the organization's behavior violates the Student Conduct Code and that any future violation may result in more severe disciplinary action. Notification will be sent to any national or regional organization with whom the student organization is affiliated, if applicable. An administrative officer may impose the sanction of Organizational warning.

Restitution:

A reimbursement for a loss caused by the student organization's actions. An administrative officer may impose the sanction of Restitution.

Fine:

A penalty to hold student organizations financially accountable for their actions and/or to fund other activities. An administrative officer may impose the sanction of Fine.

Community Service:

Required performance of community service hours at a location either on or off campus as determined. An administrative officer or student judicial body may impose the sanction of Community Service.

Restrictions:

Restriction of some or all of the organization's activities or privileges, including, but not limited to, social privileges and recruitment privileges. An administrative officer or student judicial body may impose the sanction of Restrictions.

Organizational Review:

A notification that a student organization is beginning to show a pattern of concerning behavior. The organization must conduct a self-assessment, develop a corrective action plan, and provide

proof of implementation by a specified date. An administrative officer or student judicial body may impose the sanction of Organizational Review.

Educational Sanctions:

Projects or assignments designed to educate an organization in connection with the effect of its members' actions. Educational assignments include, but are not limited to, alcohol awareness programs and/or risk management programs. An administrative officer or student judicial body may impose the sanction of Educational Sanctions.

Note: This document uses the gender-neutral "they/their" as plural and singular pronouns.