



**OKLAHOMA CITY
UNIVERSITY**

**STUDENT
CODE OF
CONDUCT
2011-12**

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STUDENT CODE OF CONDUCT

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Student Code of Conduct

Preamble

The policies set forth herein do not constitute a contract. Oklahoma City University reserves the right to change and/or replace any portion of these policies at any time. These policies supersede and replace every prior written policy.

The Oklahoma City University (the "University") campus and facilities are private property. As officers of a private corporation, the Oklahoma City University Board of Trustees and designated University officials have the power to enact and enforce regulations they believe to be in the best interest and the preservation of the educational climate and the purpose of the University. Members of the campus community and visitors to the campus are expected to abide by University regulations as well as federal, state, and local laws. Any person(s) not willing or able to do so may expect disciplinary action by University and/or civil authorities.

A college or University is charged with a specialized purpose: to seek, disseminate, and use knowledge in pursuing truth. This pursuit of truth is a sensitive undertaking that flourishes only under special conditions and circumstances. To create and sustain these special conditions and circumstances, the academic community has found it necessary to create and enforce rules of an academic and nonacademic nature to maintain order and fairness on the campus and within the community. These rules are made to protect students from the improper behavior of anyone who would infringe on the rights of others. Therefore, the scope of these rules and regulations is determined by the announced objectives of the University and the extent to which it has reasonably determined that certain rules are fairly related to the accomplishment and protection of those stated objectives.

The submission of an application for admission to the University represents a personal and voluntary decision on the part of a prospective student. The University's approval of that application represents the extension of privilege to join the academic community and to remain a part of it, as long as the student maintains the academic and behavioral expectations set forth in the policies and regulations of the University (the Student Handbook, Undergraduate and Graduate catalogs, and the Law School Student Handbook). In addition, the University subscribes to all federal, state, and local laws, including those governing the possession and use of controlled substances, and requires its students to obey those laws.

Certain principles have been found to have a direct impact on community living within a University setting. Each student strengthens the University when he or she lives by these principles and accepts the responsibility and freedom of self-government. These principles include, but are not limited to the following:

- Maintaining academic honesty
- Respecting University and private property
- Keeping faith with University regulations
- Showing respect for others, to include restraint from conduct that threatens the health or safety of any person

Honesty and respect for others are indispensable attributes of the members of any well-ordered society, especially a University. Also indispensable is a genuine respect for legally established laws and regulations.

Every student is expected to observe the highest standards of conduct, both on and off campus and while participating in an Oklahoma City University sponsored International Education Program. When unacceptable behavior occurs off campus, whether at a University event or whenever such behavior may reflect adversely on the University, or affect the safety and security of persons on campus or the orderliness of the educational process, the University may implement the procedures provided for in this Code. When students are charged with violating civil or criminal laws, the University will neither request nor agree to special consideration because of their student status. The University will cooperate with any government authority or agency in connection with such charges. Further, the University reserves the right to



impose the provisions of this Code and to apply sanctions before or after courts and other government agencies have imposed penalties or otherwise disposed of a case.

The administration of student discipline is a necessary part of the total educational process to assist the student in personal development and to protect the academic community. Not only must disciplinary procedures be reasonable and fair, they must also be effective. Effectiveness is particularly dependent on the overall attitude of the University community itself. In addition to assuming a widely shared commitment to the principle of institutional self-governance, such effectiveness requires that violations of the Student Code of Conduct be reported; that complaints be filed by those who have the responsibility to do so; that witnesses will report if called; that findings of responsibility be made when the information so warrants; that appropriate sanctions be imposed when responsibility is found; that disciplinary proceedings will be conducted without fear of intimidation or of retaliation against those who participate; and that students must be willing to participate in the proceedings and to respect the finality of their results.

In a University, a strong sense of mutual responsibility, respect, trust, and fairness must exist among all members of the campus community: students, faculty, staff, and administration. In this framework of cooperation, while the emphasis is on personal freedom, each student is charged with the responsibility of self-control and self-reliance. To that end, those living in University housing must respect the rights of others and live according to approved social principles. Although personal freedom and self-control are stressed, violation of the above standards of behavior may be handled, as appropriate, by the Office of Student Life, the Student Conduct Board, the SGA Student Court or the Law School Disciplinary Tribunal. Students who violate these rules may be dismissed from the University.

Since its beginning, the University has emphasized the important role it plays in Christian higher education. This emphasis has led to an increasing awareness on the part of the University of the importance of the development of certain basic values. Accordingly, the University holds its students to the highest standards of ethical conduct. The University cannot accept responsibility for the education of any student who does not endorse its purposes and regulations, and reserves the right to dismiss any undergraduate, graduate, or law student whose conduct or academic standing it regards as unacceptable, without assigning any further reason for the dismissal. In such cases, any fees due or paid to the University will not be refunded in whole or in part, and neither the University nor its officers shall be under any liability whatsoever for such dismissal.

Article I: Definitions

- The term "Appellate Board" means persons authorized by the University to consider an appeal as to whether a student has violated the Student Code of Conduct or from the sanctions imposed by the Student Code of Conduct Administrator.
- The term "accused student" means any student accused of violating this Student Code of Conduct.
- The term "complainant" means any person who submits a charge alleging that a student violated this Student Code of Conduct. Any student who believes that s/he has been a victim of another student's misconduct will have the same rights under this Student Code of Conduct as are provided to the Complainant, even if another member of the University submitted the charge itself.
- The title "Dean of Students" is the person designated by the University President to be responsible for the administration of the Student Code of Conduct.
- The term "faculty member" means any person hired by the University to conduct classroom activities or teaching activities, or otherwise considered by the University to be a member of its faculty.
- The term "may" is used in the permissive sense.
- The term "member of the University community" includes any student, faculty member, University official, trustee, or other person employed by the University. A person's status in a particular situation shall be determined by the Dean of Students.
- The term "negotiated settlement" describes a mutual agreement between the accused student and the Student Code of Conduct Administrator to resolve the matter.



- The term “organization” means any number of persons who are in the process of complying or have complied with the formal requirements for University recognition.
- The term “policy” means the written regulations of the University as found in, but not limited to the OCU Student Handbook, OCU Law School Student Handbook, Student Code of Conduct, Residence Life regulations, the University web page and computer use policy, and Law, Graduate and Undergraduate Catalogs.
- The term “shall” is used in the imperative sense.
- The term “student” includes all persons taking courses or receiving instruction at the University. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled but have a continuing relationship with the University or who have been notified of their acceptance for admission are considered “students” as are those persons who are living in University on-campus housing although not enrolled at this institution.
- The term “Student Conduct Board” means any persons authorized by the University to determine whether a student has violated the Student Code of Conduct and to recommend sanctions that may be imposed when a rules violation has been committed. If at any time the board consists of more than one member, a chairperson shall be elected to oversee the Board’s proceedings. The Student Conduct Board shall always consist of an odd number of members to prevent the possibility of tie votes.
- The term “Student Code of Conduct Administrator” refers to the Dean of Students or their designee serving as the administrator of a particular matter.
- The term “University” means Oklahoma City University.
- The term “University housing” refers to all residence halls, University Manor Apartments, Cokesbury Court Apartments, fraternity residences, adjacent sidewalks/parking lots/structures to on-campus housing, and any future construction which provides residence living for University students, faculty, and/or staff.
- The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities.
- The term “University premises” includes all land, buildings, facilities, and other domestic property in the possession of or owned, used or controlled by the University (including adjacent streets and sidewalks).

Article II: Student Code of Conduct Authority

Negotiated settlements between a student and a Student Code of Conduct Administrator may be used to resolve a disciplinary matter. Both the accused student and the Student Code of Conduct Administrator must agree to the settlement in writing for the decision to be valid. There is no appeal of a negotiated settlement. Failure to abide by the terms of the negotiated settlement, as determined by the Student Code of Conduct Administrator, will be grounds for additional disciplinary action. For cases not disposed of by negotiated settlement, the following policies shall apply:

1. The Dean of Students shall determine which Student Conduct Board, Student Code of Conduct Administrator and/or Appellate Board shall be authorized to hear each matter.
2. The Dean of Students shall develop policies for the administration of the student conduct system and procedural rules for the conduct of the Student Conduct Board hearings, and such rules shall be consistent with provisions of the Student Code of Conduct.
3. Decisions made by a Student Conduct Board and/or Student Code of Conduct Administrator shall be final, pending the normal appeal process.



Article III: Proscribed Conduct

The Oklahoma City University Student Code of Conduct is meant to be a guide for students and these regulations are designed to promote civility, maintain a safe and secure environment, protect the rights of individual privacy and to protect both personal and University property. The University reserves the right to make exceptions to the written discipline procedures if deemed necessary. Students may grieve policies they feel unfair by utilizing the grievance procedure outlined in the Student Code of Conduct. The list of rules and regulations is not inclusive. Action may be taken even though an infraction is not written in the policies.



A. Jurisdiction of the Oklahoma City University Student Code of Conduct

The Oklahoma City University Student Code of Conduct shall apply to conduct occurring on University premises and at University-sponsored activities, as well as to off-campus conduct, including any form of electronic transmission and the Internet that may adversely affect the University community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of registration or application for admission through the actual awarding of a degree, or while residing in University housing, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if his/her conduct is not discovered until after a degree is awarded). The Student Code of Conduct shall apply to a student's conduct while a disciplinary matter is pending regardless of enrollment status. The Dean of Students shall decide whether the Student Code of Conduct shall be applied to conduct occurring off-campus, on a case-by-case basis, in his/her sole discretion.

B. Conduct – Rules and Regulations

Any student found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:



- a. Furnishing false information to any University official, faculty member or office.
- b. Forgery, alteration, or misuse of any University document, record, or instrument of identification.

Special note: Procedures related to academic honesty are found in the Oklahoma City University Undergraduate, Graduate and Law catalogs.

2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public service functions on- or off-campus or at other authorized non-University activities, when the conduct occurs on University premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens the health or safety of any person or distracts from the academic environment.
4. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on- or off- campus.
5. Failure to satisfy University financial obligations.
6. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliations with, or as a condition of membership in, a group or organization. The express or implied consent of the victim shall not be a defense. Neither apathy nor acquiescence in the presence of hazing is a neutral act; both are violations of this rule.
7. Failure to comply with the directions of University officials or law enforcement officers, or with Student Code of Conduct hearing officer(s) acting in the performance of their duties, and/or failure to identify oneself to these persons when requested to do so.
8. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of University premises.
9. Violation of any University policy, rule or regulation published in hard copy or available electronically on the University website.
10. Violation of any federal, state or local law.
11. Use, possession, manufacturing or distribution of any illegal or controlled substances, including pharmaceuticals, except as expressly permitted by law.
12. The use, possession, manufacture, or distribution of alcoholic beverages, and any form of public intoxication, are prohibited on campus.
13. Use or possession of tobacco products.
14. Providing alcohol to minors on- or off- campus is strictly forbidden, and may result in expulsion.
15. Illegal or unauthorized possession of firearms, air rifles, toy guns, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
16. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts normal operations of the University and/or infringes on the rights of other members of the University community, including leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
17. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
18. Conduct that is disorderly, lewd, or indecent; or breaches the peace; or aiding or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community.
19. Any form of passive or covert behavior may also be regarded as quite disruptive. Examples of passive, yet disruptive behavior are those students whose poor personal hygiene so seriously offends the sensibilities of classmates and instructors that the classroom becomes an academic environment that is no longer tenable.
20. Use of personal portable amplification equipment (e.g. mega-phones, boom boxes, radios and CD players) in a manner that disturbs the privacy of other individuals and/or the instructional program of the University.



21. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, secretly taking pictures of another person in a gym, locker room or restroom.
22. Theft or other abuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification or password.
 - d. Use of computing facilities and resources to interfere with the work of another student, staff, faculty member or University official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operations of the University computing system.
 - g. Use of computing facilities and resources in violation of copyright laws.
 - h. Any violation of the University Computer Use Policy.
23. Students are required to engage in responsible social conduct that reflects credit upon the University community both on- and off- campus.
24. Abuse of the Student Code of Conduct System, including but not limited to:
 - a. Failure to obey the notice from a Student Conduct Board or University official to appear for a meeting or hearing as part of the Student Conduct System.
 - b. Falsification, distortion, or misrepresentation of information before a Student Conduct Board.
 - c. Disruption or interference with the orderly conduct of a Student Conduct Board proceeding.
 - d. Institution of a Student Code of Conduct proceeding in bad faith.
 - e. Attempting to discourage an individual's proper participation in, or use of the student conduct system.
 - f. Attempting to influence the impartiality of a member of a Student Conduct Board prior to and/or during the Student Conduct Board proceeding.
 - g. Harassment (verbal, electronic or physical) and/or intimidation of any person involved or perceived to be involved with the adjudication and/or administration of an alleged violation of the Student Code of Conduct prior to, during, and/or after a Student Code of Conduct proceeding.
 - h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
 - i. Influencing or attempting to influence another person to commit an abuse of the Student Code of Conduct system.

C. Violation of Law and University Discipline

1. University discipline proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code of Conduct (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceeding off campus at the discretion of the Dean of Students. Determinations made or sanctions imposed under this Student Code of Conduct shall not be subject to change because civil or criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed 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 are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual



students and other members of the University community, acting in their personal capacities remain free to interact with governmental representatives as they deem appropriate.



Article IV: Student Code of Conduct Procedures

A. Charges and Student Conduct Board Hearings

1. Any member of the University community may file charges against a student for violations of the Student Code of Conduct. A charge shall be prepared in writing and directed to the Student Code of Conduct Administrator. Any charge should be submitted as soon as possible after the event takes place, preferably within thirty days.
2. The Student Code of Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by negotiated settlement of the parties involved on a basis acceptable to the Student Code of Conduct Administrator. Such disposition shall be final, and there shall be no subsequent proceedings. If charges are not admitted and/or cannot be disposed of by negotiated settlement, the Student Code of Conduct Administrator may later serve in the same manner as the Student Conduct Board or a member thereof. If the student admits violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanctions(s).
3. All charges not disposed of through negotiated settlement shall be presented to the accused student in written form, and the accused student shall be given a period of no less than seventy-two hours to respond to the charges. A time shall be set for a Student Conduct Board hearing not more than fifteen classroom days after the student has been notified. Maximum time limits for scheduling of Student Conduct Board hearings may be extended at the discretion of the Student Code of Conduct Administrator.
4. Student Conduct Board hearings shall be conducted by a Student Conduct Board according to the following guidelines except as provided by article IV(A)(7).
 - a. Student Conduct Board hearings normally shall be conducted in private.



- b. The complainant, accused student and their advisors, if any, shall be allowed to attend the entire portion of the Student Conduct Board hearing at which information is received (excluding deliberations). Admission of any other person to the Student Conduct Board hearing shall be at the discretion of the Student Conduct Board and/or the Student Code of Conduct Administrator.
 - c. In Student Conduct Board hearings involving more than one accused student, the Student Code of Conduct Administrator, at his or her discretion, may permit the Student Conduct Board hearings concerning each student to be conducted either separately or jointly.
 - d. The complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. The complainant and/or the accused student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or participate directly in any Student Conduct Board hearing before a Student Conduct Board. A student shall select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board hearings because delays will not normally be allowed due to the scheduling conflicts of an advisor.
 - e. The complainant, the accused student and the Student Conduct Board may arrange for witnesses to present pertinent information to the Student Conduct Board. At least two classroom days prior to the Student Conduct Board hearing the University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible, and who are identified by the complainant and/or accused student. Witnesses will provide information to and answer questions from the Student Conduct Board. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. This will be conducted by the Student Conduct Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved at the discretion of the chairperson of the Student Conduct Board.
 - f. Pertinent records, exhibits, and written statements may be accepted as information for consideration by a Student Conduct Board at the discretion of the chairperson.
 - g. All procedural questions are subject to the final decision of the chairperson of the Student Conduct Board.
 - h. After the portion of the Student Conduct Board hearing concludes in which all pertinent information has been received, the Student Conduct Board shall determine by majority vote (if the Student Conduct Board consists of more than one person) whether the accused student has violated each section of the Student Code of Conduct which the student is charged with violating.
 - i. The Student Conduct Board's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct.
 - j. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code of Conduct proceedings.
5. There shall be a single record of all Student Conduct Board hearings before a Student Conduct Board (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the University.
 6. If an accused student, with notice, does not appear before a Student Conduct Board hearing, the information in support of the charges shall nevertheless be presented and considered.
 7. The Student Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused students and /or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where appropriate, as determined by the Dean of Students.

B. Special Procedures for Students Participating in International Education Programs

Students who participate in international education programs are subject to the Oklahoma City University Student Code of Conduct while at the program site. The following are hearing procedures in the event a student participating in an international education program is accused of violating the code:



1. The sponsoring program institution will forward incident reports and any supporting documents to the Oklahoma City University Office of International Education immediately following the incident. The Office of International Education will contact the appropriate University offices.
2. In situations where the accused student is not available to appear in person at the Oklahoma City University home campus, when appropriate, the Dean of Students will designate a Student Code of Conduct Administrator at the international site.
3. In the event a designee is not designated, the Student Code of Conduct Administrator may conduct a student conduct hearing by telephone or other means of communication.
4. All student conduct hearings will be conducted as prescribed in this Student Code of Conduct.
5. All sanctions listed in the Code, including interim suspension may be employed in the event a student is found responsible.
6. In the case of arrest or other legal issues, Oklahoma City University assumes no financial responsibility for legal aid costs associated with expulsion from the University while participating in an international education program, included but not limited to return transportation to the U.S. from a host country. However, when appropriate, a University liaison may provide assistance in contacting family and appropriate government offices.
7. Any expenses related to the hearing and sanctions, including travel, lodging, meals, etc., will be the responsibility of the accused student if found responsible.

C. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
 - a. Warning – A notice in writing to the student that s/he is violating or has violated institutional regulations; a copy of the notice shall be placed in the student's discipline file.
 - b. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
 - c. Loss of Privileges – Denial of specified privileges for a designated period of time.
 - d. Fines – Previously established and published fines may be imposed.
 - e. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - f. Discretionary Sanctions – Work assignments, essays, service to the University, or other related discretionary assignments.
 - g. University Housing Suspension – Separation of the student from University Housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - h. University Housing Expulsion – Permanent separation of the student from University Housing.
 - i. University Suspension – Separation of the student from Oklahoma City University for a definite period of time, after which the student is eligible to return. Conditions for readmission will be specified.
 - j. Expulsion – Permanent separation of the student from Oklahoma City University.
 - k. Revocation of Admission and/or Degree – Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining a degree, or for other serious violations committed by a student prior to graduation.
 - l. Withholding Degree – The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Code of Conduct, including the completion of all sanctions imposed, if any.
2. More than one of the sanctions listed above may be imposed for any single violation.
3. Other than University expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation and upon application to the Student Code of Conduct Administrator, student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, University suspension



and University expulsion, or revocation or withholding of a degree cases involving the imposition of sanctions other than residence hall expulsion, University suspension, University expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record three years after the student's final enrollment with the University. In situations involving both an accused student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered the education records of both the accused students(s) and the student(s) claiming to be the victim because educational career and chances of success in the academic community of each may be impacted.

4. The following sanctions may be imposed upon groups or organizations:
 - a. Those sanctions listed above in article IV(C)1(a-f).
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. Deactivation: loss of all privileges, including University recognition, for a specified period of time.
5. When a Student Conduct Board determines that a student and/or group or organization has violated the Student Code of Conduct, the sanction(s) shall be determined and imposed by the Student Code of Conduct Administrator. When persons other than, or in addition to, the Student Code of Conduct Administrator have been authorized to serve as the Student Conduct Board, the recommendation of the Student Conduct Board shall be considered by the Student Code of Conduct Administrator in determining and imposing sanctions. The Student Code of Conduct Administrator is not limited to sanctions recommended by members of the Student Conduct Board. Following the Student Conduct Board hearing, the Student Conduct Board and the Student Code of Conduct Administrator shall advise the accused student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.

D. Interim Suspension

In certain circumstances, the Dean of Students, or a designee, may impose a University or residence hall suspension prior to the Student Conduct Board hearing before a Student Code of Conduct Board.

1. Interim suspension may be imposed only a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
2. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students may determine to be appropriate.
3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board hearing, if required.

E. Appeals

1. A decision reached by the Student Conduct Board or a sanction imposed by the Student Code of Conduct Administrator may be appealed by the accused student(s) or complainant(s) to an Appellate Board within five (5) classroom days of the notification of the decision. Such appeals shall be in writing and shall be delivered to the Student Code of Conduct Administrator or his or her designee.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of record of the Student Conduct Board hearing and supporting documents for one or more of the following purposes:
 - a. To determine whether the Student Conduct Board hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures shall not be a basis for sustaining an appeal unless significant prejudice results.



- b. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code of Conduct occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.
 - d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Conduct Board hearing.
3. If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Student Conduct Board and Student Code of Conduct Administrator for re-opening of the Student Conduct Board hearing to allow reconsideration of the original determination and/or sanctions. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

Article V: Interpretation and Revision

A. Interpretation

Any question of interpretation or application of the Student Code of Conduct shall be referred to the Dean of Students or his or her designee for final determination.

B. Review

The Student Code of Conduct shall be reviewed every three years under the direction of the Dean of Students.