



# **Student Code of Conduct 2024-2025**

Reviewed by University Legal Counsel  
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Approved by SRU Cabinet

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## I. Overview

The University Community is an academic community whose membership includes Students, faculty, staff, and administrators. The University Community exists for the pursuit of learning, the transmission of knowledge, the development of Students as scholars and citizens, and ultimately, for the general well-being of society. Freedom of inquiry, speech, action, and expression is indispensable in the attainment of these goals. Students, as members of the University Community, are encouraged to engage in a sustained, critical, and independent search for knowledge.

The student conduct process supports this endeavor through policies that balance the freedom of the individual student with the interests of the academic community, and procedures that apply these policies in an equitable and consistent manner.

As members of the academic community, all students are expected to uphold and abide by the standards set forth in the Student Code of Conduct. These standards are reflective of the University's core values: respect, responsibility, and integrity.

The University student conduct process attempts to teach civic principles within the context of the academic mission. The process views students as adults, and as such, expects them to be aware of applicable local, state, and federal laws, as well as all published University policies, procedures, and rules.

Violations of the Student Code of Conduct may subject a student to action through the University student conduct process. Where warranted, violations may also be referred for action through the appropriate civil or criminal court. The University may initiate an investigation and proceed with resolution within the scope of its authority, responsibility, and jurisdiction, without regard to the commencement or disposition of any civil or criminal court proceeding.

## II. Jurisdiction

Matters subject to conduct jurisdiction may be resolved through the student conduct system, regardless of any actions that may be brought in civil or criminal court systems. The University's jurisdiction over alleged conduct violations extends to actions committed by Students and Student Organizations:

- at any place of university operation, including all campuses, satellite, and remote locations;
- while attending or participating in university events, activities or programs, either in-person or otherwise;
- when otherwise off-campus and where the action:
  - significantly breaches the peace (i.e., results in initiation of a criminal action by law enforcement authorities);
  - substantially infringes upon the personal or property rights of another member of the University Community; or
  - is otherwise detrimental to the educational mission and/or a substantial interests of the

University.

The University retains jurisdiction over conduct violations occurring while an individual is a Student, regardless of any withdrawal, leave of absence, or graduation.

### III. Applicability

This Code of Conduct is issued pursuant to 22 Pa. Code Chapter 505 and Board of Governors Policy 1984-13-A and applies to all Students and Student Organizations. It is intended to be consistent with any referenced University policies and will be construed to avoid inconsistency; however, to the extent that there is an irreconcilable conflict between this Code of Conduct and any University policy, the document with the latest approval date will control.

### IV. Areas of Responsibility

The Vice President for Student Affairs serves as the President's designee for the general oversight of Student conduct matters. Specific responsibility for the administration of conduct matters is delegated to the Assistant Dean of Students. The Assistant Dean of Students may further delegate responsibility to various Student conduct bodies and administrative staff.

The University Title IX Coordinator, with the assistance of the Deputy Title IX Coordinators, coordinates compliance with Title IX and responds to Reports of Student conduct matters involving sexual misconduct, sexual harassment and/or sexual discrimination.

Specific rules for the use of University resources or participation in University functions may be developed in addition to this Code of Conduct. These rules, such as the Residence Hall Agreement, may be dealt with by the offices in charge of the resources or functions or referred to Student Conduct as deemed appropriate by the University based on the nature of the action.

### V. Communication

University-issued electronic mail (email) is the official means of communication on all matters pertaining to the Student Conduct Process. If a party to a Student conduct matter is no longer a Student or employee of the University, notifications will be directed via reasonable means. Students are expected to check their University email accounts on a daily basis. Further, Students involved in a Student Conduct matter are responsible for updating the Assistant Dean of Students of any email address or other changes to the means of contact.

### VI. Definitions

Except as otherwise provided herein, the language contained in this document shall be construed according to ordinary common usage.

**Advisor:** An individual who may be present to support a party throughout the conduct process. The Advisor may be a member of the University Community, an attorney, or other individual selected by the party. The Advisor may accompany the party they are supporting to any hearing or meeting that the party is required to attend. Each party is responsible for coordinating and scheduling with their choice of Advisor.

In all conduct matters except those addressed through the Sex Discrimination and Sex-Based Harassment Policy processes, the Advisor may communicate only with the party they are supporting and may not otherwise speak for, or on behalf of, the party. The Advisor may not be a party or witness in the matter.

In conduct matters addressed through the Sex Discrimination and Sex-Based Harassment Policy processes, the Advisor may not speak for the Party, except for purposes of cross-examination. If a Party does not attend the hearing, the Party's Advisor may appear and ask questions or conduct cross-examination on the Party's behalf. If a party does not have an Advisor of choice present for a hearing, the University will appoint an Advisor for the limited purposes of asking questions and conducting cross-examination.

**Confidential Resources:** University employees and off-campus organizations who are not required to Report identifiable Student information regarding an incident of sexual misconduct to the Title IX Coordinator. A comprehensive list of on-campus and off-campus confidential resources is available online at this website: <https://www.sru.edu/offices/human-resources-and-compliance/sexual-misconduct-and-title-ix-resources>

**Consent:** A knowing and voluntary agreement to engage in specific sexual activity at the time of the activity communicated through clear actions and/or words that are mutually understood.

In order to be valid, Consent must be active, present, and ongoing.

Consent is not present when it is the result of coercion, intimidation, force, or threat of harm.

Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. Consent can be withdrawn at any time and consent to one form of sexual activity is not necessarily consent to other forms of sexual activity.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination. When determining whether a person has the capacity to provide Consent, the University will consider whether a sober, reasonable person in the same position knew or should have known that the other Party could or could not consent to the sexual activity.

When determining whether Consent has been provided, all circumstances of the relationship between the

Parties will be considered.

**Day:** for purposes of measuring days within which an event is required under the Student Code of Conduct (e.g., scheduling a hearing, issuing a Student conduct decision, or filing an appeal), days are defined and counted as calendar days.

**Determination:** The adjudication of an alleged violation of the Student Code of Conduct.

**Educational Outcome:** An outcome imposed based upon a finding of responsibility for a violation of the Student Code of Conduct, including any modifications of a Student or Student Organization status or standing, and any additional assigned requirements.

**Good Disciplinary Standing:** A status when a student is not under current penalty or disciplinary sanction such as Disciplinary Probation or Suspension.

**Hearing:** The resolution method facilitated by a University Conduct Board or a Hearing Officer involving the parties, witnesses and evidence with the Referred Party having a right to appeal.

**Hearing Officer:** A single decision-maker given the authority to review and issue a determination in a Student conduct matter other than a matter involving charges where the possible educational outcome is suspension or expulsion. Student conduct matters involving possible educational outcomes of suspension or expulsion are determined by the University Conduct Board.

**Investigator:** An individual employed or appointed by the University to conduct an investigation in Student conduct matters.

**Referral:** A written Report of alleged Student Code of Conduct violations, excluding sexual misconduct violations made by a member of the University Community against a Student or Student Organization/Group.

**Referred Party:** The Student(s) or Student Organization/Group alleged to have violated provisions of the Student Code of Conduct.

**Referring Party:** A member of the University Community who has submitted a Referral alleging a violation of the Student Code of Conduct. University Community members making Referrals as part of their duties will act as witnesses in the process.

**Report:** An allegation of a violation of the Student Code of Conduct made against any Student or Student Organization.

**Reporter:** An individual who submits a Report to the University alleging a violation of the Student Code of Conduct. University Community members making Reports as part of their duties will act as witnesses in the process.

**Sexual Misconduct Investigator:** The Title IX Coordinator or the individual designated by the Title IX Coordinator to perform an investigation under the Sex Discrimination and Sex-Based Harassment Policy. The Investigator may not have a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general. The Investigator may not serve as a Decision Maker, Appeals Officer, or Advisor to any Party in the same matter.

**Student:** A person who has gained admission to the University. Admission means selection for part-time, full-time, special, associate, transfer, exchange, or any other enrollment, membership, or matriculations in or at an education program or activity operated by the University.

The term “Student” shall include Employees, Volunteers and Officials where the Employee, Volunteer or Official otherwise meets the enrollment criteria set forth in this definition.

**Student Conduct Conference:** This meeting provides the Referred Party with the opportunity to: discuss the allegations that led to the Report or Referral; review and discuss additional information about the Student conduct process, including information regarding their rights and options and, where appropriate, the availability of informal resolution; receive information regarding the range of potential Educational Outcomes for the charged violation(s), should the charges be substantiated.

**Student Organization:** Any organized group, that has complied with, or is in the process of complying with the University’s requirements for registration or recognition; receives funds from the University's Student Government Association; or is formed through University academic, athletic, or other departments.

**Title IX Coordinator:** The individual designated by the University, with assistance of the Deputy Title IX Coordinators, to coordinate the University’s compliance with Title IX and the Violence Against Women Act (“VAWA”) and to respond to Reports of violations. The Title IX Coordinator may not have a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general. The Title IX Coordinator may serve as the Investigator of a Formal Complaint. The Title IX Coordinator may serve as the Investigator of a Formal Complaint for Formal Complaints against Respondents who are Employees. The Title IX Coordinator may not serve as a Decision Maker or Appeals Officer.

**University:** Slippery Rock University of Pennsylvania.

**University Community:** The students and employees (including faculty) of the University. For purposes of Referrals, the University Community also includes guests and visitors of the University, and employees of the University’s affiliated entities: Slippery Rock University Alumni Association, Slippery Rock University Foundation, Inc., SRU Student Housing, LLC, and Slippery Rock University Student Government Association.

**University Conduct Board:** A group of trained individuals representing the University community that hear the facts of a Student conduct matter from all involved parties. Based on the facts, the board

determines a decision of “responsible” or “not responsible” and recommends appropriate Educational Outcomes/sanctions and stipulations when required.

University Conduct Boards are made up of a non-voting chairperson and a three-member voting panel. The panel is comprised of three employees and one student. The non-voting chairperson is a university employee.

In matters related to academic integrity, at least one employee on the panel must be a faculty member.

In matters involving allegations of sexual misconduct, Students will not be selected to serve as panel members. In sexual misconduct matters, the University Conduct Board members are selected from a pool of members who have been trained in the University’s conduct process concerning sexual misconduct.

**University Property** - All objects, items and real estate owned or controlled by the University, starting from the curbed edge inward, as well as sidewalks and building entrances.

## VII. Prohibited Conduct

1. **Academic Integrity** - Allegations of academic misconduct are addressed under specific procedures outlined in the University’s academic integrity policy, which is published at <https://catalog.sru.edu/academic-policies/academic-integrity/>. Violations of that policy may include Educational Outcomes up to and including suspension or dismissal from the university.
2. **Alcohol** - (a) Underage use or possession (including constructive possession); (b) public intoxication; (c) distributing, selling, or furnishing of alcoholic beverages without a license or to underage individuals; (d) driving or operating a vehicle under the influence; (e) possession of open containers of alcoholic beverages;\* (f) paraphernalia used for consumption of alcohol;\* or (g) use, possession, or consumption of alcohol over 21 years of age on University property.\*  
  
\*Violations apply except as expressly permitted by law and the University’s Alcohol Policies. The Alcohol Policy can be found here: <https://www.sru.edu/documents/offices/environment-health-safety/Alcohol%20Policy%20%28Updaed%202022%29.pdf>
3. **Complicity** - (a) Actively assisting in the commission of a violation; or (b) actively supporting or encouraging the violation.
4. **Disruptive Conduct-** Actions that are disorderly, unnecessarily disturb others, or are disruptive to the normal University activities, operations, or functions.
5. **Drugs-** (a) Use, possession, constructive possession, sale, and/or use of controlled substances; (b) possession of drug paraphernalia; (c) possession of a significant quantity, manufacturing, distribution, or sale of any controlled substances; (d) driving or operating



a vehicle under the influence; (e) administering any prescribed, controlled, or illegal substance to another person without their consent; (f) misuse of prescribed or controlled substances, except as expressly permitted by law.

6. **Failure to Comply** – (a) Failure to follow the reasonable directive(s) of University officials made in the performance of their duties, including providing identification, (b) failure to comply with a sanction or condition issued in connection with a student conduct action.
7. **False Information** - (a) Making, using, or possessing any falsified document or record; (b) knowingly making a false complaint or providing false information in connection with a University inquiry or investigation; (c) altering or forging any University document or record, including identification, meal or access cards, and parking permits; or (d) other intentional misrepresentation to, or deception of, a University official.
8. **Gambling** - Engaging in any gambling activities except as authorized by state or federal law.
9. **Harassment** –Engaging in conduct with the intent to harass, annoy, or alarm another person. This provision is not intended to prohibit constitutionally protected activity. The following behaviors are examples of harassing conduct when engaged in with the requisite intent: following another person in a common or public space; repeated communication during extremely inconvenient hours or after the other person objects to further communication; and otherwise engaging in a course of conduct that serves no legitimate purpose. This includes, but is not limited to, conduct in person or delivered by direct or indirect means via notes, phone calls, and/or use of social media or other electronic media.
10. **Hazing** – Engaging in conduct by any individual or organization that is prohibited by the Anti-Hazing Law of Pennsylvania, and/or the University's Anti-Hazing Policy. A copy of the University's Anti-Hazing Policy can be found at: <https://rockpride.sru.edu/policies/files/all/Hazing%20Policy-Student%20Affairs.pdf>.
11. **Information Technology Policy** – Engaging in conduct that violates the University's acceptable use policy, a copy of which can be found at: <https://rockpride.sru.edu/policies/files/information-technology/IT%20Acceptable%20Use%20Policy-Information%20Technology.pdf>.
12. **Law** – Conduct resulting in: (a) evidence of violation of local, state or federal criminal laws as substantiated through the University/College's conduct process; or (b) disposition of local, state or federal criminal charges that have resulted in a finding of guilt, regardless of whether the finding is the result of a guilty plea, no contest (also known as nolo contendere) plea or finding of guilt at trial.
13. **Misuse of University Brand** – Unauthorized use of the University name, logo, insignia, trademarks, or other protected marks of the University.

14. **Physical Harm** - Intentionally or recklessly engaging in conduct that causes physical harm or that creates a substantial risk of harm to the health or safety of another person.
15. **Residence Life Policy** – Engaging in conduct that violates the University’s residence life agreement, addendums, and policies, which can be found at: <https://www.sru.edu/documents/life-at-sru/housing/OnCampus%20LivingGuide.pdf>
16. **Retaliation**– Any action, directly or through others, including but not limited to, intimidation, threats, coercion, or discrimination, which is engaged in for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations; or because the individual has made a Report or Referral, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing regarding an incident of alleged misconduct, including sexual misconduct. A finding of responsibility for retaliation is not dependent on a finding that the underlying misconduct occurred.
17. **Safety**– Engaging in conduct that violates University fire and safety regulations, policies, and rules. Prohibited conduct includes:
  - a. setting intentional or unintentional unauthorized fires;
  - b. blocking or obstructing University walkways, roadways, and paths of ingress/egress;
  - c. use and/or possession of prohibited incendiary or combustible materials and devices (for example, candles, torches, vaping equipment, e-cigarettes);
  - d. unauthorized use of electrical devices or chemical agents, regardless of whether such unauthorized use results in fire or damage to University or personal property;
  - e. failure to evacuate when directed by an official, alarm, or other reasonable means
  - f. creating any hazardous condition that endangers the health and safety of themselves or others;
  - g. tampering or improper use of fire safety systems and equipment;
  - h. tampering or improper use of other safety equipment (e.g., AEDs, Emergency Phones, First-Aid kits, opioid or other medication rescue materials) or devices (e.g., safety signage, door locks, etc.)
  - i. initiating bomb threats or false reporting of a bomb, fire, or other emergency.
18. **Sex Discrimination and Sex-Based Harassment** – The University prohibits all Sex Discrimination violations, as defined below, and as set forth in the University’s Sex Discrimination and Sex-Based Harassment Policy available at <https://rockpride.sru.edu/policies/files/all/Sex%20Discrimination%20and%20Sex%E2%80%93Based%20Harassment%20Policy-Administration.pdf>. Sex Discrimination is discrimination on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. This includes discrimination based on perceived identity whether that perception is accurate or not. Sex Discrimination also includes Sex-Based Harassment as defined in the University Sex Discrimination and Sex-Based Harassment Policy and below.
  - a. **Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on a consideration of the length and type of relationship and the frequency

of interaction between the parties involved in the relationship.

- b. **Domestic Violence** – Violence committed by a person who is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of the jurisdiction of the University, or a person similarly situated to a spouse of the Complainant; is cohabitating, or has cohabitated, with the Complainant as a spouse or intimate partner; shares a child in common with the Complainant; or commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- c. **Sexual Assault** – An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, as follows:
  - (1) **Sex Offenses, Forcible** – Any sexual act directed against the Complainant, without the Consent of the Complainant including instances where the Complainant is incapable of giving Consent, including the following:
    - a. **Forcible Rape** – Vaginal sexual intercourse with the Complainant without the Complainant’s Consent.
    - b. **Forcible Sodomy** – Oral or anal sexual intercourse with the Complainant without the Complainant’s Consent.
    - c. **Sexual Assault With An Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of the Complainant without the Complainant’s Consent.
    - d. **Forcible Fondling - The** touching of the private body parts of the Complainant for the purpose of sexual gratification without the Complainant’s Consent.
  - (2) **Sex Offenses, Nonforcible (Except Prostitution Offenses)** – Unlawful, nonforcible sexual intercourse, including the following:
    - a. **Incest** – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - b. **Statutory Rape** – Nonforcible sexual intercourse with a person who is under the statutory age of consent. The age of consent for sexual activity in Pennsylvania is 16. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than the Minor is at the time of the activity. Minors aged 16 years of age or older can legally consent to sexual activity, as long as the other person does not have authority over them as defined in Pennsylvania’s institutional sexual assault statute, 18 Pa.C.S.A. § 3124.2.

- d. **Quid Pro Quo Sexual Harassment** - An employee, agent, or other person authorized by the University to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.
  
- e. **Hostile Environment Sexual Harassment** - Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
  - (1) The degree to which the conduct affected the Complainant's ability to access the University's education program or activity;
  - (2) The type, frequency, and duration of the conduct;
  - (3) The Parties' ages, roles within the University's education program or activity, previous interactions, and other factors about each Party that may be relevant to evaluating the effects of the conduct;
  - (4) The location of the conduct and the context in which the conduct occurred; or
  - (5) Other Sex-Based Harassment in the University's education program or activity.
  
- f. **Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person's property.

Stalking includes the concept of cyberstalking, in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

- 19. **Sexual Exploitation** – Engaging in behaviors directed toward or involving another person or any act where one person violates the sexual privacy of another when Consent is not present. This includes, but is not limited to: Prostituting another person; Watching or taking pictures, videos, or audio recordings of another person in a state of undress without their Consent or of another person(s) engaging in a sexual act without the Consent of all parties; Disseminating, streaming, or posting images, pictures, or video, or threatening to, of another in a state of undress or of a sexual

nature without the person's Consent; Letting others watch you have sex without the knowledge or Consent of your sexual partner; Indecent exposure or inducing others to expose private or intimate parts of the body when Consent is not present; Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity; Possession of child pornography, voyeurism, or knowingly exposing another individual to an STI or HIV; and Any sexual act prohibited by applicable law.

20. **Theft** - (a) The unauthorized possession, removal, and/or receipt of property without the express consent of the owner; or (b) the attempt to possess, remove or receive without the express consent of the owner.
21. **Threat of Harm** - Intentionally or recklessly engaging in physical, verbal, or written conduct that creates a reasonable fear of infliction of physical pain or injury to any person or damage to property. This includes a single threat, or a course of conduct, regardless of whether such incidents are in person or conveyed through electronic means.
22. **Unauthorized Access** – Access, entry, presence, or use of buildings, rooms, property, and/or accounts (electronic or otherwise) without permission.
23. **University Policy**– Violation of any published University policy or rule (official University policies can be found at <https://rockpride.sru.edu/policies/index.php>).
24. **Vandalism** – Intentional, reckless and/or unauthorized damage, destruction, or defacement of property of another, including University property.
25. **Weapons** – Violations include the following:
  - a. The use, possession, and/or transportation of:
    - i. fireworks;
    - ii. a paintball, air soft, and/or BB gun;
    - iii. explosives;
    - iv. any item designed and/or used in such a way to threaten, inflict bodily harm, and/or physical damage, except those items identified in paragraph (b) below.
  - b. The unlawful or unauthorized use, possession, or transportation of (i) a firearm and/or (ii) firearm ammunition. A copy of the University's rules regarding use, possession, and transportation of firearms on campus can be found at: <https://rockpride.sru.edu/policies/files/all/Weapons%20Policy-Administration.pdf>

## VIII. Student Conduct Process

**When possible, process differences for Sex Discrimination and Sex-Based Harassment incidents are noted. For greater detail, refer to the University's Sex Discrimination and Sex-Based Harassment Policy for a statement of the processes and procedures associated with reporting and adjudicating matters of sexual misconduct.**

- a) **Overview**

The University believes strongly in providing a fundamentally fair and impartial Student conduct process. To that end, the Referred Party will receive reasonably specific advanced written notice containing a description of the alleged violations of the Student Code of Conduct, including time, date, and place of occurrence and a description of the alleged prohibited conduct.

The University also believes in providing Students with multiple pathways to resolution including but not limited to alternate dispute resolution options (in appropriate cases and where mutually agreed upon).

Reports of alleged sexual misconduct, including those involving a mixture of both non-sexual misconduct and sexual misconduct charges, will follow the process outlined in the Sex Discrimination and Sex-Based Harassment Policy.

Note regarding matters involving a mixture of both non-sexual misconduct and sexual misconduct charges: If all of the alleged sexual misconduct violations are dismissed, and the remaining underlying allegations, if true, would violate the Student Code of Conduct, the matter may be referred for further action by the University's Office of Student Conduct, as appropriate.

**b) Burden of Proof**

The University bears the burden of establishing any charged violation of this Code. The Referred Party does not have the burden to prove that a violation did not occur. A Referred Party may decide not to participate in the hearing or an investigation. Neither of these decisions shifts the burden of proof away from the University.

**c) Standard of Proof**

The University is responsible for establishing any charged violation by a "preponderance of the evidence" standard. This means that the University must show that it is more likely than not that the Referred Party engaged in the charged violation of the Student Code of Conduct.

**d) Use of Advisors**

Parties are permitted to have an Advisor accompany them to any hearing or meeting that the party is required to attend. Each party is responsible for coordinating and scheduling with their choice of Advisor. The Advisor may be a member of the University Community, an attorney (retained at the Student's own expense), or another individual selected by the party.

In all conduct matters except those addressed through the Sex Discrimination and Sex-Based Harassment Policy processes, the Advisor may not speak or participate directly in any aspect of the conduct process, but rather can only consult and interact privately with their Student. The Advisor may not be a party or witness in the matter.

While the University will consider information regarding Advisor schedules and availability, the scheduling of meetings and hearings throughout the Student conduct process is at the discretion of the University.

#### e) **Submitting a Referral**

While any individual may make a Report of an alleged violation of the Student Code of Conduct by a University Student or Student Organization/Group, only a member of the University Community may submit a Referral to the Office of Student Conduct. Formal action under the student conduct process will occur only upon the submission of a Referral. In instances where a member of the University Community makes a Report of an alleged violation of the Student Code of Conduct, but elects not to submit a Referral, the Office of Student Conduct will review the Report and may, as deemed appropriate, initiate a Referral. Similarly, in instances where a Referring Party cannot be identified or wishes not to participate, the University may, at its discretion, initiate a Referral against a Referred Party. If a Referring party remains anonymous, the University will be limited in response.

All Referrals must be in writing and should be submitted as soon as possible after the events on which the Referral is based. Referrals, other than those relating to alleged sexual misconduct, must be submitted to the Office of Student Conduct. Referrals may be submitted: electronically at: [https://sru-advocate.symplicity.com/public\\_report/index.php](https://sru-advocate.symplicity.com/public_report/index.php); or in person at the Office of Student Conduct at 005 Patterson Hall.

#### f) **Referral Review**

The Office of Student Conduct will review Referrals to determine if sufficient information is alleged to indicate that the Referred Party has engaged in behavior constituting a violation of the Student Code of Conduct.

If the Assistant Dean of Students or designee determines that sufficient information is alleged to indicate that a violation or violations occurred, the Referral will proceed and appropriate interim measures may be imposed. Should further investigation be required, additional information and evidence will be gathered prior to a determination.

If the Assistant Dean of Students or designee determines that no violation of the Student Code of Conduct is indicated, the Referral will be dismissed. There will be no appeal of this dismissal decision.

#### g) **Evidence**

Only evidence that is admitted during the Student Conduct Conference or hearing shall be considered in judging the matter.

The University is not bound by formal rules of evidence. Evidence or information that may not be admissible in a court of law may be admissible in a conduct hearing or as part of an investigation; however, hearsay evidence may not be used to establish a fact necessary to support a decision in a case. The Hearing Officer or the Chairperson of the University Conduct Board will decide what information is admissible as part of a hearing.

Court documents, including affidavits of probable cause, preliminary hearing transcripts, and other relevant court and public records, may be utilized at a Student conduct hearing given their inherent

reliability, even when the person that prepared them is not available to testify or answer questions.

The Assistant Dean of Students or designee has discretion to control the methods of presentation of evidence or physical appearance of participants (e.g., remote presentation of evidence) in order to ensure orderly and efficient presentation of evidence and the integrity of the hearing process. A party wishing to request a modification relating to the hearing should do so within 48 hours of the scheduled hearing time.

#### **h) Notice of Charges**

Where the Assistant Dean of Students or designee determines that sufficient evidence exists to support a possible finding of responsibility for a violation of the Student Code, the Assistant Dean of Students or designee will issue a Notice of Charges to the Referred Party. Where the Referred Party is a Student Organization, the Notice will be directed to the identified officers or representatives of the organization.

The Notice will contain a description of the alleged violations of the Student Code of Conduct, including time, date, and place of occurrence and a description of the alleged prohibited conduct. The Referred Party is requested to make an appointment with the Office of Student Conduct to review the Notice of Charges and next steps in the conduct process. Additional information will be provided on support structures including instructions on requesting accommodations for the meeting.

Where the alleged acts of misconduct require investigation, issuance of the Notice may be deferred by the Assistant Dean of Students or designee pending completion of the investigation.

#### **i) Investigation**

Depending upon the complexity of the matter, the Assistant Dean of Students or designee may appoint an Investigator. The Investigator may recommend interim action to the Assistant Dean of Students or designee at any point in the investigation. All investigations will be completed promptly.

The Investigator will determine the best method and order of information gathering, which may include interviews with the Reporting Party, Referred Party, and any identified witnesses, as well as review of relevant documents or other evidence. Where a Referred Party fails or refuses to participate in the investigation process, the matter will proceed based upon evidence collected during the investigation process.

### **Student Organizations/Groups**

In matters involving a Student Organization/Group, the Investigator may require a group meeting or a series of individual meetings. Students who fail to appear for investigative interviews or who fail to cooperate in good faith during investigative interviews may be subject to action under the Student Code. Future recognition of the Student Organization/Group may be assessed based on the Student members' cooperation.

Students' cell phones or similar electronic communication devices may be collected and/or use may be restricted during any investigative interview in order to ensure the integrity of the investigation; however, the cell phones will not be subject to search without Student permission or warrant.



#### j) **Student Conduct Conference**

The Student Conduct Conference will be facilitated by a University/State System administrator designated by the Assistant Dean of Students. Referred Students need to make an appointment for their Conduct Conference by an established deadline / will be informed of the date and time of a meeting.

The facilitating administrator will give the Referred Party the opportunity to:

- Come to mutual resolution during the Conduct Conference, waving the right to a Formal Hearing and the right to an appeal;
- Request a hearing; or
- Accept responsibility for the charge(s) but request further hearing on the Educational Outcomes. In this event, the statement of responsibility will be accepted and the matter will be referred for a hearing on the Educational Outcome only. There will be no appeal of the finding of responsibility. Where a hearing is held on the Educational Outcome only, and the matter involves a possible Educational Outcome of suspension or expulsion, the Educational Outcome hearing will be held before the University Conduct Board. All other Educational Outcome hearings will be held before a Hearing Officer.

If a Referred Party fails to attend the Student Conduct Conference, the matter will be scheduled for a hearing. A letter will be sent to the Referred Party informing them of the hearing date/time.

#### k) **Conflict Resolution**

Where this process is available, an alleged incident may be resolved through conflict resolution. Use of conflict resolution must be agreeable to both parties and the Assistant Dean of Students or designee. The conflict resolution will be held with the identified parties and will be facilitated by a facilitator appointed by the Office of Student Conduct. Where an agreeable resolution is reached between the parties, the matter will be disposed of in lieu of further student conduct proceedings. No formal finding of responsibility or Educational Outcome will be noted on the file. However, in instances where the parties agree to certain actions or conditions to resolve the matter, those agreements will be written and submitted to the Office of Student Conduct. Failure to abide by required actions or conditions may result in future action under the Office of Student Conduct.

#### l) **Scheduling the Hearing**

The Assistant Dean of Students or designee will provide the parties with written notice of the hearing at least 5 days in advance of the hearing. At the discretion of the Assistant Dean of Students or designee, any matters not involving possible Educational Outcomes of suspension or expulsion may be scheduled and heard informally before a Hearing Officer. Where the matter will be heard before a Hearing Officer, the hearing may be scheduled for an earlier date if the Referred Party agrees.

In matters where the Educational Outcomes may include suspension or expulsion, or in those matters where the Office of Student Conduct/designee exercises discretion not to schedule the matter before a Hearing Officer, the matter will be scheduled as a formal hearing before the University Conduct Board.

The hearing notice will contain a statement of:

- the date, time, and place of the hearing;
- a statement of the date, time, place and alleged acts of misconduct;
- a statement of the specific charges pending against the Referred Party; and
- an identification of the Hearing Officer or University Conduct Board Members, as appropriate

While every effort will be made to schedule the hearing at a time convenient for all parties, final scheduling authority rests with the Office of Student Conduct. When multiple Referrals involving the same Student are received, each Referral will be considered separately in determining whether a conduct process should be initiated. Multiple charges against the same Referred Party will generally be investigated and adjudicated separately; however, at the discretion of the Assistant Dean of Students or designee, multiple charges may be investigated and adjudicated together under appropriate circumstances, which may include, but are not limited to, consent of the parties, similar or related conduct, and the administrative burden of considering the charges separately. The Assistant Dean of Students or designee also has the authority, when a matter involves more than one Referred Party, to hold a single hearing for all Referred Parties, or hold separate hearings for each Referred Party.

#### **m) Hearing Procedures**

**If a Referred Party fails to attend the Hearing, the matter will be heard in their absence.**

At the discretion of the Assistant Dean of Students or designee, any matters not involving possible Educational Outcomes of suspension or expulsion may be scheduled and heard informally before a Hearing Officer. Procedures for hearings before Hearing Officers are less formal; however, as set forth more fully below, the following provisions apply to both informal hearings before a Hearing Officer and formal hearings before the University Conduct Board.

##### ***(1) Closed Hearings***

All hearings are closed to the public. Hearings are open only to the parties identified by the University. Witnesses are not permitted to remain in the hearing room except as directed.

##### ***(2) Hearing Attendance***

The Referred Party and any identified parties with knowledge of the incident are expected to appear at a hearing. However, in the event that a key witness or affected party fails to attend a Student conduct hearing, the Office of Student Conduct or their designee reserves the right to dismiss the matter, or to proceed with the hearing. If a Referred Party fails to appear, the hearing may be conducted in their absence. In extraordinary circumstances the Office of Student Conduct or their designee has sole discretion to reschedule the hearing.

The Referred Party has the right to challenge the designation of a Hearing Officer or University Conduct Board member for: personal bias; or prior involvement with parties or circumstances surrounding the matter. A challenge to a Hearing Officer or University Conduct Board member for cause must be presented to the Office of Student Conduct in writing at least 2 days before the scheduled hearing. The party making the challenge must provide all facts supporting their challenge. A ruling on the challenge will be issued in advance of any hearing.

### ***(3) Witnesses***

The Referred Party is required to notify the Office of Student Conduct of the names and contact information of their respective witnesses at least 3 days prior to the scheduled hearing time. Character witnesses are not permitted.

The Referred Party is responsible for arranging for the attendance of their witnesses at the hearing. Witnesses are only allowed in the hearing room during their period of testimony or when called to answer questions. The Hearing Officer or University Conduct Board reserves the option of limiting the number of witnesses providing statements at a hearing.

In matters of Student Organization/Group misconduct, individuals who provide information as part of an investigation may remain confidential throughout the conduct process, provided their identities are known to the University and the investigator serves as a witness.

### ***(4) Hearing Outcomes***

If a decision of “not responsible” is reached, the matter is closed with no right of appeal.

If a decision of “responsible” is reached, the Hearing Officer or University Conduct Board will make a determination to the Assistant Dean of Students/designee of Educational Outcomes based upon the nature of the code of conduct violation. Past violations of the Student Code of Conduct will be factored into the determination of the Educational Outcomes after a decision of responsibility has been reached. Previous conduct will not be considered in establishing whether a Referred Party is “responsible” or “not responsible” of the current charges.

A written decision will be issued, setting forth the findings on the charge(s) and the Educational Outcomes imposed. Absent extenuating circumstances, the written decision will be issued as expeditiously as possible but in no event later than thirty (30) days after conclusion of the hearing. The determination letter will include factual findings and rationale for the decision, and present a complete description of the educational outcomes, if any. Appeal criteria and procedures will be outlined as well.

All hearings before the University Conduct Board are recorded. Hearings before the Hearing Officer may be recorded at the discretion of the Hearing Officer. Where audio or video recording is not made, a written summary of the hearing will be made. Any additional video, audio, stenographic, or photographic recording of any hearing is prohibited.

## n) Educational Outcomes

Educational Outcomes are utilized to help Students and Student Organizations develop more productive patterns of behavior, to support the integrity of the academic mission, and to protect the members of the University Community.

Stipulations may be attached to all Educational Outcomes as deemed appropriate in the interest of supporting the principles outlined above. The Assistant Dean of Students, or designee, has final authority in determining completion of assigned stipulations. Registration holds may be placed pending receipt of required evidence of completion of assigned stipulations.

### Individual Student Educational Outcomes

**Disciplinary Warning:** Official notice that specific behavior or activity was in violation of the conduct code and that further violations may result in more serious disciplinary action. Students receiving a Disciplinary Warning remain in good disciplinary standing.

**Disciplinary Probation:** Official notification of a specified period of review and monitoring. Further violations of the conduct code may result in more severe disciplinary action, including an examination of continued status as a Student. Students on Disciplinary Probation are not in good disciplinary standing.

**Final Disciplinary Probation:** Final Disciplinary Probation is imposed only in very serious cases or in response to progressive discipline stipulating that a Student, in lieu of University suspension, is being allowed to remain at the University provided that the Student adheres to certain conditions, as set by the Board or Hearing Officer. A Student on Final Disciplinary Probation is denied the privilege to represent the University in any organized capacity including intercollegiate varsity, non-varsity, or club events or to hold office in any Student Organization. Students on Final Disciplinary Probation are not in good disciplinary standing.

**Suspension:** Official notification involving a disciplinary separation from the University for a specified period generally not less than one semester and generally not exceeding two years. Suspension involves denial of all affiliated privileges and rights, including the privilege of using University facilities. A Student may not attend classes or be enrolled in online or distance education, take exams, earn grades, attending University activities or be on University property except for University business during the suspension period. University business must be approved in advance by the Assistant Dean of Students, or designee.

Further violations of the conduct code may result in more severe disciplinary action, including an examination of continued status as a Student. Students on Suspension are not in good disciplinary standing. All stipulated conditions shall be completed before reenrollment.

**Expulsion:** Official notification of permanent separation and termination of the Referred Party's

status as a Student, and exclusion from University property, privileges, and activities. Students on Expulsion are not in good disciplinary standing.

### **Individual Student Stipulations**

**Restitution:** Reimbursement for damage to, or destruction of, University property.

**Housing Reassignment:** Movement from a current residential assignment to another location in campus housing. Housing rates may be impacted.

**Housing Removal:** Removal from campus housing for a specified period of time. Access to campus housing including visitation is prohibited. Should circumstances warrant, housing removal could be permanent. In accordance with Residence Life policy, in such instances there will be no refund of housing fees.

**Alcohol/Other Drug Education:** Completion of an assigned substance education program as directed. A fee may be charged for the service component.

**Restriction of Privileges:** Exclusion from, or limits on, participation in specified services and activities or specified campus facilities. Prohibition of participation in campus co-curricular activities or use of campus services, e.g., intramural participation, room reservation privileges, leadership.

**Educational Activities:** Completion of a specified activity, service project, educational program, event, assignment, papers, meetings or other educational and/or restorative assignment.

**No Contact Order:** Official written expectations issued by a University administrator restricting or prohibiting contact between individuals, and may also include other restrictions.

### **Student Organization/Group Sanctions**

**Organization Disciplinary Warning:** Official notice that specific behavior or activity was in violation of the conduct code and that further violations may result in more serious disciplinary action. It is intended to communicate or remind the organization of its responsibility to the University Community.

**Organization Disciplinary Probation:** Organization Disciplinary Probation is a period of time during which the group must demonstrate the ability to comply with University rules, regulations, and other requirements as stipulated by the Educational Outcome. During this time, the organization may be required to complete an educational component or service project. A Student Organization will remain on probation through the date indicated or until the date all assigned Educational Outcomes have been completed, whichever occurs later. Educational outcomes that restrict privileges may also be imposed.

**Organization Final Disciplinary Probation:** A final probation status means that any violation of the Code of Conduct by the group, during this time, may result in the group's immediate suspension. A Student Organization will remain on Final Probation at least through the date indicated or until the date all assigned educational outcomes have been completed, whichever occurs later.

**Organization Disciplinary Suspension:** A suspended Student Organization loses all rights and privileges associated with being a recognized Student Organization, must cease any organizational activity or function, and is prohibited from engaging in any organizational activity or function until the suspension is completed. Upon completion of the suspension, the Student Organization must meet all current Student Organization requirements before resuming organizational activities.

**Disciplinary Organization Disestablishment:** The organization loses its formal campus recognition and is permanently prohibited from conducting any and all group activity on- or off-campus. All events must be canceled immediately.

### **Student Organization/Group Stipulations**

**Educational Activity:** The required participation by the organization in specified group activity, service projects, educational programs, or other assignments.

**Restriction of Privileges or Activities:** The loss of the use of services or privileges as a Student Organization or the loss of the privilege to participate in an activity or event for a specified period of time.

*Note: Examples of privileges that can be lost include, but are not limited to: recruitment freeze, suspension of the Student Organization's funds, suspension of access to the organization's web space, suspension of the ability to reserve rooms on campus, suspension of the ability to apply for Student activity fee funding, suspension of fund-raising activities, suspension of access to office space, and others.*

**Membership Review:** The organization is required to review and affirm each person's commitment to the expectations of organization membership. This may involve one-on-one interviews with each member and a member of the national or international staff, and/or a University Advisor or administrator.

**Member Intake and Recruitment Review:** The organization is required to submit a plan on how it will emphasize values during the intake process. The plan should include details of the expected date and time of activities, goals, participant learning outcomes, and the event assessments.

**Organization Restitution:** reimbursement for actual damage to or destruction of property, including that of the University.

## **o) Interim Measures**

*Interim measures are temporary steps taken by the University through the Office of Student Conduct in an effort to maintain the safety of the campus community and an environment conducive for academic success. Interim measures do not replace the regular conduct process, which shall proceed on the normal schedule. Once a final decision has been made on a Student conduct matter, the interim measure will be lifted. Interim measures may include, but are not limited to, administrative directives, a loss of privilege/s, a residence hall room reassignment, or restriction from parts of campus. The Assistant Dean of Students / designee, as designated by the University President, may approve, or institute the following interim actions without a prior hearing:*

**Interim No Contact Order:** A written directive issued by a University administrator restricting or prohibiting contact between individuals, and may also include other restrictions. An Interim No Contact Order is not an indication of responsibility for a violation of University policy; rather, it is intended to protect any Student or other individual in the University Community. The Interim No Contact Order remains in effect until a determined date, or pending the outcome of the student conduct process.

**Interim Removal from University Housing:** A Student who is notified of an interim removal from University housing must immediately relocate from on-campus housing to an off-campus location. The Student is prohibited from entering/visiting any campus residence hall or apartment during the interim removal period. The Student may attend classes and University activities.

**Interim Student Group/Organization Restriction/s:** the group is prohibited from conducting any activities, events, meetings, or social functions. Participation in university organizations or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the hearing officer or board based on the incident.

**Interim Student Group/Organization Suspension:** A written directive issued to recognized Student groups/organizations directing the group to cease all operations. The group/organization may not conduct business, hold meetings, host events, attend events as a group, or continue with any philanthropic activities until further notice. Any requests for exceptions must be communicated to the Office of Student Conduct. A letter from the group or organization's National Headquarters, if the group is associated, must also accompany the request for exception.

**Interim Suspension:** This measure is taken if it is determined the Student's continued presence constitutes an immediate threat of harm or safety to other Students, university personnel or university property.

A Student who is notified of an interim suspension must immediately leave University property. The Student may not return to campus or participate in any university programs or activities, including classes, during the interim suspension period.

### **Interim Suspension Review Process**

A Student issued an interim suspension will be afforded a hearing on the interim suspension within 14 days. If extenuating circumstances warrant an extension of the review, it will be communicated to the

Student.

The purpose of the hearing is to review the interim suspension only. The University Conduct Board will determine if Student's continued presence constitutes an immediate threat of harm to other Students, University personnel or to University property. If it is determined that continuation of the interim suspension is not warranted, the Student will be reinstated immediately. The reversal of an interim suspension shall not be construed as finding a Student "not responsible" of underlying alleged violations of the Code of Conduct. The hearing on the interim actions will not address the underlying misconduct. A hearing will be scheduled to address the violations.

**p) Appeals**

*In matters reviewed under the Sex Discrimination and Sex-Based Harassment Policy, please refer to the processes and procedures set forth in that Policy for appeals.*

All appeals must be submitted in writing no later than five (5) days after the date noted on the outcome letter. Appeals must be submitted via written request. The original Educational Outcome/sanctions and stipulations will be stayed pending a decision on the appeal. However, the Appeal Officer may, under extenuating circumstances, continue the Educational Outcomes imposed while an appeal is in process.

In cases of Organization Disciplinary Suspension or Organization Disciplinary Expulsion, the appeals by groups who are affiliated with a national or international organization must be accompanied by a letter of support for the appeal.

An appeal may be sought on the following grounds:

1. A procedural irregularity under the University policy or procedures that affected the hearing outcome.
2. New evidence that was not reasonably available through the exercise of reasonable diligence at the time of the hearing that could affect the outcome of the matter.
3. The University Conduct Board Member/Hearing Officer(s) had a conflict of interest or bias for or against an individual party that affected the outcome of the matter.
4. The Disciplinary Educational Outcome imposed was grossly disproportionate based on the charged violation and past conduct record.

The appealing party must set forth the grounds for the appeal, and include any supporting documentation. If the grounds for an appeal asserts a procedural irregularity, existence of new evidence, or conflict of interest/bias, the appealing party bears the burden of establishing by a preponderance of evidence that the outcome of the matter was affected.

The University allows one level of appeal review. No further appeals are permitted.



Appeals of hearing decisions will be submitted to the Office of Student Conduct. The appeal will be forwarded in a timely manner to the appropriate person/board for review.

The appeal will be reviewed to determine if the merits of the stated basis for appeal are met. If the appeal grounds have been met, all related documentation and evidence will be reviewed within the scope of the appeal.

The role of the University Appeals Board/Person is not to reweigh the evidence. The Appeals Board/Officer will confine their review to the basis of appeal alleged and may modify the Educational Outcome or in the event of new information, remand back to the original hearing board to reweigh the new evidence. The University Appeals Board may modify the Educational Outcome if an appeal on the basis of the severity of the Educational Outcome is grossly disproportionate to the violation(s) if an appeal is granted.

After review, the Appeals Board/Officer shall inform the appealing party in writing of one of the following determinations:

- Uphold the original decision;
- Affirm or modify the imposed Educational Outcome;
- Overrule the original decision and modify the outcome or dismiss the case based solely on the submissions of the appeal; or
- Overrule the original decision and remand the case back to the board or hearing officer of original jurisdiction for rehearing to correct a procedural or factual defect.

Decisions on the appeal will be issued within thirty (30) days, absent extenuating circumstances.

## IX. DISCLOSURE OF DISCIPLINE RECORDS & RECORDS RETENTION

### a) Disclosure of Disciplinary Records

All Students' disciplinary records are kept in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 (the "Buckley Amendment"), 20 U.S.C. 1232g. In accordance with these provisions, all disciplinary files are confidential and may only be disclosed:

1. To the student
2. To a person or agency possessing a signed consent from the student authorizing the release to the designated person/agency. Signed consents must meet the requirements of FERPA. Consent forms are available [HERE](#).
3. Records may also be disclosed to the following individuals without consent of the student:
  - a. The parents of a dependent student (as defined by the Internal Revenue Service);
  - b. To the parents or guardians of a Student under the age of 21 who has been found responsible, or accepted responsibility for an alcohol or drug violation. In such instances,

the parents/guardians may be notified of the violation(s) unless the Student shows proof of independent status. The Student will have 5 days from the date of the Educational Outcome letter to show such evidence;

- c. To a court official, agency, or other designated individual in order to comply with a subpoena or court order served upon the University. When served with a subpoena or court order, the University will notify the Student in writing that it is complying with the court order;
- d. To a requesting individual *where the student has been found responsible, or accepted responsibility*, under the Student Code of Conduct for a violation relating to a crime of violence or a non-forcible sex offense, as provided in FERPA (34 C.F.R. § 99.39).<sup>1</sup> In such instances, only the final results (the name of the student, the violation committed, the sanction imposed, date of decision and duration of sanction) will be disclosed. The names of other students, including any reporting or complaining student and witnesses, will not be disclosed without the consent of the Respondent student;
- e. To the victim of a Respondent alleged to have committed a crime of violence or non-forcible sex offense. In such instances, a finding of responsibility is not required; however, the University will disclose only the final results (the name of the student, the violation committed, the sanction imposed, date of decision and duration of sanction) of the disciplinary proceeding.

Consistent with the University Sex Discrimination and Sex-Based Harassment Policy, the University will disclose the outcome of a disciplinary proceeding alleging sexual misconduct to both the complainant and the respondent individuals. The University may also disclose the results of a disciplinary proceeding brought against the alleged perpetrator to the alleged complainant of any crime of violence, as that term is defined in 18 U.S.C. 16.

The release of records relating to the Student Group Discipline Process will be managed by the Assistant Dean of Students in consultation with appropriate staff within Student Affairs and the University. There may be times when it is appropriate or necessary to release the interim status or outcome of a particular conduct meeting/hearing to those both within and outside of the University. Those types of decisions will be made on a case-by-case basis. FERPA requires the confidentiality of individual Student records.

## **b) Records Retention**

The University maintains disciplinary records of Students. These records are maintained separately from the Student's official academic records. The University shall retain academic integrity violations for five years after incident and all other discipline records for seven years after incident. All records related to Student group conduct will be kept in the Student group's official file indefinitely and the group outcomes may be shared or published at the University's discretion. Records involving expulsions are kept indefinitely.

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<sup>1</sup> A crime of violence is any acts, that would, if proven, constitute: destruction/ damage/ vandalism of property, arson, assault offenses, burglary, forcible sex offenses, robbery, criminal homicide, kidnapping or robbery, as more fully defined in Appendix A to Part 99 of FERPA.