

2009–2010

# STUDENT CODE OF CONDUCT

ESTABLISHED THROUGH  
UNIVERSITY REGULATION 8-30

**INTRODUCTION:** Welcome to the University of Wyoming community of students, faculty and staff. The University has provided a special relationship between these groups for well over a century. This relationship has been created to provide an exciting, creative and challenging learning environment for our community of scholars.

The partnership formed between students and the University is a participatory one. Both parties have very significant responsibilities and rights. We take each of these very seriously. It is also important to note that we provide opportunities for UW students to become involved in the judicial system by serving on several judicial boards. Faculty and staff members have opportunities for professional development by becoming hearing officers within the judicial system. The *Code* was created through the combined efforts of the administration, students, faculty and staff.

**2009–2010**  
**UNIVERSITY OF WYOMING**  
**STUDENT CODE OF CONDUCT**

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**I. PURPOSE.** *The Student Code of Conduct* outlines rights and responsibilities of students and student organizations enrolling at the University of Wyoming or any of its sponsored programs. The *Code* defines conduct offenses and reflects the University's commitment to equity and procedural fairness. Any member of the University community may file a complaint of violation of the *Code* through the Dean of Students Office.

**II. DEFINITIONS.** For purposes of *The Student Code of Conduct*:

- a. "Academic Dishonesty," is defined in UW Regulation 6-802.
- b. "Advisor" is a parent, friend, attorney or other individual who the student chooses to have present during the hearing.
- c. "Any," is used in the permissive sense.

- d. **“Charging Party”** means a student or other member of the University community who shall be designated by the Dean of Students to bring forward charges under this *Code*.
- e. **“Code,”** refers to *The Student Code of Conduct*.
- f. **“Disciplinary Hold,”** is initiated by the Dean of Students, by the Registrar’s Office, and temporarily restricts a student’s ability to register for classes, drop or add classes, or modify their current registration status in individual classes.
- g. **“Judicial proceeding(s),”** means a disciplinary letter, conference, or hearing.
- h. **“Faculty member,”** means any individual hired by the University to conduct instructional and/or classroom activities.
- i. **“Hearing Officer,”** refers to the Dean of Students, any University official, a member of the University faculty, staff, and/or student appointed by the Dean of Students or the Vice President of Student Affairs to conduct judicial proceedings.
- j. **“Judicial File,”** refers to the student judicial file that is maintained in the Dean of Students Office for any student found responsible of violating the institution’s *Code of Conduct*. The file is maintained for a period of seven years after the judicial file is established.
- k. **“Jurisdiction,”** refers to the *Code* having jurisdiction for judicial offenses and shall be limited, in general, to conduct that occurs on University premises, or at University sponsored or University-supervised events including students involved with off-campus internships and study abroad/student exchange programs, or, that occurs off University premises and has an adverse impact on the University community, its members, and/or the pursuit of its objectives, regardless of where such conduct may occur. Whenever student conduct constitutes a violation of federal, state, municipal law or University rules, judicial proceedings may be instituted against a student.
- l. **“Member of the University community,”** includes any individual who is a student, faculty member, staff member, University official, or any person employed by the University. The Dean of Students or a designee shall determine a person’s status in a particular situation.
- m. **“Organization,”** means any number of persons who have received University status as a recognized student organization (RSO).
- n. **“Policy,”** is defined as the written regulations of the University as found in, but not limited to, Presidential Directives, University Regulations, *Student Code of Conduct*, Residence Life and Dining Services Handbook, Student Athlete Daily Handbook, University Class Schedule and Undergraduate/Graduate Bulletins.
- o. **“Reckless,”** means conduct which knowingly or unknowingly endangers the health or safety of individuals or creates a risk of harm to property or which could result in interference with normal University activities.
- p. **“Shall,”** is used in the imperative sense.
- q. **“Student,”** means any person who is taking or auditing class(es) through the University of Wyoming, is enrolled in any University program or activity, or was enrolled in the University at the time of the misconduct.
- r. **“University, or UW,”** refers to the University of Wyoming.
- s. **“University activity,”** refers to any activity on or off University premises that is directly initiated or supervised by the University.
- t. **“University living units,”** means all residence halls, apartments, structures, and cooperative and academic houses on University premises or living units operated by RSO’s.
- u. **“University Official,”** includes any person employed by the University, who performs administrative or professional responsibilities, including every administrative officer, dean, director, department and division head, supervisor and all faculty members.
- v. **“University Premises,”** includes all land, buildings, facilities, and other property in the possession of or owned, used, leased, or otherwise controlled by the University (including adjacent streets and sidewalks) as defined by the “Campus Security Act.”
- w. **“UW Regulations (UniRegs),”** refers to the general code of ethics, rules, regulations and processes that govern how members of the University community interact with one another.  
UW Regulations are enforced through the authority of the President and Board of Trustees.
- x. **“Weapon,”** is defined in accordance with state criminal law and includes any object or substance designed or used to inflict a wound or cause injury.

### III. STUDENT RIGHTS AND RESPONSIBILITIES

**A. General Rights and Responsibilities.** Recognizing that freedom of individuals is never absolute but is subject to reasonable restrictions, this statement is intended to set forth general principles of rights and responsibilities of the student in relation to the University and members of the University community.

All members of the University community share a responsibility to maintain a climate suitable to an ethical community of scholars and to refrain from conduct that obstructs the work of the University, interferes with the lawful exercise of rights by other persons, endangers the safety or security of other persons or their property, prevents the proper use of the facilities of the University or impairs the maintenance of that kind of an environment which is essential to the operation of an institution of higher learning.

- I. Students have the right to access all related requirements, standards, policies, and regulations regarding the University’s educational mission and which affect students in general.

2. Students have a responsibility to comply with regulations and procedures pertaining to their admission and continued enrollment, including the timely payment of regularly assessed fees or other sums of money owed to the University.
3. This *Code* shall be published and distributed by the Admissions Office and/or the Office of the Registrar to each student at or before his/her enrollment in the University of Wyoming. When the student enrolls in the University such act or acts shall amount to a voluntary agreement by the student with the University that the student will adhere to and be bound by the rules and regulations of the University.

#### **B. Rights and Responsibilities in the Instructional Setting.**

The primary responsibility for managing the instructional environment rests with each faculty member. The student has the right to participate in relevant, civil discussions, inquiry and expression in academic endeavors. Student academic performance shall be evaluated on an academic basis.

1. Students shall be free to take reasoned exception to the data or views offered in any course of study. Students shall have protection through orderly procedures against prejudiced or capricious academic evaluation. They shall be responsible for learning the content of any course of study for which they are enrolled.
2. Students shall be provided with a statement of academic expectations/syllabus at the beginning of each course by the instructor. They shall be responsible for maintaining standards of academic performance established for each course in which they are enrolled. If academic expectations are not made available at the beginning of the semester, students should contact the instructor and/or the department head.
3. A student has responsibilities as well as rights in the classroom in an instructional setting and other academic endeavors. The student has the responsibility to respect the instructor's freedom to teach and the right of other students to learn. The student has the responsibility to maintain reasonable standards of conduct established by the instructor for each class.
4. Students who engage in acts that result in the disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. Repetition of such behavior or egregious classroom offenses may result in termination of a student's enrollment in the class.

#### **C. Student Records.**

1. Students have the right to a confidential student educational record in accordance with the Family Educational Rights and Privacy Act (FERPA). Transcripts of academic records shall contain only information about academic status and history, including notations as to any suspension or dismissal from the University.
2. Individuals applying for admission to the University and students enrolled in the University have a responsibility to provide to designated persons accurate, honest and complete information as is required for legitimate University purposes.
3. The University reserves the right to revoke an awarded degree for cause, including but not limited to fraud in receipt of the degree.

#### **D. Terms of Enrollment.**

1. By enrollment at the University, a student assumes obligations and responsibilities for performance and behavior reasonably expected by the University.
2. Termination of continued enrollment may take the form of:
  - a. **Conduct under the *Code*.**
    - i. Judicial suspension or dismissal for violation of the *Code*.
    - ii. Cancellation of admissions and/or registration when admission is found to have been based upon incomplete or false information provided by a student.
    - iii. Temporary suspension (see Section VIII).
  - b. **Medical.** Medical suspension for mental health or physical conditions that pose a threat to the health or safety of the individual or other persons, or which results in disruption of normal University activities. Such determination shall be made in consultation with the Director of Student Health Services or other qualified health service provider. The decision is subject to review by the Vice President for Student Affairs upon request of the student. A required medical leave of absence will only be removed by the Dean of Students, after consultation with the Director of Student Health Services or other qualified health provider, to assure that the condition for withdrawal has been evaluated, treated, and appropriate follow up care is arranged.
  - c. **Other.**
    - i. Academic suspension for failure to maintain minimum academic standards.
    - ii. When proper payment of registration fees has not been made.
    - iii. In exceptional circumstances cancellation of admission or registration may occur when it is determined to be in the best interests of the University when authorized by the Vice President for Student Affairs or designee.

iv. "Administrative Hold." Any student who fails to pay any sum of money owed to the University, fails to return or account for University property in the student's possession, or fails to complete any requirement imposed by a University official acting within the scope of his or her authority, shall be subject to having a "Hold" placed with the Registrar by the concerned University official. Until released, such a "Hold" shall serve to deny registration in the University and preclude the issuance of transcripts, diplomas, institutional aid/scholarships and other University benefits.

3. Re-enrollment, diplomas, and transcripts may be denied to a student if the student has failed to fulfill all University obligations.

#### IV. DELEGATION OF AUTHORITY AND JURISDICTION FOR STUDENT DISCIPLINE

**A. Authority and Jurisdiction.** Authority and jurisdiction for student discipline is prescribed by UW Regulation 8-30.

**B. Director of Residence Life and Dining Services.** The Dean of Students delegates to the Executive Director of Residence Life and Dining Services the authority to develop and enforce rules and procedures to address the unique needs and management of University premises under the control of the Executive Director of Residence Life and Dining Services. Such rules and procedures shall be complimentary to this *Code*. Residence Life and Dining Services will provide to the Dean of Students, prior to each academic year, a copy of these complimentary rules and procedures with the changes noted.

**V. PROHIBITED CONDUCT.** The University has the right to take necessary and appropriate action to protect the safety and well being of the University community. Any student or student organization found to have committed the following misconduct is subject to the judicial sanctions outlined herein:

**A. Offenses Against the University Community.**

1. Acts of dishonesty, including but not limited to furnishing false information to any University official, faculty member or office; and forgery, alteration, or misuse of any University document, record or instrument of identification. Acts of academic dishonesty, as outlined in UW Regulation 6-802, shall be adjudicated pursuant to the provisions of that UW Regulation.
2. Disruption or obstruction of teaching, research, administration, judicial proceedings, other University activities, including its educational or service functions on- or off-campus, or other authorized activities on University premises.
3. Disorderly conduct that disrupts the operations of the University; leading or inciting others in such activities that disrupt the operations of the University or infringe upon the rights of members or others.
4. Intentionally interfering with freedom of movement and the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
5. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemical/biological agents on University premises.
6. Violation of federal, state, or local law on University premises or at University functions.
7. Illegal gambling.
8. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
9. Violation of University policies, rules, regulations or other guidelines of the University which students are expected to follow.
10. Actions which have an adverse impact on the University community, its members, and/or the pursuit of its objectives, regardless of where such conduct may occur.

**B. Offenses Against Persons.**

1. Physical abuse including assault and battery; fighting; reckless conduct; and hazing. Hazing, as part of initiation or any other activity, is any action taken or situation created whether on or off the University campus, in University facilities or on the premises of the University owned or controlled fraternities or sororities, that does, with or without specific intent, produce or result in mental or physical discomfort, embarrassment, harassment or ridicule, anguish or suffering for another individual or group of individuals.
2. Verbal, written or graphic abuse, including threats, intimidation, harassment, coercion or other conduct that creates a climate of fear or which is reasonably expected to cause mental or emotional distress.
3. Sexual harassment as defined in UW Regulation 1-5, sexual assault, or stalking.
4. Discrimination and Sexual Harassment shall be processed in accordance with UW Regulation 1-5.
5. Failure to report incidents of hazing.

### **C. Offenses Against Property.**

1. Theft of, damage to, misuse of, or unauthorized possession of property of the University, other public property, or personal property of another.
2. Unauthorized entry to or use of premises including unauthorized possession, duplication or use of access control codes, keys, and cards to any such facility or premises.
3. Making or communicating false alarms or threats, tampering with fire extinguishers, the intentional mixture of harmful or hazardous biological/chemical materials for purposes other than those under the supervision of a University faculty/staff member.

### **D. Offenses Involving Alcohol and Drugs.**

1. Use, possession or distribution of illegal drugs or other controlled substances except as expressly permitted by law.
2. Public intoxication or the use, possession or distribution of alcoholic beverages except as expressly permitted by law and University policies, rules and regulations.
3. Unauthorized selling, directly or indirectly (such as through donations or solicitations), of alcoholic beverages on University premises is prohibited. This restriction shall include the exchange of tickets for alcoholic beverages or any other means by which alcoholic beverages are provided for a consideration of cash or other method of exchange.
4. Unauthorized public advertisement of alcohol related functions or parties on University premises.

### **E. Abuse, Misuse or Theft of Computer Data, Equipment, Programs, Time and/or Violation of Information Technology Policies, Including but Not Limited To:**

1. Unauthorized entry into a file, to use, download, read, transfer or change the contents, or for any other purpose.
2. Unauthorized use of another individual's identification and password.
3. Use of computing facilities, networks, and services to interfere with the work of another student, staff, faculty member or University official.
4. Use of computing facilities to cyber stalk, send obscene or abusive messages, or violate the law.
5. Use of computing facilities to interfere with normal operation of the University computing system.
6. Attempting to modify system facilities including the introduction of electronic vandalism, e.g. "viruses," "worm," or other destructive or disruptive programs and devices, into University computing resources, those on its premises, or those connected to it by network.
7. Use of computing facilities for personal profit, other than authorized University business.
8. Unauthorized copying or reproduction of licensed software on University computing equipment.

### **F. Interfering With the Judicial Process, Including But Not Limited To:**

1. Failure to cooperate with the directions of a University official.
2. Falsification, distortion, or misrepresentation of information.
3. Knowingly initiating a judicial proceeding without cause.
4. Attempting to discourage or prevent an individual's proper participation in, or use of the judicial process.
5. Failure to comply with any sanction imposed under this *Code*.

## **VI. JUDICIAL PROCESS**

### **A. Filing a Complaint and Initiating Charges.**

1. When informed of a potential judicial matter, the Dean of Students or designee may assist in the resolution of the matter through an administrative disposition without filing of a formal complaint or judicial charge.
2. Any member of the University community may file a complaint against any student or student organization suspected of violating this *Code*. A complaint shall be in writing and directed to the Dean of Students or a designee responsible for the administration of the student discipline under this *Code*. All complaints should be reported promptly and without unreasonable delay. Complaints for discrimination and sexual harassment should be reported under UW Regulation 1-5.

3. The Dean of Students or a designee may initiate a charge on his/her own accord or based on a written complaint received by a member of the University community or any guest.
4. The student or student organization accused of misconduct shall receive written notice of the charges; notice of the offending conduct and when it occurred; and notice of the University policies, rules, regulations and guidelines allegedly violated. University shall also provide notice of the date, time and location of the judicial hearing at least five (5) business days prior to the hearing date.
5. All students or student organizations will attend a meeting to review the charges with the Dean of Students Office except when the Dean of Students determines that a student or student organization should go directly to a judicial hearing.
6. Students or student organizations accused of misconduct who are not disputing the complaint will participate in a judicial conference with a hearing officer as set forth in VI (B) below.
7. Students or student organizations accused of misconduct who are disputing the charge(s) are entitled to a judicial hearing as set forth in VI (C) below.

## **B. Informal Process – Judicial Conference**

1. **Admission of responsibility.** Students or student organizations that elect a judicial conference admit responsibility for misconduct. The purpose of the judicial conference is to determine what sanctions are appropriate for a violation of this *Code*. Students or student organizations that agree to a judicial conference waive any further right to further hearings or appeals regarding the admitted misconduct.
2. **Hearing Officer's Duties.** A designated hearing officer will review the charges to determine the appropriate action or sanction.
3. **Failure to appear.** If a student or student organization accused of misconduct fails to appear for a judicial conference, the hearing officer may refer the student or student organization for a judicial hearing and/or a disciplinary hold may be placed on the student's record. In the case of a student organization's failure to appear, cancellation of the group's University recognition or other judicial penalties may automatically occur.
4. **Appeal.** A student or student organization that participates in a judicial conference may appeal only the sanction(s) imposed by the hearing officer. The formal appeal shall be made in writing to the Dean of Students. Such disposition shall be final and there shall be no subsequent proceedings.

## **C. Formal Process – Judicial Hearing**

### **1. General Procedures for Judicial Hearings**

- a. A judicial hearing shall occur within thirty (30) business days of the charge unless the Dean of Students determines that it is in the best interests of the University or the student or student organization to postpone the hearing, at which point notice will be given to both the student or student organization and the charging party.
- b. Appropriate accommodations will be made for students who have documented disabilities through the University Disability Support Services Office.
- c. Normally, judicial hearings are not open to the public. At the request of the student or student organization accused of misconduct, and subject to the discretion of the hearing officer, the hearing may be opened to the public.
- d. Admission of any person to the judicial hearing shall be at the discretion of the hearing officer. Witnesses, other than the student or student organization accused of misconduct, may be excluded from the judicial hearing during the testimony of other witnesses.
- e. Either party may present information, including documents, and/or a reasonable number of relevant witnesses in support of their position.
- f. Hearsay is permissible with relevancy and credibility determined by the hearing officer.
- g. The student or student organization accused of misconduct may speak on his or her own behalf; however students who chose to remain silent shall not have their silence used to their detriment.
- h. After the judicial hearing, the hearing officer shall determine whether or not the student or student organization is responsible for violating each section of the *Code* for which the student is charged.
- i. The student or student organization accused of misconduct will be informed in writing of the determination and recommendations of the hearing officer and the appellate process within twenty (20) business days of the close of the judicial hearing.
- j. All procedural questions are subject to the final decision of the hearing officer.
- k. The hearing officer may exclude any person(s) disrupting a judicial hearing or who fails to abide by the decisions of the hearing officer.
- l. In judicial proceedings involving more than one accused student, the hearing officer, at his or her discretion, may permit the hearing concerning each student to be conducted separately.
- m. The hearing officer will consider information that directly relates to the facts of the complaint or information regarding the appropriateness of a particular sanction.

- n. The hearing officer may question all witnesses in a judicial proceeding.
- o. Neither advisors nor legal counselors may appear in lieu of the accused student.
- p. Accused students or student organizations who choose to have either an advisor or legal counsel at the hearing shall notify the hearing officer and the Dean of Students, or designee, of the name and telephone number of their advisor/counselor at least three (3) business days prior to the judicial hearing.
- q. The standard of proof shall be "by a preponderance of the evidence" which shall mean that the evidence as a whole shows that the fact sought to be proved is more probable than not.

2. **Suspension/Dismissal:** In cases that involve suspension, or dismissal, the Dean of Students, or designee, shall assign a separate charging party and a separate hearing officer. The hearing officer shall exercise control over the judicial hearing.

- a. The student, student organization and the charging party may be represented by legal counsel.
- b. The student or student organization and the charging party will have an opportunity to cross-examine the other party's witnesses.
- c. A legal counselor or advisor may consult with the student or student organization during the hearing, assist with preparation for the hearing, and may also present the case during the hearing.

3. **Non-Suspension/Non-Dismissal:** In cases that do not involve suspension, or dismissal, the charging party and the hearing officer may be the same party.

- a. At a hearing before the hearing officer, a student or student organization accused of misconduct may be assisted by one advisor of their choice unless the Dean of Students agrees to additional advisors. The student or student organization shall be responsible for any fees associated with their advisor. The charging party, hearing office, and Dean of Students may be assisted by legal counsel.
- b. The accused student or student organization is responsible for presenting case information. An advisor may consult with the student or student organization during a judicial hearing and may assist with the preparation for the hearing but shall not present the case.
- c. The student or student organization will have an opportunity for cross-examination of the charging party's witnesses by presenting questions to the charging party/hearing officer.

4. **Discovery – Applicable to All Judicial Hearings.**

- a. Discovery shall be limited to an exchange between the parties of a list of witnesses for the hearing, a brief summary of the information each witness is expected to provide and any documents to be presented at the hearing. The hearing officer shall establish the time limits for discovery.
- b. No depositions may be taken unless a witness is unavailable for testimony in person or by telephone and the hearing officer determines that a deposition is necessary.
- c. Interrogatories are not permitted. No written pre-hearing motions are permitted.
- d. The parties may jointly communicate with the hearing officer by telephone on any pre-hearing matters except when the charging party and the hearing officer are the same person. The parties may then communicate directly at any time.

5. **Failure to Appear – Applicable to All Judicial Hearings.**

If a student or student organization accused of misconduct fails to appear for a hearing, the hearing may proceed without the student's or student organization's presence and/or a disciplinary hold may be placed on the student's record. In the case of an organization's failure to appear, cancellation of the group's University recognition or other judicial penalties may automatically occur.

6. **Appeals – Applicable to All Judicial Hearings.**

Appeals shall be pursuant to Section IX of this *Code*.

**D. Impact of Withdrawal During Pending Judicial Proceedings or Non-Enrollment.**

A student who has been charged with misconduct and who either withdraws or is no longer enrolled, is still subject to the judicial process for behavior that occurred while a student.

**E. Record.**

The record of the hearing will be a written summary of the testimony and the evidence prepared by the hearing officer. The decision will refer to the evidence relied upon. No audio recording or court reporter transcription shall be permitted.

In cases involving a finding of student or student organization misconduct under this *Code*, a judicial file shall be maintained in the Dean of Students Office until the student graduates, or for a period of seven (7) years, whichever occurs later, and include a written summary of the hearing, testimony, the evidence upon which the decision

was made, the findings of the judicial proceedings and any sanctions imposed. Judicial records generated by University officials outside of the Dean of Students Office shall be copied and sent to the Dean of Students Office to be placed in the individual student judicial record. Such judicial records shall be the property of the University.

**F. Notification of Complainant or Victim.** Affected University departments, officials, and/or victims will be notified of the outcomes of student judicial proceedings as soon as possible, when appropriate and permitted by law.

## VII. SANCTIONS.

**A.** The following sanctions may be imposed upon any student, group or organization found responsible for misconduct:

- 1. Written Reprimand.** A notice of warning in writing to the student or student organization that has been found responsible for violating expected standards of conduct.
- 2. Conduct Probation.** A written reprimand that includes probation for a designated period of time. The occurrence of any further misconduct during the stated probationary period will constitute grounds for further judicial sanctions.
- 3. Loss of Privileges or Services.** Denial of specified privileges or services, loss of organizational recognition, or suspension of group privileges for a designated period of time.
- 4. Restitution and Community Service.** Compensation for loss, damage or injury may take the form of appropriate service to the University or Laramie community and/or monetary material replacement.
- 5. Parental Notification.** The University has implemented a policy of written parental notification as a means of intervening in student alcohol or substance abuse problems when the student's behavior demonstrates: a risk of harm to self or others, a pattern of repeat offenses (despite prior judicial interventions), or, any violation of law involving a controlled substance. The responsibility for implementation of this policy lies with the Dean of Students, or his/her designee. Such notifications will become part of the student's official judicial record maintained in the Dean of Students Office.
- 6. Educational and Discretionary Sanctions.** Educational assignments or other related discretionary assignments as appropriate to the violation.
- 7. Restriction/Trespass/Suspension/Dismissal from Residence Hall(s) and other UW Facilities.**
  - a. Restriction/Trespass:** Elimination of the privilege to visit a particular residence hall or facility. University police are notified when this sanction is implemented and violators may be subject to arrest when ignoring this sanction.
  - b. Suspension:** Separation of the student from the residence hall or facility for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - c. Dismissal:** Permanent separation of the student from the residence halls or facility.
  - d. Consultation:** The Executive Director of Residence Life and Dining Services, or designee, should be consulted prior to the imposition of restriction, suspension, or dismissal from facilities under the Executive Director's control.
- 8. Loss of Funding.** A student's University funded financial assistance and an organization's University funding may be revoked.
- 9. University Suspension.** Separation of the student from the University for a definite period of time, after which the student is eligible to return. An administrative hold may be placed on the student's record and conditions for readmission may be specified. Administrative holds may be released by the Dean of Students once stated re-enrollment requirements are met. A suspension for misconduct may be imposed by the Dean of Students.
- 10. Dismissal.** Dismissal (a permanent separation of the student from the University) for misconduct shall be effected by order of the Vice President for Academic Affairs with the prior approval of the President of the University. Before recommending the dismissal of a student for such reasons, the student shall be advised of the proposed action.
- 11. Transcript Notation and Change of Grades Permitted.** Notations of judicial suspension and/or judicial dismissal from the University may be placed on a student's academic transcript.
- 12. Termination of Course Enrollment.** The student may be removed from registration in a particular class or classes, with no rights to credit for work completed. The University is not responsible for any financial loss incurred by the student through this sanction.

**B.** More than one of the sanctions listed above may be imposed for any single violation.

## **VIII. TEMPORARY SUSPENSION.**

- A.** The Dean of Students or a designee may impose a temporary suspension. A temporary suspension may be imposed only:
  - 1.** To ensure the safety and well-being of members of the University community or preservation of University property;
  - 2.** To ensure physical or emotional safety and well-being of the student;
  - 3.** If the student poses a threat of disruption of, or interference with, the normal operations of the University.
- B.** During the temporary suspension, students shall be denied access to University premises and all other University activities or privileges for which the student might be otherwise be eligible.
- C.** A temporary suspension shall become effective immediately upon the written order of the Dean of Students and shall last no more than forty-five (45) business days unless renewed by the Dean of Students. No more than one extension shall be permitted without the filing of judicial charges.

## **IX. APPEALS.**

- A.** Where a student or organization is found responsible for a violation and the sanction is less than suspension or dismissal, the appeal shall be to the Vice President for Student Affairs. When the sanction is suspension or dismissal, the appeal shall be to a Vice President designated by the President of the University. In all cases, the decision of the designated appeals officer shall be final.
- B.** Appeals shall be made in writing and must be presented to the designated appeals officer within five (5) business days from the receipt of the hearing officer's written decision. If mailed, the appeal should include a return receipt. The written appeal shall include the action being appealed and the justification for the appeal.
- C.** The designated appeals officer shall consider the appeal and any record in the case. The student or student organization shall be informed in writing of the final outcome of the appeal within forty-five (45) business days of its being presented.
  - 1.** The designated appeals officer may uphold the decision, reverse the decision or provide an alternate sanction.
- D.** Sanctions resulting from a formal judicial hearing shall not begin until either the time for appeal has expired without an appeal, or until the appeal has been concluded. The designated appeals officer may also impose temporary sanctions during the appeal process to ensure the safety and well being of members of the University community or preservation of University property.