

# American University in Cairo

## Code of Student Conduct

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### Policy Statement

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This American University in Cairo Student Conduct Code (this “Code”) applies to all students, including without limitation undergraduate and graduate students, and student groups/organizations, whether recognized by the University or not.

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### Reason for Policy/Purpose

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The fundamental purpose of the American University in Cairo’s (the “University” or “AUC”) regulation of student conduct is to promote and to protect the health, safety, welfare, property, and rights of all members of the University community as well as to promote the orderly operation of the University and to safeguard its property and facilities.

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### Institutional Responsibility

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The Office of the Dean of Students, and within it, the Office of Student Conduct and Community Relations, bear responsibility for the implementation of this policy.

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### Who Approved This Policy

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Cabinet, Provost Council, University Senate

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### Who Needs to Know This Policy

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All students (undergraduate and graduate, degree and non-degree), student organizations, faculty, staff, and administrators.

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### Web Address for This Policy

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<https://www.aucegypt.edu/about/university-policies>

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### Contacts

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Office of Student Conduct and Community Relations (SCCR):

SCCR Email Address: [conduct@aucegypt.edu](mailto:conduct@aucegypt.edu)

#### Associate Director

Reem El-Mograby

Email: [reem05@aucegypt.edu](mailto:reem05@aucegypt.edu)

Ext: 2218

SCCR Officer

Ahmed Dahroug

Email: [ahmed\\_dahroug@aucegypt.edu](mailto:ahmed_dahroug@aucegypt.edu)

Ext: 2196

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Policy/Procedures (see following pages)

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## **American University in Cairo Code of Student Conduct**

The fundamental purpose of the American University in Cairo's (the "University" or "AUC") regulation of student conduct is to promote and to protect the health, safety, welfare, property, and rights of all members of the University community as well as to promote the orderly operation of the University and to safeguard its property and facilities. As members of the University community, students accept certain responsibilities that support the educational mission and create an environment in which all students are afforded the same opportunity to succeed academically.

This American University in Cairo Student Conduct Code (this "Code") applies to all students, including without limitation undergraduate and graduate students, and student groups/organizations, whether recognized by the University or not.

For purposes of this Code, a "student" is defined as any individual registered in one or more courses in any of AUC's schools or divisions of the University, including without limitation at the undergraduate or graduate level and the School of Continuing Education. Any teaching or research assistant or other staff member who may be on University payroll, if also registered as students, are considered "students" for the purposes of this Code. Additionally, "student" includes any individual who may not be currently registered in one or more courses, but: who has accepted an offer of admission to any of AUC's schools or divisions of the University, but has not yet matriculated; has a continuing relationship with the University, such as while on a study-abroad or exchange program, on a University-sponsored off-campus activity, during winter and summer breaks, during breaks during the semester, on a leave of absence, on a suspension or ban from campus, or when using University property or facilities or living in the University Residence; or who has not yet graduated or who continues to be registered or eligible with one or more of AUC's schools or divisions as a degree or certificate candidate.

This Code also covers student and student group/organization misconduct as discussed in Section II below. This Code does not address academic misconduct, which is covered by other applicable policies.

Students are expected to read, be familiar with, and abide by this Code. The Vice President for Student Life is responsible for the implementation and administration of this Code. Students should consult the Office of the Dean of Students about questions concerning student activities, student life, and student affairs.

The University may amend this Code from time to time. Nothing in this Code shall affect the inherent authority of the University to take such actions as it deems appropriate to further the educational mission of the University or to protect the safety and security of the University community.

The schools and divisions must comply with, and ensure that their policies and procedures comply with, this Code. To the extent there is any inconsistency between divisional policies and procedures and this Code, this Code controls.

## **I. Prohibited Student Conduct**

In addition to maintaining good academic standing, students and student groups/organizations (recognized by the University and this includes office-led programs) must refrain from the following conduct, which is prohibited, irrespective of location (i.e., on or off University property) and whether committed against members or non-members of the University community:

1. Conduct that disrupts or interferes with the orderly functioning of the University, the performance of the duties of University personnel or other University business or activities, including without limitation studying, teaching, research, administration, including without limitation that of University property (e.g., blocking entrances and exits) is prohibited.
2. The physical or emotional abuse of any person or any action that threatens physical or emotional harm or endangers the physical or emotional well-being, health, or safety of any person.
3. Any physical or verbal threats against or harassment, bullying, or intimidation of any person(s).
4. Conduct or a pattern of conduct not of a sexual nature (including without limitation physical, verbal, graphic, written, or electronic) in which a person approaches or pursues another person(s) with intent to place the person(s) in fear of physical harm or with intent to harass, bully or intimidate the person(s).
5. The theft, destruction, damage to, or wrongful appropriation or vandalism of University, public or private property, or knowingly possessing stolen property.
6. The failure to comply with the directions (e.g. refusal to produce your student ID when requested) of University administrators or security acting in performance of their duties responsible for maintaining order, safety or security.
7. The unauthorized or improper use or misuse of University property, facilities, resources, or services, or the University name, logo or seal.
8. The misuse or abuse of any University computer, computer system, Internet or communications service, program, data, networks, or resources, or related conduct that violates University IT policies.
9. The violation of any applicable Egyptian or U.S. laws, statute, regulation, code, or ordinance.
10. Conduct that disturbs the peace or impinges on the rights of residents, including without limitation: loud parties or excessive noise; shouting or talking that unreasonably disturbs other students or community members; public urination; drinking in public; littering or not disposing of trash appropriately; or failure to reasonably maintain premises.
11. The hosting or conducting of an event in violation of University, divisional, or unit policies or procedures.
12. Conduct that hinders, obstructs, or interferes with investigations, hearings, corrective actions/sanctions, appeals, and other implementation or administrative processes of this Code or any other University, divisional or unit policy or procedure.
13. The failure to comply with the terms of any University directives, interim measures, or disciplinary corrective actions/sanctions.
14. Condoning, actively supporting, or otherwise encouraging any violation of this Code; students who observe a violation of University policy are expected to remove themselves from participation and are encouraged to report the violation (which can be done anonymously.)
15. The making, attempting to make, sharing, or distribution of an audio or visual recording, or photographing of, any person(s) without the knowledge and consent of all such person(s) in locations where there is a reasonable expectation of privacy, and when the action causes or is likely to cause injury, distress, or damage to reputation or violates applicable law.

- Please note that public and/or common areas on campus and in buildings are not considered private, thus may be subject to videotaping, or photography for security and safety purpose.
16. The possession, sale, or manufacture of any false or altered form of identification, the improper use of any identification card, including knowingly altering a University student identification card, or using the identification card of another, or allowing one's own card to be used by another.
  17. The unauthorized burning of any material in or on any University building or property, including arson or tampering with any fire or other safety equipment.
  18. Any forgery or fraud, including without limitation attempts to obtain any item of value under false pretenses, or falsification, forgery, alteration, destruction or misuse of official University documents or seal.
  19. The participation in any form of gambling.
  20. Knowingly making a false statement or fabricating evidence in connection with a matter under this Code or any other University policy or procedure.
  21. Violations of any University policy or procedure, including without limitation those concerned with:
    1. Discrimination and Harassment
    2. Student Organizations
    3. Student Residences, or housing where students and faculty share residences. Please refer to [AUC Residential Life Policy](#)
    4. Information Technology
    5. Copyrights
    6. Intellectual Property
    7. Parking Regulations
    8. Identification Cards
  22. Providing assistance to or in any way perpetuating the activities of a student organization/group which was a formerly recognized student organization or group that has lost or been denied University registration or recognition or dissolved as a consequence of responsibility for Code and/or other policy violations, even if operating under a different name.
  23. The unauthorized or illegal use, possession, storage, transportation, sale, distribution, manufacture, or transfer of any weapons (including without limitation guns, firearms, shotguns, rifles, air rifles, paintball and pellet guns, BB guns, Tasers, and knives), chemicals, or explosives (including without limitation fireworks). Refer to [Firearm and Weapons Policy](#).
  24. The unauthorized or illegal use, possession, consumption, manufacture (synthesis or growth), sale, storage, transfer, transportation, or, distribution or sale of any controlled substance (including without limitation illegal drugs), or being on campus while being under the influence of alcohol or drugs, or conduct that violates the University's Policy on [Drug and Alcohol Policy](#).
  25. Conduct that violates the University's Sexual Misconduct Policy and Procedures, including sexual assault, stalking, dating violence, domestic violence, and sexual harassment. Refer to the Sexual Misconduct Prevention and Response Policy.
  26. Conduct that violates the [University's Tobacco-Free campus policy](#).
  27. Conduct that violates the [University's Campus Access Policy](#).
  28. Conduct that violates any of the policies on the [University Policies](#) webpage.
  29. Violations of University's Sexual Misconduct Prevention and Response policy, namely sexual harassment, sexual assault, domestic violence, dating violence, and stalking will be investigated and resolved pursuant to the procedures in that policy.

The University reserves the right to institute disciplinary action whether or not the alleged misconduct results or may result in action by a civil or criminal court or a governmental authority.

Any disciplinary action at the University will normally proceed irrespective of and separate from any action taken by courts or governmental authorities.

## **II. Student Groups/Organizations**

A student group/organization including office-led programs may be held responsible for misconduct by its individual members and guests. Additionally, individual members of student groups/organizations may be subject to disciplinary action for misconduct under this Code. The decision to hold a group or organization responsible as a whole is ultimately determined by considering all the facts and circumstances of a situation, including without limitation, one or more of the following:

1. The action(s) involved or were committed or condoned by (actively or passively) a significant number of group/organization members, alumni, or guests.
2. The action(s) occurred at or in connection with an activity or event funded, sponsored, publicized, advertised, or promoted by the group/organization.
3. The action(s) occurred at a location in which the group/organization had control at the time of the action(s), including without limitation official or unofficial chapter houses or other satellite locations.
4. The action(s) occurred at or in connection with an activity or event that a reasonable person would associate with the group/organization.
5. The action(s) involved the expenditure of group/organizational funds or funds collected by individual members in the name of, for, or on behalf of the group/organization.
6. The action(s) would be attributable to the group/organization under University or external policies or procedures applicable to the group/organization, including without limitation local, national, or international risk management guidelines.
7. The group/organization, or any member acting on its behalf, fails to complete or violates the terms of any interim measure, disciplinary measure or sanction. Other appropriate factors.

## **III. Retaliation**

The University prohibits any retaliatory action for the good faith reporting of alleged misconduct under this Code, assisting another in making such a report, or participating in an investigation or resolution of such matters. Students and student groups/organizations may not, and may not attempt to, directly or indirectly, harass, intimidate, threaten, coerce, discriminate, retaliate against, or improperly influence any individual associated with or participating in the student conduct process or who exercises his or her rights or responsibilities under this Code or the law. Any retaliation or attempts thereof should be promptly reported to the Office of Dean of Students, General Counsel, or through any other method (s) as announced by the University, including anonymous reporting. The University shall take prompt and equitable action to address reports of retaliation.

## **IV. Student Rights and Responsibilities**

Any student or student group/organization that participates in the student conduct process, e.g. a reporter, respondent, and/or witness, has the following rights in the process, as may be applicable to the particular party:

1. To be treated with dignity and respect throughout the conduct process;
2. To a prompt, fair, and impartial investigation and resolution of the alleged misconduct;
3. To have the allegations investigated and resolved by individuals who are appropriately trained and impartial;

4. To flag the potential conflict of any University personnel participating in the conduct process;
5. To be accompanied by an advisor (other than an attorney, witness or AUC personnel) to meetings and hearings, if any, in the conduct process (see below); and
6. To not be retaliated against for participation in the conduct process.

Respondents in the student conduct process have the following additional rights:

1. To have the opportunity to respond to information considered by any hearing Administrator or Board consistent with the Family Educational Rights and Privacy Act of 1974, as amended (“FERPA”) and to protect other confidential information;
2. To receive notice of the outcome of the conduct process in writing in accordance with FERPA and other applicable law (notice of the outcome will also be provided to reporters in accordance with and when required by FERPA and other applicable law); and
3. To be advised of the appeals process.

The student conduct process will mainly communicate with students through their official University email address. Students are expected check their official University email on a regular basis.

Students and others involved in the conduct process are encouraged to be forthright and as specific as possible, but may choose if and the extent to which they share information. Any person who knowingly makes a false statement or fabricates evidence in connection with student conduct matters may be subject to disciplinary action under this Code.

## **V. Advisors**

Both reporters and respondents may be accompanied by one advisor of their choosing throughout the student conduct process, provided that attorneys and witnesses may not serve as advisors. University personnel employed in the offices responsible for the conduct process, along with those in the chain of command above them, personnel employed by the Office of the General Counsel, and others whose participation could create a conflict of interest and/or reasonably call into question the impartiality of the process, are also not eligible to serve as advisors.

The advisor may accompany the party to any meeting or hearing held in accordance with to this Code. During any such meeting or proceeding, an advisor may advise and provide support to the party but may not speak on the party’s behalf or otherwise participate, or address or question the investigator, hearing administrator or board, or other parties or witnesses. The advisor may make a written submission on the party’s behalf.

Advisors who do not comply with the structure of their role may be asked to leave the meeting or hearing and/or may be restricted from further participation in the process, and the investigation or disciplinary proceeding will continue without the advisor’s presence. Should the respondent choose to bring an advisor, the respondent should inform the conduct administrator or designee(s) of the name of the advisor in writing at least twenty-four (24) hours in advance of the meeting or hearing. Failure to timely inform the conduct administrator may result in the advisor not being able to attend.

## **VI. Reporting Alleged Misconduct**

Reports of alleged Code violations should be filed with or reported as follows:

Link to Advocate and the Navex reporting websites. (will add the link once the university senates approves the policy)

## **VII. Interim Measures**

Upon receipt of a report or complaint of student misconduct, and pending the resolution of the matter under this Code, the Office of Dean of Students or designee may impose or coordinate interim measures with respect to the parties or others involved to protect the health or safety of one or more students or other members of the University community, to protect University property, to protect the integrity of the student conduct process, and/or to otherwise assist or support the parties or others involved.

Interim measures may be implemented at any time during the student conduct process and may include without limitation no-contact orders, denial of privileges or associations, removal from or relocation within the residential community, changes to academic schedules, including not being permitted to attend one or more classes, cease and desist orders, a ban from campus, and/or suspension. Violations of interim measures violate this Code and may result in further disciplinary action.

## **VIII. Student Conduct Process**

Any student, faculty, staff, administrator, or a concerned party may initiate a complaint under this Code and is referred to as a “reporter”. The student or student group/organization who is alleged to have violated the Code is referred to as the “respondent.” Persons are encouraged to bring complaints under this Code as soon as is reasonably possible after the alleged misconduct.

- 1. Purpose:** The University’s conduct process is an educational tool with two major objectives: to hold students and student groups/organizations accountable for unacceptable behavior and to change those behaviors deemed unacceptable by the University. The conduct process strives to address unacceptable behavior in an effort to guide students toward a greater sense of both individual and shared responsibility and toward more ethical decision making.
- 2. Participation:** While the University encourages the parties to participate fully in the conduct process with regard to their case, the reporter and/or respondent may decline to participate in the conduct process. The University may however continue the process without the reporter and/or respondent’s participation, including without limitation cases in which a party has withdrawn, transferred, or graduated from the University. A respondent must comply with any disciplinary measures or corrective actions/sanctions issued in accordance with the conduct process, even if the respondent has declined to participate in the process.
- 3. Initial Inquiry:** Upon the receipt of a complaint of misconduct under this Code, which typically is reported within six months of the date of the occurrence of the alleged offense, a conduct administrator or designee(s) will be assigned to the case and gather information regarding the alleged misconduct in order to determine the appropriate means of resolution. This gathering of information may include without limitation meetings with or requests for statements from the parties and witnesses, and review of any related and available documents and other information. The conduct administrator or designee(s) may dismiss a complaint for a lack of sufficient information or if the alleged conduct does not fall within conduct prohibited by this Code. Absent these circumstances, the complaint will be resolved as explained below.



4. **Standard of Evidence:** The standard of evidence required for a determination of responsibility for misconduct under this Code is a “preponderance of the evidence,” which means that it is more likely than not that the alleged misconduct occurred.
5. **Types of Conduct Proceedings:** There are two types of conduct proceedings - an administrative hearing and a Student Conduct Board hearing - except in cases for which a sanction of notification is imposed; these cases may, in the discretion of the conduct administrator or designee(s), proceed without a hearing. Examples include parking and smoking violations. The conduct administrator or designee(s) will, after the initial inquiry, decide whether a case will be resolved through an administrative hearing or a Student Conduct Board hearing. In making this decision, the conduct administrator or designee(s) will consider the nature of the alleged misconduct and potential corrective actions/sanctions, the complexity of the facts, the prior disciplinary history of the respondent, and other relevant information and factors. Except in cases for which a sanction of notification is imposed and which may proceed without a hearing as described above, the respondent will be notified regarding the alleged violation(s) of the Code that are under consideration in advance of any hearing.
6. **Administrative Hearing:** An administrative hearing involves a meeting between the conduct administrator or designee(s) and the respondent. In the case of minor violations that occur in University student residence, the Office of Student Conduct may appoint a designee who will be a trained Residential Life staff member. The conduct administrator or designee(s) may also meet with the reporter, witnesses, and others involved and obtain and review relevant evidence. The conduct administrator or designee(s) will review the allegations and evidence with the respondent and give the respondent an opportunity to respond. The conduct administrator or designee(s) will determine based on preponderance of the evidence whether the respondent is responsible for the alleged Code violation(s), and, if so, issue appropriate sanction(s).
7. **Student Conduct Board Hearings:** The Student Conduct Board is comprised of trained University students, faculty, and staff appointed for annual terms by the Dean of Students or designee to hear alleged violations of this Code. The board, comprised of two (2) student members, two (2) faculty members, and three (3) staff members, is charged with determining based on a preponderance of the evidence whether a respondent’s actions constitute a violation of this Code and, if so, determining appropriate sanction(s). The board shall make its determination of responsibility and corrective actions/sanctions by majority vote, except unanimity is required for a sanction of expulsion. The hearing is a closed proceeding, meaning that no one other than the board members and necessary University advisory personnel, may be present. The reporter and respondent, their respective advisors, and witnesses called to the hearing will be present in the hearing room only when making a statement or being questioned by the board.

In general, hearings will proceed as follows, although the board has discretion to alter the order or manner in which it hears or receives evidence, and to impose reasonable time limits on any stage of the process:

- a. introductions
- b. opening statement from the reporter, if applicable
- c. opening statement from the respondent
- d. questioning of the reporter by the board, if applicable
- e. questioning of the respondent by the board
- f. questioning of the witnesses, if any, by the board
- g. closing statement from the reporter, if applicable
- h. closing statement from respondent

8. **Witnesses:** The hearing administrator or board may request the presence of any witness with relevant information about a case. The respondent may bring relevant material witnesses to speak on the respondent's behalf. Absent exceptional circumstances, the respondent should inform the conduct administrator or designee(s) in writing at least three (3) business days in advance of any meeting or hearing the names of the witnesses and to what they will attest. The hearing administrator or conduct board may determine whether and the extent to which witnesses will be permitted to participate or be questioned in any meeting or hearing, including whether their testimony is relevant. The hearing administrator may limit the number of and the duration of witnesses' testimonies during a proceeding.
9. **Training:** All personnel conducting investigations and hearings under this Code shall be trained on applicable policies, procedures, and issues related to student conduct, including conducting investigations and hearings, as applicable.
10. **Procedures and Evidence:** The student conduct process operates under a standard of fundamental fairness, which includes prior notice to the respondent of the allegations of misconduct under this Code and an opportunity to be heard by the University.

Conduct proceedings are not trials and do not follow formal rules of procedure and evidence used in courts of law. Neither the reporter nor the respondent is allowed to cross-examine one another or any witnesses. Only the hearing administrator or conduct board is permitted to ask questions of the parties and witnesses. A party may however submit questions for the other party or witnesses in writing to the hearing administrator or Student Conduct Board. The administrator and board are encouraged to include all relevant questions, but may, at their discretion, ask, alter, or omit any or all submitted questions.

The conduct administrator or designee(s) and the Student Conduct Board determine the relevance of the evidence, and may consider all relevant evidence and assign appropriate weight to such evidence in light of all relevant factors. The administrator and board may also place restrictions on or exclude any witnesses or information.

11. **Confidentiality:** The parties may in the course of the conduct process be privy to confidential and sensitive information, such as the identity of the parties, details regarding the incident, and other information. Students should respect the confidentiality of this information.

## **IX. Notification of Outcome and Corrective Actions/Sanctions**

The hearing administrator or board will notify the respondent of the outcome of the hearing and corrective actions/sanctions, if any. Notice of the outcome and corrective actions/sanctions will be provided to the reporter in accordance with and when required by FERPA and other applicable law.

The hearing administrator or board may consider the following factors in determining corrective actions/sanctions:

1. The specific misconduct at issue;
2. The circumstances surrounding the misconduct (e.g., force, threat, coercion, etc.);
3. The respondent's state of mind (bias-motivated, reckless, negligent, etc.);
4. The respondent's prior disciplinary history;
5. The safety of the University community;
6. The respondent's conduct during the investigation and resolution process; and
7. Such other factors as deemed appropriate.

This section lists some of the corrective actions/sanctions that may be imposed upon students and student groups/organizations for violation of this Code. The University reserves the right, at its discretion, to impose more stringent or different corrective actions/sanctions depending on the facts and circumstances of a particular case. Note, sanctions for student misconduct under this Code are generally cumulative in nature.

*Possible corrective actions/sanctions against students in increasing order of severity include without limitation one or more of the following:*

1. **Notification:** The student is notified in writing that his or her actions constitute a violation of the Student Conduct Code. Unless the notification states otherwise, no additional action or meeting is required. The notification may become a part of the student's disciplinary record.
2. **Formal Warning:** The student is notified that the student's actions constituted a violation of the Student Conduct Code and that further violations will result in further disciplinary action. Student may be required to apologize to the respondent or any other individual involved or aggrieved in the incident at the University's discretion.
3. **Restitution:** The student is required to make restitution for misuse, damage, or destruction of or to University, public or private property, or services. Examples include without limitation costs of repair, replacement, recovery, cleaning, or otherwise restoring the property or services affected.
4. **Educational Activity/Community Service:** Student is required to perform designated educational or community activities. (Please refer to the Office of Student Conduct and Community Relations for a current list of suggested community service activities.)
5. **Denial of Privileges or Associations:** The student is notified that, for a specified period of time, certain privileges or associations within or related to the University are withdrawn. This sanction may include without limitation the termination of residence hall contracts, removal from athletic events, cessation from participation in recreational sports activities, and revocation of the privileges of using certain University facilities.
6. **Non-Academic Probation:** The student is notified that the student's status with the University, for a specified period of time, is such that further violations of the Student Conduct Code within this period of time will result in the student being considered for immediate suspension or other appropriate disciplinary action from the University. If, at the end of the specified time period, no further violations have occurred, the student is removed from probationary status.
7. **Deferred Sanction:** In some cases, a sanction may be held in abeyance for a specified period of time. This means that, if the student is found responsible for any violation of University policy during that period of time, the student will be subject to the deferred sanction without further review, in addition to the disciplinary action appropriate to the new violation. For cases of serious misconduct, the conferring of an academic degree will be deferred for the duration of the sanction.
8. **Suspension:** The student is notified that s/he is separated from the University for a specified period of time. The student must leave campus and vacate campus residence halls, if applicable, within the time prescribed and is prohibited from accessing/entering University property and events. A suspension may be effective immediately or at a later date at the discretion of the hearing administrator or Conduct Board based on consideration of relevant factors, including without limitation the nature of the misconduct and the health and safety of the student and others in the University community. The student's academic transcript will contain a notation for the duration of the suspension stating that the student was suspended by University action. The conferring of an academic degree may be deferred for the duration of the suspension. A student must receive written permission from the University prior to re-enrollment or re-application. While serving a disciplinary

suspension, academic work completed at another institution will not be recognized for credit transfer.

9. **Expulsion:** This means the permanent removal of the student from the University. Expulsion includes: a forfeiture of all rights and degrees not actually conferred at the time of the expulsion, notification of the expulsion to the student's division, permanent notation of the expulsion on the student's University records and academic transcript, withdrawal from all courses according to divisional policies, and the forfeiture of tuition and fees. Any student expelled from the University is prohibited from accessing/entering University property and events, and future reapplication to the University.

Possible corrective actions/sanctions against student groups/organizations, in increasing order of severity include without limitation one or more of the following:

1. **Notification:** The student group/organization is notified in writing that its actions constitute a violation of the Student Conduct Code. Unless the notification states otherwise, no additional action or meeting is required.
2. **Formal Warning:** The student group/organization is notified that the group/organization's actions constituted a violation of the Student Conduct Code and that further violations will result in further disciplinary action.
3. **Educational Activity:** The student group/organization is required to perform assigned educational activities as stated in the decision letter.
4. **Restitution:** Student group/organization is required to make restitution for misuse, damage, or destruction of or to University, public, or private property or services. Examples include without limitation costs of repair, replacement, recovery, cleaning, or otherwise restoring the property or services affected.
5. **Denial of Privileges or Activities:** The student group/organization is notified that, for a specified period of time, certain privileges or associations within or related to the University are withdrawn. This sanction may include, without limitation, the withdrawal of the use of services or privileges as a student group/organization or the loss of the privilege to participate in a University activity or event.
6. **Non-Academic Probation:** This refers to the status imposed on a student group/organization for a specific period of time to allow the group to demonstrate its ability to abide by the Student Conduct Code. Any Code violations committed during the probation period may result in further disciplinary action, including without limitation, immediate suspension or dissolution. Probation may include without limitation one or more of the following conditions:
  - a. Restriction on representing the University in any official group/organization capacity
  - b. Restriction from participation in University programs, events, and activities
  - c. Restriction on use of or access to University property
  - d. Restriction on use of University resources (e.g., ability to receive funding by or through the University)
  - e. Restriction on co-programming with other student groups/organizations, or others in the University
  - f. Other appropriate conditions
7. **Suspension or Freeze:** The separation of the student group/organization from the University for a specified period of time. This generally includes, without limitation, a restriction on the group/organization conducting any activity or event on or at University property or events, including, without limitation, any way that promotes the goals, purposes, identity, programs, membership, or activities of the group/organization. At the completion of the suspension period, and if in the University's determination the group/organization has met the terms of all corrective

- actions/sanctions and there is no further violation of the Student Conduct Code, the group/organization will be allowed to resume activity as a student group/organization.
8. **Dissolution (Closure):** The termination of a student group/organization's recognition by the University and separation of the group/organization from the University permanently. This generally includes, without limitation, a restriction on the group/organization conducting any activity or event on or at University property or events, including without limitation in any way that promotes the goals, purposes, identity, programs, membership, or activities of the group/organization. Once dissolved, a group/organization may only re-apply for recognition when all current members have left the University community, unless otherwise authorized in writing by the University.

The failure to comply with the terms of any University directives, interim measures, or corrective actions/sanctions is a violation of this Code, and may result in further disciplinary action and/or the placement of a registration hold on a student's University account. If a student withdraws or takes a leave of absence from the University prior to the completion of their corrective actions/sanctions, they must complete all corrective actions/sanctions to be eligible for re-enrollment or re-application. Corrective actions/sanctions may affect a student's scholarships, financial aid, immigration status, or employment with the University, such as, undergraduate or graduate teaching assistants, graduate assistantships, or other forms of employment.

## **X. Appeals**

A party may appeal the outcome of a hearing in writing to the Vice President for Student Life (or their designee) within five (5) business days of the date of the notice of outcome on the sole grounds of

1. a procedural error that could have affected the determination or sanction(s) and/or
2. new information that was not available at the time of the investigation or hearing and that could reasonably have affected the determination or sanction(s)

The appeal is not a re-hearing of the case, but an opportunity to provide a written statement specifically stating the grounds for the appeal and any supporting information. The burden is on the party bringing the appeal to demonstrate why the finding or sanction should be altered. Appeal requests will be denied if there are insufficient grounds for the appeal.

## **XI. Student Conduct Records**

### **1. Release and Retention of Records**

The Family Educational Rights and Privacy Act of 1974, as amended ("FERPA"), the law that governs release of and access to student education records, gives students certain rights with respect to their education records. This includes the right to consent to disclosure of personally identifiable information contained in a student's education records, except to the extent that FERPA authorizes disclosure without consent. The University may thus release education records in compliance with FERPA and the University's FERPA policies. For information on the release of and access to education records, please see the University's [FERPA policies](#).

Students should be aware that, in keeping with applicable law and University policy, the notification of the outcome/corrective actions/sanctions against students and, if applicable, other pertinent information may be shared with the Dean of Students, the Director of the Office of Student Life or designee (in cases involving students in co-curricular activities), the International Programs Office (in cases involving international students, as visa status may be impacted), the

Director of Athletics or designee (in cases involving athletes), or the Director of Residential Life or designee (in cases involving residence hall students), and victims of crimes of violence (including sexual assault).

Student records pertaining to disciplinary matters that result in expulsion are kept permanently and will be released upon request to third parties (e.g., graduate schools, employers, or licensing agencies, etc.) with the student's consent or as otherwise permitted by FERPA or University policy. Student records pertaining to disciplinary matters that do not result in expulsion are kept for a period of seven (7) years from the date of the incident and are similarly subject to release during this period of time, provided that disciplinary matters resulting in a sanction of lesser severity than probation will not be released unless requested and consented to by the applicable student.

The University may also, upon request and consent, release to third parties student records pertaining to disciplinary matters that remain unresolved and pending at the time a student withdrew from the University, with the student's consent or as otherwise permitted by FERPA or University policy. These records are kept permanently; however, if resolved, they are maintained according to the policies above.

Records pertaining to disciplinary action against student groups/organizations are not considered to be private. Notification of charges and corrective actions/sanctions may be sent to group/organizational advisors, national chapters/headquarters, and others, when appropriate.

## **2. Transcript Notations**

Disciplinary matters are not recorded on a student's academic transcript except in cases of suspension and expulsion. In cases of suspension, a temporary notation is placed on the student's academic transcript for the duration of the suspension period.

## **3. Parental Notifications**

The parents and/or legal guardians of students under the age of twenty-one (21) at the time of disclosure may, in the University's discretion, be notified if their child is found responsible for certain violations of the University's alcohol or drug policies, and in cases that result in suspension and expulsion.