

## STUDENT CODE OF CONDUCT PROCEDURES

### A. General

1. These *Student Code of Conduct Procedures* shall be used to resolve alleged violations by a student or student organization of the *Student Code of Conduct*,<sup>1</sup> the *Standards of Residence*,<sup>2</sup> or other student conduct rules *Sexual Misconduct Policy*<sup>3</sup> or *Academic Integrity Policy*.<sup>4</sup>
2. Remedial responses taken pursuant to these *Student Code of Conduct Procedures* are intended to be educational, not punitive. They are standards of appropriate conduct while encouraging students to make better choices in the future. The remedial responses include the following:
  - a. Administrative actions include, but are not limited to, probation, warning, administrative hold, restricted access to University property, interim suspension, interim removal from University housing, and interim protective measures. Administrative actions are not disciplinary, and the processes leading to such actions are not considered disciplinary proceedings.
  - b. Educational interventions include, but are not limited to, completing an educational program at the and other assignments of an educational nature designed to impart lessons regarding appropriate student conduct. Educational interventions are not disciplinary, and the processes leading to such interventions are not considered disciplinary proceedings.
  - c. Disciplinary sanctions are suspension (except for interim suspension which is an administrative action), expulsion, and degree revocation. Disciplinary sanctions are reviewable and may only result from a disciplinary proceeding as outlined in these *Student Code of Conduct Procedures*.
3. For acts that constitute alleged violations of law and University policy, a student may be accountable to both

6. The definitions provided in the Arizona Board of Regents policies 5-302 and 5-308 are applicable to these *Student Code of Conduct Procedures* unless otherwise indicated. As used herein, the terms \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ mean the Dean of Students or designee.
7. Minor procedural deviations from these *Student Code of Conduct Procedures* that do not substantially and materially affect the fairness, adequacy, impartiality, or reliability of any conduct process will not constitute grounds for challenging, annulling, or overturning the outcome of the process.

#### B. Initiation

1. Upon receipt of information from any reliable source that a student may have violated the *Student Code of Conduct*, the *Standards of Residence*, or other student conduct rules, the Dean of Students will evaluate the information and determine an appropriate course of action. The Dean will provide a student alleged to have committed misconduct with notice of the allegation and the opportunity to respond.
2. Referrals of misconduct submitted to the Dean of Students should, to the extent possible, state facts, including specific names, dates, locations, etc., and a full description of the alleged misconduct to enable the Dean to determine an appropriate course of action.
3. If the alleged misconduct involves discrimination, harassment, or sexual misconduct, the Dean of Students will inform the Equity and Access Office and/or the Office for the Resolution of Sexual Misconduct: Title IX Institutional Compliance, Prevention & Response.

#### C. Interim Action

1. If the Dean of Students becomes aware of reliable information that supports an allegation of student misconduct and believes that the continued presence of the student poses a threat of harm or substantial disruption, the Dean may restrict, suspend, or remove the student from University housing for an interim period prior to the resolution of any conduct process.
2. The decision to restrict, suspend, or remove a student from University housing for an interim period, and the information on which the decision is based, will be communicated in writing to the student and all other affected parties.
3. A student who is restricted, suspended, or removed from University housing ~~for an~~ interim period prior to the resolution of any conduct process may contest the decision within five (5) days<sup>5</sup> of its effective date. Based upon the information provided by the student and all other information available, the Dean of Students will determine whether the interim action will be rescinded, modified, or remain in place.
4. The interim action will remain in effect until resolution of all pending allegations of misconduct or until the Dean of Students determines that the interim action is no longer necessary. The Dean may modify an interim
5. The Dean of Students may impose other forms of interim protective measures, such \_\_\_\_\_ but not limited to, no-contact directives, relocation of University housing, adjustments to an academic schedule, or exclusion from specific campus locations. The Dean of Students may implement protective measures that accord with the lawful rights of any impacted party for such duration as the Dean deems prudent or necessary.

#### D. Investigation

1. When the Dean of Students determines that there is a sufficient basis to believe that a student may have violated the *Student Code of Conduct*, *Standards of Residence*, or other student conduct rules, the



6. A student may

provide to the Hearing Board Chair

remedial response. Prior to the presentation of such information, the Hearing Board Chair shall provide an appropriate limiting instruction regarding how the information is to be used.

6. A student who requests a hearing and fails to appear or refuses to participate will be deemed to have abandoned their request for an appeal, unless the student can demonstrate that extraordinary circumstances prevented their appearance or participation.
7. The hearing will be recorded by electronic device. The recording will be available for transcription in whole or in part upon request. Absent financial hardship, the requestor will pay the cost of the transcription.
8. Following an introductory statement by the Hearing Board Chair stating the nature and scope of the hearing, the basic procedures to be followed, and the appropriate decorum to be maintained, the University

the \_\_\_\_\_ endation, unless it becomes necessary to conduct further investigation or to remand the matter back to the Hearing Board, in which case the written decision must be transmitted no later than ten (10) days following completion of any subsequent investigation or recommendation by the Hearing Board.

4. Copies of the decision letter will be transmitted to the student, the Dean of Students, and the Hearing Board Chair.
5. The decision letter will include notice of the \_\_\_\_\_ right to seek judicial review within thirty-five (35) calendar days pursuant to \_\_\_\_\_

K. Request for Review or Rehearing

1. The decision of the Vice President for Student Affairs will become final and effective ten (10) days after the date it is issued unless the student requests a review or rehearing. A student may request a review or rehearing by filing a written notice with the Chief of Staff within ten (10) days of the date of the decision issued by the Vice President for Student Affairs.
2. A request for review or rehearing is not an appeal. Instead, it is an opportunity for the student to make the Chief of Staff aware of any irregularities or illegalities in the proceedings or of significant new evidence that could not have been provided earlier for consideration. The request must be based on one or more of the following grounds:daywill

- a. Irregularities in the proceedings \_\_\_\_\_