

OFFICE OF THE CHANCELLOR
LOUISIANA STATE UNIVERSITY AT ALEXANDRIA

PS 228
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Revision: 10
Effective: April 5, 2023

SUBJECT: CODE OF STUDENT CONDUCT

GENERAL POLICY

I. INTRODUCTION

The Student Code of Conduct ("Code") is intended to uphold the values of the University and ensure an environment that promotes acceptance, safety, and quality education. The Code, as elaborated below, describes the procedures for remedying alleged violations of that Code. In instances of allegations of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, or other violations addressed by Title IX, the University shall adhere to the procedures described in the LSU System's Permanent Memorandum 73.

II. JURISDICTION

The Code applies to student conduct that occurs on university-controlled property. The University retains the right to discipline a student for conduct that does not occur on University-controlled property when that conduct negatively affects the interests of the University, including, but not limited to, situations in which the conduct:

- a. Occurs during or in connection to a University affiliated activity, such as overseas study programs, clinical or field placements, or internships;
- b. Consists of academic dishonesty or research misconduct;
- c. Is prohibited by local, state, or federal law;
- d. Involves another member of the University community;
- e. Potentially threatens the health or safety of the student or another person, or the security of any person's property.

Student organizations may be found responsible for violations of the Code, if the conduct is properly attributable to the organization. That determination should be made by the Student Conduct Officer (SCO) based on the cumulative weight of the following:

- a. Whether the conduct was supported by one or more officers of the organization;
- b. Whether the conduct occurred in connection with an activity:
 - i. Financed by the organization;
 - ii. Related to initiation into, admission into, or affiliation with, or as a condition for ongoing membership in the organization;
 - iii. Advertised in such a way that a reasonable person viewing or hearing that promotion would believe that the activity was affiliated with the organization.
- c. Whether the conduct occurred on property owned, controlled, rented, leased, and/or used by the organization and/or any of its members acting on the organization's behalf;
- d. Whether a member of the organization attempted to conceal the activity connected to the conduct or conceal the conduct of another member of the organization.

III. ACADEMIC MISCONDUCT

Academic Honesty, including plagiarism and other instances of cheating.

A. OVERVIEW

Faculty are charged with the responsibility of responding appropriately to instances of academic dishonesty that occur among their students. This responsibility is a serious one and can at times be difficult to execute. (This presupposes that faculty are executing their responsibility to inform students adequately of what is and is not acceptable conduct.)

When faculty determine that academic dishonesty has occurred, they possess the authority to impose on the student(s) in question any penalty they deem appropriate, up to and including issuing a failing grade for the course. (More extensive penalties, such as suspension, may be imposed only by the university administration.) In all cases, faculty must inform the Office of the Vice Chancellor for Enrollment and Student Engagement that the violation has occurred.

Any student at the university wishing to challenge any allegation of academic dishonesty may approach the Office of the Provost, which will be charged with handling appeals.

It is hoped that most allegations of academic dishonesty will be resolved before any formal request for an appeal is necessary. Such resolution may be achieved through discussions among the accused student(s) and accusing faculty member, perhaps with the mediation of the Department Chair. Regardless, the student challenging the allegation of dishonesty is required to meet with the accusing instructor and the Chair of the department that offered the course in question, either separately or jointly, prior to filing a formal appeal.

If after these meetings the student still wishes to file an appeal, he/she may do so by submitting, in writing, an electronic memorandum to the vice provost. The memorandum must indicate: the course, section number and term taken; the instructor; which of the two possible grounds for appeal is the basis in this case; and a short summary of explanation regarding the circumstances and/or basis of the appeal.

B. TIMELINE

1. Instructor alleges academic dishonesty and informs both the student and the Office of the Vice Chancellor for Enrollment and Student Engagement.
2. Any student wishing to appeal must do so in writing to the Vice Provost within 15 university business days of being informed. Submission of an appeal presupposed that the student has met with the accusing instructor and the Chair of the department in which the course is housed.
3. The Screening Panel reviews student's formal appeal and notifies the student and instructor of its decision within 5 university business days.
4. Hearing Panel convenes (if case is received from screening panel) within 15 university business days of being given the case.
5. Vice Provost informs the student and instructor of the Hearing Panel's decision within 3 university business days.

C. PROCEDURES

A screening process will be in place to ensure that the formal request for an appeal has sufficient merit. A three-person screening panel, consisting of

the Vice Provost (or designee), Vice Chancellor for Enrollment and Student Engagement (or designee), and the Vice President of Student Government (or designee). Only the unanimous agreement among the three members of the screening panel that the appeal is without merit will prevent it from going forward.

The appeal may only be made on the basis of one (or both) of the following grounds:

- The allegation of academic dishonesty is false.
The instructor's allegation of academic dishonesty and/or the subsequent penalty issued are in violation of university policy.

The appeal hearing will be convened by the Vice Provost and will consist of five members: two students, one faculty member, one representative from the division of academic affairs, and one representative from the division of enrollment and student engagement. The procedure for an appeal will be as follows:

1. Instructor's presentation of witnesses and evidence.
2. Student's cross-examination of witnesses.
3. Student's presentation of witnesses and evidence.
4. Instructor's cross-examination of witnesses.
5. Question period by the appeal panel.
6. Instructor's final statement.
7. Student's final statement.

The appeal panel will determine whether the student's appeal is sufficiently compelling to overturn the accusation of dishonesty based on the following: (1) the allegation of academic dishonesty is false or (2) the instructor's allegation of academic dishonesty and/or the subsequent penalty issued are in violation of university policy. It will not be the task of the appeal panel to revisit any punitive action for academic misconduct that the instructor has imposed.

D. DEFINITIONS and CONCEPTS

1. Academic Dishonesty

The actions/behaviors that are acceptable in one class may not be acceptable in another class, and both teachers and students share the responsibility for

communicating these limits for a particular class. While the specifics will vary among classes, the following fundamental definitions describe acts that constitute academic dishonesty.

2. Cheating

The term "cheating" refers to using or attempting to use unauthorized technology, materials, information, or study aids in any academic exercise (whether intentional or not) or taking any action designed to obtain unearned credit (points) in the class. When in doubt about what is authorized, students should consult their instructors.

3. Fabrication or Other Misconduct in Research

The term "fabrication" refers to unauthorized falsification or invention of any information (including research data) or any citation in any academic exercise; "misconduct in research" refers to any violation of ethical guidelines for attributing credit and authorship in research endeavors, non-compliance with established research policies, or other violations of ethical research practice.

4. Plagiarism

The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work or sections of a work of another person without full and clear acknowledgement (whether intentional or not). This includes any material copied directly or paraphrased from the Internet. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials, including material taken from or ordered through the Internet, also constitutes plagiarism. Types of plagiarism include:

- Purchasing an essay or paper from a Web site (or anywhere else) and submitting it as the student's own.
Borrowing another student's paper from a previous semester and calling it your own.
- Having someone else do your work, for free or for hire. Agreeing to do someone else's work is equally wrong.
Claiming originality regarding material copied directly from outside sources. In other words, deliberately failing to cite sources.
Improperly documenting quoted, paraphrased or summarized source material.

Extending the length of a bibliography to meet project requirements by including sources not used in your research or making them up all together.

Killing two birds with one stone: recycling an essay or paper written for one class by using it in another class studying the same or similar material.

Receiving help from other students on an essay or paper and turning it in under your own name as individual work.

- Collectively researching and writing a paper with other students and each turning copies into different class sections claiming it as individual work.

5. Facilitating Academic Dishonesty

Assisting or attempting to assist another to violate any provision of this Academic Dishonesty Policy whether or not that action is associated with any particular course, is considered academic dishonesty.

IV. BEHAVIORAL MISCONDUCT

A. INITIAL STAGES

- a. The Student Conduct Officer (SCO) may initiate the student conduct process on the basis of allegations received from any source, including, but not limited to, a student, a member of the University staff or faculty, or a law enforcement agency.
- b. The student conduct process must be carried out in a manner that is free from conflicts of interest or bias consistent with due process of law. A University employee shall not occupy more than one role in the student conduct process.
- c. The University may impose interim administrative measures prior to the conclusion of the conduct process upon belief that a Respondent's continued presence at University affiliated activities or on University-controlled property constitutes an immediate threat of harm to students or others. Examples of measures include a no-contact directive; a disciplinary hold, including, but not limited to, release of transcripts, degree conferral, and course registration; and interim restrictions, including restricting privileges to participate in University activities or accessing University-controlled property. Interim measures may be revisited upon a Respondent's request.

- d. The SCO and Respondent meet in an Educational Conference, which is strictly an informational meeting, during which the following occurs:
 - i. The SCO orally informs the Respondent of the allegations made and, if requested by the Respondent, provides the Respondent with a reasonable opportunity to review the complaint.
 - ii. The SCO provides the Respondent with an opportunity to respond to the allegations, including, an opportunity to present information about the allegations and witnesses whom the Respondent believes the SCO should interview.
 - iii. Both the SCO and Respondent may ask questions of one another and seek clarifying information about the allegations and the student conduct process.
 - iv. Except in cases related to Title IX allegations, the SCO may issue a no-action determination or allow Student Engagement to continue its investigation based on information provided by the Respondent.
 - v. If a Respondent fails to attend an Educational Conference, the SCO may email the Respondent a recommendation for an Informal Resolution.
 1. Please note that the Educational Conference is not a part of disciplinary proceedings, as such, an advisor is not allowed to take part.
- e. The SCO shall provide the Respondent with a Notice of Educational Conference. Through this written communication, the SCO notifies the Respondent that the SCO has received allegations that the Respondent has engaged in misconduct, instructs the Respondent to attend or schedule an Educational Conference, and provides the Respondent with information about the student conduct process. Generally, a notice includes the following:
 - i. Notice that Student Engagement has begun an investigation of allegations;
 - ii. Notice of a disciplinary hold, if any;
 - iii. A brief description of alleged misconduct;
 - iv. A preliminary list of potential violations of the Code;
 - v. Notice of the Respondent's right to be assisted by an advisor throughout the student conduct process, which does not include the Educational Conference;
 - vi. The internet address where the student can review the Code;
 - vii. The date and time of the Educational Conference or instructions for scheduling one;
 - viii. Notice of the consequences of failing to comply with the instructions to attend or schedule an Educational Conference.

- f. If the Respondent declines the recommendation for an Informal Resolution or does not respond to the recommendation, the case will be forwarded to an **Administrative Hearing** or a **Student Conduct Board (SCB) Hearing**.
 - 1. Informal Resolutions will not be considered part of a student's permanent record and therefore would not be shared with any external requesting agency.
- g. If the Respondent accepts the recommendation for an Informal Resolution, the respondent waives all rights to a formal hearing.
- h. Student Engagement may investigate the allegations against the Respondent by interviewing witnesses and obtaining other information. The SCO will provide an equal opportunity for parties to identify and present witnesses and other evidence. The SCO is not obligated to interview witnesses identified by the parties, if the SCO believes the witness is not likely to possess relevant information or the information the witness is likely to possess is cumulative of other information gathered. The SCO will act as a fair and impartial party. Parts of Student Engagement's investigation may occur before, during, and after the Educational Conference.
 - 1. A Charge Letter is written notice that informs the Respondent that the SCO has concluded it is more likely than not that the Respondent violated the Code. It generally includes a brief summary of the facts of the alleged misconduct and the Respondent's option to elect a Formal Hearing to contest the SCO's determination of responsibility. A Notice of Sanctions is a written notice that informs the Respondent of the disciplinary sanctions that SCO proposes for the violation of the Code. Either notice may be provided during the Educational Conference.

B. RESOLUTIONS

- a. A **Resolution by Agreement** can be reached at any time during the student conduct process. The Respondent may sign a Resolution Agreement proposed by the SCO. By signing, the Respondent accepts responsibility for violating the Code, agrees to the imposition of sanctions, and waives all rights to resolve the allegations through a Formal Hearing. The Respondent may not revoke or appeal a Resolution Agreement signed by the Respondent.
- b. There are two types of **Formal Hearings**. Formal Hearings are processes through which a Respondent may contest allegations of misconduct and/or the sanctions proposed by the SCO by presenting information or witnesses other than the University employee who conducted the investigation and Educational Conference.

1. In an **Administrative Hearing**, the Respondent has the right to resolve allegations of misconduct and/or proposed sanctions through a hearing before a Student Engagement Hearing Officer (SEHO). In every case when the SCO proposes suspension lasting ten days or more or expulsion, the Respondent has the right to resolve allegations of misconduct and/or proposed sanctions through a **SCB Hearing**.
 - i. A Formal Hearing may be requested by the Respondent only in writing.
 - ii. If the Respondent fails to elect a Formal Hearing within seven business days of the SCO transmitting the Notice of Allegations in writing to the Respondent, then the Respondent waives all rights to a Formal Hearing.

V. ADMINISTRATIVE HEARING

- a. A SEHO conducts an investigation and makes a determination whether the Respondent violated the Code and, if so, what outcomes to impose.
- b. The SEHO will send a Notice of Charges to the Respondent.
- c. The Respondent will be provided an opportunity to give a presentation of information as well as present witnesses. The SEHO will be permitted to ask questions of the respondent.
- d. At the conclusion of the Administrative Hearing, the SEHO will issue a verbal determination of any policy violation(s) as well as appropriate outcomes.
- e. A formal Notice of Outcome will be sent to the Respondent within one business day.
- f. The Administrative Hearing determination may be appealed within ten business days of the Notice of Outcome as outlined in section VI.I below.

VI. STUDENT CONDUCT BOARD: HEARING & APPEALS

- a. If the Respondent requests a SCB Hearing, then the SCO will send the Respondent and Complainant a **Notice of SCB Hearing** at least seven business days in advance of the date of the hearing. The Notice will generally contain:
 1. The date, time and place of the SCB Hearing;
 11. A copy of the Notice of Allegations;
 - m. The sanctions that the SCO will request imposed;
 - 1v. The names of all witnesses through whom the SCO is likely to present information;
 - v. A notice of the right to the assistance of an advisor;
 - v1. A description of all tangible or electronic information that the SCO is likely to present to the SCB, including, an investigative report, police report, incident report, witness statements, video or audio

- recordings, photographs, text messages, or phone or social media documentation;
- vii. Notice of the right to request Student Engagement's investigative file;
 - viii. And notice of the right to request copies of all documents.
- b. If the Respondent **fails to attend an SCB Hearing**, then the Respondent waives all rights to an SCB Hearing. The SCB may proceed with the hearing or hold the Respondent accountable for all decisions made in the Respondent's absence, including responsibility for alleged violations.
 - c. The **composition of the SCB** shall be drawn from an appointed pool of persons, not to include the SCO. The SCO shall appoint one non-voting chairperson and at least three voting members. All classifications of the University community (staff, faculty, and students) must be represented by at least one voting member.
 - 1. At the beginning of the SCB Hearing, the chairperson shall allow the Complainant or Respondent to request the removal of a member of the SCB on the grounds that the person cannot be impartial.
 - ii. The chairperson has the authority to maintain order, exclude irrelevant information or information that was not provided in advance of the hearing, and decide procedural questions that arise.
 - d. At least five business days prior to the SCB Hearing, the Complainant and Respondent must provide the following to the SCO in writing: the name of their advisor, the names of all witnesses, and a copy of all tangible or electronic information they plan to present to the SCB.
 - e. During the sanctioning phase, both parties may present opening statements that they want the SCB to consider. The Complainant's statement may include a description of the impact of the conduct. The Respondent's statement may include factors the Respondent believes mitigate the conduct. Advisors may present opening statements on behalf of their respective party.
 - f. The University shall be responsible for making a verbatim digital recording of an SCB Hearing. Deliberations of the SCB shall not be recorded. Neither the Complainant nor the Respondent may record the hearing other than by taking notes.

- g. Witnesses will provide information and answer questions from the chairperson. The chairperson may also ask questions of the Respondent, the Complainant, and the investigator. The Respondent and Complainant shall not directly ask questions to each other or other witnesses. They may propose questions by submitting them in writing to the chairperson during the hearing, but the chairperson has the discretion whether to ask the proposed question.
- h. The chairperson shall allow closing statements from the Complainant and Respondent or their advisor.
- 1. After the chairperson determines that all relevant information has been received, the SCB will deliberate in private. The SCB will decide by a majority vote on each allegation whether the Respondent more likely than not violated the Code.
- J. The SCB will decide sanctions by a majority vote.
- k. Within three business days of the conclusion of the hearing, the chairperson will issue a Notice of Decision, which includes:
 - 1. The SCB's decision regarding each allegation; the sanctions imposed; and information about the Respondent's and Complainant's options, if any, to appeal the SCB's decision.
- 1. An appeal must be submitted in writing within ten days of receipt of the Notice of Decision, and it must be based on one of the following:
 - 1. Clearly unreasonable sanctions;
 - ii. Procedural error that could reasonably have had an impact on the SCB's decision (failure to secure an advisor or witness does not constitute a procedural error);
 - 111. New information has been discovered that could have had a substantial impact on the SCB's decision;
 - 1v. Personal prejudice or bias of an SCB member.
- m. The SCO will determine within five days of receipt, whether a Notice of Appeal is procedurally valid.
- n. Sanctions imposed shall not be effective during the period in which a Notice of Appeal may be submitted or, if a Notice has been submitted, until a Notice of Final Decision is issued.

- o. The Appellate Board considers procedurally valid Notices of Appeal. The SCO appoints a pool of persons representing all members of the University community. The appointments will not be made on the basis of how the SCO believes they will vote.
- p. The Appellate Board's final decision shall be based on the Notice of Allegations, the Notice of Formal Hearing, the Notice of Decision, the recording of the hearing, any information submitted to the SCB during the hearing, and the Notice of Appeal.
- q. The Appellate Board may, by a majority vote, take one of the following actions:
 - 1. Affirm both SCB's findings and sanctions;
 - ii. Modify the sanctions imposed;
 - iii. Remand the case for a new hearing in the case of a procedural error to be conducted by the same or a new SCB;
 - iv. In the case of new information, remand the case to the SCB for the sole purpose of hearing new information and reconsidering its decision;
 - v. Remand the case to a new SCB in the case of personal prejudice or bias.
- r. The Appellate Board shall communicate its decision through a written Notice of Final Decision within ten business days of the submission of the Notice of Appeal.

VI. STUDENT RIGHTS

The following summarizes the rights granted to a Respondent in the student conduct process:

- a. Right to be assisted by an advisor during all stages of the student conduct process, which does not include the Educational Conference;
 - i. The advisor's function shall be to provide support, guidance, and advice during any meeting or procedure. An advisor may participate in an Administrative Hearing by making opening and closing statements and examining and cross-examining material observers.
- b. Right to an opportunity for an Educational Conference;
- c. Right to resolve allegations of misconduct and sanctions through a Formal Hearing;

- d. Right to the presumption of innocence until formally acknowledging responsibility or the conclusion of a Formal Hearing in which the University has established every element of the alleged violation;
- e. Right to reasonable continuing access to the administrative file of the disciplinary proceedings, which includes all documents and evidence, excluding privileged documents, beginning at least seven business days prior to any disciplinary hearing;
- f. Right to receive notice of meetings and hearings;
- g. Right to challenge the fairness and/or impartiality of a SEHO, member of the SCB, or Appellate Board;
- h. Right to Notice of Decision;
1. Right to appeal the decisions of the SLHO or SCB.

A Complainant shall be granted equivalent rights to the rights granted to a Respondent under the Code including, without limitation:

- a. Right to meet with SCO to ask questions and receive information about the student conduct process including, without limitation, the status of an investigation;
- b. Right to receive notice of meetings and hearings;
- c. Right to be assisted by an advisor during all stages of the student conduct process;
- d. Right to present information and witnesses;
- e. Right to challenge the fairness and/or impartiality of a SLHO or member of the SCB.
- f. Right to receive a copy of Notice of Decision;
- g. Right to appeal the decisions of the SLHO or SCB.
- h. Right to otherwise participate in the student conduct process.

VII. DEFINITIONS AND CONCEPTS

1. **Alcohol.** Unlawful or unauthorized possession, use, distribution, delivery, or sale of alcohol and/or public intoxication; consumption that endangers oneself; or operating a vehicle while intoxicated or under the influence of alcohol.
2. **Coercive Behavior.** An act by an individual or a group that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, regardless of consent, which tends to or which is intended to demean, disgrace, humiliate or degrade a Student, which includes but is not limited to forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of a Student. Examples of coercive behavior include, but are not limited to, line-ups, scavenger hunts and personal servitude.

3. Complicity. Attempting to commit, knowingly permitting, encouraging, or assisting others with the commission or attempted commission of any act, omission or conduct prohibited under this Code.
4. Computer Misuse. Unauthorized access or entry into a computer, computer system, network, software, or data; alteration of computer equipment, software, network or data; failing to comply with laws, license agreements, and contracts governing network, software and hardware use; using University computing resources for prohibited activities; using University computing resources for unauthorized solicitation or commercial purposes or any violation of LSUA computer policies.
5. Disorderly Conduct. Behavior that impairs or interferes with the orderly functions or processes of the University or the reasonable safety, security, or use of members of the University community.
6. Disruption/Obstruction. Disruption or obstruction of teaching, research, administration, accountability proceeding, or other University activities and/or the performance of duties of University personnel or contractors.
7. Drugs. Possession, use, public intoxication, sharing, furnishing or distribution of illegal drugs, intoxicants, controlled substances, drug paraphernalia or prescription medication contrary to a valid prescription. (see LSUA Policy Statement 227).
8. Endangerment. Physical abuse or force against oneself, another individual, or group, or the reasonable apprehension or threat of such harm; conduct that endangers the health, safety, or well-being of oneself or another person or group.
9. Failure to Comply. Defying the order or instruction of a University official, other authorized person on behalf of the University or any University policy, contract, mandate or rule. This includes emergency protocols put in place during times such as, but not only, a natural disaster or a pandemic.
- I 0. False Information. Providing false information to a law enforcement officer, to the University or a University official, or making an intentional or reckless misrepresentation which creates an unfair advantage or is reasonably likely to damage, mistreat or harm another.
11. Forgery. Altering, falsifying, or otherwise misrepresenting documents to the University or relating to any University official or office.
12. Harassment. Repeated, persistent, severe, pervasive, or objectively offensive action directed toward a specific individual or individuals with the intent or effect to harass, harm, or alarm, through oral, written, graphic, physical, or social media contact.

Harassment includes attempted or threatened physical contact or an act that creates the reasonable apprehension of unwanted contact, or any repeated pattern of verbal communications or nonverbal behavior, without invitation or over an individual's objection, which includes but is not limited to making telephone calls, emails, electronic communications, or sending letters or pictures.

13. Hazing. Hazing means an act by an individual or a group that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, regardless of consent:
- a. Endangers the physical health or safety of a person or would cause a reasonable person severe emotional distress;
 - b. Results in the destruction or removal of public or private property;
 - c. Involves the consumption of alcohol or drugs;
 - d. Involves the consumption of substances to excess or placement of substances on the body;
 - e. Involves sexual activity;
 - f. Involves violation of federal, state or local law or University policy; or
 - g. Disrupts the academic performance or class attendance of a person.

It is not a defense to a charge of hazing that (i) the consent of the person had been obtained; (ii) the conduct or activity that resulted in the death or injury of a person was not part of an official organizational event or was by the organization; or (iii) the conduct or activity that resulted in death or injury of the person was not done as a condition of membership to an organization.

The following is a non-exclusive list of examples of acts which, regardless of severity, constitute hazing:

- Physical brutality, such as whipping, beating, paddling, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

Physical activities, such as sleep deprivation, exposure to the elements or extreme conditions, imprisonment, confinement, or calisthenics;

- Consumption of food, liquid, or any other substance, including but not limited to alcoholic beverages or drugs, that subjects the person to an unreasonable risk of harm or that may adversely affect the physical health or safety of the person;

- Placement of substances on the body of a person;
 - Kidnapping or dropping a person off campus without return transportation;
 - Activity that induces, causes, or requires an individual to perform a duty or task that involves the commission of a crime or an act of hazing.
14. Identity Misuse. Illegal or unauthorized use of an identification card, password, access code or number; including, but not limited to permitting another Student or non-Student to use a University or government issued identification card; alteration or sale of an identification card.
 15. Improper Sales & Solicitation. Unauthorized or prohibited solicitation, sale, fundraising, canvassing, distribution or posting of any written material, email, web, or printed material, including but not limited to any offer to sell or purchase an identification card for improper use or any offer to sell or purchase academic materials which, if used, would result in academic misconduct.
 16. Offensive Behavior. Lewd, indecent, or obscene conduct, in a public place including but not limited to nudity, indecent exposure, or sexually explicit behavior that would reasonably be offensive to others. Offensive behavior also includes unsolicited lewd, indecent or obscene conduct transmitted electronically or over social media and directed to an individual.
 17. Properly Misuse. Intentional or reckless destruction, defacement or damage to University property or to the property of any individual or group.
 18. Residential Life. Violating, attempting to violate, or assisting the violation of any contract, rule, policy, and/or handbook of the Department of Residential Life.
 19. Retaliation. Any acts or attempted acts against an individual for the purpose of discouraging and/or exercising right(s) of an individual under the Code.
 20. Safety. Tampering with or unapproved activation of any safety equipment and/or warning system; setting or causing a fire on Campus; engaging in dangerous activities contrary to posted or verbal warnings.
 21. Sexual Harassment. Any "sexual harassment" as defined in PM-73, the University Title IX and Sexual Misconduct Policy, as amended.
 22. Sexual Misconduct. Any sexual act or contact of a sexual nature that occurs, regardless of personal relationship, without the full consent of another individual, or that occurs when another individual is unable to give consent or whose consent is coerced or

obtained in a fraudulent manner. Sexual misconduct includes, but is not limited to, sexual assault, sexual abuse, violence of a sexual nature, allowing a third party to observe sexual behavior without all parties' consent, non-consensual sexual intercourse, sexual exploitation, video voyeurism, contact of a sexual nature with an object, or the obtaining, posting, or disclosure of intimate photos, or videos without the express consent of all persons depicted therein, dating violence and domestic violence, the use of express or implied threats, intimidation, or physical force which places an individual in fear of immediate harm or physical injury, or inhibits an individual's ability to consent and causes a person to engage in unwelcome sexual activity.

23. Stalking. Repeated, unwanted conduct toward or contact with another individual, including but not limited to, following someone, lying in wait, persistent presence around an individual, contacting an individual verbally, electronically, via social media or third party over the individual's objection, or threats to an individual or to the individual's family, friends or property, that would cause a reasonable person fear or substantial emotional distress.
24. Theft. Using, depriving, removing or possessing the property and/or services of the University or another individual without entitlement or authorization.
25. Trespassing. Unauthorized entry or use of any property or facility.
26. Unauthorized Surveillance. Creating, making, possessing, storing, sharing, or distributing unauthorized video, digital, or photographic images of a person taken in a location in which that person has a reasonable expectation of privacy.
27. Violating a Rule of the University. Violating, attempting to violate, or assisting in the violation of any contract, rule, policy, bylaw, and/or regulation of the University.
28. Weapons. Possession on one's person, which includes any bag, case, container, purse, clothing or backpack and/or use of any weapon, defined as any object used or designed to inflict or attempt to inflict harm or injury or fear of harm or injury. Weapons include, but are not limited to firearms, facsimile guns, air guns, knives, explosives, any dangerous chemical or biological agent or any other object or material capable of causing harm, and used by the offending person to inflict or attempt to inflict fear, harm or injury.

APPROVED: _____


Paul Coreil, Ph.D., Chancellor

04/05/2023

Date