



Connecticut State University System

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BR 10-75

RESOLUTION
concerning
THE STUDENT CODE OF CONDUCT AND
STATEMENT OF DISCIPLINARY PROCEDURES
in the
CONNECTICUT STATE UNIVERSITY SYSTEM
October 21, 2010

- WHEREAS, The universities in Connecticut State University System are committed to support student learning, development and socialization in an environment of civility, to encourage the pursuit of truth, and to seek the general well being of society, and
- WHEREAS, A proper system of university governance ensures that all academic and social interactions at the universities develop in an atmosphere of tolerance and mutual respect, and
- WHEREAS, Board Resolution #04-55, as revised by Board Resolution #05-14, provided a statement of student rights and responsibilities and a codified a set of procedures to protect those rights and address the abdication of those responsibilities, and
- WHEREAS, With the considerable experience gathered through the implementation of the above resolution, it is appropriate to address more fully some aspects of conduct violations and to provide better guidance for universities to formulate disciplinary procedures, and
- WHEREAS, A better delineation must be made regarding the roles and responsibilities of the academic and student affairs divisions of the university administration for the monitoring, processing and adjudicating disciplinary actions as a result of violations of the Student Code of Conduct, and
- WHEREAS, The Board of Trustees reaffirms its believe that imbedded in student learning, development and socialization is the adherence to a standards of conduct and civility, and that understanding disciplinary processes as a result of violations are themselves important aspects of all students' university education, and
- WHEREAS, Students and other members of the university community must have a clear understanding of what acts and behaviors constitute violations of the student code of conduct and are subject to disciplinary actions as prescribed in well understood criteria and procedural guidelines, therefore be it

RESOLVED, That Board Resolutions #04-55, as revised by Board Resolution and #05-14, be rescinded, and be it further

RESOLVED, That the Board of Trustees of the Connecticut State University System adopts the addendum to this resolution, "Student Code of Conduct and Statement of Disciplinary Procedures", to become effective in the fall 2011 semester.

A Certified True Copy:

A handwritten signature in cursive script that reads "David G. Carter". The signature is written in black ink and is positioned above a horizontal line.

David G. Carter, Chancellor

**Student Code of Conduct and Statement
of Disciplinary Procedures**

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I. STUDENT CODE OF CONDUCT

PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students and the general well being of society. In line with this purpose, the University has the duty to protect the freedoms of inquiry and expression and furthermore has the responsibility to encourage all of its members to develop the capacity for critical judgment in their sustained and independent search for truth.

The Connecticut State University System has certain self-defined institutional values. Principal among these values is respect for the dignity, rights, and individuality of each member of the University Community. The opportunity to live, study, and work in an institution which values diverse intellectual and cultural perspectives and encourages discussion and debate about competing ideas in an atmosphere of civility is a basic component of quality higher education.

All members of the University Community must at all times govern their social and academic interactions with tolerance and mutual respect so that the men and women who pass through the University's doors are enriched by these experiences and are prepared for full and enlightened participation in a multi-cultural society. Because of the University's commitment to principles of pluralism, mutual respect, and civility, certain activities are not acceptable on the University's campus. Acts of intolerance, of hatred or violence based on race, religion, sexual orientation, disability, gender, age, or ethnic background are antithetical to the University's fundamental principles and values. It is the University's responsibility to secure the students' right to learn by establishing an environment of civility.

The disciplinary process is intended to be part of the educational mission of the CSU System. Student disciplinary proceedings are not criminal proceedings and are not subject to court rules of procedure and evidence.

INTRODUCTION

This Student Code of Conduct (hereinafter the "Student Code") is intended to present a clear statement of student rights and responsibilities established by the Connecticut State University System ("CSUS") Board of Trustees. The Board has charged the Chancellor with developing procedures to protect those rights and to address the abdication of those responsibilities in collaboration with the four Universities. The Student Code describes the types of acts that are not acceptable in an academic community.

Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all University regulations governing student conduct and responsibilities. Students do not relinquish their rights nor do they shed their responsibilities as citizens by becoming members of the Connecticut State University Community.

Disclaimer: This Code is neither a contract nor an offer of a contract between the University and any student. The provisions of this Code are subject to revision at any time.

PART A: DEFINITIONS

The following list of defined terms utilized throughout this Student Code is provided in an effort to facilitate a more thorough understanding of the Code. This list is not intended to be a complete list of all the terms referenced in the Student Code that might require interpretation or clarification. The Vice President for Student Affairs or his or her designee shall make the final determination of the definition of any term found in the Student Code. For purposes of interpretation and application of the Student Code only, the following terms shall have the following meanings:

1. **“Accused Student”** means any student accused of violating this Student Code.
2. **“Appellate Body”** means any person or persons authorized by the Vice President for Student Affairs or his or her designee to consider an appeal from a determination by a Hearing Body that a student has violated the Student Code.
3. **“Disciplinary Officer” or “Conduct Administrator”** means a University official who is authorized to determine the appropriate resolution of an alleged violation of the Code, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provisions of this Code, a **disciplinary officer or conduct administrator** is vested with the authority to, among other duties: investigate a complaint of an alleged violation of the Code; decline to pursue a complaint; refer identified disputants to mediation or other appropriate avenues of resolution; establish charges against a student; enter into an administrative agreement developed with an Accused Student in accordance with Section II-B-3 of this Code; advise a Hearing Body; and present the case against the Accused Student as the Complainant before the Hearing Body.
4. **“Hearing Body”** means any person or persons authorized by the Vice President for Student Affairs to determine whether a student has violated the Code and to impose sanctions as warranted, including a hearing officer, hearing board, or hearing panel.
5. **“Instructor”** means any faculty member, teaching assistant, or any other person authorized by the University to provide educational services, including, but not limited to, teaching, research and academic advising.
6. **“Member of the University Community”** means any person who is a student, a University official, or any other person who works for the University, either directly or indirectly (e.g., for a private enterprise doing business on the University’s campus).
7. **“Policy”** means the written regulations, standards and student conduct expectations adopted by the University and found in, but not limited to, the Student Handbook, the Residence Life Handbook, the housing contract, the graduate and undergraduate catalogs, and other publicized University notices.
8. **“Prohibited Conduct”** means the conduct prohibited by this Code, as more particularly described in Part I-D of this Code.

9. **“Reporting Party”** means any person who submits a charge alleging that a student has violated this Code.
10. **“Student”** means any person admitted, registered, enrolled or attending any University course or University-conducted program, whether full-time or part-time, and whether pursuing undergraduate, graduate or professional studies. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students” for purposes of application of this Code.
11. **“Student Code” or “Code”** means this Student Code of Conduct and Statement of Disciplinary Procedures.
12. **“Student Organization”** means an association or group of persons that have complied with the formal requirements for University recognition.
13. **“Support Person”** means a person, who accompanies an Accused Student, a Reporter, a witness, or a victim to a hearing for the limited purpose of providing support and guidance. A support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process.
14. **“University”** means the CSU System University where the alleged violation of the Code occurred.
15. **“University Affiliates”** means individuals and/or entities with whom or with which the University has a contractual relationship.
16. **“University Calendar Days”** means the weekdays (Mondays through Fridays) when the University is open.
17. **“University Official”** means any person employed by the University to perform assigned administrative, instructional, or professional responsibilities.
18. **“University Premises”** means all land, buildings, facilities, and other property in the possession of, or owned, used, and/or controlled by, the University, either solely or in conjunction with another entity.
19. **“Shall” and “will”** are used in the imperative sense.
20. **“May”** is used in the permissive sense.

PART B: APPLICATION, DISTRIBUTION AND ADMINISTRATION OF THE STUDENT CODE OF CONDUCT

1. Application of the Student Code: The Student Code shall apply to the four Connecticut State Universities: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University and Western Connecticut State University. An alleged violation of the Student Code shall be addressed in accordance with the procedures agreed to by the Universities, even if the accused Student has withdrawn from the University prior to the completion of the disciplinary procedures.

The Student Code shall apply to Students and to Student Organizations. The term “student” shall generally apply to the student as an individual and to a Student Organization as a single entity. The officers or leaders of a particular Student Organization usually will be expected to represent the organization during the disciplinary process. Nothing in this Student Code shall preclude holding certain members of a Student Organization accountable for their individual acts committed in the context of or in association with the organization’s alleged violation of this Code.

2. Distribution of the Student Code: The Student Code shall be made available electronically and/or in a printed publication to students, faculty and staff. The Office of Student Affairs will distribute and make available to students, faculty and staff, electronically and/or in a printed publication, any revisions to the Code.

3. Administration of the Student Code: The Vice President for Academic Affairs shall be the person designated by the University President to be responsible for the administration of the Academic Misconduct portion of the Student Code. The Vice President for Student Affairs shall be the person designated by the University President to be responsible for the administration of the Non-Academic Misconduct portion of the Student Code.

PART C: SCOPE OF DISCIPLINARY AUTHORITY

A Student who is found responsible for engaging in conduct that violates the Student Code on any Connecticut State University System campus or on property controlled by the University or by any University Affiliate shall be subject to the sanctions described in this Code. Students who attempt to engage in conduct that violates this Code, who knowingly encourage, aid or assist another person in engaging in such conduct, or who agree with another person, explicitly or otherwise, to engage in such conduct, may also be subject to disciplinary action.

Off-campus misconduct may be subject to the jurisdiction of the University and addressed through its disciplinary procedures if one of the following conditions is met: (i) a Student engages in prohibited conduct at an official University event, at a University-sanctioned event, or at an event sponsored by a recognized Student Organization; or (ii) a Student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the Accused Student poses a threat to the life, health or safety of any member of the University Community or to the property of the University.

PART D: PROHIBITED CONDUCT

The following list of behaviors is intended to represent the types of acts that constitute violations of this Code. Behaviors which are prohibited by this Code may be categorized into four broad areas: violations involving personal integrity; violations involving the rights of other individuals; violations involving health and safety of the university community; and violations involving the on-going activities and/or processes of the university.¹ Although the list is extensive, it should not be regarded as all-inclusive.

Violations Involving Personal Integrity

1. Academic misconduct, which includes, but is not limited to, plagiarism and all forms of cheating.

Plagiarism may be defined as occurring when “a writer ... uses someone else’s language, ideas, or other original (not common knowledge) material without acknowledging its source.” (Council of Writing Program Administrators, 2003.) It includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Cheating includes, but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests, or examinations; (ii) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (iii) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and (iv) engaging in any other such behavior specifically prohibited by a faculty member in the course syllabus.

2. Acts of dishonesty, including but not limited to the following:
 - a. Misuse of University documents, including, but not limited to, forging, transferring, altering or otherwise misusing a student fee card, student payroll card, identification card or other University identification document, course registration document, schedule card, transcript, or any other University-issued document or record.
 - b. Knowingly furnishing false information to any University Official, faculty member or office.
3. Theft of property or services, or damage to, defacement or destruction of, or tampering with, real or personal property owned by the State of Connecticut, the University, or any member of the University Community.

Violations Involving Other Individuals

¹ These area headings are for ease of reference only and are not intended to in any way circumscribe the applicability of the offenses described thereunder.

4. Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion.
5. Sexual assault; sexual misconduct, which is defined as any unwanted or unwelcome physical contact of a sexual nature; or sexual harassment, which is defined as any unsolicited, unwelcome, and unwanted sexual advance or other conduct of a sexual nature which has the effect of interfering with an individual's performance or creating an intimidating, hostile, or offensive environment. Sexual assault or misconduct may include a sexual act directed against another person when that person is not capable of giving consent, which shall mean the voluntary agreement by a person in the possession and exercise of sufficient mental capacity to make a deliberate choice to do something proposed by another. A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. Consent cannot be assumed because there is no physical resistance or other negative response. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent).
6. Violations of privacy, including, but not limited to, voyeurism and the use of web-based, electronic or other devices to make a photographic, audio or video record of any person without his or her prior knowledge, and without his or her consent, when such a recording is intended or likely to cause injury or distress. This includes, but is not limited to: (i) surreptitiously taking pictures or videos of another person in spaces such as sleeping areas, bathrooms, gymnasiums, locker rooms, and changing areas; and (ii) sexually exploiting another person by electronically recording, or permitting others to view or electronically record, consensual sexual activity without a partner's knowledge or permitting others to view or listen to such video or audio tapes without a partner's knowledge and consent. Publicizing or threatening to publicize such records will also be considered a violation of this Code.
7. Hazing, which is defined as an act which endangers the mental or physical health or safety of a Student, or which destroys, damages, or removes public or private property, for the purpose of initiation or admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense to an allegation of hazing. Consenting to the activity by remaining silent or not objecting in the presence of hazing is not a neutral act and is also a violation of this Student Code.
8. Stalking, which is defined as repeatedly contacting another person when:
 - a. The contacting person knows or should know that the contact is unwanted by the other person; and
 - b. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term “contacting” includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

9. Harassment, which is defined as conduct which is abusive or which interferes with a person’s pursuit of his or her customary or usual affairs, including, but not limited to, such conduct when directed toward an individual or group because of race, ethnicity, ancestry, national origin, religion, gender, sexual orientation, age, physical attribute, or physical or mental disability or disorder, including learning disabilities and mental retardation.
10. Conduct that is disorderly, lewd or indecent (including, but not limited to, public nudity and sexual activity in areas generally open to members of the campus community); breach of peace; or aiding, abetting or procuring another person to breach the peace on University Premises or at functions sponsored by, or participant in by, the University or members of the University Community.
11. Behavior or activity which endangers the health, safety, or well-being of oneself or others.

Violations Involving Health and Safety of the University Community

12. Unauthorized possession, duplication or use of keys to any University Premises, or forcible and/or unauthorized entry into and/or unauthorized presence in University Premises.
13. Starting fires, causing explosions, falsely reporting the presence of fire, bombs, incendiary or explosive devices, or falsely reporting an emergency.
14. Unauthorized or improper possession, use, removal, tampering or disabling of fire and/or safety equipment and warning devices, failure to follow standard fire and/or emergency safety procedures, or interference with firefighting or emergency response equipment or personnel.
15. Use, possession, purchase, sale or distribution of alcoholic beverages, except as expressly permitted by law and University regulations. Alcoholic beverages may not, under any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
16. Use, possession, purchase, sale, distribution or manufacturing of narcotics, controlled substances and/or drugs, including, but not limited to, marijuana and heroin, or drug paraphernalia, except as expressly permitted by law.
17. Use, possession or distribution of firearms, ammunition for firearms, other weapons or dangerous instruments, facsimiles of weapons or firearms, fireworks, explosives or dangerous chemicals. A dangerous instrument is any instrument, article or substance that, under the circumstances in which it is being utilized, is capable of causing death or

serious physical injury. The possession of a deadly weapon or dangerous instrument on campus is strictly prohibited, even if such item is legally owned.

18. Gambling, including, but not limited to, promoting, wagering, receiving monies for wagering or gambling for money or property, on University premises.
19. Disruption or obstruction of any University function, activity or event, whether it occurs on or off the campus, or of any non-University function, activity or event which is authorized by the University to occur on its premises.

Violations Involving the On-going Activities and/or Processes of the University

20. Intentional obstruction of the free flow of pedestrian or vehicular traffic on University Premises or at University-sponsored or supervised functions or interference with entry into or exit from University Premises or with the free movement of any person.
21. Failure to comply with the directions of University officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
22. Conduct that violates published University policies, rules, and regulations, including, but not limited to, residence hall rules and regulations.
23. Conduct prohibited by any federal, state, and/or local law, regulation or ordinance.
24. Unauthorized use of University property or the property of members of the University Community or of University Affiliates.
25. Theft, unauthorized use, or abuse of University computers and/or peripheral systems and networks, including, but not limited to:
 - a. Unauthorized access to University computer programs or files;
 - b. Unauthorized alteration, transfer or duplication of University computer programs or files;
 - c. Unauthorized use of another individual's identification and/or password;
 - d. Deliberate disruption of the operation of University computer systems and networks;
 - e. Use of University computing facilities and resources in violation of copyright laws (including unauthorized peer-to-peer file sharing of copyrighted material, including, but not limited to, copyrighted music, movies, and software);
 - f. Use of computing facilities and resources to send obscene messages (which are defined as messages which appeal mainly to a prurient, shameful or morbid interest in nudity, sex, excretion, sadism or masochism, go well beyond

customary limits of candor in describing or representing such matters, and are utterly without redeeming social value); and

- g. Violation of the Connecticut State University System Policy Statement on Student Use of University Computer Systems and Networks and/or any applicable University computer use policy.

26. Abuse of the University disciplinary system, including but not limited to:

- a. Failure to obey the notice from a Hearing Body or University Official to appear for a meeting or hearing as part of the Student Conduct system;
- b. Falsification, distortion, or intentional misrepresentation of information to a Disciplinary Officer or Conduct Administrator, or before a Hearing Body;
- c. Institution of a disciplinary proceeding knowingly without cause;
- d. Disruption or interference with the orderly conduct of a disciplinary proceeding;
- e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system;
- f. Attempting to influence the impartiality of a Disciplinary Officer, Conduct Administrator or member of a Hearing Body prior to, and/or during the course of, the disciplinary proceeding;
- g. Harassment (verbal or physical) and/or intimidation of a Disciplinary Officer, Conduct Administrator, or member of a Hearing Body prior to, and/or during the course of, the disciplinary proceeding;
- h. Failure to comply with the sanction(s) imposed under the Student Code; and
- i. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

II. PROCEDURES FOR ADDRESSING ALLEGATIONS OF MISCONDUCT

PART A: PROCEDURES FOR ADDRESSING ALLEGATIONS OF ACADEMIC MISCONDUCT

Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1 above) shall be established by the Universities. Below are a set of principles to which such procedures shall adhere.

1. Instructor's Role:

When the instructor of record or his or her designee believes that an act of academic misconduct has occurred, he or she shall notify the student of the allegation and save any evidence of such misconduct in its original form. (Copies of the Accused Student's work will be provided to the Student upon request.) In addition, the instructor shall not transmit a final grade to the registrar until such time as the allegation(s) of academic misconduct are finally determined.

2. Information from Person other than Student's Instructor: Any member of the University Community may provide information which might lead to a complaint against a Student alleging academic misconduct.

3. The Academic Misconduct Hearing Board: There shall be an academic misconduct hearing board convened by the University's Disciplinary Officer to consider allegations of academic misconduct lodged against a Student. The University's disciplinary officer shall be a non-voting member of the board and act as convener.

4. Hearing Process: The Accused Student shall be afforded adequate notice of the allegation, an opportunity to discuss the allegation with the instructor, and adequate time to request and prepare for a hearing. All parties shall have an opportunity to be heard and a record of the proceedings shall be made. The decision of a hearing board shall be communicated in writing.

5. Sanctions: If the academic misconduct hearing board determines that the Accused Student is "Not Responsible," the board shall not impose any sanctions. The board shall so advise the Student's instructor and the instructor shall reevaluate the student's course grade in light of the Board's determination. If the academic misconduct hearing board determines that the Accused Student is "Responsible," the academic sanction set forth in the instructor's course syllabus shall be imposed.

The academic misconduct hearing board may make a recommendation to change the academic sanction imposed by the instructor on the basis of its hearing of the evidence of academic misconduct. Upon consideration of the Accused Student's record of misconduct and/or the nature of the offense, the academic misconduct hearing board may impose additional non-academic sanctions in proportion to the severity of the misconduct. These sanctions may include the following: warning, written reprimand, discretionary sanctions, suspension and/or expulsion, as described in II.D of this Student Code of Conduct.

6. Appeals: The decision rendered by the academic misconduct hearing board may be appealed to the Provost/Academic Vice President, who shall review the record of the hearing, including any and all documents presented to the academic misconduct hearing board. An appeal shall be in writing and shall be delivered to the Provost/Academic Vice President within three (3) University calendar days of receipt of the academic misconduct hearing board's written decision.

An appeal may be brought on any of four grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; (c) a claim that the non-academic sanction(s) imposed were not appropriate for the violation of the Code for which the accused student was found responsible; and/or (d) a claim that the academic sanction imposed has resulted in a palpable injustice. The Provost/Academic Vice President shall have the right to deny an appeal not brought on any of the foregoing grounds. The decision rendered by the Provost/Academic Vice President shall be final and there shall be no further right of appeal.

PART B: PROCEDURES FOR ADDRESSING ALLEGATIONS OF NONACADEMIC MISCONDUCT

The following procedures shall be followed in addressing allegations of non-academic misconduct.

1. Providing Information leading to a Complaint: Any member of the University Community may provide information leading to the filing of a complaint against a Student or a Student Organization alleging a violation of the Student Code. A complaint must be made in writing and submitted to the University's Disciplinary Officer or Conduct Administrator.
2. Disciplinary Proceedings Against a Student Charged with a Violation of Law and a Violation of the Code: University proceedings may be instituted against an Accused Student who has been charged with a violation of state or federal law for conduct which also constitutes a potential violation of this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following the institution of civil or criminal court proceedings against the Accused Student. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
3. Pre-Hearing Investigation and Administrative Disposition: The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the Accused Student and the Disciplinary Officer or Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Disciplinary Officer or Conduct Administrator may also present the case for the University at any subsequent hearing, but if he or she does, he or she shall not serve as a member of the Hearing Body.
4. Hearing Bodies: A Student accused of misconduct has the right to be heard by an impartial Hearing Body. Any dispute surrounding the impartiality of the Hearing Body or any member thereof will be referred to the Vice President for Student Affairs or his or her designee, who will review the matter and make a determination.

5. Hearing Procedures:

- a. Notice of Hearing: Normally, a hearing will be conducted within ten (10) University Calendar Days of the Accused Student being notified of the charges. Notice may be provided to the Accused Student by in-hand delivery, by registered mail, by University email, with delivery receipt attached, or by certified mail, return receipt requested, or by overnight delivery, with signature of recipient required. Notice shall be sent or delivered to the Accused Student at his or her campus email address, campus address, if any, or at his or her home address on file with the University, whichever is appropriate. Should the Accused Student refuse to accept in-hand delivery, a written statement of the attempted delivery of the notice signed by the person attempting to make such delivery shall constitute notice. Should the Accused Student refuse to sign for registered or certified mail, the postal document indicating such refusal shall constitute notice. Delivery of notice via University email shall constitute notice regardless of whether the Accused Student has opened and read the email itself.

The notice shall advise the Accused Student of each section of the Student Code alleged to have been violated and, with respect to each such section, a statement of the acts or omissions which are alleged to constitute a violation of the Code, including the approximate time when and the place where such acts or omissions allegedly occurred.

The Accused Student shall be afforded a reasonable period of time to prepare for the hearing, which period of time shall not be less than three (3) University Calendar Days. The Accused Student, the Reporting Party and/or any alleged victim may request a delay of the hearing due to extenuating circumstances. Any decision to postpone the hearing shall be made by the Disciplinary Officer or Conduct Administrator or by the Hearing Body, or by the designee of the Vice President for Student Affairs.

- b. Hearing: Hearings shall be closed, but the Hearing Body may, in its discretion, admit any person into the hearing room. The Hearing Body shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

The Accused Student, the Reporting Party and any alleged victim shall have the right to be present at all stages of the hearing process except during the private deliberations of the Hearing Body and the presentation of sanctions. In hearings involving more than one Accused Student, the Hearing Body may determine that, in the interest of fairness, separate hearings should be convened.

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.
- d. Opportunity to Present a Defense: The Accused Student shall have the full opportunity to present a defense and information, including the testimony of witnesses, in his or her behalf. The Reporting Party and the Accused Student may question the statements of any person who testifies in a manner deemed appropriate by the Hearing Body. The Reporting Party and the Accused Student may make concluding statements regarding the charges made and the information presented during the hearing. The Hearing Body may question the Accused Student and the Reporting Party, any witness presented by the Accused Student or the Reporting Party, and any other witness(es) the Hearing Body may choose to call to testify.
- e. Accused Student Can Choose Whether or Not to Testify in His or Her Own Defense: The Accused Student who is present at the hearing shall be advised by the Hearing Body that he or she is not required to testify, to answer questions, or to make any statement regarding the complaint or the allegations set forth in the complaint. Refusal to do so shall not be considered by the Hearing Body to constitute evidence of responsibility.
- f. Non-Appearance of Accused Student at Disciplinary Hearing: If an Accused Student does not appear at a disciplinary hearing, the Hearing Body shall enter a plea of “not responsible” on behalf of such student and the hearing shall proceed in the normal manner of hearing evidence, weighing facts, and rendering judgment. The failure of an Accused Student to appear at the disciplinary hearing shall not be considered by the Hearing Body to constitute evidence of responsibility.
- g. Support Persons: The Reporting Party, any alleged victim, and the Accused Student shall each have the right to be accompanied by a Support Person. The Support Person should be someone whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of a Support Person.
- h. Presentation of Evidence: Only evidence introduced at the hearing itself may be considered by the Hearing Body.
- i. Evidence of Prior Convictions or Disciplinary Actions: Evidence of prior criminal convictions or University disciplinary actions may be presented to the Hearing Body only after a determination of responsibility has been made and only for consideration in connection with determining the sanction.

- j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.
- k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of “responsible” or “not responsible,” and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.
6. Appeals: The decision of the Hearing Body may be appealed by the Accused Student to the Vice President for Student Affairs or his or her designee. A request for review must be made in writing to the Vice President for Student Affairs or his or her designee within three (3) University Calendar Days of the Accused Student’s receipt of the written notice of decision. For good cause shown, the Vice President for Student Affairs may extend the three-University Calendar Day limitation on filing appeals. An Accused Student may request only one review of each decision rendered by the Hearing Body. A decision reached as a result of an Administrative Disposition may not be appealed.
- a. Grounds for Appeal: The Accused Student has the right to appeal the decision of the Hearing Body on the grounds that: (i) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected; (ii) the sanction(s) imposed were not appropriate for the violation of the Code for which the Accused Student was found responsible; and/or (iii) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing. The appeal shall be limited to a review of the record except as required to explain the basis of new information.
- b. Appeal Procedures: In order to prepare for the appeal, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The appeal will not be heard by anyone involved in the initial hearing. The appeal shall be considered and a decision rendered within ten (10) University Calendar Days of the filing of the appeal.

If an appeal is upheld, the matter shall be referred to the original Hearing Body for reconsideration of its original determination or to a newly-constituted Hearing Body for a new hearing, or the sanction imposed may be reduced, as appropriate. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

- c. Status of Student Pending Appeal: All sanctions imposed by the Hearing Body shall be and continue in effect pending the outcome of an appeal. Any request to delay the commencement of sanctions pending an appeal must be made by the Accused Student, in writing, to the Vice President for Student Affairs or his or her designee.

PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS

In certain circumstances, the Vice President for Student Affairs, or his or her designee, may impose an interim suspension or residence hall separation on an Accused Student prior to the hearing before the Hearing Body.

1. Basis for Imposition of Interim Suspension or Residence Hall Separation: An interim suspension may be imposed upon an Accused Student only: (i) to ensure the safety and well-being of members of the University Community or preservation of University property; (ii) to ensure the Student's own physical or emotional safety and well-being; or (iii) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

An interim suspension or residence hall separation is not a sanction and will continue in effect only until such time as a hearing on the alleged violation has been completed.

2. Effect of Interim Suspension or Residence Hall Separation: During the interim suspension or residence hall separation, the removed Student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the Student might otherwise be eligible, as the Vice President for Student Affairs, or his or her designee, may determine to be appropriate.
3. Procedure: The Accused Student shall be notified, either orally or in writing, of the pending imposition of an interim suspension or residence hall separation. Whenever possible, prior to the imposition of the interim suspension or separation, the affected Student will be afforded an opportunity to meet with the Vice President for Student Affairs, or his or her designee. Otherwise, the meeting will be held on the first University Calendar Day that the Student is available.

At that meeting, the Accused Student will be advised of the misconduct charges made against him or her and the information upon which the determination that the Student has engaged in conduct warranting an interim suspension or residence hall separation was based. If the Student denies the charges, he or she will be advised of the nature of the evidence supporting the charges. At that meeting, the Accused Student will be given the

opportunity to challenge the reliability of the information concerning his or her conduct, present his or her version of the events giving rise to the charges, and challenge the determination that he or she has engaged in conduct warranting an interim suspension or residence hall separation.

Any Student placed on an interim suspension or residence hall separation will be given an opportunity to appear at a formal hearing on the misconduct charges lodged against him or her in accordance with II.B.5 of this Code within ten (10) University Calendar Days of being placed on such suspension or separation, or as soon as practical after the Accused Student is prepared to participate in such a hearing.

PART D: DISCIPLINARY SANCTIONS

Sanctions which may be imposed for violations of the Student Code are listed below. In determining appropriate sanctions, the Hearing Body may take into consideration any and all prior violations of the Code for which the Accused Student was determined to be responsible. The Hearing Body shall have the authority to defer the imposition of any sanction when deemed appropriate. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

1. Sanctions Which May Be Imposed for Violations of the Code: The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.
 - a. Warning: A disciplinary warning is a written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
 - b. Written Reprimand: A written reprimand for a violation of the Code..
 - c. Probation: Disciplinary probation is a designated period of time during which a Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within University Community. Disciplinary probation may involve the imposition of certain restrictions and/or conditions upon the Student including, but not limited to, financial restitution, community service, fines, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required. If the Student fully complies with the terms and conditions imposed in connection with the disciplinary probation, full student privileges will be restored to the student

upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice of the alleged violation and the procedures set forth in this Code shall be followed.

- d. Loss of Privileges: Denial of specified privileges for a designated period.
- e. Restitution: Compensation for loss, damage to real or personal property. This may take the form of appropriate service and/or monetary or material replacement.
- f. Discretionary Sanctions: Work assignments, essays, service to the University, or other related discretionary assignments, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required.
- g. Residence Hall Warning: A written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
- h. Residence Hall Probation: Residence hall probation is a designated period during which an Accused Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within the residence hall in which the Student resides. Residence hall probation may include restrictions and/or conditions on the exercise of residence hall activities and privileges. Periodic contact with a designated member of the residence hall staff or professional may be required. If the Accused Student fully complies with the terms and conditions imposed in connection with the residence hall probation, full residence hall privileges will be restored to the Student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice and the procedures set forth in this Code shall be followed.
- i. Residence Hall Suspension: Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
- j. Residence Hall Expulsion: Permanent separation of the Student from the residence halls.

- k. Suspension: Suspension is temporary disciplinary separation from all universities within the Connecticut State University System and the denial of all student privileges. Suspension shall be effective on the date that notice of the suspension is provided to the Accused Student, or later, if so stated in the notice, and shall prescribe the date and conditions upon which the Student may petition for readmission to the University. A Student separated from all universities within the CSU System by suspension may under the terms of the suspension be excluded from the premises of all CSUS universities when in the judgment of the suspending authority the Student's continued presence would constitute a danger to persons or property or a threat to the academic process. Notwithstanding the foregoing, the suspending authority of the suspended Student's home University or his or her designee may authorize a suspended student who has been excluded from all University premises to enter the premises of the student's home University for designated purposes.
- l. Expulsion: Expulsion is permanent disciplinary separation from all universities within the Connecticut State University System and the denial of all student privileges. Expulsion shall be effective on the date that notice of expulsion is provided to the Accused Student, or later, if so stated in the notice. A student separated from all universities of the CSU System by expulsion may under the terms of the expulsion be excluded from the premises of all CSUS universities when in the judgment of the expelling authority the Student's presence would constitute a danger to persons or property or a threat to the academic process.
2. Revocation of Admission and/or Degree: Upon the recommendation of the Hearing Body, admission to or a degree awarded from the University may be revoked by the University, acting through its President (or his or her designee) for fraud, misrepresentation, or other violation of University standards in obtaining admission or the degree.
3. Consequences of Failure to Comply with a Duly Assigned Sanction: Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:
 - a. Denial of access to certain university services, including, but not limited to housing and parking;
 - b. Denial of access to administrative processes, including, but not limited to, course add/drop, pre-registration, registration and room selection; and/or
 - c. Withholding of the privilege of participation in university sponsored activities and/or public ceremonies, or formal disciplinary charges under II.B hereof.

4. Sanctions Which May Be Imposed on Student Organizations

- a. Sanctions: Those sanctions listed in subsections 1.a through f of Section II.D.
- b. Loss of recognition: Loss of recognition for a specified period of time results in the loss of privileges, such as the use of university space, access to student activity fee funding, and/or the privilege of functioning as a student organization. Loss of recognition for more than two (2) semesters shall require that an organization reapply for University recognition. Conditions for future recognition may be imposed by the hearing body.

***PART E:* DISCIPLINARY RECORDS**

A Student's disciplinary record shall be maintained separately from any other academic or official file maintained by the University. Disciplinary Records will be maintained for a period of five (5) years from the date of the incident, except that the sanction of expulsion shall be noted permanently. Information contained in the disciplinary record will be released only in accordance with applicable federal and state laws and regulations.

***PART F:* INTERPRETATION AND REVISION**

Questions regarding the interpretation of this Code shall be referred to the University's Vice President for Student Affairs or his or her designee, in the case of non-academic misconduct, or the Vice President for Academic Affairs or his or her designee in the case of academic misconduct, for final determination. The interpretation accorded by the Vice President for Academic or Student Affairs or his or her designee shall be binding.

The Disciplinary Procedures (Part II of this document) outlined herein shall be reviewed and revised, if and as necessary, by the universities' Vice Presidents for Academic and Student Affairs, every two (2) years, as directed by the Chancellor of the Connecticut State University System.