

POLICY 6-400 REV 3  
DATE JULY 14, 1997

**SUBJECT: Code of Student Rights and Responsibilities**

THE MISSION OF THE UNIVERSITY OF UTAH IS TO EDUCATE THE INDIVIDUAL AND TO DISCOVER, REFINE AND DISSEMINATE KNOWLEDGE. THE UNIVERSITY SUPPORTS THE INTELLECTUAL, PERSONAL, SOCIAL AND ETHICAL DEVELOPMENT OF MEMBERS OF THE UNIVERSITY COMMUNITY. THESE GOALS CAN BEST BE ACHIEVED IN AN OPEN AND SUPPORTIVE ENVIRONMENT THAT ENCOURAGES REASONED DISCOURSE, HONESTY, AND RESPECT FOR THE RIGHTS OF ALL INDIVIDUALS. STUDENTS AT THE UNIVERSITY OF UTAH ARE ENCOURAGED TO EXERCISE PERSONAL RESPONSIBILITY AND SELF DISCIPLINE AND ENGAGE IN THE RIGORS OF DISCOVERY AND SCHOLARSHIP.

STUDENTS AT THE UNIVERSITY OF UTAH ARE MEMBERS OF AN ACADEMIC COMMUNITY COMMITTED TO BASIC AND BROADLY SHARED ETHICAL PRINCIPLES AND CONCEPTS OF CIVILITY. INTEGRITY, AUTONOMY, JUSTICE, RESPECT AND RESPONSIBILITY REPRESENT THE BASIS FOR THE RIGHTS AND RESPONSIBILITIES THAT FOLLOW.

THE CODE OF STUDENT RIGHTS AND RESPONSIBILITIES HAS THREE PARTS: STUDENT BILL OF RIGHTS, STANDARDS OF ACADEMIC PERFORMANCE AND STANDARDS OF BEHAVIOR.

THE UNIVERSITY ENCOURAGES INFORMAL RESOLUTION OF PROBLEMS, AND STUDENTS ARE URGED TO DISCUSS THEIR CONCERNS WITH THE INVOLVED FACULTY MEMBER, DEPARTMENT CHAIR, DEAN OF THE COLLEGE OR DEAN OF STUDENTS. INFORMAL RESOLUTION OF PROBLEMS BY MUTUAL CONSENT OF ALL PARTIES IS HIGHLY DESIRED AND IS APPROPRIATE AT ANY TIME.

IN CASES WHERE A MORE FORMAL RESOLUTION OF PROBLEMS IS NEEDED, DISTINCT ADMINISTRATIVE PROCEDURES AND TIME LINES HAVE BEEN ESTABLISHED FOR PROCEEDINGS UNDER THE STANDARDS OF ACADEMIC PERFORMANCE AND STANDARDS OF BEHAVIOR. IN SPECIAL CIRCUMSTANCES, THE APPROPRIATE UNIVERSITY ADMINISTRATOR MAY EXTEND THESE TIME LINES IN THE INTEREST OF FAIRNESS TO PARTIES OR TO AVOID INJURY TO ONE OF THE PARTIES OR TO A MEMBER OF THE UNIVERSITY COMMUNITY.

THE UNIVERSITY, THE COMMITTEES AND ALL PARTICIPANTS SHALL TAKE REASONABLE STEPS TO PROTECT THE RIGHTS AND, TO THE EXTENT APPROPRIATE, THE CONFIDENTIALITY OF ALL PARTIES INVOLVED IN ANY PROCEEDINGS UNDER THE STANDARDS OF ACADEMIC PERFORMANCE OR THE STANDARDS OF BEHAVIOR.

DEFINITIONS OF IMPORTANT TERMS USED IN THE STANDARDS OF ACADEMIC PERFORMANCE AND THE STANDARDS OF BEHAVIOR ARE FOUND IN SECTION V, BELOW.

## **I. STUDENT BILL OF RIGHTS**

STUDENTS HAVE THE LEGAL RIGHTS AND PRIVILEGES OF CITIZENS AS FURTHER DESCRIBED BELOW AND THEY

MAY NOT BE SUBJECT TO DISCIPLINE FOR THE EXERCISE OF SUCH RIGHTS AND PRIVILEGES.

A. LEARNING ENVIRONMENT. STUDENTS HAVE A RIGHT TO SUPPORT AND ASSISTANCE FROM THE UNIVERSITY IN MAINTAINING A CLIMATE CONDUCIVE TO THINKING AND LEARNING. UNIVERSITY TEACHING SHOULD REFLECT CONSIDERATION FOR THE DIGNITY OF STUDENTS AND THEIR RIGHTS AS PERSONS. STUDENTS ARE ENTITLED TO ACADEMIC FREEDOM AND AUTONOMY IN THEIR INTELLECTUAL PURSUITS AND DEVELOPMENT. STUDENTS MUST THEREFORE BE TREATED WITH COURTESY AND RESPECT.

B. RIGHTS IN THE CLASSROOM. STUDENTS HAVE A RIGHT TO REASONABLE NOTICE OF THE GENERAL CONTENT OF THE COURSE, WHAT WILL BE REQUIRED OF THEM, AND THE CRITERIA UPON WHICH THEIR PERFORMANCE WILL BE EVALUATED. EVALUATIONS MUST BE PERFORMED PROMPTLY, CONSCIENTIOUSLY, WITHOUT PREJUDICE OR FAVORITISM, AND CONSISTENTLY WITH THE CRITERIA STATED AT THE BEGINNING OF THE COURSE.

C. ROLE IN GOVERNANCE OF THE UNIVERSITY. STUDENTS HAVE A RIGHT TO PARTICIPATE IN THE FORMULATION AND APPLICATION OF UNIVERSITY POLICY AFFECTING ACADEMIC AND STUDENT AFFAIRS THROUGH CLEARLY DEFINED MEANS, INCLUDING MEMBERSHIP ON APPROPRIATE COMMITTEES AND ADMINISTRATIVE BODIES. STUDENTS HAVE A RIGHT TO PERFORM STUDENT EVALUATIONS OF FACULTY MEMBERS, TO EXAMINE AND PUBLISH THE NUMERICAL RESULTS OF THOSE EVALUATIONS, AND TO HAVE THOSE EVALUATIONS CONSIDERED IN THE RETENTION, PROMOTION, TENURE AND POST-TENURE REVIEWS OF FACULTY MEMBERS.

D. DUE PROCESS. STUDENTS HAVE A RIGHT TO DUE PROCESS IN ANY DISCIPLINARY MATTER INVOLVING THE POSSIBILITY OF SUBSTANTIAL SANCTIONS. THIS INCLUDES A RIGHT TO BE HEARD, A RIGHT TO DECISION AND REVIEW BY IMPARTIAL PERSONS OR BODIES, AND A RIGHT TO ADEQUATE NOTICE.

E. FREEDOM FROM DISCRIMINATION AND SEXUAL HARASSMENT. STUDENTS HAVE A RIGHT TO BE FREE FROM ILLEGAL DISCRIMINATION AND SEXUAL HARASSMENT. UNIVERSITY POLICY PROHIBITS DISCRIMINATION, HARASSMENT OR PREJUDICIAL TREATMENT OF A STUDENT BECAUSE OF HIS/HER RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, SEXUAL ORIENTATION, AGE, OR STATUS AS AN INDIVIDUAL WITH A DISABILITY, DISABLED VETERAN, OR VETERAN OF THE VIETNAM ERA.

F. FREEDOM OF EXPRESSION. STUDENTS HAVE A RIGHT TO EXAMINE AND COMMUNICATE IDEAS BY ANY LAWFUL MEANS. STUDENTS MAY NOT BE SUBJECT TO DISCIPLINE BECAUSE OF THEIR CONSTITUTIONALLY PROTECTED EXERCISE OF FREEDOM OF ASSOCIATION, ASSEMBLY, EXPRESSION AND THE PRESS.

G. PRIVACY AND CONFIDENTIALITY. STUDENTS HAVE A RIGHT TO PRIVACY AND CONFIDENTIALITY SUBJECT TO REASONABLE UNIVERSITY RULES AND REGULATIONS. MATTERS SHARED IN CONFIDENCE (INCLUDING, BUT NOT LIMITED TO, INFORMATION ABOUT A STUDENT'S VIEWS, BELIEFS AND POLITICAL ASSOCIATIONS) MUST NOT BE REVEALED BY FACULTY MEMBERS OR UNIVERSITY ADMINISTRATORS EXCEPT TO PERSONS ENTITLED TO SUCH INFORMATION BY LAW OR UNIVERSITY POLICIES. STUDENTS HAVE A RIGHT TO BE FREE FROM UNREASONABLE SEARCH

AND SEIZURES.

**H. STUDENT EDUCATIONAL RECORDS.** STUDENTS HAVE A RIGHT TO PROTECTION AGAINST UNAUTHORIZED DISCLOSURES OF CONFIDENTIAL INFORMATION CONTAINED IN THEIR EDUCATIONAL RECORDS. STUDENTS HAVE A RIGHT TO EXAMINE AND CHALLENGE INFORMATION CONTAINED IN THEIR EDUCATIONAL RECORDS. FOR DETAILED INFORMATION REGARDING CONFIDENTIALITY OF EDUCATIONAL RECORDS, STUDENT SHOULD REFER TO [POLICY AND PROCEDURES 6-400](#) SECTION VI, STUDENT RECORDS.

**I. STUDENT GOVERNMENT AND STUDENT ORGANIZATIONS.** STUDENTS HAVE A RIGHT TO PARTICIPATE IN ELECTIONS FOR THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF UTAH. STUDENTS HAVE A RIGHT TO FORM STUDENT ORGANIZATIONS FOR ANY LAWFUL PURPOSE.

## II. STUDENT STANDARDS OF ACADEMIC PERFORMANCE

### A. THE STANDARDS

IN ORDER TO ENSURE THAT THE HIGHEST STANDARDS OF ACADEMIC PERFORMANCE ARE PROMOTED AND SUPPORTED AT THE UNIVERSITY, STUDENTS MUST:

1. MEET THE ACADEMIC REQUIREMENTS OF A COURSE.
2. MEET THE ACADEMIC REQUIREMENTS OF THE RELEVANT DISCIPLINE OR PROGRAM.
3. ADHERE TO GENERALLY ACCEPTED STANDARDS OF ACADEMIC HONESTY, INCLUDING BUT NOT LIMITED TO REFRAINING FROM CHEATING, PLAGIARIZING, RESEARCH MISCONDUCT, MISREPRESENTING ONE'S WORK, AND/OR INAPPROPRIATELY COLLABORATING.
4. ADHERE TO THE PREVIOUSLY PRESCRIBED PROFESSIONAL AND ETHICAL STANDARDS OF THE PROFESSION OR DISCIPLINE FOR WHICH THE STUDENT IS PREPARING, AS ADOPTED OR RECOGNIZED AS AUTHORITATIVE BY THE RELEVANT ACADEMIC PROGRAM.

### B. APPEALS OF GRADES AND OTHER ACADEMIC ACTIONS

FACULTY MEMBERS ARE QUALIFIED AS PROFESSIONALS TO OBSERVE AND JUDGE ALL ASPECTS OF A STUDENT'S ACADEMIC PERFORMANCE, INCLUDING DEMONSTRATED KNOWLEDGE, TECHNICAL AND INTERPERSONAL SKILLS, ATTITUDES AND PROFESSIONAL CHARACTER, AND ABILITY TO MASTER THE REQUIRED CURRICULUM. AN ACADEMIC ACTION, AS DEFINED IN SECTION V, MAY BE OVERTURNED ON APPEAL ONLY IF THE ACADEMIC ACTION WAS ARBITRARY OR CAPRICIOUS.

A STUDENT WHO BELIEVES THAT AN ACADEMIC ACTION TAKEN IN CONNECTION WITH A.1 OR A.2, ABOVE, IS ARBITRARY OR CAPRICIOUS SHOULD DISCUSS THE ACADEMIC ACTION WITH THE INVOLVED FACULTY MEMBER<sup>(1)</sup> AND ATTEMPT TO RESOLVE THE DISAGREEMENT. IF THE STUDENT AND FACULTY MEMBER ARE UNABLE TO RESOLVE THE DISAGREEMENT, THE STUDENT MAY APPEAL THE ACADEMIC ACTION IN ACCORDANCE WITH THE FOLLOWING PROCEDURES:

1. APPEAL TO CHAIR OF THE DEPARTMENT. WITHIN FORTY (40) WORKING DAYS OF NOTIFICATION OF THE ACADEMIC ACTION, THE STUDENT SHALL APPEAL THE ACADEMIC ACTION IN WRITING TO, AND CONSULT WITH, THE CHAIR<sup>(2)</sup> OF THE RELEVANT DEPARTMENT (OR DESIGNEE) REGARDING SUCH ACADEMIC ACTION. WITHIN FIFTEEN (15) WORKING DAYS OF CONSULTING WITH THE STUDENT, THE CHAIR SHALL NOTIFY THE STUDENT AND FACULTY MEMBER, IN WRITING, OF HIS/HER DETERMINATION OF WHETHER THE ACADEMIC ACTION WAS ARBITRARY OR CAPRICIOUS AND OF THE BASIS FOR THAT DECISION. IF THE CHAIR DETERMINES THAT THE ACADEMIC ACTION WAS ARBITRARY OR CAPRICIOUS, THE CHAIR SHALL TAKE APPROPRIATE ACTION TO IMPLEMENT HIS/HER DECISION UNLESS THE FACULTY MEMBER APPEALS THE DECISION.

2. APPEAL TO ACADEMIC APPEALS COMMITTEE. IF EITHER PARTY DISAGREES WITH THE CHAIR'S DECISION, THAT PARTY MAY APPEAL TO THE COLLEGE'S ACADEMIC APPEALS COMMITTEE WITHIN FIFTEEN (15) WORKING DAYS OF NOTIFICATION OF THE CHAIR'S DECISION IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION D, BELOW.<sup>(3)</sup>

## C. ACADEMIC MISCONDUCT

A STUDENT WHO ENGAGES IN ACADEMIC DISHONESTY (SEE A.3, ABOVE) OR WHO VIOLATES THE PROFESSIONAL AND ETHICAL STANDARDS FOR THE PROFESSION OR DISCIPLINE FOR WHICH THE STUDENT IS PREPARING (SEE A.4, ABOVE) MAY BE SUBJECT TO ACADEMIC SANCTIONS, AS DEFINED IN SECTION V, INCLUDING BUT NOT LIMITED TO A GRADE REDUCTION, FAILING GRADE, SUSPENSION OR DISMISSAL FROM THE PROGRAM OR THE UNIVERSITY.

### 1. ACADEMIC DISHONESTY.

A. ANY PERSON WHO OBSERVES OR DISCOVERS ACADEMIC DISHONESTY BY A STUDENT SHOULD FILE A WRITTEN COMPLAINT WITH THE FACULTY MEMBER RESPONSIBLE FOR THE PERTINENT ACADEMIC ACTIVITY.

B. UPON RECEIPT OF A COMPLAINT OR DISCOVERY OF ACADEMIC

DISHONESTY, THE FACULTY MEMBER SHALL DISCUSS THE ALLEGED ACADEMIC DISHONESTY WITH THE ACCUSED STUDENT AND GIVE THE STUDENT AN OPPORTUNITY TO RESPOND. WITHIN TEN (10) WORKING DAYS THEREAFTER, THE FACULTY MEMBER SHALL GIVE THE STUDENT WRITTEN NOTICE OF THE ACADEMIC SANCTION, IF ANY, TO BE TAKEN AND THE STUDENT'S RIGHT TO APPEAL THE ACADEMIC SANCTION TO THE ACADEMIC MISCONDUCT COMMITTEE. SUCH SANCTIONS MAY INCLUDE REQUIRING THE STUDENT TO REWRITE A PAPER(S), RETAKE AN EXAM(S), A GRADE REDUCTION OR A FAILING GRADE. IN NO EVENT SHALL THE ACADEMIC SANCTION IMPOSED BY THE FACULTY MEMBER BE MORE SEVERE THAN A FAILING GRADE.

C. IF THE FACULTY MEMBER IMPOSES A FAILING GRADE ON THE STUDENT, THE FACULTY MEMBER SHALL ALSO NOTIFY, IN WRITING, THE CHAIR OF THE DEPARTMENT<sup>(4)</sup> AND THE ASSOCIATE VICE PRESIDENT FOR ACADEMIC AFFAIRS OR VICE PRESIDENT FOR HEALTH SCIENCES, AS APPROPRIATE, OF THE ACADEMIC DISHONESTY AND THE CIRCUMSTANCES WHICH THE FACULTY MEMBER BELIEVES SUPPORT THE IMPOSITION OF A FAILING GRADE.

D. A STUDENT MAY APPEAL THE FACULTY MEMBER'S IMPOSITION OF AN ACADEMIC SANCTION TO THE ACADEMIC MISCONDUCT COMMITTEE IN ACCORDANCE WITH SECTION D, BELOW.

E. IF THE FACULTY MEMBER, CHAIR OR VICE PRESIDENT BELIEVES THE STUDENT'S ACADEMIC DISHONESTY WARRANTS AN ACADEMIC SANCTION MORE SEVERE THAN A FAILING GRADE, HE/SHE MAY REFER THE STUDENT TO THE ACADEMIC MISCONDUCT COMMITTEE FOR PROCEEDINGS IN ACCORDANCE WITH SECTION D, BELOW, AND SO NOTIFY THE STUDENT IN WRITING.

## 2. VIOLATIONS OF PROFESSIONAL OR ETHICAL STANDARDS.

A. ANY PERSON WHO OBSERVES OR DISCOVERS THAT A STUDENT HAS VIOLATED THE PROFESSIONAL AND ETHICAL STANDARDS FOR THE PROFESSION OR DISCIPLINE FOR WHICH THE STUDENT IS PREPARING OR HAS ENGAGED IN OTHER SPECIFIC MISCONDUCT THAT DEMONSTRATES UNFITNESS FOR SUCH PROFESSION OR DISCIPLINE SHOULD FILE A WRITTEN COMPLAINT WITH THE APPROPRIATE ACADEMIC ADMINISTRATOR (I.E., FACULTY MEMBER, CHAIR OR DEAN).

B. UPON RECEIPT OF THE COMPLAINT, THE ACADEMIC ADMINISTRATOR SHALL DISCUSS THE ALLEGED VIOLATION OR MISCONDUCT WITH THE ACCUSED STUDENT AND GIVE THE STUDENT AN OPPORTUNITY TO

RESPOND. THE ACADEMIC ADMINISTRATOR MAY INTERVIEW THE COMPLAINING PARTY AND ANY OTHER PERSONS BELIEVED TO HAVE PERTINENT FACTUAL KNOWLEDGE OF THE ALLEGATIONS. THE ACADEMIC ADMINISTRATOR MAY ALSO REVIEW ANY OTHER RELEVANT EVIDENCE, INCLUDING DOCUMENTARY EVIDENCE.

C. THE ACADEMIC ADMINISTRATOR SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS TO BELIEVE THAT THE STUDENT VIOLATED THE PROFESSIONAL OR ETHICAL STANDARDS OR ENGAGED IN SPECIFIC MISCONDUCT THAT DEMONSTRATES THE STUDENT'S UNFITNESS FOR SUCH PROFESSION OR DISCIPLINE. THE ACADEMIC ADMINISTRATOR SHALL SO NOTIFY THE STUDENT AND THE COMPLAINING PARTY IN WRITING.

D. IF THE ACADEMIC ADMINISTRATOR DETERMINES THAT THERE IS A REASONABLE BASIS FOR BELIEVING THE STUDENT VIOLATED THE PROFESSIONAL AND ETHICAL STANDARDS OR ENGAGED IN SPECIFIC MISCONDUCT THAT DEMONSTRATES THE STUDENT'S UNFITNESS FOR SUCH PROFESSION OR DISCIPLINE, HE/SHE SHALL DETERMINE WHETHER EFFORTS AT INFORMAL RESOLUTION ARE APPROPRIATE AND, IF SO, SHALL TAKE WHATEVER STEPS ARE USEFUL TO THAT END. IF AN INFORMAL RESOLUTION IS REACHED AND THE RESPONDING STUDENT COMPLIES WITH THE TERMS AND CONDITIONS, IF ANY, OF THE RESOLUTION, NO FURTHER ACTION AGAINST THE STUDENT WILL BE TAKEN AND THE MATTER WILL BE CLOSED.

E. IF INFORMAL RESOLUTION IS INAPPROPRIATE, OR IF EFFORTS AT INFORMAL RESOLUTION ARE NOT SUCCESSFUL, THE ACADEMIC ADMINISTRATOR SHALL REFER THE COMPLAINT, INCLUDING HIS/HER RECOMMENDATION FOR ACADEMIC SANCTIONS, TO THE ACADEMIC MISCONDUCT COMMITTEE FOR PROCEEDINGS IN ACCORDANCE WITH SECTION D, BELOW, AND SO NOTIFY THE STUDENT IN WRITING.

## **D. PROCEEDINGS BEFORE THE ACADEMIC APPEALS COMMITTEE AND THE ACADEMIC MISCONDUCT COMMITTEE**

1. WRITTEN APPEAL. THE APPEAL TO THE ACADEMIC APPEALS COMMITTEE OR THE COMPLAINT REFERRED TO THE ACADEMIC MISCONDUCT COMMITTEE SHALL SET FORTH IN WRITING THE REASONS FOR THE APPEAL, SHALL BE ADDRESSED TO THE COMMITTEE, AND SHALL BE DELIVERED TO THE CHAIR OF THE COMMITTEE, WITH A COPY TO THE OTHER PARTY.

2. RESPONSE TO APPEAL. THE CHAIR AND/OR FACULTY MEMBER WHOSE DECISION IS BEING APPEALED, OR THE STUDENT IN THE CASE OF A FACULTY MEMBER'S APPEAL, MAY DELIVER A RESPONSE TO THE APPEAL TO THE CHAIR OF THE ACADEMIC

APPEALS COMMITTEE, WITH A COPY TO THE OTHER PARTY, NO LATER THAN FIVE (5) WORKING DAYS PRIOR TO THE DATE OF THE HEARING.

3. MAKEUP OF THE COMMITTEES. THE DEAN OF EACH COLLEGE SHALL ENSURE THAT AN ACADEMIC APPEALS COMMITTEE AND AN ACADEMIC MISCONDUCT COMMITTEE ARE CONSTITUTED ACCORDING TO COLLEGE PROCEDURES, SUBJECT TO THE FOLLOWING PARAMETERS. (5) TWO FACULTY MEMBERS SHALL COME FROM THE COLLEGE. THE PERSONNEL AND ELECTIONS COMMITTEE OF THE ACADEMIC SENATE SHALL APPOINT ONE FACULTY MEMBER FROM OUTSIDE THE COLLEGE. THE FACULTY MEMBERS SHALL BE APPOINTED FOR STAGGERED THREE-YEAR TERMS. THE DEAN, IN CONSULTATION WITH THE RELEVANT STUDENT ADVISORY COMMITTEE, SHALL APPOINT TWO UNDERGRADUATE STUDENT MEMBERS AND TWO GRADUATE STUDENT MEMBERS FOR STAGGERED TWO-YEAR TERMS. (6) THE MEMBERS OF THE COMMITTEE THAT SHALL HEAR THE CASE ARE THE THREE FACULTY MEMBERS AND THE TWO STUDENTS FROM THE APPEALING STUDENT'S PEER GROUP (I.E., UNDERGRADUATES OR GRADUATES). THE DEAN SHALL DESIGNATE ONE OF THE FACULTY MEMBERS TO SERVE AS CHAIR OF THE COMMITTEE. THE COMMITTEE SHALL ESTABLISH INTERNAL PROCEDURES CONSISTENT WITH THE STUDENT CODE.

4. CONFLICTS OF INTEREST. UPON WRITTEN REQUEST OF ONE OF THE PARTIES, THE DEAN MAY EXCUSE ANY MEMBER OF THE COMMITTEE IF THE DEAN DETERMINES THAT THE MEMBER HAS A CONFLICT OF INTEREST. THE DEAN SHALL SELECT A REPLACEMENT FROM THE EXCUSED MEMBER'S GROUP (I.E., STUDENT OR FACULTY MEMBER).

5. PROCEEDINGS BEFORE THE COMMITTEES. WHEN A TIMELY APPEAL IS FILED, THE COMMITTEE SHALL MEET AND CONSIDER THE APPEAL. THE COMMITTEE SHALL DETERMINE WHETHER THE APPEAL PRESENTS ANY DISPUTED FACTUAL ISSUES FOR HEARING, AND MAY DETERMINE WHETHER A HEARING WOULD AID IN THE RESOLUTION OF OTHER ISSUES OR SERVE OTHER DESIRABLE PURPOSES. IF THE APPEAL RAISES DISPUTED ISSUES OF FACT RELEVANT TO THE ACADEMIC ACTION OR THE ACADEMIC SANCTION, OR IF THE COMMITTEE DETERMINES THAT A HEARING IS OTHERWISE NECESSARY OR DESIRABLE, THE COMMITTEE SHALL NOTIFY THE PARTIES (7) IN WRITING, OF THE DATE OF THE HEARING, THE NAMES OF THE COMMITTEE MEMBERS, AND THE PROCEDURES OUTLINED BELOW AT LEAST FIFTEEN (15) WORKING DAYS PRIOR TO THE HEARING.

HEARINGS SHALL BE CONDUCTED ACCORDING TO THE FOLLOWING PROCEDURES:

A. HEARINGS SHALL BE CONDUCTED WITHIN A REASONABLE TIME AFTER THE COMMITTEE'S RECEIPT OF THE WRITTEN APPEAL.

B. AT LEAST FIVE (5) WORKING DAYS PRIOR TO THE DATE OF THE HEARING, THE PARTIES SHALL MAKE AVAILABLE TO EACH OTHER AND TO THE COMMITTEE A LIST OF THEIR WITNESSES AND A LIST OF THE DOCUMENTS TO BE OFFERED AT THE HEARING. IN EXCEPTIONAL CIRCUMSTANCES, THE COMMITTEE MAY ALLOW A PARTY TO CALL

WITNESSES NOT LISTED OR SUBMIT ADDITIONAL DOCUMENTS AT THE HEARING.

C. THE PARTIES HAVE A RIGHT TO BE ACCOMPANIED BY ANY PERSON AS ADVISOR, INCLUDING LEGAL COUNSEL, WHO WILL BE PERMITTED TO ATTEND, BUT NOT DIRECTLY PARTICIPATE IN, THE PROCEEDINGS.

D. HEARINGS SHALL BE CLOSED TO THE PUBLIC.

E. ALL HEARINGS, EXCEPT COMMITTEE DELIBERATIONS AND VOTING, SHALL BE RECORDED AND A COPY MADE AVAILABLE TO ANY PARTY UPON REQUEST.

F. THE COMMITTEE MUST HAVE A QUORUM PRESENT TO HOLD A HEARING. A QUORUM CONSISTS OF THREE (3) MEMBERS, INCLUDING AT LEAST ONE (1) STUDENT AND THE FACULTY MEMBER FROM OUTSIDE THE COLLEGE. IF THERE IS MORE THAN ONE HEARING IN A MATTER, OR IF THE HEARING CONTINUES OVER MORE THAN ONE SESSION, THE SAME THREE MEMBERS MUST BE PRESENT FOR ALL SESSIONS.

G. AT THE HEARING, THE PARTIES SHALL HAVE THE RIGHT TO QUESTION WITNESSES, TO PRESENT EVIDENCE AND CALL WITNESSES IN THEIR OWN BEHALF, IN ACCORDANCE WITH THE COMMITTEE'S ESTABLISHED INTERNAL PROCEDURES.

H. THE COMMITTEE SHALL NOT BE BOUND BY STRICT RULES OF LEGAL EVIDENCE OR PROCEDURE AND MAY CONSIDER ANY EVIDENCE IT DEEMS RELEVANT.

I. UNIVERSITY LEGAL COUNSEL SHALL SERVE AS A RESOURCE TO THE COMMITTEE AND MAY BE PRESENT AT THE HEARING TO PROVIDE GUIDANCE ON SUBSTANTIVE LAW AND PROCEDURAL MATTERS.

J. COMMITTEE DELIBERATIONS AND VOTING SHALL TAKE PLACE IN CLOSED SESSIONS. ALL FINDINGS AND DECISIONS OF THE COMMITTEE SHALL REQUIRE A MAJORITY VOTE OF THE COMMITTEE MEMBERS PRESENT AT THE HEARING:

I. TO OVERTURN THE ORIGINAL ACADEMIC ACTION, THE COMMITTEE MUST FIND THAT THE ACADEMIC ACTION WAS ARBITRARY OR CAPRICIOUS.

II. TO IMPOSE AN ACADEMIC SANCTION FOR ACADEMIC MISCONDUCT, THE COMMITTEE MUST FIND BY A PREPONDERANCE OF EVIDENCE THAT



THE STUDENT ENGAGED IN THE ALLEGED ACADEMIC MISCONDUCT. IN SUCH EVENT, THE COMMITTEE MAY IMPOSE ANY ACADEMIC SANCTION IT DEEMS APPROPRIATE UNDER THE ENTIRE CIRCUMSTANCES OF THE CASE, INCLUDING BUT NOT LIMITED TO SUSPENSION OR DISMISSAL FROM THE PROGRAM OR THE UNIVERSITY.

K. THE COMMITTEE CHAIR SHALL PREPARE A WRITTEN REPORT OF THE COMMITTEE'S DECISION, INCLUDING THE BASIS FOR THAT DECISION, AND IMMEDIATELY SEND THE REPORT TO THE PARTIES, THE COGNIZANT VICE PRESIDENT AND THE DEAN OF THE COLLEGE IF HE/SHE IS NOT ALREADY A PARTY TO THESE PROCEEDINGS.

6. APPEAL TO DEAN OF THE COLLEGE. ANY PARTY MAY APPEAL, IN WRITING, THE COMMITTEE'S DECISION TO THE DEAN OF THE COLLEGE WITHIN TEN (10) WORKING DAYS OF NOTIFICATION OF THE COMMITTEE'S DECISION. THE DEAN SHALL CONSIDER THE APPEAL AND NOTIFY THE PARTIES, IN WRITING, OF HIS/HER DECISION AND THE BASIS FOR THAT DECISION WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THE APPEAL. IN COLLEGES WITHOUT DEPARTMENTS, ANY PARTY MAY APPEAL THE COMMITTEE'S DECISION TO THE COGNIZANT VICE PRESIDENT IN ACCORDANCE WITH THE FOLLOWING PARAGRAPH.

7. APPEAL TO COGNIZANT VICE PRESIDENT. WITHIN TEN (10) WORKING DAYS OF NOTIFICATION OF THE DEAN'S DECISION (OR IN THE CASE OF COLLEGES WITHOUT DEPARTMENTS, THE COMMITTEE'S DECISION), ANY PARTY MAY APPEAL, IN WRITING, SUCH DECISION TO THE VICE PRESIDENT FOR ACADEMIC AFFAIRS OR THE VICE PRESIDENT FOR HEALTH SCIENCES, AS APPROPRIATE. THE VICE PRESIDENT SHALL CONSIDER THE APPEAL AND MAY SOLICIT WHATEVER COUNSEL AND ADVICE THE VICE PRESIDENT DEEMS APPROPRIATE TO ARRIVE AT A FINAL DECISION, INCLUDING CONVENING AN AD HOC COMMITTEE COMPOSED OF STUDENTS AND FACULTY MEMBERS FROM OUTSIDE THE COLLEGE OR DEPARTMENT. THIS COMMITTEE WILL REVIEW THE PROCESS GIVEN TO THE STUDENT TO DETERMINE IF THERE WERE SUBSTANTIAL DEFECTS IN THE PROCESS WHICH DENIED THE STUDENT BASIC FAIRNESS AND DUE PROCESS. AFTER CONSIDERING THE APPEAL, THE VICE PRESIDENT SHALL NOTIFY THE PARTIES, IN WRITING, OF HER/HIS DECISION AND THE BASIS FOR THAT DECISION WITHIN TWENTY (20) WORKING DAYS OF THE RECEIPT OF THE APPEAL. THE DECISION OF THE VICE PRESIDENT IS FINAL.

8. IMPLEMENTATION OF DECISION. AT THE CONCLUSION OF THE APPEALS PROCESS, THE CHAIR OR DEAN SHALL TAKE APPROPRIATE ACTION TO IMPLEMENT THE FINAL DECISION.

### III. STUDENT STANDARDS OF BEHAVIOR

#### A. THE STANDARDS

IN ORDER TO PROMOTE PERSONAL DEVELOPMENT, TO PROTECT THE UNIVERSITY COMMUNITY, AND TO MAINTAIN ORDER AND STABILITY ON CAMPUS, STUDENTS WHO ENGAGE IN ANY OF THE FOLLOWING ACTS OF MISCONDUCT MAY BE SUBJECT TO DISCIPLINARY ACTION IN ACCORDANCE WITH SECTION B BELOW:

I. ACTS OF DISHONESTY, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

A. FURNISHING FALSE OR MISLEADING INFORMATION TO ANY UNIVERSITY OFFICIAL.

B. FORGERY, ALTERATION OR MISUSE OF ANY UNIVERSITY DOCUMENT, RECORD, FUND OR IDENTIFICATION.

2. INTENTIONAL DISRUPTION OR OBSTRUCTION OF TEACHING, RESEARCH, ADMINISTRATION, DISCIPLINARY PROCEEDINGS OR OTHER UNIVERSITY ACTIVITIES.

3. PHYSICAL OR SEXUAL ASSAULT, HAZING, VERBAL ABUSE, THREATS, INTIMIDATION, HARASSMENT, COERCION OR ANY OTHER BEHAVIOR WHICH THREATENS OR ENDANGERS THE HEALTH OR SAFETY OF ANY MEMBER OF THE UNIVERSITY COMMUNITY OR ANY PERSON ON UNIVERSITY PREMISES OR AT UNIVERSITY ACTIVITIES.<sup>(8)</sup>

4. ATTEMPTED OR ACTUAL THEFT, DAMAGE OR MISUSE OF UNIVERSITY PROPERTY OR RESOURCES.

5. UNAUTHORIZED OR IMPROPER USE OF ANY UNIVERSITY PROPERTY, EQUIPMENT, FACILITIES, OR RESOURCES INCLUDING UNAUTHORIZED ENTRY INTO ANY UNIVERSITY ROOM, BUILDING OR PREMISES.

6. POSSESSION OR USE ON UNIVERSITY PREMISES OR AT UNIVERSITY ACTIVITIES OF ANY FIREARM OR OTHER DANGEROUS WEAPON, INCENDIARY DEVICE, EXPLOSIVE OR CHEMICAL UNLESS SUCH POSSESSION OR USE HAS BEEN AUTHORIZED BY THE UNIVERSITY.

7. USE, POSSESSION OR DISTRIBUTION OF ANY NARCOTIC OR OTHER CONTROLLED SUBSTANCES ON UNIVERSITY PREMISES OR AT UNIVERSITY ACTIVITIES EXCEPT AS EXPRESSLY PERMITTED BY LAW AND UNIVERSITY REGULATIONS.

8. USE, POSSESSION OR DISTRIBUTION OF ALCOHOLIC BEVERAGES OF ANY TYPE ON UNIVERSITY PREMISES EXCEPT AS EXPRESSLY PERMITTED BY LAW AND UNIVERSITY REGULATIONS.

9. VIOLATION OF PUBLISHED UNIVERSITY POLICIES, RULES OR REGULATIONS.

10. VIOLATION OF FEDERAL, STATE OR LOCAL CRIMINAL LAWS ON UNIVERSITY PREMISES OR WHILE PARTICIPATING IN UNIVERSITY ACTIVITIES.

## B. COMPLAINT PROCEDURES

1. ANY PERSON DIRECTLY AGGRIEVED BY AN ALLEGED VIOLATION OF THE STANDARDS OF BEHAVIOR OR ANY FACULTY MEMBER, STUDENT, OR STAFF MEMBER MAY FILE A COMPLAINT WITH THE DEAN OF STUDENTS (OR DESIGNEE) WITHIN FORTY-FIVE (45) WORKING DAYS OF THE DATE OF THE ALLEGED VIOLATION. IF THE ALLEGED VIOLATION IS NOT DISCOVERED UNTIL AFTER THE FORTY-FIVE (45) DAY TIME PERIOD, SUCH PERSON MAY FILE A COMPLAINT WITHIN FORTY-FIVE (45) WORKING DAYS OF SUCH DISCOVERY.

2. IF THE ALLEGED VIOLATION INVOLVES ACADEMIC MISCONDUCT, AS DEFINED IN SECTION II.C, ABOVE, THE DEAN OF STUDENTS SHALL IMMEDIATELY NOTIFY THE APPROPRIATE ACADEMIC ADMINISTRATOR. THE DEAN OF STUDENTS AND THE ACADEMIC ADMINISTRATOR SHALL DETERMINE THE APPROPRIATE PROCESS FOR RESOLVING THE COMPLAINT (I.E., ACADEMIC MISCONDUCT PROCEEDINGS OR STUDENT BEHAVIOR PROCEEDINGS).

3. A COMPLAINT SHALL BE IN WRITING AND SIGNED, SETTING FORTH IN PLAIN LANGUAGE THE CIRCUMSTANCES WHICH THE COMPLAINING PARTY BELIEVES SUPPORT THE ALLEGATION AND IDENTIFYING THE STUDENT(S) AGAINST WHOM THE COMPLAINT IS MADE.

4. A COMPLAINT THAT IS FRIVOLOUS, FAILS TO STATE FACTS THAT CONSTITUTE A VIOLATION OF THE STANDARDS OF BEHAVIOR OR IS NOT TIMELY MAY BE DISMISSED BY THE DEAN OF STUDENTS AFTER AN INITIAL REVIEW. A PERSON WHO KNOWINGLY AND INTENTIONALLY FILES A FALSE COMPLAINT MAY BE REFERRED TO THE APPROPRIATE COMMITTEE OR OFFICE WITHIN THE UNIVERSITY FOR POSSIBLE DISCIPLINARY ACTION AS DESCRIBED IN [POLICY AND PROCEDURES 5-111](#) (STAFF), [POLICY AND PROCEDURES 6-316.5](#) (FACULTY) OR THIS POLICY (STUDENTS).

## C. PRELIMINARY INVESTIGATION

1. AFTER A COMPLAINT HAS BEEN FILED, THE DEAN OF STUDENTS SHALL NOTIFY THE STUDENT ALLEGED TO HAVE VIOLATED THE STANDARDS OF BEHAVIOR ("THE RESPONDING STUDENT"), IN WRITING, OF THE ALLEGATIONS OF THE COMPLAINT AND THESE PROCEDURES. THE RESPONDING STUDENT SHALL BE GIVEN A COPY OF THE COMPLAINT. THE RESPONDING STUDENT MAY BE REQUIRED TO MEET WITH THE

DEAN OF STUDENTS TO DISCUSS THE COMPLAINT.

2. WITHIN TWENTY (20) WORKING DAYS OF RECEIPT OF THE COMPLAINT, THE DEAN OF STUDENTS SHALL CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THERE IS A REASONABLE BASIS FOR BELIEVING THAT THE RESPONDING STUDENT VIOLATED THE STANDARDS OF BEHAVIOR. THE DEAN OF STUDENTS MAY INTERVIEW THE COMPLAINING PARTY, THE RESPONDING STUDENT AND ANY OTHER PERSONS BELIEVED TO HAVE PERTINENT FACTUAL KNOWLEDGE OF THE ALLEGATIONS. THE DEAN OF STUDENTS MAY ALSO REVIEW ANY OTHER RELEVANT EVIDENCE, INCLUDING DOCUMENTARY MATERIAL.

3. AT THE CONCLUSION OF THE PRELIMINARY INVESTIGATION, THE DEAN OF STUDENTS SHALL DETERMINE WHETHER THERE IS A REASONABLE BASIS FOR BELIEVING THAT THE RESPONDING STUDENT VIOLATED THE STANDARDS OF BEHAVIOR. THE DEAN OF STUDENTS SHALL SO NOTIFY THE STUDENT AND THE COMPLAINING PARTY IN WRITING.

4. IF THE DEAN OF STUDENTS DETERMINES THAT THERE IS A REASONABLE BASIS FOR BELIEVING THAT THE RESPONDING STUDENT VIOLATED THE STANDARDS OF BEHAVIOR, HE/SHE SHALL DETERMINE WHETHER EFFORTS AT INFORMAL RESOLUTION ARE APPROPRIATE AND, IF SO, SHALL TAKE WHATEVER STEPS ARE USEFUL TO THAT END. IF AN INFORMAL RESOLUTION IS REACHED AND THE RESPONDING STUDENT COMPLIES WITH THE TERMS AND CONDITIONS, IF ANY, OF THE RESOLUTION, NO FURTHER ACTION AGAINST THE RESPONDING STUDENT WILL BE TAKEN AND THE MATTER WILL BE CLOSED.

5. IF INFORMAL RESOLUTION IS INAPPROPRIATE, OR IF EFFORTS AT INFORMAL RESOLUTION ARE NOT SUCCESSFUL WITHIN TWENTY (20) WORKING DAYS OF THE CONCLUSION OF THE PRELIMINARY INVESTIGATION, THE DEAN OF STUDENTS SHALL REFER THE COMPLAINT TO THE STUDENT BEHAVIOR COMMITTEE.

#### **D. STUDENT BEHAVIOR COMMITTEE**

1. THE STUDENT BEHAVIOR COMMITTEE SHALL BE COMPOSED OF SEVEN (7) MEMBERS. TWO MEMBERS SHALL BE FACULTY APPOINTED BY THE PRESIDENT OF THE UNIVERSITY, UPON NOMINATION BY THE PERSONNEL AND ELECTIONS COMMITTEE OF THE ACADEMIC SENATE. TWO MEMBERS SHALL BE STAFF APPOINTED BY THE PRESIDENT, UPON NOMINATION BY THE VICE PRESIDENT FOR STUDENT AFFAIRS. THREE MEMBERS SHALL BE STUDENTS APPOINTED BY THE PRESIDENT, UPON NOMINATION OF THE VICE PRESIDENT FOR STUDENT AFFAIRS IN CONSULTATION WITH THE PRESIDENT OF ASUU. AT LEAST ONE OF THE STUDENTS SHALL BE A GRADUATE STUDENT. THE PRESIDENT SHALL APPOINT THREE ALTERNATES TO THE COMMITTEE: ONE STUDENT, ONE FACULTY MEMBER, AND ONE STAFF MEMBER. STUDENT MEMBERS SHALL SERVE STAGGERED TWO-YEAR TERMS. FACULTY AND STAFF MEMBERS SHALL SERVE STAGGERED THREE-YEAR TERMS. THE CHAIR SHALL BE APPOINTED BY THE PRESIDENT. THE COMMITTEE SHALL ESTABLISH INTERNAL

PROCEDURES CONSISTENT WITH THE STUDENT CODE.

2. UPON RECEIPT OF A COMPLAINT, THE COMMITTEE SHALL MEET AND CONSIDER THE COMPLAINT. THE COMMITTEE SHALL DETERMINE WHETHER THE COMPLAINT PRESENTS ANY DISPUTED FACTUAL ISSUES FOR HEARING, AND MAY DETERMINE WHETHER A HEARING WOULD AID IN THE RESOLUTION OF OTHER ISSUES OR SERVE OTHER DESIRABLE PURPOSES. IF THE COMPLAINT RAISES DISPUTED ISSUES OF FACT RELEVANT TO THE STANDARDS OF BEHAVIOR, OR IF THE COMMITTEE DETERMINES THAT A HEARING IS OTHERWISE NECESSARY OR DESIRABLE, THE COMMITTEE SHALL NOTIFY THE RESPONDING STUDENT, THE COMPLAINING PARTY AND THE DEAN OF STUDENTS ("THE PARTIES") IN WRITING, OF THE DATE OF THE HEARING, THE NAMES OF THE COMMITTEE MEMBERS, AND THE PROCEDURES OUTLINED BELOW AT LEAST FIFTEEN (15) WORKING DAYS PRIOR TO THE HEARING.

3. HEARINGS SHALL BE CONDUCTED ACCORDING TO THE FOLLOWING PROCEDURES:

A. UPON WRITTEN REQUEST OF ONE OF THE PARTIES, THE DEAN OF STUDENTS MAY EXCUSE ANY MEMBER OF THE COMMITTEE IF THE DEAN DETERMINES THAT THE MEMBER HAS A CONFLICT OF INTEREST. THE DEAN OF STUDENTS SHALL SELECT A REPLACEMENT FROM THE EXCUSED MEMBER'S GROUP (I.E., STUDENT, STAFF OR FACULTY MEMBER).

B. HEARINGS SHALL BE CONDUCTED WITHIN A REASONABLE TIME AFTER THE COMMITTEE'S RECEIPT OF THE COMPLAINT.

C. AT LEAST FIVE (5) WORKING DAYS PRIOR TO THE DATE OF THE HEARING, THE PARTIES SHALL MAKE AVAILABLE TO EACH OTHER AND TO THE COMMITTEE A LIST OF THEIR WITNESSES AND A LIST OF THE DOCUMENTS TO BE OFFERED AT THE HEARING. IN EXCEPTIONAL CIRCUMSTANCES, THE COMMITTEE MAY ALLOW A PARTY TO CALL WITNESSES NOT LISTED OR SUBMIT ADDITIONAL DOCUMENTS AT THE HEARING.

D. THE PARTIES HAVE A RIGHT TO BE ACCOMPANIED BY ANY PERSON AS ADVISOR, INCLUDING LEGAL COUNSEL, WHO WILL BE PERMITTED TO ATTEND, BUT NOT DIRECTLY PARTICIPATE IN, THE PROCEEDINGS.

E. HEARINGS SHALL BE CLOSED TO THE PUBLIC.

F. THE HEARING, EXCEPT FOR COMMITTEE DELIBERATIONS AND VOTING, SHALL BE RECORDED AND A COPY MADE AVAILABLE TO ANY PARTY UPON REQUEST.

G. THE COMMITTEE MUST HAVE A QUORUM PRESENT TO HOLD A

HEARING. A QUORUM CONSISTS OF FIVE (5) MEMBERS, INCLUDING AT LEAST ONE (1) STUDENT. IF THERE IS MORE THAN ONE HEARING IN A MATTER, OR IF THE HEARING CONTINUES OVER MORE THAN ONE SESSION, THE SAME FIVE MEMBERS MUST BE PRESENT FOR ALL SESSIONS.

H. AT THE HEARING, THE PARTIES SHALL HAVE THE RIGHT TO QUESTION WITNESSES, TO PRESENT EVIDENCE AND CALL WITNESSES IN THEIR OWN BEHALF, IN ACCORDANCE WITH THE COMMITTEE'S INTERNAL PROCEDURES.

I. THE COMMITTEE SHALL NOT BE BOUND BY STRICT RULES OF LEGAL EVIDENCE OR PROCEDURE AND MAY CONSIDER ANY EVIDENCE IT DEEMS RELEVANT.

J. UNIVERSITY LEGAL COUNSEL SHALL SERVE AS A RESOURCE TO THE COMMITTEE AND MAY BE PRESENT AT THE HEARING TO PROVIDE GUIDANCE ON SUBSTANTIVE LAW AND PROCEDURAL MATTERS.

K. COMMITTEE DELIBERATIONS AND VOTING SHALL TAKE PLACE IN CLOSED SESSIONS. ALL FINDINGS AND DECISIONS OF THE COMMITTEE SHALL REQUIRE A MAJORITY VOTE OF THE COMMITTEE MEMBERS PRESENT AT THE HEARING. IF A MAJORITY OF THE COMMITTEE MEMBERS FIND, BY A PREPONDERANCE OF EVIDENCE, THAT THE RESPONDING STUDENT VIOLATED THE STANDARDS OF BEHAVIOR, THE COMMITTEE MAY IMPOSE ANY DISCIPLINARY ACTION IT DEEMS APPROPRIATE UNDER THE ENTIRE CIRCUMSTANCES OF THE CASE, INCLUDING BUT NOT LIMITED TO A WRITTEN REPRIMAND, THE IMPOSITION OF A FINE OR PAYMENT OF RESTITUTION, COMMUNITY SERVICE, PROBATION, SUSPENSION, OR DISMISSAL FROM THE UNIVERSITY.

L. THE COMMITTEE CHAIR SHALL PREPARE A WRITTEN REPORT OF THE COMMITTEE'S DECISION, INCLUDING THE BASIS FOR THE DECISION AND THE DISCIPLINARY ACTION, IF ANY, TO BE IMPOSED, AND IMMEDIATELY SEND THE REPORT TO THE PARTIES.

M. IF THE RESPONDING STUDENT FAILS TO ATTEND THE HEARING WITHOUT GOOD CAUSE, THE COMMITTEE MAY PROCEED WITH THE HEARING AND TAKE TESTIMONY AND EVIDENCE AND REACH A DECISION ON THE BASIS OF SUCH TESTIMONY AND EVIDENCE.

## **E. APPEAL**

WITHIN TEN (10) WORKING DAYS OF RECEIPT OF THE COMMITTEE'S DECISION, ANY PARTY MAY

APPEAL THE COMMITTEE'S DECISION BY FILING A WRITTEN NOTICE OF APPEAL WITH THE VICE PRESIDENT FOR STUDENT AFFAIRS. THE VICE PRESIDENT FOR STUDENT AFFAIRS SHALL CONSIDER THE APPEAL AND NOTIFY THE PARTIES AND THE COMMITTEE, IN WRITING, OF HIS/HER DECISION AND THE BASIS FOR THAT DECISION WITHIN TEN (10) WORKING DAYS AFTER RECEIPT OF THE APPEAL. THE DECISION OF THE VICE PRESIDENT FOR STUDENT AFFAIRS IS FINAL.

## **IV. GENERAL**

### **A. CRIMINAL PROCEEDINGS**

PROCEEDINGS UNDER THE STUDENT CODE MAY BE POSTPONED WHEN ACTS OR CONDUCT INVOLVING POSSIBLE VIOLATIONS OF THE STANDARDS OF ACADEMIC PERFORMANCE OR THE STANDARDS OF BEHAVIOR ARE ALSO THE SUBJECT OF ONGOING CRIMINAL OR CIVIL ENFORCEMENT PROCEEDINGS BROUGHT BY FEDERAL, STATE, OR LOCAL AUTHORITIES AND POSTPONING THE PROCEEDINGS WILL SERVE THE BEST INTERESTS OF THE UNIVERSITY OR WILL BETTER FACILITATE THE ADMINISTRATION OF JUSTICE BY SUCH AUTHORITIES. THE VICE PRESIDENT FOR STUDENT AFFAIRS (OR DESIGNEE) SHALL MAKE THE DECISION REGARDING PROCEEDINGS UNDER THE STANDARDS OF BEHAVIOR. THE VICE PRESIDENT FOR ACADEMIC AFFAIRS (OR DESIGNEE) SHALL MAKE THE DECISION REGARDING PROCEEDINGS UNDER THE STANDARDS OF ACADEMIC PERFORMANCE.

### **B. ADMINISTRATIVE SUSPENSION**

THE VICE PRESIDENT FOR STUDENT AFFAIRS (OR DESIGNEE) OR THE VICE PRESIDENT FOR ACADEMIC AFFAIRS (OR DESIGNEE) MAY SUSPEND A STUDENT FROM THE UNIVERSITY PENDING PROCEEDINGS UNDER THE STUDENT CODE OR MEDICAL OR PSYCHOLOGICAL EVALUATION IF SUCH ACTION APPEARS NECESSARY TO PROTECT THE HEALTH OR WELL-BEING OF ANY MEMBER OF THE UNIVERSITY COMMUNITY OR TO PREVENT SERIOUS DISRUPTION OF THE ACADEMIC PROCESS. PRIOR TO OR CONTEMPORANEOUS WITH THE SUSPENSION, THE VICE PRESIDENT SHALL GIVE THE STUDENT WRITTEN NOTICE OF THE SUSPENSION SPECIFYING THE ALLEGED MISCONDUCT AND SETTING FORTH BRIEFLY THE RELEVANT FACTS AND SUPPORTING EVIDENCE. THE VICE PRESIDENT SHALL THEN PROVIDE THE STUDENT WITH AN OPPORTUNITY TO MEET WITH HIM/HER TO PRESENT THE STUDENT'S VIEWS AND OBJECT TO THE SUSPENSION. THIS MEETING SHALL TAKE PLACE PRIOR TO THE SUSPENSION TAKING EFFECT OR AS SOON AS POSSIBLE THEREAFTER. THE VICE PRESIDENT SHALL THEREAFTER IMMEDIATELY REFER THE COMPLAINT TO THE APPROPRIATE UNIVERSITY ADMINISTRATOR FOR PROCEEDINGS UNDER THE CODE. THE VICE PRESIDENT SHALL NOTIFY OTHER UNIVERSITY ADMINISTRATORS OF THE SUSPENSION AS APPROPRIATE.

### **C. OTHER UNIVERSITY PROCEEDINGS**

IF THE FILING OF A COMPLAINT OR AN APPEAL OF AN ACADEMIC ACTION UNDER THE STUDENT CODE RAISES OTHER ISSUES, E.G., SPONSORED RESEARCH MISCONDUCT OR EMPLOYMENT ISSUES, THE ASSOCIATE VICE PRESIDENT FOR ACADEMIC AFFAIRS, THE DEAN OF STUDENTS, AND THE

INVOLVED UNIVERSITY ADMINISTRATOR SHALL DETERMINE THE APPROPRIATE PROCEDURE(S) FOR PROCESSING THE COMPLAINT OR THE APPEAL.

## D. RETENTION OF RECORDS OF PROCEEDINGS

RECORDS OF PROCEEDINGS UNDER THE STUDENT CODE SHALL BE CONFIDENTIAL TO THE EXTENT PERMITTED BY LAW. RECORDS OF HEARINGS SHALL BE KEPT IN THE OFFICE OF THE DEAN OF STUDENTS.

## E. HOLDS

THE DEAN OF STUDENTS OR THE ASSOCIATE VICE PRESIDENT FOR ACADEMIC AFFAIRS MAY PLACE A HOLD ON THE STUDENT'S RECORDS PENDING THE RESOLUTION OF PROCEEDINGS UNDER THE STUDENT CODE.

## V. DEFINITIONS

AS USED IN THE STUDENT CODE:

A. "ACADEMIC ACTION" MEANS THE RECORDING OF A FINAL GRADE (INCLUDING CREDIT/NO CREDIT AND PASS/FAIL) IN A COURSE, ON A COMPREHENSIVE OR QUALIFYING EXAMINATION, ON A CULMINATING PROJECT, OR ON A DISSERTATION OR THESIS. IT ALSO INCLUDES A DECISION BY THE APPROPRIATE DEPARTMENT OR COLLEGE COMMITTEE TO PLACE A STUDENT ON ACADEMIC PROBATION, OR TO SUSPEND OR DISMISS A STUDENT FROM AN ACADEMIC PROGRAM BECAUSE THE STUDENT FAILED TO MEET THE RELEVANT ACADEMIC STANDARDS OF THE DISCIPLINE OR PROGRAM. ACADEMIC ACTION DOES NOT INCLUDE ACADEMIC SANCTIONS IMPOSED FOR ACADEMIC DISHONESTY OR FOR SPECIFIC VIOLATIONS OF PROFESSIONAL AND ETHICAL STANDARDS OF THE PROFESSION OR PROGRAM FOR WHICH THE STUDENT IS PREPARING.

B. "ACADEMIC DISHONESTY" INCLUDES, BUT IS NOT LIMITED TO, CHEATING, MISREPRESENTING ONE'S WORK, INAPPROPRIATELY COLLABORATING, PLAGIARISM, AND FABRICATION OR FALSIFICATION OF INFORMATION, AS DEFINED FURTHER BELOW. IT ALSO INCLUDES FACILITATING ACADEMIC DISHONESTY BY INTENTIONALLY HELPING OR ATTEMPTING TO HELP ANOTHER TO COMMIT AN ACT OF ACADEMIC DISHONESTY.

I. "CHEATING" INVOLVES THE UNAUTHORIZED POSSESSION OR USE OF INFORMATION, MATERIALS, NOTES, STUDY AIDS, OR OTHER DEVICES IN ANY ACADEMIC EXERCISE, OR THE UNAUTHORIZED COMMUNICATION WITH ANOTHER PERSON DURING SUCH AN EXERCISE. COMMON EXAMPLES OF CHEATING INCLUDE, BUT ARE NOT LIMITED TO, COPYING FROM ANOTHER STUDENT'S EXAMINATION; SUBMITTING WORK FOR AN IN-CLASS EXAM THAT HAS BEEN PREPARED IN ADVANCE; VIOLATING RULES GOVERNING THE ADMINISTRATION OF EXAMS; HAVING ANOTHER PERSON TAKE AN EXAM; ALTERING ONE'S WORK AFTER THE WORK HAS BEEN



RETURNED AND BEFORE RESUBMITTING IT; VIOLATING ANY RULES RELATING TO ACADEMIC CONDUCT OF A COURSE OR PROGRAM.

2. MISREPRESENTING ONE'S WORK INCLUDES, BUT IS NOT LIMITED TO, REPRESENTING MATERIAL PREPARED BY ANOTHER AS ONE'S OWN WORK; SUBMITTING THE SAME WORK IN MORE THAN ONE COURSE WITHOUT PRIOR PERMISSION OF BOTH FACULTY MEMBERS.

3. "PLAGIARISM" MEANS THE UNACKNOWLEDGED USE OR INCORPORATION OF ANY OTHER PERSON'S WORK IN, OR AS A BASIS FOR, ONE'S OWN WORK OFFERED FOR ACADEMIC CONSIDERATION OR CREDIT, OR FOR PUBLIC PRESENTATION. PLAGIARISM INCLUDES, BUT IS NOT LIMITED TO, REPRESENTING AS ONE'S OWN, WITHOUT ATTRIBUTION, ANY OTHER PERSON'S WORDS, PHRASING, IDEAS, SEQUENCE OF IDEAS, INFORMATION OR ANY OTHER MODE OR CONTENT OF EXPRESSION. IT DOES NOT INCLUDE HONEST ERROR.

4. "FABRICATION OR FALSIFICATION" INCLUDES REPORTING EXPERIMENTS OR MEASUREMENTS OR STATISTICAL ANALYSES NEVER PERFORMED; MANIPULATING OR ALTERING DATA OR OTHER MANIFESTATIONS OF RESEARCH TO ACHIEVE A DESIRED RESULT; FALSIFYING OR MISREPRESENTING BACKGROUND INFORMATION, CREDENTIALS OR OTHER ACADEMICALLY RELEVANT INFORMATION; AND SELECTIVE REPORTING, INCLUDING THE DELIBERATE SUPPRESSION OF CONFLICTING OR UNWANTED DATA. IT DOES NOT INCLUDE HONEST ERROR OR HONEST DIFFERENCES IN INTERPRETATIONS OR JUDGMENTS OF DATA AND/OR RESULTS.

C. "ACADEMIC MISCONDUCT" INCLUDES ACADEMIC DISHONESTY, VIOLATIONS OF THE PROFESSIONAL OR ETHICAL STANDARDS FOR THE PROFESSION OR DISCIPLINE FOR WHICH THE STUDENT IS PREPARING OR OTHER SPECIFIC MISCONDUCT THAT DEMONSTRATES UNFITNESS FOR SUCH PROFESSION OR DISCIPLINE.

D. "ACADEMIC SANCTION" MEANS A SANCTION IMPOSED ON A STUDENT FOR ENGAGING IN ACADEMIC MISCONDUCT. IT MAY INCLUDE, BUT IS NOT LIMITED TO, REQUIRING A STUDENT TO RETAKE AN EXAM(S) OR REWRITE A PAPER(S), A GRADE REDUCTION, A FAILING GRADE, SUSPENSION OR DISMISSAL FROM THE PROGRAM OR THE UNIVERSITY. IT MAY ALSO INCLUDE NOTIFICATION OF THE APPROPRIATE PROFESSIONAL OR LICENSING BODY OF THE PROFESSION OR DISCIPLINE FOR WHICH THE STUDENT IS PREPARING.

E. "ARBITRARY AND CAPRICIOUS" MEANS THAT THERE WAS NO PRINCIPLED BASIS FOR THE ACADEMIC ACTION.

F. "DEPARTMENT" MEANS AN ACADEMIC UNIT, DEPARTMENT, COLLEGE OR SCHOOL, WHICHEVER IS THE SMALLER ACADEMIC UNIT OF ORGANIZATION.

G. "FACULTY" OR "FACULTY MEMBER" REFERS TO AN INDIVIDUAL WHO TEACHES OR CONDUCTS RESEARCH AT OR UNDER THE AUSPICES OF THE UNIVERSITY AND INCLUDES GRADUATE STUDENTS WITH TEACHING RESPONSIBILITIES AND OTHER INSTRUCTIONAL PERSONNEL. IT ALSO REFERS TO THE CHAIR OF A FACULTY COMMITTEE THAT HAS ASSESSED AN ACADEMIC ACTION.

H. "NOTIFICATION" REFERS TO THE DATE OF DELIVERY IF NOTIFICATION IS DELIVERED PERSONALLY OR TEN (10) WORKING DAYS AFTER THE TIME OF POSTMARK IF THE NOTIFICATION IS MAILED BY U.S. MAIL. IN THE CASE OF GRADES, NOTIFICATION REFERS TO THE DATE THE GRADES ARE AVAILABLE ON THE WORLD WIDE WEB.

I. "STAFF MEMBER" REFERS TO A PERSON OTHER THAN A FACULTY MEMBER WHO RECEIVES COMPENSATION FOR WORK OR SERVICES FROM FUNDS CONTROLLED BY THE UNIVERSITY, REGARDLESS OF THE SOURCE OF FUNDS, THE DUTIES OF THE POSITION, OR THE AMOUNT OF COMPENSATION PAID.

J. "STUDENT" REFERS TO A PERSON MATRICULATED AND/OR REGISTERED IN ANY CLASS OR PROGRAM OF INSTRUCTION OR TRAINING OFFERED BY THE UNIVERSITY AT ANY LEVEL, WHETHER OR NOT FOR CREDIT.

K. "UNIVERSITY" MEANS THE UNIVERSITY OF UTAH AND ALL OF ITS UNDERGRADUATE, GRADUATE AND PROFESSIONAL SCHOOLS, DIVISIONS AND PROGRAMS.

L. "UNIVERSITY ACTIVITY" MEANS ANY TEACHING, RESEARCH, SERVICE, ADMINISTRATIVE OR OTHER FUNCTION, PROCEEDING, CEREMONY, PROGRAM OR ACTIVITY CONDUCTED UNDER THE AUSPICES OF THE UNIVERSITY.

M. "UNIVERSITY PREMISES" MEANS THE UNIVERSITY CAMPUS AND ANY OTHER PROPERTY, BUILDING OR FACILITY OWNED, OPERATED OR CONTROLLED BY THE UNIVERSITY.

## VI. STUDENT RECORDS

### A. GENERAL

THE PRIVACY AND CONFIDENTIALITY OF ALL STUDENT RECORDS SHALL BE PRESERVED AS OUTLINED IN THE PRIVACY RIGHTS OF PARENTS AND STUDENTS ACT (SEC. 438, GENERAL EDUCATION PROVISIONS ACT, TITLE IV OF PUBLIC LAW 90-247 AS AMENDED) AND THE UTAH INFORMATION PRACTICES ACT (UTAH CODE ANN. 63-50-1 ET SEQ.). UNIVERSITY INTERPRETATION OF THE PRIVACY RIGHTS OF PARENTS AND STUDENTS AS IT PERTAINS TO UNIVERSITY OF UTAH STUDENTS IS AVAILABLE FROM THE OFFICE OF THE VICE PRESIDENT FOR STUDENT AFFAIRS.

OFFICIAL STUDENT RECORDS SHALL BE MAINTAINED ONLY BY MEMBERS OF THE UNIVERSITY STAFF EMPLOYED FOR THAT PURPOSE. SEPARATE RECORD FILES MAY BE MAINTAINED UNDER THE FOLLOWING CATEGORIES: (I) ACADEMIC, ACADEMIC COUNSELING, FINANCIAL AID, AND PLACEMENT; (II) DISCIPLINARY; (III) MEDICAL, PSYCHIATRIC, AND HEALTH COUNSELING. WHEN JUSTIFIED BY LEGITIMATE LAW ENFORCEMENT NEEDS, THE CAMPUS SECURITY AGENCY MAY MAINTAIN CONFIDENTIAL RECORDS RELATING PRIMARILY TO ITS INVESTIGATIVE FUNCTION.

## **B. ACCESS TO AND CHALLENGE OF ACCURACY OF RECORDS**

ACCESS TO THE STUDENT'S OFFICIAL RECORDS AND FILES IS GUARANTEED EVERY STUDENT SUBJECT TO THE LIMITATIONS SET FORTH IN THE PRIVACY RIGHTS OF PARENTS AND STUDENT ACT (SEC. 438, GENERAL EDUCATION PROVISIONS ACT, TITLE IV OF PUBLIC LAW 90-247 AS AMENDED), AND UTAH INFORMATION PRACTICES ACT (UTAH CODE ANN. 63-50-1 ET SEQ.).

STUDENTS WITH COMPLAINTS, INQUIRIES, OR REQUESTS FOR REVIEW OF OFFICIAL RECORDS ARE DIRECTED TO THE VICE PRESIDENT FOR STUDENT AFFAIRS.

## **C. MATTER PROHIBITED IN OFFICIAL RECORDS**

EXCEPT AS REQUIRED BY LAW OR GOVERNMENTAL REGULATIONS OR AS AUTHORIZED BY WRITTEN CONSENT OF THE STUDENT INVOLVED, OFFICIAL STUDENT RECORDS WILL NOT CONTAIN INFORMATION REGARDING A STUDENT'S RACE, RELIGION, POLITICAL OPINIONS, SOCIAL OPINIONS, OR MEMBERSHIP IN ANY ORGANIZATIONS OTHER THAN HONORARY AND PROFESSIONAL ORGANIZATIONS DIRECTLY RELATED TO THE EDUCATIONAL PROCESS. EXCEPT AS REQUIRED BY LAW OR APPLICABLE GOVERNMENTAL OR UNIVERSITY REGULATIONS, INFORMATION REGARDING MARITAL STATUS SHALL NOT BE INCLUDED IN THE OFFICIAL STUDENT RECORDS OF ANY STUDENT WHO HAS FILED A WRITTEN OBJECTION TO THE INCLUSION OF THAT INFORMATION IN HIS/HER RECORDS AND HAS NOT FILED A SUBSEQUENT WRITTEN REVOCATION THEREOF.

## **D. OFFICIAL DISCIPLINARY RECORDS**

RECORDS OF DISCIPLINARY ACTION TAKEN BY THE STUDENT BEHAVIOR COMMITTEE OR BY ANY AUTHORIZED OFFICIAL OF THE UNIVERSITY SHALL BE MAINTAINED IN THE OFFICE OF THE VICE PRESIDENT FOR STUDENT AFFAIRS. NO RECORDS OF DISCIPLINARY ACTION SHALL BE ENTERED OR MADE ON THE STUDENT'S ACADEMIC RECORDS EXCEPT WHEN THE STUDENT IS EXPELLED OR DURING THE PERIOD OF SUSPENSION. IN A CASE OF EXPULSION OR SUSPENSION, THE ENTRY IN THE RECORD OF THE STUDENT SHALL MERELY STATE "EXPELLED (OR SUSPENDED) PURSUANT TO ACTION OF THE STUDENT BEHAVIOR COMMITTEE (OR A DESIGNATED UNIVERSITY OFFICIAL)" AND THE DATE OF SUCH ACTION. UPON THE EXPIRATION OF ANY PERIOD OF SUSPENSION, THE ENTRY WITH RESPECT THERETO SHALL BE ENTIRELY REMOVED FROM THE STUDENT'S ACADEMIC RECORD. THE DISCIPLINARY RECORDS IN THE OFFICE OF VICE PRESIDENT FOR STUDENT AFFAIRS, OTHER THAN RECORDS PERTAINING TO STUDENTS EXPELLED FROM THE UNIVERSITY AND RECORDS IN THE OFFICE OF PUBLIC SAFETY, SHALL BE PERIODICALLY DESTROYED TO ASSURE

THAT SUCH RECORDS ARE NOT MAINTAINED FOR MORE THAN FIVE YEARS AFTER SUCH STUDENTS COMPLETE THEIR WORK AT THE UNIVERSITY OR TRANSFER OR WITHDRAW FROM THE UNIVERSITY.

## E. CONFIDENTIAL CHARACTER OF EDUCATION RECORDS

THE UNIVERSITY MUST CONFORM TO THE REQUIREMENTS OF THE STATUTES REFERRED TO IN SECTION A. "GENERAL" AND SECTION B. "ACCESS TO AND CHALLENGE OF ACCURACY OF RECORDS" FORBIDDING THE RELEASE OF PERSONALLY IDENTIFIABLE STUDENT EDUCATION RECORDS OR FILES, OR PERSONAL INFORMATION CONTAINED THEREIN, WITHOUT THE WRITTEN CONSENT OF THE STUDENT. SUBJECT TO APPLICABLE LEGAL REQUIREMENTS, IT IS THE POLICY OF THE UNIVERSITY THAT:

1. MEMBERS OF THE ADMINISTRATION AND THE INSTRUCTIONAL STAFF WILL HAVE ACCESS TO EDUCATION RECORDS OF INDIVIDUAL STUDENTS FOR LEGITIMATE PURPOSES SUCH A STUDENT ADVISING, ADMINISTRATIVE PLANNING AND STATISTICAL REPORTING.

2. DIRECTORY INFORMATION, DEFINED AS THE STUDENT'S NAME, ADDRESS, TELEPHONE NUMBER, DATE AND PLACE OF BIRTH, MAJOR FIELD OF STUDY, PARTICIPATION IN OFFICIALLY RECOGNIZED ACTIVITIES OR SPORTS, WEIGHT AND HEIGHT OF MEMBERS OF ATHLETIC TEAMS, DATES OF ATTENDANCE, DEGREES AND AWARDS RECEIVED, THE MOST RECENT PREVIOUS EDUCATIONAL AGENCY OR INSTITUTION ATTENDED BY THE STUDENT, CURRENT SEMESTER CLASS SCHEDULE, AND OTHER SIMILAR INFORMATION MAY BE DISCLOSED TO AN INQUIRER UNLESS THE STUDENT SPECIFICALLY WITHHOLDS PERMISSION TO DO SO.

3. AUTHORIZED REPRESENTATIVES OF FEDERAL AND STATE GOVERNMENTS MAY HAVE ACCESS TO STUDENT EDUCATION RECORDS TO THE EXTENT NECESSARY FOR AUDIT AND EVALUATION OF FEDERALLY SUPPORTED EDUCATION PROGRAMS OR OF COMPLIANCE WITH FEDERAL LEGAL REQUIREMENTS RELATING TO SUCH PROGRAMS, AND SUBJECT TO THE LIMITATION THAT PERSONALLY IDENTIFIABLE DATA SHALL NOT BE DISCLOSED EXCEPT TO THE EXTENT SPECIFICALLY AUTHORIZED BY FEDERAL LAW.

4. THE RIGHTS OF ACCESS TO A STUDENT'S EDUCATION RECORDS WITHOUT THE CONSENT OF THE STUDENT IS NOT EXTENDED TO THE PARENTS OF THE STUDENT UNLESS THE STUDENT HAS BEEN ESTABLISHED AS A "DEPENDENT" AS DEFINED IN SECTION 152 OF THE INTERNAL REVENUE CODE OF 1954.

5. RECORDS CREATED OR MAINTAINED BY A PHYSICIAN, PSYCHOLOGIST, OR OTHER RECOGNIZED PROFESSIONAL OR PARA-PROFESSIONAL ACTING IN THAT CAPACITY, WHICH ARE CREATED, MAINTAINED, AND USED ONLY IN CONNECTION WITH TREATMENT OF A STUDENT ARE NOT AVAILABLE FOR REVIEW EXCEPT BY AN

APPROPRIATE PROFESSIONAL OF THE STUDENT'S CHOICE, OR IN COMPLIANCE WITH AN ORDER FROM A COURT OF COMPETENT JURISDICTION.

## **F. TREATMENT OF OFFICIAL RECORDS FOLLOWING GRADUATION OR WITHDRAWAL**

UPON GRADUATION OR WITHDRAWAL FROM THE UNIVERSITY, THE OFFICIAL RECORDS OF FORMER STUDENTS SHALL CONTINUE TO BE SUBJECT TO THE PROVISIONS OF THIS CODE.

APPROVED: ACADEMIC SENATE JUNE 2, 1997

APPROVED: BOARD OF TRUSTEES JULY 14, 1997

M03

1. IF THE ACADEMIC ACTION RESULTS FROM A DECISION OF A COMMITTEE, I.E., THE PROMOTIONS COMMITTEE OF THE SCHOOL OF MEDICINE, THE CHAIR OF THE COMMITTEE IS THE "FACULTY MEMBER" FOR PURPOSES OF THESE PROCEDURES.
2. IN COLLEGES WITHOUT DEPARTMENTS, THE STUDENT SHALL APPEAL IN WRITING TO AND CONSULT WITH THE DEAN OF THE COLLEGE. THE DEAN IS THEN THE "CHAIR" FOR PURPOSES OF THESE PROCEDURES.
3. STUDENTS IN THE SCHOOL OF MEDICINE MAY APPEAL THE CHAIR'S DECISION TO THE RELEVANT PROMOTIONS COMMITTEE OF THE SCHOOL OF MEDICINE WITHIN FIFTEEN (15) WORKING DAYS OF NOTIFICATION OF THE CHAIR'S DECISION. WITHIN FIFTEEN (15) WORKING DAYS OF NOTIFICATION OF THE PROMOTIONS COMMITTEE'S DECISION, THE STUDENT MAY APPEAL TO THE SCHOOL OF MEDICINE'S ACADEMIC APPEALS COMMITTEE IN ACCORDANCE WITH SECTION I.B.6, BELOW.
4. IN COLLEGES WITHOUT DEPARTMENTS, THE FACULTY MEMBER SHALL NOTIFY THE DEAN OF THE COLLEGE. THE DEAN IS THEN THE "CHAIR" FOR PURPOSES OF THESE PROCEDURES.
5. THE COLLEGE MAY HAVE ONE COMMITTEE SERVE AS BOTH THE ACADEMIC APPEALS COMMITTEE AND THE ACADEMIC MISCONDUCT COMMITTEE. MOREOVER, A DEPARTMENT MAY ESTABLISH A DEPARTMENTAL ACADEMIC MISCONDUCT COMMITTEE IN LIEU OF THE COLLEGE ACADEMIC MISCONDUCT COMMITTEE TO HEAR ALLEGATIONS OF VIOLATIONS OF PROFESSIONAL OR ETHICAL STANDARDS OR OTHER SPECIFIC MISCONDUCT THAT DEMONSTRATES UNFITNESS FOR SUCH PROFESSION OR DISCIPLINE BY STUDENTS IN THE DEPARTMENT (OR PROFESSIONAL PROGRAM WITHIN THE DEPARTMENT) WHEN SUCH DEPARTMENTAL COMMITTEE IS NECESSARY TO COMPLY WITH ACCREDITATION OR LICENSING STANDARDS. THE DEPARTMENTAL COMMITTEE SHALL BE COMPOSED OF TWO FACULTY MEMBERS AND TWO STUDENTS FROM THE DEPARTMENT (OR PROFESSIONAL PROGRAM WITHIN THE DEPARTMENT) AND ONE FACULTY MEMBER FROM OUTSIDE THE DEPARTMENT. HEARINGS BY THE DEPARTMENTAL COMMITTEE SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED IN SECTION D FOR THE COLLEGE ACADEMIC APPEALS COMMITTEE. ANY PARTY MAY APPEAL A DECISION BY THE DEPARTMENTAL COMMITTEE TO THE DEAN OF THE COLLEGE AND THEN TO THE COGNIZANT VICE PRESIDENT IN ACCORDANCE WITH D.6 AND D.7, BELOW.
6. COLLEGES OR DEPARTMENTS OFFERING ONLY GRADUATE PROGRAMS MAY APPOINT ONLY GRADUATE

STUDENT MEMBERS.

7. THE PARTIES TO AN APPEAL BEFORE THE ACADEMIC APPEALS COMMITTEE ARE THE STUDENT, THE FACULTY MEMBER AND THE CHAIR. THE PARTIES TO AN APPEAL BEFORE THE ACADEMIC MISCONDUCT COMMITTEE ARE THE STUDENT AND THE ACADEMIC ADMINISTRATOR.

8. SEXUAL HARASSMENT IS DEFINED IN POLICY AND PROCEDURES 5-210. ALLEGATIONS OF SEXUAL HARASSMENT WILL BE HANDLED BY OEO/AA IN ACCORDANCE WITH POLICY AND PROCEDURES 5-210.

OUTDATED