SECTION 2: CONDUCT REGULATIONS AND PROCEDURES

2-3 AUTHORITY

1. Authority for Student Discipline is derived from the President, who has delegated authority to the VPSA. The VPSA further delegates authority to SSCA’s, who administer the policies, procedural rules, and programs for student discipline hearings consistent with provisions of the Code and University and SBHE policies.

2. The VPSA delegates to the Dean of Students primary authority and responsibility for the administration of student discipline, and who is appointed as a SSCA. The VPSA may also delegate authority to the Director of Residence Services the status of SSCA.

3. The VPSA shall answer any question of interpretation or application of the Code.

4. The SRC is a Vice-Presidential committee established to assist in the discipline of students. It is the highest student disciplinary body of the University, having the authority to suspend a student and/or student organization. See Appendix VII.

5. SSCA’s shall appoint SCA’s.

6. Jurisdiction

The University’s Code shall apply to conduct that occurs on University premises, at University-sponsored activities, and to off-campus conduct that adversely affects the University Community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Code shall apply to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending. The Dean of Students, or designee, shall decide whether the Code shall be applied to conduct occurring off campus, on a case by case basis, in her/his sole discretion.

7. University Response to Alleged Criminal Activity by Students

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both criminal law and the 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, criminal arrest, or prosecution. Proceedings under the Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of Vice President for Student Affairs, or designee.

Determinations made or sanctions imposed under the 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 offender.

8. Policy Development Authority in University Residences

A. The Director of Residence Services is responsible for the total operations of residence halls and university apartments. The Housing Staff is responsible for providing a residence community which is conducive to the academic environment of the overall campus.
B. Residence Hall Government and Policy Development

1. Residence policies are clarified by the appropriate channels through the Housing Office and are subject to the review and the approval of the Vice President for Student Affairs and the President.

2. The occupants of each residence hall, by merit of paying ARH Fees, are members of their respective hall government and of the Association of Residence Halls (ARH).

3. ARH may recommend or endorse rules governing life within the residence hall. Proposed rules endorsed by various hall governments may be considered by ARH.

4. Recommended rules endorsed by ARH are subject to approval. For proposed Residence Hall specific rules, approval may be granted by the Director of the Department of Residence Services, or designee. For proposed rules change having Code implications, a recommendations shall be delivered to the Dean of Students for review, and at his/her discretion such proposals may be referred to the Student Policy Committee (see Section 6-10) for consideration.

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