

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE
CODE OF STUDENT CONDUCT

Number 03.03.05
Division Student Affairs - Dean of Students
Date August 7, 2019 U H Y L V H G 6 H S W H P E H U
Purpose To update and standardize the Student Code of Conduct.
Policy Code of Student Conduct

ARTICLE I - PREAMBLE
ARTICLE II - CONDUCT AUTHORITY
ARTICLE III - TERMINOLOGY AND DEFINITIONS
ARTICLE IV - STUDENT AND ORGANIZATION RESPONSIBILITIES
ARTICLE V - PROHIBITED CONDUCT
ARTICLE VI - CONDUCT INCIDENT REVIEW PROCEDURES
ARTICLE VII - AMNESTY FOR PERSONAL INGESTION OF ALCOHOL OR
OTHER DRUGS
ARTICLE VIII ²

ARTICLE I - PREAMBLE
The University of Alabama in Huntsville has established through the University
Creed, and institutional Mission and Core Values specific areas that we value
and focus on for the empowerment of students and for the purpose of our
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Section 1: Offenses within Scholarship and Integrity

The most proven way to uphold academic standards and to ensure the value of education is to at all times expect the most from the student scholar. Each time academic standards are compromised it weakens the value of scholarly efforts and the knowledge gained. It diminishes the integrity of a UAH degree. In



to control the participation of a selected adviser at any point in the

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accepts the outcome of the Informal Review Meeting, the next steps are to comply with any action plan/status by the specified date and verify with the Conduct Administrator that proof has been provided that requirements DUH FRP SCHWIKHSR QGH FVDFORVHG 25

To not accept the findings and/or action plan/status. If the respondent does not accept the findings, the respondent shall complete the request for a Formal Review Process (link included in outcome letter) within five business day of receiving the original Outcome Letter from the Conduct Administrator. Failure to complete the request within (5) business days will forfeit his/her right of Non-Acceptance. The respondent will then be held responsible for the findings in the case and completing all action plans and/or status. If the respondent accepts the findings, he/she can appeal the action plan and/or status severity (see Appeal Process section).

Formal Review Process by Conduct Review Panel

The Formal Review process allows the respondent to present their case to a Conduct Panel, composed of faculty and staff members who are trained on the Review process, investigation, questioning, and decisions in regards to findings, action plans, and/or status of a student in the outcome of a Review.

Panel Conflict of interest:

No member of the Conduct Review Board may hear a case if the member is closely associated personally or professionally with the respondent, the reporting party, the complainant, or any other relevant party. A Conduct Board member is expected to raise the issue of stepping down whenever any potential reason for disqualification becomes known.

Conduct Review Meeting Timeline:

At the request of the respondent, a Formal Conduct Review Meeting will be scheduled by the Conduct Administrator. The Conduct Administrator will operate with the following timeline:

Within three (3) business days of requesting a Formal Conduct Review Meeting the respondent will receive any and all evidence, including a list of witnesses that will be presented during the Formal Conduct Review Meeting.

The respondent will be notified at least five (5) business days prior to the

Or, if the respondent accepts responsibility but does not accept action plan/status, the appeal is referred to the Dean of Students.

If the respondent is found responsible and does not accept responsibility, the issue moves to a formal conduct process.

In the formal conduct process, if the respondent is found not responsible, the proceeding concludes.

If the respondent is found responsible, and the respondent does not accept responsibility, the appeal is referred to the Dean of Students.

Appeal Process

The respondent may appeal the finding of the Conduct Review Panel or the action plan and/or status imposed, to the Dean of Students.

Standards for Appeal:

Failure to receive the due process required by law.

Severity of the action plan and/or status.

New material or information that could not be discovered at the time of the review process.

Decision is arbitrary and capricious and there is no evidence to support the decision.

Process for Appeals:

All appeals must be submitted to the Dean of Students for consideration in the form of a letter within five (5) business days of the date the original Outcome Letter is received. All appeals must specify the basis for the appeal. All sanctions of expulsion will be automatically appealed to the Dean of Students. If a respondent wishes to appeal the initial appeal decision, that appeal is to the next highest administrative authority and is final.

The burden of proof for the appeal rests with the respondent.

7 K W X G H Q M P N Status will remain unchanged pending the appeal determination by the Dean of Students, except where the Dean of Students, determines that the safety, health or general welfare of the student or the University community is involved.

After considering the appeal, the Dean of Students may reopen the case, order a new hearing with the same or new Conduct Review Panel, uphold the prior decision and/or revise the action plan and/or status.

The Dean of Students shall provide the respondent written notice of their decision within five (5) business days.

The appeal determination of the Dean of Students is final and binding on all parties. There are no further appeals within the University except in cases where the status of suspension or expulsion has been imposed, in which case, an appeal can be heard by the Vice President for Student Affairs.

In cases of Sexual Misconduct or Sexual Violence, where the Dean of Students has served as the Title IX investigator, appeals will be decided by the Vice President for Student Affairs.

Emergency Interim Procedures

The Dean of Students or Vice President for Student Affairs has the authority to take appropriate immediate action against a student who poses a significant

danger of imminent or serious physical harm to themselves or others at the University, or where the Dean of Students or Vice President for Student Affairs determines that an emergency exists which affects the health, safety, or welfare of a student or the University community or in compliance with University policies and procedures related to sexual misconduct or sexual violence.

Emergency and Interim Measures include but are not limited to, one or more of the following:

Interim Suspension. A student under interim suspension may not attend classes, may not be on or come onto University property, may not participate in any University activities or organizations, and may not use University facilities, equipment, or resources.

Interim Suspension from University Housing. A student under interim suspension from University Housing may not reside in University Housing and may not come into University Housing facilities and/or adjacent areas of University Housing.

If the Dean of Students or Vice President for Students Affairs determines that other interim measures are more appropriate to protect the health, safety, or welfare of the student or the University community, the Dean of Students may:

- restrict or bar attendance of any or all classes
- restrict or bar access or contact with individuals;
- restrict or bar access to University property, places, facilities, or equipment;
- restrict or ban participation in University activities or organizations;
- or
- otherwise restrict or ban access to University resources or privileges.

If the Dean of Students or Vice President for Student Affairs determines that other interim measures are more appropriate to protect the health, safety, or welfare of the student who has been victimized, the Dean of Students or Vice President for Student Affairs may:

- request changes be made to an academic schedule at the request of the victim, or
- request changes be made to living arrangements at the request of the victim.

admission status.

Action Plan

The University of Alabama in Huntsville acknowledges that the student conduct process is one of education. Once a student is involved in the student conduct process and if he/she is found responsible for a violation of the Code of Student Conduct and issued educational action plans for transformative learning, the goal is for the student to complete his/her action plan as timely as possible and move forward with his/her academic and personal pursuits.

Any of these corrective initiatives may be assigned as a result of a student or student organization being found responsible for violating the Code of Student Conduct. Action Plans may be imposed independently or in combination with others. Action Plans can be assigned to an individual student, groups of students, or student organizations and annotated accordingly in the appropriate department and records.

The following are plans adopted by the University broken into two categories ± Status and Action:

Status

Warning: A finding that the behavior violated a community standard and a written or verbal warning was issued to the student or student organization that any repetition of the behavior will result in more severe disciplinary action.

Probation: A trial period during which a student or student organization must behave in a manner acceptable to the University. Under the status of disciplinary probation, a student is encouraged to seek advice and guidance from appropriate W* n BT /TT0 13.

of misconduct will result in additional suspension periods, dismissal, or expulsion. Additionally, the failure to observe the terms and conditions of a suspension may cause the extension of the suspension period or in further disciplinary action.

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disciplinary suspension I R U W C W L U H B M U K D W X G Q Q W ¶ V
suspension. Lastly, upon completion of the period of suspension and fulfillment of all conduct sanctions, the student must comply with all academic admission standards then in effect in order to re-register.

Deferred Suspension: This sanction is a suspension that is delayed pending specified behavioral performance. A definite period of observation and review occurs during deferred suspension. If a student is again found responsible of violating the Code of Student Conduct, the suspension will take place immediately without appeal.

Expulsion: The permanent loss of the privilege of registration, class attendance, and residence in University owned or managed housing. The privilege of the use of University facilities or property is also4 61o8(an)hcs dubyards ic(r)-3 (a)13 (t)-4 (i)5 (on)3A on

Loss of Privilege: The withdrawal of a privilege, use of a service, participation in a program, event, or activity for a specific period of time. The loss of privilege may prohibit a student or student organization from participating in co-curricular or athletic activities, continuing a degree program, and/or prohibit a student from enrolling in a class or classes. This sanction may be imposed separately or in addition to any other sanction(s).

Termination of Recognition: An order terminating University recognition of a registered student organization for a specific or indefinite period of time.

No Contact Order: No contact orders are designed so that students or student organizations involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no contact orders are not to contact each

and/or illegal drug use.
