STUDENT CODE OF CONDUCT

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1.10 Prohibited Conduct

Behaviors or attempted behaviors that are considered violations of the Student Code of Conduct and are subject to adjudication and disciplinary sanctions by the Office of Student Conduct.

1.11 Cause

Whether there are articulable facts and circumstances that, if true, would amount to conduct in violation of the Student Code of Conduct, and the student or recognized student organization alleged is

hear Non-Separation Level cases (cases where suspension or expulsion from the university is not a potential sanction) which have been referred by the OSC. Members of the SCHB are also selected for the Appeal Board, or Title IX Policy Hearing Boards, which respectively consist of separate three-member boards drawn from the full membership of the SCHB.

1.19 Witness

Refers to an individual who may have information relevant to a report of prohibited conduct. A witness may be a university student, faculty member, employee, or third-party.

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2. OFFICES AND ROLES

The following describes the roles of various university offices and functions pertaining to Iowa State University's Student Code of Conduct. These conduct officials and bodies are not designed to and should not be expected to function as courts of law. The process is designed to address all matters with regard to the individual circumstances while ensuring due process and striving for fairness and reasonableness in all considerations.

2.1 Board of Regents, State of Iowa

The Board of Regents, State of Iowa, governs the Regent universities, including Iowa State University. Persons who have exhausted their appeal rights within Iowa State University may appeal to the Board of Regents. Regent policies and rules govern such appeals.

2.2 President

The Board of Regents has delegated to the President of Iowa State University general authority over the university. Responsibility for student conduct has been delegated to the Senior Vice President for Student Affairs.

2.3 Senior Vice President for Student Affairs

The Senior Vice President for Student Affairs is the chief administrative officer responsible for the Student Code of Conduct. The Senior Vice President may review and modify sanctions determined by an appeal board to be outside the university's sanction range for the violation and/or not justified based on the totality of the circumstances. The Senior Vice President's action on appeal will be the final decision of the university, subject to an appeal to the Board of Regents.

2.4 Dean of Students

The Dean of Students has supervising authority of the Director of the Office of Student Conduct. The

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3. STUDENT CODE OF CONDUCT STANDARDS

The following general standards apply to the Student Code of Conduct.

3.1 Accommodations

Students requesting accommodations for the disciplinary process should alert the OSC staff member administering the matter as soon as possible, as applicable deadlines may be reasonably extended to ensure adequate time for assessment through the Student Accessibility Services (SAS) interactive process. SAS, a unit in the Dean of Students Office, i beff ef.3 (t A)1a-3.2 (h)-0.7 (r)1A /H31D[ad)6.6 (()11.5131)-3.7 (0)[7)-

3.6 Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) A student disciplinary record is an educational record. More information regarding FERPA can be found here: https://www.registrar.iastate.edu/policies.

3.7

3) RSO leadership (formal or informal) has knowledge of or reasonably should have had the knowledge of the act or incident before or while it occurs and fails to take corrective action;
4) The incident occurs at a facility, on or off campus, which is owned, leased, rented, or used by the RSO.

If an RSO is affiliated with a national or international organization, the Office of Student Conduct may notify the inter/national office at any time. The Office of Student Conduct and/or notifying office may attempt to work in partnership with the inter/national office.

3.9 Seriousness of Violations

A violation of the Student Code of Conduct may be regarded as more serious if:

1) The conduct involves threatened or actual physical injury to another person, or endangers other persons;
2) The conduct is willful or intentional;
3) The conduct results in, contributes to or enhances the severity of a public disorder, group violence, riot, or a mass disturbance;
4) The conduct involves interference with safety officials (e.g., police, fire, and emergency medical responders) in the performance of their work;
5) The conduct involves the use of drugs, alcohol, or medicine to incapacitate a student's ability to give consent to participate in an activity;
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As the University's proceedings are administrative and not legal proceedings, the University may use the information available from complainants and third party sources, such as law enforcement agencies, the
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3.14 Alternative Resolution Programs

The Office of Student Conduct may offer options for an alternative resolution process for certain low-level and/or first-time allegations involving individual students, as determined appropriate. In appropriate cases, completion of an alternative resolution program (e.g., an appropriate rehabilitation program) may not result in a formal disciplinary record but would still generate an educational record subject to applicable privacy laws and policies.

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4. STUDENT RIGHTS AND RESPONSIBILITIES

Students have certain rights as members of the university community in addition to those constitutional and statutory rights and privileges provided by the State of Iowa and the United States of Am.6 (a)87 (t)43 (s)-1.3 (4v/H(.

5.7 Discrimination

Discrimination is governed by the university's comprehensive Discrimination and Harassment Policy. Nothing in these regulations shall be read to contradict or supersede that policy with respect to discrimination.

5.8 Disruptive Activity

Disruption or obstruction of teaching, research, administration, or other University activities (including public-service functions on or off campus) or of other authorized non-University activities when conduct

Willful and/or reckless creation of a fire hazard or fire;
Tampering with,

Improper actions of identification or falsification may include but are not limited to:

Providing inaccurate identifying information to authorized officials with reason to request such information;

Allowing another person to use identifying information of a different person for the purpose of accessing university services or misleading authorized officials;

Tampering with or falsifying official records, documents, identification cards;

Providing, procuring, or attempting to procure, false information or evidence in any university or administrative process; or

Forgery.

5.19 Misuse of Keys or Access Cards

The unauthorized possession, duplication, or use of keys or cards that permit access to any university or university-related services, vehicles, or premises, including university housing and housing or premises affiliated with recognized student organizations.

5.20 Misuse of Technology Resources

Students and student organizations are subject to ISU's Acceptable Use of Information Technology Resources policy. See Resources below. Eogy

5.29 Unauthorized Entry or Use of Space

Unauthorized or attempted unauthorized entry, occupation or use of any leased or university-owned or controlled property, equipment, or facilities. Examples of this conduct include, but are not limited to, the unauthorized entry into or occupation of any University room, building, or area of the campus, including such entry or occupation at any unauthorized time, or any unauthorized or improper use of any University property, equipment, or facilities. It is a violation to enter restricted areas of the university such as restricted research areas, restricted or closed offices, and utility tunnels. Refusal to leave a space at the request of a University official is considered prohibited conduct. Assisting another individual to enter a restricted area without authorization is prohibited.

5.30 Violation of Department of Residence Regulations

Prohibited conduct, as noted in this policy, that is also a violation of the Department of Residence behavioral / conduct regulations and policies.

5.31 Violation of other University Regulations or Policies

Violation of any Iowa State University policy, rule, or regulation published in the Policy Library subject to disciplinary action.

5.32 Violation of Regents Uniform Rules of Personal Conduct

The Board of Regents, State of Iowa, has adopted Uniform Rules of Personal Conduct applicable to the public universities under their jurisdiction. See 681 IAC §9.1. A violation of the Uniform Rules of Personal Conduct is also a violation of this Student Code of Conduct.

5.33 Violation of Study Abroad Regulations

Students who participate in an ISU Study Abroad Program are subject to the full extent of the Student Code of Conduct as well as the following additional rules and regulations:

Rules and regulations adopted by the ISU Study Abroad Center and provided to each student in the Study Abroad Code of Conduct (see Resources below);

The laws of the host country in which the student is traveling or living; and

The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying.

5.34 Criminal Conduct

Iowa State University expects students to conduct themselves in accordance with city, state, and federal law. It is a violation of the Student Code of Conduct for a student or a RSO to engage in criminal conduct (including violations of court protective orders) that affects a clear and distinct interest of the university.

In initiating an investigation, the OSC will review information provided by the faculty / instructor. Pursuant to the referral template, the information provided should include a description of the incident, summary and documentation of any interactions with a student regarding the incident, and all documentation relevant to the case. This might include scans or copies of the work/assignment/paper/assessment in question, generated plagiarism reports with links to or copies of plagiarized content, pictures or other forms of documentation supporting academic misconduct, syllabi and instructions, examples of other students work (where applicable, as supporting evidence), and any other documentation or summary of communication with others that may lend support for the allegations. Information on other students reporting or otherwise involved in an allegation may be necessary for the investigation and/or charges. The OSC will determine if additional information is required. Faculty and instructors may contact the Office of Student Conduct for consultation around suspected

5. Refer the case and information to the Office of Student Conduct via their website reporting form, including related materials such as exams, coursework, reports, websites, external resources, syllabi, summary of the interaction with student(s), and other relevant information, as requested.

In cases involving denial of responsibility, when an outcome is determined by the Office of Student Conduct, both the student and the instructor will be notified of the disciplinary process conclusions.

When a student is found responsible for academic misconduct by the Office of Student Conduct or the Student Conduct Hearing Board, student disciplinary sanctions are imposed based on the totality of the circumstances. Academic decisions imposed by faculty / instructors are at their

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6.3.6 Interim Actions Specific to Recognized Student Organizations

7. PROCEDURES

7.1 General Procedural Guidelines

7.1.1 Classification and Formal Complaints

There are two classifications for cases in the student disciplinary process, to distinguish between cases that could result in separation from the university (Separation Level) and those that cannot (Non-Separation Level). When classifying cases, incidents involving interpersonal violence, injury to other students or serious threat of injury, distribution of drugs, repeated violations, and other indicators of egregious or severe behaviors are more likely to result in Separation Level case classification.

The OSC will review all reports to determine whether there is sufficient evidence for charges and whether those charges should fall under Separation Level or Non-Separation Level case classification.

Cases involving formal complaints and investigations referred to the Office of Student Conduct by the Office of Equal Opportunity under the Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy and procedu(c)-4.9 (e)4.9 ((74P,)-0.9 (u))2.2 (e)-3[(c)-1.9 (lo)-9.6

The hearing notice will include:

1) Any provision of the Student Code of Conduct which appears to have been violated;
2) A summary of grounds for the alleged violation;
3) Notice that a finding of responsibility may result in a recommendation of a period of suspension to the Dean of Students; and
4) A specific date by which the respondent / RSO must schedule a Student Conduct Conference with the Office of Student Conduct.

A Non-Separation Level case is defined as any violation of the Student Code of Conduct that may result in a sanction up to and including Deferred Suspension. Non-Separation Level cases cannot result in a student or recognized student organization

7.1.4 Right to Presence of Advisors

Any two persons from within the university community (e.g., faculty, staff, student) or outside the university community (e.g. family, friend, personal attorney, other support person) may advise the respondent or recognized student organization (RSO). Complainants and witnesses involved in a matter also have the same right to the presence of advisors. However, the Student Conduct Conference and disciplinary hearings are not court proceedings and advisors' roles are limited.

1. Advise the respondent / RSO on the preparation and presentation of the case;
2. Accompany the respondent / RSO to all formal or informal meetings, investigation interviews, and any necessary conferences or hearings; and
3. Advise the respondent / RSO in preparation and presentation of any appeal.

1. Present any part of the case for a respondent / RSO. However, a student who cannot effectively communicate in the English language may ask OSC or the chair of the assigned SCHB to allow an interpreter to translate the case for the student. In addition, a student with a disability may contact Student Accessibility Services (SAS) to initiate the process for reasonable disability accommodations;
2. Directly examine or cross examine witnesses; or
3. Disrupt or delay the proceedings.

Advisors not complying with these Student Code of Conduct procedures may be removed from the disciplinary proceedings by the OSC or chairperson of the SCHB, and the proceeding may continue at the discretion of the OSC or chairperson.

In cases proceeding to hearings under the Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy and procedures, an advisor must be present and designated for purposes of cross-examination, or the Dean of Students Office will provide a questioner for the party.

7.1.5 Right to be Present / Failure to Attend

The respondent / recognized student organization (RSO) representatives and complainant (where applicable) have the right to be present at the conference or hearing to resolve the matter. If the respondent / RSO fails to attend the conference or hearing after having been given proper notice, the OSC or hearing board chair may find them responsible and recommend an appropriate sanction. The OSC or SCHB must review all relevant and permissible case documentation and evidence prior to making a finding and recommendation.

7.2 Procedures in Separation Level Cases

7.2.1 Deferral Revocation Hearing

A Deferral Revocation Hearing may be held where a student or recognized student organization (RSO) under the sanction of Deferred Suspension (or other deferred sanction) is alleged to have violated the terms and/or conditions of the sanctions imposed in a prior decision. A Student Conduct Conference will be held with a representative of the Office of Student Conduct (OSC) to review the information and evidence in support of the allegations for the purpose of

Iowa State University

7.2.4 SCHB Notification

The SCHB is a live hearing process used to determine responsibility / non-responsibility for alleged violations of this policy. The Office of Student Conduct will provide written notice of a live hearing to the respondent and complainant (where applicable). This notice will be sent to the parties at least ten (10) calendar days before the scheduled hearing. The notice of hearing will include the following information, if available:

1. The date, time, and location of the live hearing;
2. The names of the board members and chairperson;
3. The policy(ies) reportedly violated and potential sanction range;
4. A copy or link to the policy describing the applicable hearing process;
5. A description of any supportive or interim measures that are in effect pending the hearing and a reminder of the university's anti-retaliation policy;
6. Information concerning the parties' right to be accompanied by an advisor;
7. Any additional information required for cases that fall under the Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy and procedures.

7.2.5 File Review

After issuance of a formal complaint or notice of the SCHB, the respondent and the complainant (where applicable) may review the documents to be presented to the SCHB and the case summary evidence prepared by the OSC. This review will occur in the OSC. The respondent and the complainant (where applicable) may ask to submit additional information, statements, or evidence, and suggest the names of witnesses to be called during the hearing. The OSC will review information for its relevance to the allegations and totality of the case.

The OSC will provide access to the case file for the hearing to the sitting SCHB at least seven (7) calendar days in advance of the scheduled hearing. After receiving the information, the SCHB may submit questions to OSC or request additional follow-up by the OSC / investigator. If new and relevant information is acquired as a result of these questions, the respondent / recognized student organization and complainant (where applicable) will be permitted to review this new information and respond within an appropriate amount of time. The scheduled hearing may be postponed in order to properly consider any additional information.

7.2.6 Conflict of Interest and Challenging for Bias

To provide an impartial hearing, members selected for an SCHB are asked to identify conflicts of interest or potential bias. Based upon the disclosure, the Office of Student Conduct may reject the board member and select a new one.

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I. At the conclusion of the hearing, the SCHB will deliberate in private and make a decision of responsibility or non-responsibility, by majority vote, based on the preponderance of the evidence. No member of the SCHB may abstain.

J. If, after deliberations, the SCHB determines that the information contained in the report, case file, and gathered during the hearing, does not support by a preponderance of the evidence that the respondent is responsible for a violation of the Student Code of Conduct, the hearing board will notify the Office of Student Conduct by means of a written decision, setting forth its rationale.

K. If, after deliberations, the hearing board determines that the information contained in the report, case file, and gathered during the hearing, does support by a preponderance of the evidence that the respondent is responsible for any of the alleged violation(s) of the Student Code of Conduct, the hearing board will request any impact statement(s) and information regarding any prior student conduct record(s). They will determine appropriate sanctions, and notify the Office of Student Conduct by means of a written decision, setting forth its rationale for the decision and sanctions imposed.

L. The written decisions described above, and any additional information required for cases that fall under the Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking Policy and procedures, will be delivered to the Office of Student Conduct within seven (7) calendar days of the conclusion of the hearing.

7.2.9 Sanctions Permissible in Separation Level Cases

If the SCHB determines that the respondent is responsible for one or more policy violations, it wi

3. **Defined Length Suspension:** The student is dropped from the university for a specific length of time. This suspension may not be less than one semester or more than two years. Reinstatement may be contingent upon meeting the written requirements of the SCHB at the time the sanction was imposed. A hold will be placed on reentry until reinstatement is granted under the procedure provided.

4. **Indefinite Suspension:** The student is dropped from the university indefinitely. Reinstatement may be contingent upon meeting the written requirements of the SCHB specified at the time the sanction was imposed. Normally, a student who is suspended indefinitely may not be reinstated for a minimum of two years. A hold will be placed on reentry until reinstatement is granted under the procedure provided.

5. **Expulsion:** The student is permanently deprived of their opportunity to continue at the university in any status.

6. **Transcript Notation:** When a student is sanctioned with an expulsion, suspension or revocation of admission, a written notation will be placed on the student's official transcript.

If the respondent / RSO does not take responsibility for an alleged conduct violation, the OSC will make a determination of responsibility based on a preponderance of the evidence, and if determined responsible, may impose or recommend sanctions. If after considering the information presented, the evidence available does not indicate by a preponderance of the evidence that the alleged violation occurred, the respondent / RSO will be found not responsible.

If a Student Conduct Conference has not been requested within seven (7) calendar days of the date of the notice, the Office of Student Conduct may take the proposed action.

7.3.2 Sanctions Permissible in Non-Separation Level Cases

If the OSC determines that the respondent / recognized student organization (RSO) is responsible for one or more policy violations, they will determine or recommend appropriate sanctions. The following sanctions may also be included in an Agreed Resolution with students / RSO's.

The following sanctions may be imposed in all Non-Separation Level cases.

1. **Disciplinary Reprimand:** An official warning followed by the written notice to the respondent / RSO that their conduct is in violation of university rules and regulations.

2. **Conduct Probation / Conditions:** A more severe sanction than a Disciplinary Reprimand. It is a period of review during which the respondent / RSO must demonstrate the ability to comply with university rules, regulations, and other requirements stipulated for the probation period.

   While under Conduct Probation, individual students may be disqualified from serving as an officer of an RSO or as a member of a university committee or council.

3. **Deferred Suspension:** A suspension, but which is deferred subject to a definite or indefinite period of observation and review. If a respondent / RSO is charged with a violation of the Student Code of Conduct or order of a judiciary body while on Deferred Suspension, a Deferral Revocation Hearing may be held, and if found responsible, suspension may be recommended to the Dean of Students.

   While under Deferred Suspension, individual students may be disqualified from serving as an officer of an RSO or as a member of a university committee or council.

4. **Limited or Denied Activity, Access, or Privileges:** The Office of Student Conduct may impose reasonable conditions that may include limitations on activity, events, or access to university services or facilities as stipulated.

5. **Education:** A relevant assignment or requirement that is meant to provide or encourage learning and development of the respondent / RSO and is appropriate for the violation.

6. **Restitution:** A requirement to pay the cost of property damage or other appropriate restitution to another student or RSO that occurred during or as a result of a violation.

7. **Substance Abuse Assessment / Screening (Individual students only):** A requirement to complete a substance abuse assessment or screening with an agency licensed to provide such services, and provide documentation to the OSC indic

C. The investigator or hearing administrator had a conflict of interest or bias for or against the respondent or complainant (where applicable) generally, or the individual respondent or complainant (where applicable), that affected the outcome of the matter; or

D. The sanctions imposed are outside the university's sanction range for such violations and/or not justified in light of the totality of the circumstances.

The appellant must file an appeal through the Student Appeal Form noted in the decision letter, supporting the basis of appeal selected, to include submission of all relevant responses and information, as well as any material supporting the appeal. The OSC will provide a copy of the appellant's Student

9. REINSTATEMENT

Students or recognized student organizations who are suspended for a definite or indefinite period of time must apply for reinstatement. To apply for reinstatement, students or recognized student organizations must submit information to the Dean of Students as indicated below.

It is important to note that if the student has been absent for a period of twelve months or more, they will have to reapply to Iowa State, following university procedures for reentry (See Iowa State University Catalog, "Returning / Reentry").

9.1 Time for Filing for Reinstatement

To assure sufficient time for review, the information should be submitted at least two months in advance of the requested date of return.

9.2 Applying for Reinstatement

The process for reinstatement varies for individual students and recognized student organizations as follows.

1) Submit a written / typed statement requesting reinstatement to the Dean of Students indicating the basis for the request, including evidence of compliance with any sanctions and/or conditions for reinstatement, as noted in conduct decision letters or Agreed Resolutions;
2) Submit documentation or other evidence of good behavior and ability to make academic progress, such as statements from employers, educational institutions and/or counselors; and
3) Supply any additional documentation / information as requested by the Dean of Students supporting reinstatement.

1) Submit a written / typed statement requesting reinstatement to the Dean of Students indicating the basis for the request, including evidence of compliance with any sanctions and/or conditions for reinstatement, as noted in conduct decision letters or Agreed Resolutions; and
2) Supply any additional documentation / information as requested by the Dean of Students supporting reinstatement.

9.3 Review Process

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Upon reinstatement, any restrictions or limitations included as sanctions in the original conduct decision letter will continue, unless otherwise noted in the reinstatement decision letter.

The determination of the Dean of Students may be appealed to the Senior Vice President for Student Affairs, who will consider the rationale for the determination and the documentation provided by the student / RSO prior to issuing a decision. The decision of the Senior Vice President for Student Affairs will be the final decision of the University.