

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 1

5-308 Student Code of Conduct

A. Jurisdiction and Authority

1. Under Arizona law, the Arizona Board of Regents is responsible for the control and supervision of the state universities and their properties and activities. The board is authorized to enact ordinances for the governance of the universities and the maintenance of public order upon all property under its jurisdiction. The board has promulgated this Student Code of Conduct in order to meet its responsibilities under Arizona law. Enforcement of this Student Code of Conduct is subject to applicable law, including constitutional protections for speech, association and the press.
2. The presidents are authorized to enforce the Student Code of Conduct. University presidents are also authorized to limit the application of this policy with respect to university property leased by

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 2

or discipline. With respect to student organizations, and their members, university jurisdiction extends to premises used or controlled by the organizations on or off campus.

B. Philosophy

1. The aim of education is the intellectual, personal, social, and ethical development of the individual. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change, and respect for the rights of all individuals. Self-discipline and a respect for the rights of others in the university community are necessary for the fulfillment of such goals. The Student Code of Conduct is designed to promote this environment at each of the state universities.
2. The Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the university community.
3. A university may respond to violations of these standards with educational interventions or disciplinary sanctions.

C. Scope

-7(ises)-3(u)-3(se)-3(d)-3(o)-5

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 4

4. The officers or leaders of a student organization may be directed to take action designed to prevent or end such violations by the organization or by any persons associated with the organization. Failure to comply with a directive may be considered a violation of the Student Code of Conduct, both by the officers or leaders of the organization and by the organization.

E. Definitions

1. "Advisor" means an individual selected by the student to advise him/her. The advisor may be a faculty or staff member, student, attorney, or other representative of the student.
2. "Board" means the Arizona Board of Regents.
3. "Complainant" means any individual who initiates the referral procedures set forth in the Student Code of Conduct Procedures.
4. given words or actions that indicate a willingness to participate in mutually agreed upon sexual activity.

Consent may not be inferred from: 1) silence, passivity or lack of resistance, 2) a current or previous dating or sexual relationship, 3) acceptance or provision of gifts, meals, drinks, or other items or 4) previous consent to sexual activity.

Consent may be withdrawn during sexual activity. Consent to one form of consensual sexual activity does not imply consent to any other form of sexual activity.

Consent may not be obtained through physical force, violence, duress, intimidation, coercion, or an express or implied threat of injury.

Consent may never be given by a person who is: incapacitated (by drugs, alcohol or otherwise), unconscious, asleep, or otherwise physically or mentally unable to make informed, rational judgments.

obtain consent and does not excuse conduct that violates this Student

Policy Number: 5-308

Policy Name: Student Code of Conduct

Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18,
6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00

Policy Number: 5-308 Policy Name: Student Code of Conduct

Policy Number:

Policy Number: 5-

Policy Number: 5-308

Policy Name: Student Code of Conduct

Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18,
6/15, 11/14,

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 11

18. Gambling as prohibited by applicable law, university policy, or associated with any university event.
19. Engaging in, supporting, promoting, or sponsoring hazing or violating the board or university rules governing hazing.
20. Stalking or engaging in repeated or significant behavior toward another individual, whether in person, in writing, or through electronic means, after having been asked to stop, or doing so to such a degree that a reasonable person, subject to such contact, would regard t>BDa83.59 659.14383.5

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 12

- b. Use, possession, display or storage is specifically authorized by an Arizona or federal statute governing law enforcement officers or in writing by university officials with the authority to grant such permission, or
 - c. Universities may permit students to possess certain potentially dangerous instruments, and limited quantities of chemicals or other dangerous materials if they are used for academic and other legitimate purposes, if the presence of these items does not present an undue risk to the campus or community, and if the proposed use, possession, display or storage of these items has been expressly approved in writing by an authorized university representative.
 - d. The possession or use for self-defense of personal safety devices are not prohibited by this section.
25. Photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person
- reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. This section does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized university officials.
26. Commission of any offense prohibited by state or federal law or local ordinance.
27. Smoking, the use of and the sale of tobacco products, and the use of and the sale of smokeless tobacco products, including all electronic smoking devices, in or on all university property unless an express exception is provided by the university president for certain leased property or pursuant to university policy. In addition, universities may provide exceptions for smoking cessation products, controlled research, educational programs, traditional, cultural or religious purposes or other uses permitted by the university if approved in advance by designated university personnel or pursuant to university policy.

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 13

Any attempt to commit or conceal an act of misconduct prohibited by these rules is subject to sanctions to the same extent as completed acts.

G. University Responses to Alleged Code Violations

1.

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 14

communicated the award of a degree, certificate or other academic recognition to a third party, it may provide notice to that entity of the revocation.

- d. Probation: Removal of the student from good conduct standing. Additional restrictions or conditions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation, or other university rules committed during the probationary period will subject the student to further discipline, including suspension or expulsion.
- e. Warning: A written statement advising the student that a violation of the Student Code of Conduct has been committed and that further misconduct may result in more severe disciplinary action.
- f. Administrative Hold: A status documented in the registrar's official file which may preclude the student from registering, from receiving transcripts, or from graduating until clearance has been received from the Dean of Students in accordance with university rules.
- g. Restricted Access to University Property: A access to university property, including but not limited to research, communication and computing resources, may be restricted for a specified period of time or until certain conditions are met.
- h. Organizational Sanctions: Sanctions for organizational misconduct may include revocation of the use of university property or privileges for a period of time, revocation or denial of recognition or registration, or suspension of social or intramural activities or events, as well as other appropriate sanctions permitted under the Student Code of Conduct or other rules of the university.
- i. Interim Action: The dean of students may impose restrictions on a student or suspend a student for an interim period prior to

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 15

resolution of the Student Code of Conduct proceeding.

- j. Academic Conduct: Each university may adopt procedures regarding student conduct that takes place while participating in academic activities. These procedures may outline sanctions including but not limited to lower-level warnings, administrative drop from a particular class, or other sanctions as appropriate.
 - k. Restitution: Payment to the university or to other persons, groups, or organizations for damage to property or costs incurred as a result of the violation of this Student Code of Conduct.
 - l. Notation on Transcript.
 - m. Other sanctions permissible under existing university rules.
2. A student who has been suspended or expelled from one university will be ineligible for admission, enrollment, re-enrollment or re-admission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by the board except as follows:
- a. Each university may adopt rules and procedures to consider a request for readmission from a student who has been previously suspended or expelled, which shall include criteria to be used in evaluating a request for readmission, and shall provide that a decision to readmit must be approved by the Vice President for Student Affairs at the admitting university.
 - b. Except as set forth in Section G.2.a, a student who has been suspended or expelled at one university will not be eligible for admission or re-enrollment at another university governed by the board until the student has met the conditions for reinstatement at the university which imposed the suspension or expulsion. The conditions for reinstatement may be waived in whole or in part at the discretion of the Vice President for Student Affairs at the admitting university.

Policy Number: 5-308	Policy Name: Student Code of Conduct
Policy Revision Dates: 2/2020, 9/18, 8/18, 6/18, 4/18, 2/18, 6/15, 11/14, 9/14, 6/12, 4/11, 9/09, 8/08, 6/00	Page 16

H. Determining What Sanction to Impose

1. Mitigating and aggravating factors may be considered. Factors to be considered in mitigation or aggravation include the individual's prior conduct record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, the payment of restitution to the university or to any victims, or any other factors deemed appropriate under the circumstances, including but not limited to the
2. Repeated violations of the Student Code of Conduct may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.

I. Enforcement

1. Student sanctions shall be enforced through use of procedures adopted by each university that are consistent with board policies and applicable laws and regulations
2. Sanctions for organizational misconduct shall be enforced through the use of the procedures adopted by each university, consistent with board policies and applicable laws and regulations

J. Miscellaneous provisions

1. The description of prohibited conduct shall be interpreted as broadly as consistent with applicable law.
2. The presidents are authorized by the board to take other actions or to adopt other rules to protect university property and the safety and well-being of members of the university community and the public.