

The Catholic University of America

Official University Policies



Student Life Code of Student Conduct

Approved by:	Vice President for Student Life
History:	Issued -- June 16, 2003 Revised -- August 2, 2007 Additional History
Related Policies:	Records, Student , Parental Notification , Sexual Assault , Sexual Harassment , Sexual Harassment Complaint Procedures
Additional References:	Quiet Hours in the Residence Halls , Visitation in the Residence Halls , Computer Ethics
Responsible Official:	Dean of Students, (202) 319-5619

I. Introduction

A. Parties

1. The Catholic University of America ("University" or "CUA"), as an academic community committed to research, teaching, learning, and service, acknowledges specific core values that characterize the University community in all of its activities. These core values include integrity, respect, excellence, scholarship, responsibility, freedom, confidence, and faith. The ways in which the University community uniquely embodies these core values become trademarks of the CUA experience and an enduring part of the life of each and all of its members.

2. A student enrolling in the University assumes an obligation to conduct her/himself in a manner compatible with the University's function as a Catholic educational institution. Each student must make choices that preserve a safe and secure environment in which all individuals are able to pursue their academic endeavors. Each student is expected to practice responsible citizenship and to respect the rights of others. Each community member is responsible for her/his own actions and the conduct of her/his guests. Failure to uphold University, district, and/or federal laws and regulations are serious infractions and will likely result in disciplinary action within the University under the authority of this *Code of Student Conduct* ("Code").

3. Student organizations as an entity are responsible for conducting themselves in a manner compatible with the University's function as a Catholic educational institution. Failure to uphold University rules and regulations by organizations or by individual members with the support or encouragement of the organization or its leadership will likely result in disciplinary action against those individuals and the organization itself within the University under the authority of this *Code*.

B. Purpose

1. The purpose of maintaining discipline in the University setting is to protect the character of the University community by discouraging conduct inconsistent with the values of the institution. The purpose of publishing disciplinary regulations is to give students and student organizations general notice of prohibited behavior and their rights and responsibilities during the disciplinary process. The purpose of campus disciplinary proceedings is to provide a forum through which to determine whether a student is responsible for violating University regulations.

2. This *Code* provides a means for the exercise of student rights and responsibilities within the University judicial system. The *Code* seeks to preserve the individual rights of students while ensuring that the interests of the entire University community are also maintained.

3. These guidelines are intended to provide general notice of rights and responsibilities during the disciplinary process. This *Code* does not, nor is it intended to, afford the specificity or the due process rights of criminal or civil statutes or procedures.

C. Authority for Student Discipline

1. Ultimate authority for student discipline is vested in the President of the University ("President"), who may take immediate action at her/his discretion for any violation of University policies and procedures whatsoever. Disciplinary authority may be delegated to University administrators, faculty members, committees, and organizations as set forth in this *Code*, or in other appropriate policies, rules, or regulations adopted by the President.
2. Students are asked to assume positions of significant responsibility in the University disciplinary system so that they may contribute their skills and insights to the resolution of disciplinary cases. Final authority in disciplinary matters, however, is vested in the President and in the University administration.
3. The Vice President for Student Life or a designee ("Vice President") reserves the right to take immediate, necessary, and appropriate action to protect the health, safety and well being of an individual and/or the University community. Such action may include pursuing disciplinary action for any violation of University policy or district or federal law off University premises by a student that affects the University's interests and/or is inconsistent with the University's expectations for students. Administrative action, in lieu of formal disciplinary action, may be taken at the discretion of the University, in an appropriate and reasonable manner, to address student behavior.
4. The Vice President, in his/her sole discretion, may evict a student from University housing, restrict a student's access to and movement about the campus, and/or suspend a student from the University for an interim period whenever the continued presence of the student at the University is deemed to pose a serious threat to her/himself or to others or to the stability and continuance of normal University functions. The interim action shall become effective immediately upon delivery of verbal and/or written notification to the student or his/her designee. A disciplinary hearing or conference will be granted as soon as possible, under all circumstances.
5. Students may be accountable both to civil/criminal authorities and to the University for acts that constitute violations of law and this *Code*. Disciplinary action at the University will normally proceed during the pendency of criminal proceedings, and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced or that no criminal charges have been brought. Penalties shall not be increased in severity merely because civil or criminal actions may be pending.
6. The Vice President or a designee may take necessary action to address the behavior of a student organization and/or its members, when members of the student organization have engaged in potential violations of this *Code* for which they received the consent or encouragement of the organization or the organization's leaders/officers. Necessary action seeks to restore successful student organization management through education and leadership development.

II. Definitions

When used in this *Code*:

- A. **Appeals Committee** means the panel of community (students and/or faculty and/or staff) members that manage appeals for disciplinary cases adjudicated through a disciplinary hearing. A quorum of the Appeals Committee necessary to review an appeal shall consist of at least one student and two other members.
- B. **Associate Dean** means the Associate Dean of Students or designee.
- C. **Case file** means the file containing those materials pertaining to a specific disciplinary matter that would be considered an "educational record" pursuant to the Family Educational Rights and Privacy Act of 1974. The personal notes of University staff members and privileged information of other students are not included in the case file and thus are not accessible. The case file will be retained in the Office of the Dean of Students, Judicial Affairs and Ethical Development ("JAED").
- D. **Dean** means the Dean of Students or designee.
- E. **Disciplinary record** means the file containing all materials pertaining to disciplinary matters that would be considered an "educational record" pursuant to the Family Educational Rights and Privacy Act of 1974. The disciplinary record contains the entire judicial history of a student, including materials for all resolved cases and incidents referred for administrative action.
- F. **Distribution** means any form of exchange, gift, transfer or sale.
- G. **Institution** and **University** mean The Catholic University of America and all of its undergraduate, graduate and professional schools, divisions, and programs.

- H. **Respondent** means any person charged with a violation of this Code.
- I. **Student** means any person who is taking or auditing classes at the University or who is matriculated in any University program.
- J. **Student organization** means a group of students enrolled at least part-time for the current academic year which has organized for a common purpose or activity, and have sought and gained formal registration with the Office of the University Center, Student Programs and Events ("UCSPE").
- K. **University Hearing Board** ("Board") means the panel of community (students and/or faculty and/or staff) members that hears cases that can result in eviction from residence, or suspension or expulsion from the University. A quorum of the Board necessary to conduct a hearing shall consist of at least one student and two other members.
- L. **University premises** means buildings or grounds owned, leased, operated, controlled or supervised by the University.
- M. **University sponsored activity** means any activity on or off University premises that is directly initiated or supervised by the University.

III. Prohibited Conduct

Any student or student organization who engages in prohibited behaviors or activities may be subject to disciplinary action and to the sanctions outlined in this *Code*. The following are examples of prohibited behaviors and activities for which students may be charged judicially. Attempts to engage in any of these behaviors or activities and/or encouraging others to engage in these behaviors or activities shall also be treated as violations of this *Code*.

A. Dangerous Conduct:

Intentionally or carelessly engaging in conduct that threatens or endangers the health or safety or causes physical harm to any person, including the violator.

1. Placing a person in fear of imminent physical danger or bodily harm.
2. Causing bodily harm to a person, or engaging in aggressive physical contact that would likely have caused bodily harm despite the lack of any measurable harm.

B. Harassment:

1. Any actions, threats, gestures, and/or words directed toward another person which have the purpose or which tend to incite a breach of the peace, create a hostile environment, or cause emotional distress to that person because of the humiliating, degrading, intimidating, insulting, coercive, ridiculing, and/or alarming nature of the conduct. It frequently, but not always, involves a pattern of conduct.
2. Any unsolicited, offensive behavior that inappropriately asserts sexuality over status as a student or an employee; unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic admission or advancement;
 - b. Submission to or rejection of such conduct is used as the basis (or threatened to be used as the basis) for employment actions or academic decisions or evaluations; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive work, living, or learning environment.

C. **Dangerous Items:** The use, possession or storage of any firearms, explosives, other weapons, fireworks or dangerous chemicals.

1. Firearms, ammunition, knives or other weapons, objects that could be construed as weapons or items that pose a potential hazard to the safety or health of others.
 - a. Firearms are defined as any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets, or shots (including paint balls), regardless of the propellant used.
 - b. Other weapons are defined as any instrument of combat, or any object not designed as an instrument of combat but carried or used for the purpose of inflicting or threatening bodily injury or damaging/destroying University property or the property of others.
2. Unauthorized hazardous materials or chemicals.
3. Fireworks including, but not limited to, firecrackers, cherry bombs, smoke bombs, and similar devices.

D. Interfering with Fire Safety:

1. Misusing, tampering or damaging fire safety equipment including, but not limited to, fire

extinguishers, smoke alarms, sprinkler systems or exit signs.

2. Unauthorized burning of any material in any University building, on University property or on areas adjacent to University property.
 3. Disregarding a fire alarm signal or refusing to evacuate a building or a section of a building when a fire alarm is sounding.
 4. Recklessly or intentionally activating an alarm when an emergency situation does not exist.
- E. Alcohol: The use, abuse, possession, or distribution of alcohol, except as permitted by law and University policy.
1. Possession of containers that previously contained alcoholic beverages by persons under 21 years of age.
 2. Possession of common source containers, whether full or empty, of alcohol such as kegs, beer balls, or boxed wine.
 3. Possession of alcoholic beverages by persons under 21 years of age.
 4. Consumption of alcoholic beverages, including:
 - a. Consumption of alcoholic beverages by persons under 21 years of age;
 - b. Consumption of alcoholic beverages by persons 21 years of age or older in any public area (except at an official University approved event or location), including public space within a residence hall.
 5. Intoxication by any person, regardless of age.
 6. Sale, distribution or provision or attempts to sell, distribute or provide alcoholic beverages to and/or by anyone under 21 years of age.
- F. Drugs: The use, possession, or distribution of any controlled substances, except as permitted by law, or possession of drug paraphernalia.
1. Possession of paraphernalia including any item typically used to inhale/ingest/inject/mask illegal substances, regardless of whether the item has been used for illegal purposes.
 2. Possession of illegal drugs or controlled substances.
 3. Use of illegal drugs or controlled substances.
 4. Distribution of illegal drugs or controlled substances.
- G. Theft/Unauthorized Possession of Property
1. Theft of property or of services or possession of stolen property.
 2. Unauthorized possession of University property (including residence hall lounge furniture) or the property of others.
- H. Damage to or Misuse of Property:
1. Intentionally or carelessly destroying or damaging University property or the property of others.
 2. Unauthorized entry into University facilities or property.
 3. Unauthorized use or misuse of University property or the property of others.
- I. Disorderly Conduct:
1. Acting in a manner to annoy, disturb, interfere with, obstruct, or be offensive to another/others.
 2. Shouting or making excessive noise either inside or outside a building to the annoyance or disturbance of others.
 3. Verbally abusing University officials (including students appointed to act as representatives of the University) acting in the performance of their duties.
 4. Behaving in a lewd or indecent manner.
- J. Non-academic Dishonesty:
1. Knowingly furnishing false information to the University or member of the University community.
 2. Furnishing false information at University judicial proceedings.
 3. Possession or use of false identification cards.
 4. Forgery, misuse, unauthorized alteration or creation of documents, records or identification cards.
 5. Fraud, through act or omission, committed against a member of the campus community or others.
 6. Knowingly initiating or causing to be initiated any false report, warning or threat.

K. Interfering With University Events:

1. Interfering with any normal University or University-sponsored events, including but not limited to studying, teaching, research, sponsored social programs, and University administration, fire, police or emergency services.
2. Any effort by conspiracy or omission to impede or hinder any disciplinary proceeding.

L. Smoking: Smoking in a building or vehicle that is owned, operated or leased by the University or within 25 feet of an entrance or window of any university building.

M. Violating University Rules and Regulations:

1. Any violation of other published University regulations including but not limited to rules governing residence in University-owned or controlled property, rules published in the Student Handbook, and those available at <http://policies.cua.edu> and other CUA websites.
2. Involvement in a violation, including being present during any violation of this *Code*, in such a way as to condone, support or encourage that violation. (Note: Students who anticipate or observe a violation are expected to remove themselves from participation and are encouraged to report the violation.)

N. Non-compliance: Failure to comply with reasonable directives of University officials, including students appointed to act as representatives of the University, acting in performance of their duties. Directives to provide identification and/or participate in a University disciplinary process are included in the scope of this provision.

O. Sanction Violation: Violating the terms of any disciplinary sanction as imposed in accordance with judicial procedures, including the failure to complete sanctions by the imposed deadline.

P. Gambling: Participation in any form of illegal gambling.

Q. Violation of Law: Violation of local, state or federal laws, regulations or ordinances.

R. Sexual Offenses:

1. Sexual Misconduct: Physical contact of a sexual nature that is unwanted by either party and/or that is disruptive to the university community, such as any sexual expression that is inconsistent with the teaching and moral values of the Catholic church.
2. Sexual Assault: Forcing, threatening, or coercing an individual into a sexual contact against his or her free will without his or her consent or when consent is given under duress. This includes, but is not limited to, any sexual act performed on an individual, any sexual act required to be performed by an individual, or forced or coerced intercourse. Having sexual contact with a person while knowing or having reason to know that the person is incapacitated by alcohol and/or other drugs or by other means is considered against free will.

S. Solicitation: Unauthorized solicitation, sale or promotion of any goods or services in University owned or operated residence halls.

IV. Student Judicial System & Procedures

A. Case Referrals

1. Any person may refer a student or student organization suspected of violating this *Code* to JAED. The Associate Dean of Students ("Associate Dean") will review the reported allegation to determine the appropriate disciplinary or administrative action to be taken in accordance with this *Code*.

- A. Referrals should normally be made within 10 working days after the discovery of the alleged violation and/or identification of the alleged violator.
- B. If the referral involves harassment or a similar charge where there is a succession of documented violations, the referral should normally be made within 40 working days after the initial discovery of the alleged violation and within 10 working days of the latest alleged violation.
- C. A sexual assault complaint should normally be filed within 60 calendar days after the alleged incident.

B. Student Disciplinary Proceedings

1. A student subject to formal sanctions other than eviction from residence, suspension or expulsion is entitled to a **disciplinary conference**. A disciplinary conference will normally consist of an informal meeting between the respondent and an administrator.
2. A student subject to eviction from residence, suspension or expulsion from the University is entitled to a **disciplinary hearing**.
 - a. A disciplinary hearing will normally consist of a formal meeting between the respondent and members of the University Hearing Board, selected from an overall pool of available members. In the event that the Board is not in session or the requisite number of Board members is unavailable, the Associate Dean will conduct an administrative hearing. The full range of sanctions may be imposed during the administrative hearing.
 - b. A student or student organization that accepts responsibility for violations of this *Code* (prior to the disciplinary hearing) may meet with the Associate Dean in an administrative meeting to determine an appropriate sanction(s), in lieu of attending a disciplinary hearing. This acceptance must be in writing, affirming acceptance of responsibility for the charge(s) and acknowledging that the full range of sanctions may be imposed.

C. Alternative Dispute Resolution

1. In response to certain incidents and at the discretion of the Associate Dean, students may be invited to participate in a method of alternative dispute resolution (ADR). Formal disciplinary action may be deferred if, to the satisfaction of participating students and the Associate Dean, participants reach and honor an agreement making amends to each other and the University community. ADR agreements will be included in a student's disciplinary file and treated as prior violations if future infractions occur. Since it is a voluntary process, students who participate in ADR are granted no right of appeal.
2. The following procedural guidelines shall be applicable when alternative dispute resolution is suggested:
 - a. Students will receive written notification of the behavioral concern and an invitation to resolve the matter through alternative methods.
 - b. All relevant parties must agree to participate and must do so in good faith. If both parties do not agree to participate in alternative dispute resolution methods, disciplinary procedures will take place as necessary.
 - c. ADR proceedings will be closed to the public.
 - d. ADR agreements must outline the nature of the sanction to be administered if the agreement is violated.
 - e. The Associate Dean may proscribe additional guidelines as necessary and consistent with this *Code*.

D. Student Organizations

1. The officers, leaders or any identifiable spokesperson(s) for a student organization may be directed by a designee from the Office of the Dean of Students or UCSPE to take appropriate action designed to prevent or end violations of this *Code* by the organization. Any administrative action requested of the organization to remedy the situation will be coupled with resources and information to assist the organization in being a constructive part of the university community. Failure to make reasonable efforts to comply with the designee's request may be considered a violation of this *Code*.
2. If administrative action is not appropriate for a particular situation, student organizations will be charged judicially. If a student organization is found responsible for a violation of this *Code*, sanctions may include revocation of privileges or loss of registration as well as other appropriate sanctions.
3. Student organizations subject to formal sanctions other than loss of registration are entitled to a **disciplinary conference**. Student organizations subject to loss of registration are entitled to a **disciplinary hearing**. A student organization that accepts responsibility for violations of this *Code* (prior to the disciplinary hearing) may participate in an administrative meeting to determine an appropriate sanction(s), in lieu of attending a disciplinary hearing, pursuant to Section IV.B.2.b of this *Code*.

E. Disciplinary Proceeding Guidelines

1. The following procedural guidelines shall be applicable in all disciplinary proceedings (disciplinary hearings and disciplinary conferences). Formal rules of evidence shall not be applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to an accused student or the University results.
 - a. A respondent shall receive written notification of the specific charges and the date, time, and

location of the scheduled proceeding normally at least two working days prior to the proceeding. The respondent may request an extension of time to prepare for the proceeding. Requests for an extension will not be granted for a period to exceed two working days except in unusual circumstances where the respondent can demonstrate the necessity for a longer delay. All requests for extension of time should be made in writing at least 24 hours prior to the scheduled proceeding, except in cases of documented serious illness or emergency.

- b. The respondent shall be afforded reasonable access to review the case file prior to and during the proceeding.
- c. Disciplinary proceedings will be closed to the public.
- d. The respondent shall have an opportunity to respond to the evidence and to call relevant and necessary witnesses. Character witnesses will not be heard. All witnesses are expected to provide information that is true and correct. Any student who knowingly provides false information during a disciplinary proceeding or who knowingly fails to appear as a witness may be charged with violation of this *Code*.
- e. A respondent shall have the right to be accompanied by an advisor.
 1. The role of the advisor shall be limited to support and consultation with a respondent; the advisor may not speak on behalf of a respondent at any time during any disciplinary proceeding, nor shall the advisor question or address witnesses. Violation of this expectation will result in the advisor being removed from a disciplinary proceeding at the discretion of the judicial officer, presiding officer, or Associate Dean.
 2. In consideration of the limited role of an advisor, and of the compelling interest of the University to expeditiously conclude the matter, a disciplinary proceeding will not, as a general rule, be delayed if an advisor is unavailable.
- f. A respondent who fails to appear at a scheduled proceeding, upon proper notice of such a proceeding may be adjudicated in absentia, and forfeits all rights to an appeal unless it is for lack of proper notice, as required herein. In such cases, decisions will be based solely on witness testimony and other written information presented during the proceeding.
- g. The charges against the respondent must be established by a preponderance of evidence. Preponderance of evidence means that a greater weight of evidence has been demonstrated in order to decide in favor of one side over the other, to determine whether a fact is true, and/or to establish that an event occurred. The decision that a preponderance of evidence exists must be based on the more convincing evidence and its probable truth or accuracy, not on the amount of evidence available.
- h. A student may be found in violation of prohibited conduct other than that for which he was initially charged when behaviors that were previously unknown are discovered during the course of the disciplinary proceeding.

F. Sanctions

1. The imposition of sanctions is based on the nature of the violation and the severity of any damage, injury, or harm resulting from it, present demeanor of the student or status of the student organization, and the past disciplinary record of the student or student organization. In some cases, a sanction may be held in abeyance for a specific period. This means that, should the student be found in violation of this *Code* during the stated period, he or she may be subject to the deferred sanction in addition to the disciplinary action appropriate to the new violation.
2. Sanctions that may be imposed in accordance with this *Code* include:
 - a. *Censure*: An official written reprimand for violation of specified regulations.
 - b. *Disciplinary Probation*: A specified period of time in which a student is expected to demonstrate positive behavioral change and may be excluded from participation in privileged or extracurricular institutional activities. Additional restrictions or conditions for behavioral changes may be imposed. Violations of the terms of disciplinary probation, or any other violation of this *Code* during the period of probation, may result in eviction from residence, suspension or expulsion from the University.
 - c. *Restitution*: Repayment to the University or to an affected party for damages resulting from a violation of this *Code*.
 - d. *Denial of Access to Specific Areas*: Ban from certain non-academic area(s) for a specified length of time.
 - e. *Eviction from Residence*: Termination of the residence hall agreement and exclusion from visiting within certain or all residential facilities, as set forth in the notice of eviction, for a specified period of time. A student who is evicted is not entitled to a refund of room fees. A student who is a freshman or sophomore and is evicted from residence is unable to fulfill residency requirements and may be suspended, upon review.
 - f. *Revocation of Privileges*: Restrictions placed on activities and/or use of university services and facilities for a specified period of time.

- g. *Loss of Registration*: Removal of registered student organization status, resulting in revocation of all university privileges for a specified period of time, normally for at least the remainder of the current academic term and no longer than one full calendar year.
- h. *Suspension*: Exclusion from classes and other privileges or activities, including access to University premises or University-sponsored activities off campus, as set forth in the notice of suspension, normally for at least one semester. A student who is suspended is not entitled to any tuition or fee refund and is banned from University premises for the duration of the suspension.
- i. *Expulsion*: Termination of student status, and exclusion from University premises, privileges and activities. A student who is expelled shall not be entitled to any tuition or fee refund and is banned from University premises permanently.
- j. *Discretionary Sanctions*: Other sanctions that bear a reasonable relation to the violation for which the student or student organization has been sanctioned may be imposed instead of or in addition to those specified above. Discretionary sanctions include, but are not limited to, restitution service hours, fines, educational reflection assignments, and participation in alcohol or drug awareness programs.

G. Appeals

1. In certain circumstances the outcome of a disciplinary proceeding may be appealed. A student or student organization adjudicated in absentia forfeits all rights to an appeal process unless it is proven that it is for lack of proper notice, except in an extraordinary circumstance. In addition, students who participate in ADR are granted no right of appeal. The following guidelines shall be applicable for all appeals:

- a. The appeal must be submitted in writing by the student or student organization to JAED within two working days of receipt of the outcome of the disciplinary proceeding.
- b. The appeal request must state the specific reason for the appeal, based on one or more of the following:
 - 1. The disciplinary proceeding was not conducted in conformity with prescribed procedures, resulting in a substantial lack of a fair process;
 - 2. A preponderance of evidence does not exist to support the decision reached;
 - 3. The imposed sanction is not in accordance with University guidelines; and/or
 - 4. New evidence that significantly alters the findings of fact, that was previously unknown to the respondent, has been discovered and is available for the appeal.

2. The Associate Dean will review all incoming appeals to determine whether relevant appeal criteria and information to adequately support the appeal criteria has been stated.

- A. If the appeal does not adequately state relevant appeal criteria, the Associate Dean will deny the appeal for lack of adequate grounds.
- B. If it is determined that the appeal adequately states relevant appeal criteria, appeals originating from disciplinary/administrative hearings will be reviewed by the Appeals Committee as available.
- C. The Associate Dean will make a determination regarding whether the appeal has merit for cases originating from a disciplinary conference.

3. The decision of the Associate Dean or Appeals Committee will be conveyed to the student or student organization in writing, normally within three working days of receipt of the appeal. The decision of the Appeals Committee in cases involving student organizations is final.

4. The imposition of sanctions may be deferred while the appeal process is pending unless, in the discretion of the Associate Dean, the continued presence of the student on the campus poses a serious threat to her/himself or to others, or to the stability and continuance of normal University functions.

H. Clemency

1. Students who receive a sanction of eviction, suspension or expulsion may petition the President for clemency after all other appeal options have been exhausted. This petition must be filed within two working days of the receipt of the appeal decision. The President shall have complete discretion as to whether to hear the petition or grant clemency.

I. Disciplinary Files and Records

1. The files of students found in violation of any prohibited conduct will normally be retained as a disciplinary record in the Office of the Dean of Students, Judicial Affairs and Ethical Development, under the authority of the Vice President, as outlined in the University policy governing student records. University officials may use the record as a reference; however, the record will be retained for no more than five calendar years from the student's terminating date from the University.

2. Disciplinary records may be expunged by the Dean of Students ("Dean") upon written request by the

student at the time of or after his/her graduation from the University. In deciding whether to grant the request, the Dean will consider such factors as the current demeanor of the student, the student's conduct subsequent to the violation, and the nature of the violation, including the severity of damage, injury or harm resulting from it.

3. All student organization records will normally be maintained by UCSPE. University officials may use the student organization's record as a historical reference; individual student records will be maintained as outlined in Section IV.I.1 of this *Code*.

J. Rules of Conduct

1. JAED shall have the power to enact rules for the conduct of all proceedings provided that such rules do not conflict with any provision of this *Code* and that notice of these rules is given to all concerned parties.

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