

Code of Student Conduct

Admission to Saginaw Valley State University obligates each student to abide by regulations for acceptable student behavior. All students are expected to conduct themselves as responsible members of the University community and to respect the rights of their fellow citizens. SVSU regulations may apply to behavior off campus as well as on campus. Violations of the regulations may result in disciplinary action by both the University and civil authorities. Students at Saginaw Valley State University also are responsible for their guests' behavior. Students may be charged through the disciplinary process for the actions of guests who violate provisions of this code.

Reporting Violations of the Code of Student Conduct

Alleged violations of the Code of Student Conduct may be reported by any member of the University community. The report must be made in writing and can be initiated through:

1. Office of Student Conduct Programs, 114 Curtiss, 964-2220.
2. University Police, South Campus Complex A, 964-4141.
3. Any member of Residential Life staff.

Section 1

Regulations

Violations of any of the following University regulations may result in dismissal from Saginaw Valley State University, or in a lesser sanction deemed appropriate by a University Hearing Officer.

1. Academic Integrity

Violations of the Academic Integrity Policy (refer to the Student Handbook) will constitute a violation of the University regulations under this section.

Procedural Guidelines for Reports of Violations of the Academic Integrity Policy

a. Notification: The student will be notified by the Coordinator of Student Conduct Programs that he/she is accused of violating the Academic Integrity Policy by means of a Notice of Charge. This official notification will contain adequate information enabling the student to prepare a response to the charge(s) including the action(s) in question and name of complainant and witnesses.

b. Response: The student will have the opportunity to accept or deny responsibility for the charge(s) in writing. Failure to respond to the charge(s) will be considered the same as admission of guilt. A Hearing Panel of two faculty members and two students from the Academic Integrity Board will review the charge(s) of academic dishonesty and will have the authority to determine a student's accountability for the charge(s) and to impose appropriate sanctions.

c. Sanctions: The range of sanctions that may be imposed by the Hearing Panel for violations of the Academic Integrity Policy include:

- Mandatory attendance at one or more workshop(s) on academic integrity;
- Letter of apology written to course instructor;
- Anonymous letter of apology to all other students attending the same class;
- Submit written paper on academic integrity;
- University probation;
- Withdraw student from the course;
- University suspension;
- University expulsion;
- Other developmental sanctions deemed appropriate and commensurate with the violation.
- A first time offense will include the minimum sanctions of attendance at a workshop on academic integrity and University probation for up to two semesters.

d. Appeal: Written appeals must be submitted within three days of the written notification of the decision of the Hearing Panel, through the Coordinator of the Office of Student Conduct Programs, to the Vice President of Academic Affairs and the Vice President for

Student Services and Enrollment Management.

e. The imposition of regular disciplinary penalties does not preclude an academic penalty imposed by an instructor.

f. Records: All cases concerning academic integrity will be recorded in the Office of Student Conduct Programs.

2. Alcohol and/or Other Drugs

Violations of the Policy Concerning the Use of Alcohol and/or Other Drugs (refer to this Student Handbook) will constitute a violation of University regulations under this section.

3. Demonstrations and Assemblages

Students have the right to assemble lawfully and express their concerns in ways that do not interfere with others or with the normal functions of the University. Demonstrations and assemblages on the campus must be held in such a place and manner so that the public peace of the campus is maintained. The Office of the Vice President for Student Services and Enrollment Management, or the University Police, is authorized by the University to advise an assemblage or demonstration that they are violating the public peace of the campus. Failure to heed such a warning will constitute grounds for terminating the demonstration or assemblage and initiating charges through the student conduct program.

4. Facilities and Equipment

a. General: Certain facilities may have specific usage requirements. Guidelines will be made available to students by those regulating the use of the facility. Violations of these guidelines will constitute a violation of University regulations.

b. General Use Of Facilities: No student shall engage in conduct that interferes with public peace or the rights of others with the general use of facilities. Examples of restricted activities may include, but not limited to, disruption by sound amplification equipment, general horseplay, roller blading, skateboarding, or other activities as deemed disruptive by an authorized representative of the University.

c. Keys: Students shall not possess or duplicate University keys or other locking mechanisms without proper authorization.

d. Pets: Pets are not allowed in any University building with the exception of those trained to assist individuals with physical disabilities. Animals that are brought on the campus must be leashed, or otherwise restrained, and attended by their owners. Resident students should refer to the University Housing Agreement for policy exceptions.

e. Postings: Postings on University property must be approved through the Student Life Center, may only be displayed in authorized areas, and must meet University Posting Policy regulations. Postings in University Housing must be approved through the Residential Life Office.

f. Selling, Advertising or Soliciting: No student shall engage in, or invite any firm, individual, or group to engage in, the solicitation or consummation of commercial or business contracts for any service or product in any public area of the University without the prior approval of the Vice President for Student Services and Enrollment Management.

g. Smoking, Food and Beverages: Smoking is permitted only

in designated areas on campus (refer to Smoke-Free Environment Policy in this Student Handbook). Restriction of food and/or beverages in some areas of campus will be indicated by signage.

h. Use of Facilities: Requests for non-academic use of University facilities must be made to the SVSU University Conference & Events Center at least two weeks in advance of the requested date. Facilities may be reserved only by authorized personnel and student organizations formally recognized by the University.

i. Use of University equipment and property must be authorized by the appropriate University administrator or designee. Use of the equipment shall be limited as authorized by the University. Payment for damages or loss of equipment or use of equipment is the responsibility of the borrower.

5. Financial Responsibility

a. Students owing money or fines to any University department may be subject to additional charges or disciplinary action, or loss of services, if not paid when due. If any account is overdue at the end of the semester, the student will not be issued a transcript of his/her academic record and may not register for any subsequent semester until the account is paid. Application for other services, such as housing, may be denied to students with delinquent financial obligations.

b. Students found guilty of violations of University regulations may forfeit financial aid and/or University discretionary scholarships in addition to other penalties that may be imposed.

6. Misconduct

a. Aiding or Abetting Violations\Failure to Discourage: Individuals aiding or abetting in carrying out an unlawful act or the violation of any University policies, whether he or she directly commits the act, may be treated under the regulations as if he or she had directly committed such violation. Students present during the execution of a University policy infraction may be considered in violation under this regulation. It is expected that students will exercise good judgment and appropriately report a violation(s) in progress. Failure to take appropriate action may be interpreted as collusion and will be referred through the disciplinary process accordingly.

b. Assault - Physical: No student shall engage in physically assaultive behavior, self-destructive behaviors or gestures or other conduct to cause danger to the personal, mental or physical health, safety or welfare of members of the University community or visitors to the campus.

c. Assault - Sexual: Any touching and/or fondling (with or without the use of an object) of a person in areas of the body considered private where:

1. That person has not reached the age of consent, OR
2. That person is impaired due to a mental or physical handicap or temporary impairment, OR
3. That person indicates the touching and/or fondling is unwanted.

d. Assault - Verbal: No student shall engage in verbal assaultive behavior or communicate the intent to engage in assaultive behaviors (including written or electronic transmissions), verbal threats, self-destructive behaviors or gestures or other conduct to cause danger to the personal, mental or physical health, safety or welfare of members of the University community or visitors to the campus.

e. Bias-motivated Offenses: Acts of violence includes, but are not limited to, hostile discrimination based on sexual orientation, gender, race, religion, age, disability, or ethnicity are prohibited.

f. Classroom Misconduct: No student shall engage in conduct that disrupts or interferes with educational activities in classrooms, lecture halls, campus library, laboratories, computer laboratories, theatres, or any other place where education and teaching activities take place. This includes, but is not limited to, such behaviors as talking at inappropriate times, drawing unwarranted attention to him

or herself, engaging in loud or distracting behaviors, displaying defiance or disrespect to others or threaten any University employee or student. No student shall engage in conduct that is disruptive or interferes with the rights of others on University property or at a University-sponsored function, nor shall a student obstruct, disrupt or interfere or attempt to interfere with another student's right to learn or complete academic requirements.

g. Disorderly Conduct: No student shall engage in conduct that is disruptive or interferes with the rights of others on University property or at a University-sponsored function.

h. Disruption of Learning: No student shall engage in conduct that obstructs, disrupts, interferes or attempts to obstruct, disrupt or interfere with another student's right to study, learn or complete academic requirements. This includes acts to destroy or prevent or limit access to information or records used by other students in connection with their University responsibilities.

i. Failure to Identify, Appear or Observe Terms of Discipline: No student shall misrepresent or refuse to identify him/herself when requested to do so by identified University officials, refuse to appear before University officials or bodies when requested to do so, or violate the terms of discipline imposed.

j. Fires: No student shall set a fire or create an open flame, such as candle burning, anywhere on University property without the prior written authorization from the Chief of University Police, except in approved grills in designated picnic areas.

k. Fire Safety/Equipment: No student shall misuse or damage safety equipment including, but not limited to, fire and life safety equipment. Failure to evacuate during fire alarms constitutes a violation under this regulation.

l. Gambling: Any form of gambling is prohibited.

m. Hazing: Hazing in any form is prohibited.

n. Internet, Electronic Communications and Computing Resources Acceptable Use Policy: Saginaw Valley State University has adopted the Internet, Electronic Communications and Computing Resources Acceptable Use Policy for SVSU students, faculty and staff. It is necessary that students utilizing these University resources refer to this policy, become familiar with its contents and abide by it. The policy in its entirety can be found at www.svsu.edu/operationsmanual/manual.cfm?doc_id=1819. Misuse will result in disciplinary action.

o. Lewd or Indecent Behavior: Lewd or indecent behavior is prohibited on University property.

p. Property Damage: Damage to property of the University, members of the University community or campus visitors constitutes a violation of University regulations.

q. Stalking/Harassment: No student shall engage in any conduct involving harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, or that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

r. Theft of Property: Theft of property of the University, members of the University community or campus visitors, including use of property without the consent of the owner, constitutes a violation of University regulations.

s. University Housing Regulations: Violations of University Housing regulations contained in documents constitute a violation of University regulations.

t. Voluntary Compliance: Students shall obey legitimate and reasonable instructions of University officials to cease conduct which threatens to disrupt or interfere with:

1. The rights of others
2. University discipline
3. Normal University functions
4. A University official acting in the line of duty

u. Weapons: The possession or use on University property or in

approved housing of any weapons such as, but not limited to, firearms, ammunition, pellet guns, air guns, knives, blades, chemicals or explosives, including firecrackers, is prohibited unless authorized in writing by the Chief of University Police. A harmless instrument designed to look like a weapon that is used by or is in the possession of a person with the intent to cause fear in or assault on another person is expressly included within the meaning of weapons. Saginaw Valley State University has adopted a Weapons Policy. It is necessary for students to become familiar with the policy which can be found at www.svsu.edu/operationsmanual/manual.cfm?doc_id=1820.

7. Obedience to Criminal Law

Violations of federal, state or local laws committed by students, whether prosecuted or not, constitute a violation of University regulations when it appears that the act endangers the welfare of any member of the University community or has a direct detrimental effect on the institution's educational function. Students in violation of this regulation are subject to University disciplinary action.

8. Student Organizations

All organizations that sponsor activities in violation of laws or regulations are subject to discipline under the Student Code. In addition, all members and nonmembers who participate in this activity may be disciplined individually.

9. University Records

a. Counterfeiting, Altering, Fraudulent Use or Copying:

No student shall alter, mutilate, manufacture, possess, falsely represent as his/her own, access without authorization, use fraudulently, or furnish to an unauthorized person any official University document or confidential record, including but not limited to ID cards, personal identification number (PIN), electronic mail access codes and/or passwords, computerized records, transcripts, athletics passes, course registrations, and receipts.

b. Current Address: Each student shall maintain a current mailing address in the Office of the Registrar. Students will be held responsible for, and may not claim ignorance of, information mailed first class to the last address recorded in the Registrar's Office.

c. Falsification of University Records: No student shall provide false or misleading information to the University.

d. Forgery: No student shall possess or use any official document unless that document bears the legitimate or authorized signature of the individual indicated.

Severability

If a court of law should rule any portion of these regulations to be unlawful, it is the intent of Saginaw Valley State University that the remainder of these regulations will remain in effect.

Section 2

10. Disciplinary Process

Complaints of student behavior that may be in violation of the Code of Student Conduct are first reviewed by the Coordinator of Student Conduct. There are four courses of action available to the coordinator:

- Handle the complaint as a Mediation Conference -- a meeting convened to provide conciliation between parties; the resolution is agreed upon by all involved. If this process does not satisfy both parties, a referral will be made to Step 2 or 3, below.
- Formally charge the accused student with a violation of the Code of Student Conduct, following the Disciplinary Procedures outlined below.
- Refer the charge through the University Residential Life Disciplinary Process.
- Determine that no formal action should be taken.

11. Disciplinary Procedures

Emergency Suspension/Restriction

Because of the responsibility of the University for the welfare of the

entire University community, it may be necessary to impose emergency suspension/restrictions in some serious situations. After a report of a violation, if the Vice President for Student Services and Enrollment Management or his/her designee has cause to believe that danger will be present if a student is allowed to remain on campus, a limited action for a temporary suspension/restriction from campus residency, use of facilities and/or attendance/participation at specified University functions can be imposed. When reasonably possible, the Vice President for Student Services and Enrollment Management or designee will meet with the student prior to imposing the restriction.

A hearing will be scheduled before a hearing officer(s) as soon as practicable. A hearing officer(s) will have the power to lift, extend or impose additional sanctions following the hearing.

12. Procedural Guidelines

Follow-up will take place, as soon as practical, as prescribed in the following section. The essential safeguards for fair treatment will be provided for students charged with violating University regulations. The following shall serve as procedural guidelines:

a. The student shall be notified by the coordinator that he/she is accused of violating University regulation(s) by means of a formal Notice of Charge, which will include the following information:

1. The charges with sufficient detail of the reported action to enable him/her to prepare a response to the charge.
2. A forewarning of possible consequences.
3. The name of complainant and witnesses, if then known.
4. The Waiver/Hearing Request Form by which the student may either accept responsibility for the charge or deny responsibility and request a hearing.

b. Within a stated period of time, the student may select one of two courses of action:

1. He/she may accept responsibility for the reported action and waive, in writing, his/her right to a hearing. In such cases, a hearing officer(s) will impose a sanction(s) deemed appropriate after meeting with the student.
2. He/she may deny responsibility for the reported action in writing. If this option is selected, the student will be afforded a hearing before a hearing officer(s) not less than three (3) days but no more than seven (7) days following this request. When an extension of time appears necessary to avoid undue hardship, the Coordinator of Student Conduct may extend the time.

Failure to respond by choosing either of the above will be considered the same as an admission of responsibility. In this case, a hearing officer(s) will attempt to meet with the student and then make a ruling based on the information available.

13. Hearing Procedures

a. After sufficient notice of the date, time and location of the hearing, the charged student may elect to appear. Should the student fail to appear after sufficient notice, the hearing will take place in the student's absence.

b. The student charged shall be permitted to view any material evidence that will be submitted and considered at the hearing.

c. The student charged shall be entitled to hear, see and examine all evidence presented, to present all relevant evidence in his/her behalf in the form of witnesses or documents, and to respond to questions, but only if the student so elects.

d. The accused student may be advised and accompanied by a member of the University community, who may, if requested by the student, present a statement to a hearing officer(s) on behalf of the student. Any other presentations and questioning of witnesses shall be conducted solely by the student.

e. A hearing officer(s) shall attempt to establish the facts relevant to the reported violation based solely on the evidence presented at the hearing. Any findings must be based on substantial evidence.

- f. Each hearing will be recorded on audio tape, which will remain in the Office of Student Conduct throughout the appeal period.
- g. All proceedings shall be private, unless otherwise requested by the student.
- h. After due deliberation and within three (3) class days of the hearing, a hearing officer(s) will announce findings. Sanctions, when appropriate, will be delivered in the form of a letter to the charged including the reasons for any decision rendered against him/her.

14. Sanctions

The following sanctions are authorized as appropriate penalties that may be imposed by a hearing officer(s) when a student admits responsibility for, or is found to have violated University regulations. These sanctions may be used in combination.

a. Completion of Rehabilitation Program: At the discretion of the Student Counseling Center, a student may be required to attend and complete a community rehabilitation program.

b. Developmental/Educational Assignments: Examples include, but are not limited to, community service assignments, written topical reports, presentation of programs, interviewing appropriate persons and attending appropriate lectures or seminars.

c. Expulsion: This sanction is one of involuntary departure from the University with loss of all student rights and privileges. Separation is permanent and makes no provision for the student to re-enroll at SVSU. The expelled student is prohibited from the University and may be subject to arrest if this restriction is violated.

d. Fines: Students may be assessed a fine in conjunction with other sanctions which will further the educational mission of the University. A fee for mandatory short-term counseling may also be assessed. Fines will be posted on a student's subsequent billing statement.

e. Referral for Counseling: Students may be required to schedule an appointment(s) with the Student Counseling Center for purposes of assessment and short-term counseling. The student may be required to submit a written signed statement of attendance.

f. Restitution: Payment equal to replacement or repair costs, including labor, for damaged or stolen property, or for the reimbursement of other losses, such as medical bills.

g. Restrictions: Restrictions include, but are not limited to, termination or denial of residence in University housing, denial of use of specific University facilities, and/or restrictions from participation in extracurricular activities.

h. Temporary University Suspension: A student may be temporarily suspended from the University by the Vice President for Student Services and Enrollment Management or his/her designee pending the outcome of final charges. The Vice President for Student Services and Enrollment Management or his/her designee may invoke a temporary suspension if there is a strong indication that the student's continued presence on campus would constitute a potential for serious harm to him/herself or to the safety of any member of the University community or property.

i. University Housing Probation: Probation is a definite period of observation and review. If a student is again found responsible for violating a University rule or regulation, particularly within a residence hall, or violating an order of a judicial body, then suspension from remaining in a particular residence hall, suspension from all University housing and/or restriction from entering any University residence hall may take effect immediately. Additional or alternate sanctions may be imposed.

j. University Housing Suspension:

1. This form of suspension precludes a student from remaining in a particular University facility. Or, it may preclude a student from living in any University Housing. The specific period of the suspension will be for a minimum of two semesters. The suspended student is prohibited from visiting any University

housing facilities during this suspension and may be subject to arrest if this condition is violated.

2. A student whose University Housing Agreement is terminated by judicial or proprietary action is responsible for payment of a minimum pro-rated charge of the room and board rate for the actual days in residence and forfeiture of the remainder of the contractual obligation. Housing deposits for the following academic year will also be forfeited according to established cancellation deadlines.

k. University Probation: A more severe sanction than a warning, to include a period of review and observation during which the student must demonstrate the ability to comply with University rules, regulations, and other requirements stipulated for the probation period. Probation will not exceed two consecutive semesters of enrollment. Violations occurring during the time of probation will result in suspension or expulsion from the University. A copy of the letter of probation will be filed in the Office of Student Conduct.

l. University Suspension: A suspended student will be withdrawn from all courses and will be separated from the University for a period not to exceed six academic semesters. Readmission will be at the discretion of the University and may include completion of required conditions. The suspended student is prohibited from the University and may be subject to arrest if this restriction is violated.

m. Warning: A verbal and/or written notice to a student indicating his/her conduct is in violation of University rules or regulations. A copy of the written notice will be filed in the Office of Student Conduct.

15. Interpretation

Any questions related to the Code of Student Conduct, including disciplinary procedures, can be referred to the Office of Student Conduct, 114 Curtiss, 964-2220. Hearings are designed to afford fair and just treatment to those participating. A format is employed which preserves order and gives each participant an opportunity to speak and ask questions in turn.

16. Appeals

The decision of a hearing officer(s) may be appealed by the accused student. Appeals must be made in writing within three (3) class days following the announcement of a hearing officer(s) and should be delivered to the Coordinator of Student Conduct. Appeals will be heard by a hearing officer(s) and handled within three (3) class days of its receipt by the Coordinator. When an extension of time appears necessary to avoid undue hardship, the Coordinator of Student Conduct may extend the time.

If the appeal is subsequent to a charge that was admitted by the student, the appeal must be based solely on the contention that the sanction was excessive.

If the appeal is subsequent to a charge that was denied by the student and a hearing officer(s) ruled that the student was responsible for the action, the appeal may be based on the following:

- New evidence that was not available during the hearing.
- The contention that due process was denied the student.
- Proof of arbitrary or capricious treatment by a hearing officer(s).

Section 3

17. Resident Student Disciplinary Process

Students residing in University Housing are subject to the Code of Student Conduct, various policies described in the University Housing Agreement and/or other standards of behavior otherwise published by the Office of Housing and Residential Life. Reports of violations can be submitted by students, staff or faculty to the Office of Housing and Residential Life. The reported incident will be evaluated and referred to an appropriate University conduct process.