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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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The primary purpose of the enactment of a student rights and responsibilities code is to set forth in a clear and concise manner the rules and regulations of conduct expected of those who join the college community. Students, faculty, staff and administration should always exercise their freedom with personal responsibility.

The College expects all students to obey the law, to show respect for properly constituted authority, to perform contracted obligations, to maintain absolute integrity and high standards of individual honesty in academic work, and to observe a high standard of conduct for the academic environment. In short, a student enrolled in the College accepts the obligation to conduct himself/herself in an adult manner acceptable at an institution of higher education.

- **POLICY STATEMENT**

The educational environment is ideally conducted in an atmosphere where respect for all individuals exists. Therefore, students enrolled in the College accept the obligation to conduct themselves in an appropriate manner acceptable at an institution of higher learning.

The College has established written procedures outlined in this Student Rights and Responsibility Code, which provide a clear set of standard and fair treatments for its students.

- **STUDENT DISCIPLINARY PROCEDURES**

Members of the student body should exercise their freedoms with personal responsibility. Should violations of the Student Code occur, sanctions may be enforced for the protection of the College and its members.

Behavior which violates the Student Code should be reported to the Campus Police at Extension 5555 (emergency) or 8187 (non-emergency) or the Office of Student Life (SC 101) at Extension 8613.

- **GENERAL RIGHTS**

A student, while properly enrolled at the College, will have the right to the following College services, treatment and information:

- A. Free and open discussion, inquiry and expression, subject to constitutional limitations regarding time, place and manner.
- B. Protection against the College's improper disclosure of students' records, work, views, beliefs and political associations.
- C. Procedural safeguard and personal privacy with respect to testing for



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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- drugs and infectious diseases (i.e. [AIDS](#)).
- D. Timely and understandable information and respectful treatment regarding policies, [refunds](#), [lab and course fees](#), library fines, lab breakages, liability, etc.
- E. Freedom from a [discriminatory](#) and offensive environment that may cause emotional stress or a hostile or offensive campus environment directed toward another person.
- F. Freedom from [sexual harassment](#).
- G. Full protection under the Constitution for freedom of the press, including the Constitutional limitations on prior restraint and censorship.
- H. Due process of law as recognized as being essential to the proper enforcement of College rules.
- I. Security for his/her person, papers and personal effects against unreasonable searches and seizures.
- J. Freedom to inquire and to be informed regarding campus crime statistics.
- K. Freedom to form and operate an organized student association within the [guidelines](#) prescribed by the institution.
- L. Access to the College Ombudsman for consultation in matters of personal and school issues and concerns.
- M. Student representation through ASUVSC on College committees, councils, commissions and other formally constituted bodies that make general policy and procedure decisions directly affecting students or that govern student activities and conduct.
- N. Access to all ASUVSC sponsored activities.
- O. Accurate information in advertising, recruitment, and orientation efforts.

- **ACADEMIC RIGHTS**

A student will have the following rights in academic affairs, services and information when properly enrolled as a student at Utah Valley State College:



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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- A. Performance based on a written syllabus.
- B. Appropriate and open discussion, inquiry and expression, both in the classroom and in student/instructor conferences.
- C. Freedom to take exception to views presented in a classroom setting and to reserve judgment in matters of opinion.
- D. Professional and ethical conduct from all college personnel.
- E. Competent and professional instruction.
- F. Competent academic advisement.
- G. Protection against improper disclosure of a student's records, academic work, views, beliefs and political associations.
- H. Information prior to registering regarding the costs of tuition , activity fees , lab fees , etc.
- I. Scheduled access to and the use of college services, facilities and programs.
- J. Accurate information regarding course offerings, programs, majors, transfer policy , and institutional requirements and expectations.
- K. Accurate information regarding changes in course programs or institutional requirements and reasonable accommodation of those already enrolled in a program or classes.
- L. The right to receive academic credit and/or academic degrees when all specified requirements and course work have been satisfied.
- M. The right to appeal to the Academic Standards Committee regarding grade change, withdrawals, etc.

● **GENERAL RESPONSIBILITIES**

A student assumes the responsibility to conduct himself/herself in an appropriate manner. Categories of misconduct that are not considered responsible behavior include, but are not limited to, the following:

- A. Failure to respect the right of every person to be secure and protected



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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from fear, threats, intimidation, harassment, hazing and/or physical harm caused by the activities of groups or individuals.

B. Sexual assault, harassment, or any other unwelcome verbal or physical sexual activity, including the support or assistance of such activities.

C. Unauthorized seizure or occupation of any College building or facility.

D. Obstruction, disruption or interference with teaching, disciplinary proceedings, College-sponsored activities and services or events.

E. Use or possession of any weapon, explosive device, or fireworks on a person or storage of such on College property without prior written approval from the Chief of Campus Police.

F. Unlawful use, possession, distribution, sale, manufacture, or possession for purposes of distribution or sale of any controlled substance or illegal drug on any property or in any building owned, leased or rented by the College or at any activity sponsored by the College.

G. Initiation or circulation of any false report, warning or threat of fire, bombs or explosives on College premises or during College-sponsored events.

H. Violation of the Utah Indoor Clean Air Act and/or the College Policy.

Smoking

I. Sale, possession, manufacture, distribution or consumption of beverages on College properties.

alcoholic

J. Unauthorized possession, forging, altering, misusing or mutilating of College documents, records, educational materials, identification, (i.e. personal ID, parking decal, etc.) or other College property.

K. Violation of city ordinances and/or state statutes regarding gambling.

L. Delivery of false information to College personnel.

M. Theft or malicious destruction, damage or misuse of College property or private property of another person on the College campus or when engaged in activities sponsored or supervised by the College off campus.

N. Intentional or reckless destroying, defacing, vandalizing, damaging or misusing the property, equipment, materials, services or data of the College.

O. Unauthorized possession or use of a key to any College facility or equipment.

P. Obscenity and lewd conduct as defined by College policy, city ordinances, and/or state statutes.

Q. Failure to adhere to all laws and regulations governing the duplication and use of copyrighted materials including, but not limited to, printed and audio materials, video film, and/or computer software.



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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- R. Unauthorized use or charges to any College telephone for long distance calls. College telephones are for business use only.
- S. Unauthorized off-campus [fund-raising](#) activities on behalf of the College. All fund-raising must have prior written approval for the College Development Office.
- T. Intent to defraud the College in any financial matter including, but not limited to:
  - 1. non-redemption of personal checks refused by a bank;
  - 2. sale/resale of supplies, books, or equipment in violation of College agreements;
  - 3. falsifying College financial records; and/or
  - 4. non-payment of tuition and fees as set forth by College regulations.
- U. Failure to conduct oneself in a way not to endanger the health and well-being of other student and College personnel.
- V. Unauthorized commercial ventures or enterprises on College property.
- W. Bringing animals on campus except for those serving the disabled or those used for educational purposes.
- X. Allowing [children](#) in College classrooms or laboratories (unless they are an integral part of instruction) or leaving children unattended in hallways and restrooms or at College-sponsored events and functions.

Students are encouraged to report violations of this policy to an appropriate College office.

• **ACADEMIC RESPONSIBILITIES**



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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- A. Each student is expected to take an active role in the learning process by meeting course requirements as specified in written syllabi.
- B. Each student is expected to display appropriate conduct in classroom situations, which will enhance the learning environment.
- C. Faculty members have the right to establish classroom standards of behavior and attendance requirements. Students will be expected to meet these requirements and make contact with faculty members when unable to do so.
- D. Each student is expected to maintain academic ethics and honesty in all its forms, including but not limited to, cheating and plagiarism as defined hereafter:
  1. *Cheating* is the act of using or attempting to use or providing others with unauthorized information, materials or study aids in academic work. Cheating includes, but is not limited to passing examination answers to or taking examinations for someone else, or preparing or copying other's academic work.
  2. *Plagiarism* is the act of appropriating any other person's or group's ideas or work (written, computerized, artistic, etc.) or portions thereof and passing them off as the product of one's own work in any academic exercise or activity.
  3. *Fabrication* is the use of invented information or the falsification of research or other findings. Examples include but are not limited to:
    1. Citation of information not taken from the source indicated. This may include the incorrect documentation of secondary source materials.
    2. Listing sources in a bibliography not used in the academic exercise.
    3. Submission in a paper, thesis, lab report or other academic exercise of falsified, invented, or fictitious data or evidence, or deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or evidence.
    4. Submitting as your own any academic exercises, (e.g., written work, printing, sculpture, etc.) prepared totally or in part by another.

**• SANCTIONS**



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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The purpose of sanctions is to provide a uniform method of dealing with infractions of the Student Code at Utah Valley State College. This process ensures that each situation considered for action receives a fair and impartial hearing. In preparing the procedure, careful attention will be given to the Student Code of Rights and Responsibilities, including the legal rights provided citizens under the Constitution of the United States and the State of Utah.

Sanctions are assigned in accordance with two criteria:

- A. Educational value for the person penalized and
- B. Consistency between the offense and the penalty assigned.

- **INSTITUTIONAL SANCTIONS**

The student found in violation of the Student Code may be subject to one or more of the following sanctions:

- A. ***Warning***

- Verbal or written notice to a student that his/her conduct may be in violation of College rules and regulations, and that the continuation of such conduct or actions may result in further disciplinary action.

- B. ***Reprimand***

- Issuance of a written censure by the faculty member or College official stating violations and possible penalties sent to the student and also kept on file.

- C. ***Probation***

- A specified period of observation and review of conduct during which the student must demonstrate compliance with College rules and regulations. Counseling or participation in specific courses or workshops for a specified period of time may be required. Terms of probation and the probationary period will be determined at the time the sanction is imposed. Appropriate College officials shall be notified of the imposition of the sanction.

- D. ***Suspension from Participation in a Restricted Enrollment Program***

- The opportunity to participate in a restricted enrollment program may be denied or suspended.

- E. ***Suspension of Specific Privileges***



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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The opportunity to participate in extracurricular activities, attend campus activities, utilize campus facilities, resources and services or other such measures may be suspended for a specific period of time, up to one year.

**F. *Suspension of Use of Specific College Services***

The right to access and receive transcripts, register, etc., may be suspended for a specific period of time or until specific conditions are met.

**G. *Separation of the Person from the College***

Separation of the person from the College for a specified or indefinite period of time. Temporary and/or permanent suspension may appear on the student's transcript. Participation in any College-sponsored activity or the persons' physical presence on the campus may be restricted.\*

**H. *Expulsion***

The student may be permanently separated from the College. A permanent indication of expulsion will be made on the student's transcript. The person can also be barred from the College campus or campus activities.\*

**I. *Readmission***

The student is discouraged from applying for readmission and may not be admitted without consent of the Campus Appeals Board and the President of Utah Valley State College.

\*Sanctions G and H will be recommended to the President of Utah Valley State College for implementation.

**• MONETARY SANCTIONS****A. *Forfeiture***

Loss of tuition and/or monies due to an individual or group, and/or other appropriate fees may be imposed jointly with expulsion, suspension, suspension of specific privileges or probation.



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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**B. Restitution**

Reimbursement for damage to or misappropriation of property, which may take the form of direct financial compensation and/or the individual obligation to perform up to 20 hours per week of uncompensated work for the College, community or other forms of indirect compensation as outlined in the official decision.

**C. Fines**

Payment of punitive fines may be required. Fines may be imposed separately or in conjunction with any other individual sanction or combination of sanctions. A portion of the fine may be suspended pending successful completion of other sanctions. Failure to make required payment may result in cancellation or denial of academic registration or office, or recognized membership in the associated student organizations (ASUVSC).

**● PERSONAL DEVELOPMENT SANCTIONS**

Either requirements or recommendations for counseling, enrollment in specific campus courses, or workshops may be made. If requirements are not met, probation and further sanctions may result.

**● INDIVIDUAL/GROUP SANCTIONS**

Any single sanction or combination of sanctions listed in this Student Code, including the loss of ASUVSC status may be imposed against an entire group, individual group officers, or individual group members, arising from their conduct in or leadership of the group, pursuant to the provisions for personal conduct outlined in this Student Code. Notification of any sanction imposed may be made to national affiliates and officials.

**● TEMPORARY/INTERIM/EMERGENCY SANCTIONS**

In special circumstances, any sanction listed above may be temporarily implemented prior to hearing and carried out by official enforcement agencies.

A. Situations in which there is reasonable cause to believe the continued presence of either the student or a student group on campus or at College events poses an unreasonable risk of harm to the health, safety or welfare of the College community or individuals in the College community include:



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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1. Threatening or inflicting bodily harm on oneself or others;
2. Inflicting serious emotional or mental distress or fear on oneself or others;
3. Creating a substantial disruption of normal campus functions, including campus instruction;
4. Presenting a threat to the stability and continuance of any normal College function;
5. Being arrested on misdemeanor or felony charges.

- B. Any student/student group receiving a sanction or an interim basis shall be given the opportunity for a review by the College Appeals Board chair or another appropriate authority before a hearing committee within a reasonable time period from the effective date of action.
- C. If, after a review, it is determined that a student or registered student organization did not violate College policy or fall under the provisions of the emergency section, arrangements will be requested of faculty members so that any missed academic work may be made up.
- D. As soon as possible, the chair of the appropriate committee will schedule a hearing to determine if temporary sanctions should become permanent.

● **PENDING CIVIL OR CRIMINAL ACTIONS**

Civil or criminal court actions may be grounds for sanctions imposed by the College before or after courts have determined guilt or civil liability:

- A. College actions in addition to formal civil or criminal legal action may be considered at the request of campus police or other interested parties. Such an issue must allow for due process before further action is taken.
- B. Temporary sanctions may be imposed, based on guidelines outlined in this Student Code.
- C. Permanent sanctions may only be imposed after a committee decision is reached.
- D. The due process procedures and guidelines outlined in this Student Code must be followed where permanent sanctions or additional College sanctions may be imposed.

● **APPEALS**



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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- A. As with all issues, problems should be resolved at the lowest possible level and involve individuals closely aware of and involved in the issue(s) before seeking appeals.
- B. In the case of appeal hearings, penalties may not be assigned that are more severe than those assigned by the lower body unless additional evidence has been presented justifying such an action.
- C. In the case of appeal hearings, penalties may not be overturned until after review of written lower body recommendations and evidence.

- **GRIEVANCE PROCEDURES**

The appeals procedure outlined hereafter applies to all student grievances. Individuals who feel they have been unfairly treated may make a written appeal through the appropriate channels described herein.

The primary purpose of this section is to provide a set of procedures through which a student may seek redress, or be disciplined for alleged violations of College policies and practices that are relative to provisions found in the Student Rights and Responsibilities Code. The grievance procedure is not applicable for situations deemed more appropriate for other appeal and adjudication procedures provided by the College (i.e. College Academic Standards Committee, Affirmative Action/Title IX Committee, etc).

- a. *Types of College Appeals*

1. **Academic Grievances**

For academic grievances, the channel of appeal shall be through the Academic Standards Committee regarding grade change, withdrawal, etc. by contacting the Office of the Registrar, AD 112.

2. **Discrimination Grievances**

For matters related to discrimination on the basis of national origin, race, color, sex, sexual harassment, marital or parental status, religion, age, the channel of appeal shall be through Cory L. Duckworth, the Student Equity Officer in Administration Building, Room AD 201, Utah Valley State College, Orem UT 84058-5999, telephone (801)863-8335.

3. **General Student Grievances**

For general student grievances in which alleged violations of the Student Rights and Responsibility Code are involved, an individual may petition the Campus Appeals Board to be convened for a formal hearing by contacting the Office of Student Life, SC 101.



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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**b. *Filing a Grievance***

Individuals utilizing any grievance procedure may do so by completing and submitting the appropriate appeal form to the responsible body. Appeals subject to the Campus Appeals Board should be submitted no later than 14 days following the alleged violation. College personnel directly involved in or knowledgeable about the student(s) issue must also respond within 14 days, after which the procedure will automatically proceed to the next step as outlined in the Campus Appeals Board procedure (steps 1-3) as listed below.

**c. *Campus Appeals Board Procedure***

1. The aggrieved student is encouraged to first confer with the individual(s) involved in the grievance in an attempt to resolve the problem informally. This could include assistance from the Office of Student Life. If the dispute is not resolved informally, individuals(s) may call for a formal hearing to be conducted.
2. Unresolved grievances shall be filed in written form, and submitted to the respective chairperson or his/her designee. The chairperson, within 14 days from the date of the grievance filing date, shall conduct a formal hearing or inquiry and shall attempt to resolve the matter impartially as quickly as possible.
3. If the panel's decision requires a student's separation or termination from school, the recommendation for dismissal will be forwarded with copies of all documentation to the College President or his/her designee who shall accept the panel's decision or provide written exception after review of all evidence presented. The decision of the President or his/her designee shall become the final institution decision. The College President will provide the hearing panel a written copy of his/her final decision within 14 days.

At the step the grievance is resolved, a written statement shall be prepared, signed, dated, sent to all parties and filed with the appropriate corresponding office.

**d. *Hearing Committee/Hearing and Decisions***

The Campus Appeals Board shall constitute the hearing panel, consisting of at least two faculty (selected by the Faculty Senate Executive Board), one staff member (selected by the PACE Board), and three student representatives (selected by the Student Body President). The hearing



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**Subject: Student Rights and Responsibilities, Sanctions, and Grievances**

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panel shall serve three, two, or one year terms as needed to provide continuity. The intent of the Board will be to establish a hearing panel that is unbiased. Therefore, all panel members shall be impartial toward the case before them. The Dean of Student Life will appoint panel members as needed where members are disqualified or unavailable for the entire hearing. The panel will receive legal advice in conducting such hearings.

Due process shall be accorded to all parties involved in the grievance including their right to notice of hearing, time and date, a list of charges, the right to obtain advice from counsel, the right to present witnesses, the right to cross examine, and the right to present written statements.

Should any of the parties by their choice wish not to attend, the hearing will continue to be conducted. No fewer than five committee members will hear grievances put before the panel. Decisions by the hearing panel will be by majority vote of the members present at the meeting. At the completion of the hearing, a decision will be rendered and announced by the panel chairperson.

A panel's written decision will be made available within 14 days following the conclusion of the final hearing. Copies of the written decision shall be provided to all parties involved in the dispute.

e. ***Withdrawal***

A grievance may be withdrawn by the grievant at any time without prejudice.

f. ***Reprisals***

No reprisals of any kind shall be taken by or against any party or legitimate participant in the grievance procedure by reason of such participation; however, individuals furnishing false information and/or documentation to the hearing panel are subject to disciplinary action.

g. ***Confidentiality***

Appropriate confidentiality will be observed in all grievance procedures.

h. ***Informal Resolution of Grievance Encouraged***

Nothing contained herein shall be construed so as to limit in any way the ability of the grievant and the College to resolve any grievance mutually and informally.



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Subject: Student Rights and Responsibilities, Sanctions, and Grievances

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- APPROVAL AND AMENDMENT

Any member of the UVSC community may recommend amendment of this procedure by submitting such recommendation in writing to the Student Rights and Responsibilities Committee. An amendment becomes effective after approval of the College Board of Trustees. (See Policy A-1.1, [Adoption of College Policies](#)).

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