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THE STUDENT CODE OF CONDUCT

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Student Code of Conduct

Effective: August 15, 2022

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Section I: Introduction

The Pennsylvania State University educates students from around the world and supports individuals and communities through integrated programs of teaching, research, and service. As a community of scholars, we aspire to:

- Act with integrity and honesty in accordance with the highest academic, professional, and ethical standards
- Respect and honor the dignity of each person, embrace civil discourse, and foster a diverse and inclusive community
- Act responsibly and are accountable for our decisions, actions, and their consequences
- Seek and create new knowledge and understanding, and foster creativity and innovation, for the benefit of our communities, society, and the environment
- Strive for excellence in all our endeavors as individuals, an institution, and a leader in higher education
- Work together for the betterment of our University, the communities we serve, and the world

The Student Code of Conduct (“Code”) sets forth the community standards and procedures that maintain and protect an environment that is conducive to learning and supports Penn State’s educational objectives.

In line with the Penn State mission and values, the Office of Student Accountability and Conflict Response works to uphold these community and university standards through compassionate interventions in which students are heard, respected, and treated with dignity. These students, including student organizations leaders, have the developmental opportunity to participate in fair and impartial resolution processes which encourage personal accountability and responsible decision making; promote reflection and restoration; and reduce and prevent behavior which undermines student success and community safety.

Section II: Definitions

For the purpose of this policy, the following terms shall have the following meanings:

1. “Act of Bias” refers to behavior that is motivated by bias against or hatred toward other individuals or groups based on actual or perceived age, ancestry, color, mental or physical disability, genetic information, national origin, political belief, race, religious creed, sex, sexual orientation, gender identity, or veteran status.

2. “Appeals Body” means the trained and impartial person or persons designated by the Senior Director to consider an appeal.
3. “Cannabis” means the parts, product, and natural or synthetic derivatives of the plant cannabis sativa, indica, ruderalis, and hybrid strains, regardless of the tetrahydrocannabinol level, and is a federally controlled substance. Pursuant to federal law, the use of cannabis, including medical use, is prohibited on University Premises and at University Sponsored Activities. Cannabis, for the purpose of this policy, does not include FDA approved substances or industrial hemp as permitted by federal law.
4. “Case Manager” means the trained and impartial person designated by the Senior Director to meet with the Respondent to discuss the allegations and the conduct process, investigate reported behaviors, and/or manage alleged violations through resolution.
5. “Complainant” means a person that has been the subject of a Student's alleged misconduct when the case involves allegations of Discriminatory Misconduct and/or crimes of violence (as defined by [34 CFR Part 99—Family Educational Rights and Privacy](#)). How, and when, a Complainant may interact with the conduct process is further defined by [written procedure](#).
6. “Consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. The ability to give Consent may be impacted by mental or physical incapacitation, including that from the use of alcohol or other drugs. Consent is further defined by University policy (See [AD91](#) and [AD85](#)).
7. “Decision-maker” means a trained and impartial person or persons designated by the University to administer the formal resolution process, make a regarding the alleged violations based upon a preponderance of the evidence, and impose an action plan, if applicable. When the Respondent is an individual student and may be subject to suspension or expulsion, the Case Manager may not also serve as a Decision-maker.
8. “Impacted Party” means any person, who is not a Complainant, adversely impacted by a Student's misconduct. How, and when, an Impacted Party may interact with the conduct process is defined by written procedure.
9. “Negative Transcript Notation” means a notation reflecting a violation of this Code, including the administrative sanction, is reflected on the Student's academic record.
10. “Respondent” means a Student or Student Organization who allegedly violated this Code.
11. “Student” means (a) any person registered for or enrolled in a University academic course or program; (b) any person who has accepted an offer of admission to the University; or (c) any person who participates in university programs or activities that require Student status.
12. “Student Organization” means any group of Students meeting the University’s criteria for organizational recognition or registration established by the University or its units, colleges, or departments.
13. “Support Person” means a person who accompanies a Respondent or Complainant for the purpose of providing support, advice, or guidance. Any limitations regarding support persons are defined in

[written procedures](#) or other relevant University policy.

14. “University Official” means a person having assigned University responsibilities (e.g., course instructor, staff member, police officer, etc.) who is performing their university duties. This includes Students who have been authorized to act on behalf of the University, such as resident assistants.
15. “University Premises” includes all land, buildings, or grounds owned, leased or rented, operated, controlled, or supervised by the University and adjacent sidewalks and streets.
16. “University Sponsored Activity” means any activity, including all classes, programs, and events, that is directly initiated or supervised by the University, on or off University Premises.

Section III: Scope, Authority, and Jurisdiction

1. The Senior Director of Student Accountability and Conflict Response (“Senior Director”) is the person identified by the University President to be responsible for the administration and interpretation of the Code across the Commonwealth and around the world. The Senior Director is responsible for developing [written procedures](#) for the practical application of this Code. For good cause, the Senior Director may make modifications to resolutions and/or procedures, permitted those modifications do not materially jeopardize the fairness owed to any party. The Senior Director may designate others, including designees at each Penn State campus, to fulfil any of the procedural responsibilities outlined in this Code.
2. The Code applies to each Student for behavior that occurs from the time of accepting admission, registration, or enrollment (whichever occurs first) through the actual awarding of a degree or complete withdrawal as defined by the University, regardless of when the behavior is reported.
 - a. It applies to behavior that occurs during periods of suspension from the University.
 - b. It applies to behavior that occurs between periods of enrollment so long as the Student is eligible for continuing enrollment.
3. The Code also applies to the conduct of Student Organizations, as defined in this Code. Jurisdiction is retained for conduct that occurred when the Student Organization was recognized or registered, or in the process of becoming so, regardless of current status. Allegations of misconduct by Student Organizations will be managed using the same process (Section V. Resolution Process) as individual Students.
4. The Code applies to all activities on University Premises or University-supported virtual platforms, and during any University Sponsored Activity, including Student Organization events and activities, regardless of location. The University may apply the Code to behavior which occurs elsewhere when the University can demonstrate a clear and distinct interest as an academic institution regardless of where the conduct occurs, and which:
 - a. Causes substantial disruption to the University community or any of its members,
 - b. Involves academic work or any University records, documents, or identifications,

- c. Seriously threatens the health or safety of any person, or
 - d. Constitutes a violation of local, state, or federal law.
5. Those with knowledge of possible violations of this Code are encouraged to submit reports as soon as possible. A delay in reporting may impact the University's ability to gather relevant and reliable information, or to assign an action plan to a Respondent found in violation of this Code.
6. Proceedings under the Code are separate from civil or criminal proceedings and may, at the discretion of the Senior Director, be carried out prior to, simultaneously with, or following civil or criminal proceedings.
7. Students with other affiliations, including but not limited to student-organization membership, University-affiliated programs (e.g., club sports, ROTC, etc.), academic programs, NCAA athlete status, University appointment or employment, or visa status, may be subject to applicable processes or standards in addition to this Code.

Section IV: Prohibited Conduct

1. Academic Misconduct

a. Unauthorized Assistance: Unauthorized collaboration and/or accessing or using unauthorized materials, information, tools, or study aids. Also, allowing another person to submit work or participate in academic requirements on one's behalf, or assisting another to engage in any form of academic misconduct.

b. Misrepresentation: Misrepresenting another's material as one's own, including using another's words, results, processes, or ideas in whole or in part without giving appropriate citation or credit. Includes acts of plagiarism.

c. Fabrication: Providing false information in fulfillment of an academic assignment, exercise, publication, or another requirement, including making up data, sources, efforts, events, or results and recording, reporting, or using them as authentic.

d. Reuse of academic work: Using the same academic work, in part or entirely, for credit more than once, unless specifically authorized by the instructor receiving the reused work. Includes reusing previously graded work when retaking a course.

e. Misuse of instructional content: Recording and/or disseminating instructional content, including course exams, or other intellectual property, without the express written permission of the instructor(s) or intellectual property owner, or as permitted by their Campus Disability Coordinator.

2. Substance Use Misconduct

a. Causing another to ingest: Causing another to ingest alcohol, cannabis, or other controlled substance without their awareness.

b. Excessive consumption: Being under the influence of alcohol, cannabis, or other controlled substance to the degree that the person may be a health or safety risk to themselves, others, or

property.

c. Impaired driving: Operating a vehicle while under the influence of alcohol, cannabis, or other controlled substance.

d. Manufacturing or distribution: Furnishing, cultivating, manufacturing, distributing or selling alcohol, cannabis, or other controlled substances, including prescription medication, except as expressly permitted by both State and Federal law. Includes allowing others to distribute, or manufacture, at activities they organized, financed, or endorsed, or within any property or transportation they own, operate, or rent.

e. Possession or consumption.

i. Alcohol: Possession or consumption of alcohol by those under the legal drinking age, or by those of the legal drinking age in unauthorized areas.

ii. Cannabis: Possession or consumption of cannabis, except as expressly permitted by both State and Federal law.

iii. Other Controlled Substances: Possession or consumption of a controlled substance, including prescription medication, except as expressly permitted by both State and Federal law.

f. Tobacco: Smoking and tobacco use, including “vaping,” is prohibited on University Premises and in university vehicles, except as exempted by university policy (See [AD32](#)).

g. Unreasonable risk: Failure of a student organization to take reasonable steps to ensure that no person unlawfully is furnished with, possesses, or consumes alcohol, cannabis, or other controlled substances at a group-sponsored, organized, financed, or endorsed activity or event, or within property or transportation it owns, operates, or rents.

3. **General Misconduct**

a. Attempts to engage: Attempting to engage in any of the conduct prohibited by this Code.

b. Damage and/or destruction: Damage to or destruction of University property or the property of another.

c. Disruption: Engaging in behavior that could reasonably be foreseen to cause, or that causes, the disruption of, obstruction of, or interference with:

i. The process of instruction, research, service, administration, administering the Code of Conduct, or any other University operation, including University Sponsored Activities,

ii. The rights of others to sleep, study, and/or freely participate in university programs or services,

iii. An environment conducive to learning, or

iv. Freedom of movement on University Premises, either pedestrian or vehicular.

d. Encouraging, inciting, and/or supporting: Inciting another to engage in conduct prohibited by this Code or maintaining presence during the planning or implementation of, or otherwise assisting in, any known or obvious violation of the Code in such a way as to condone, support, or encourage such violation. Students who anticipate or observe a violation of university policy are expected to remove themselves from participation and are encouraged to report the violation.

e. Failure to comply: Failure to comply with any reasonable directives from University or public officials in the performance of their duties. This includes, but is not limited to, failures to: present identification when requested, report to an administrative office, adhere to no-contact-directives and/or interim actions, remove oneself from University Premises, comply with an adaptable resolution agreement, complete conduct outcomes and/or sanctions, and cease and desist.

f. Falsification and/or fraud: Knowingly providing/presenting, creating, or possessing falsified or forged material, records, or documents or any intentional misrepresentation of fact to obtain or attempt to induce another to surrender a right, benefit, or property. Additionally, falsely presenting oneself as a university or public official, intentionally initiating any false report or providing false or misleading information during a resolution process or providing false or misleading information to a person acting in their capacity as a university or public official.

g. Harassment: Engaging in behavior that is sufficiently severe, pervasive, or persistent and objectively offensive to a degree that it interferes with a reasonable person's ability to work, learn, live, or participate in or benefit from the services, activities, or privileges provided by the University.

h. Hazing: Conduct prohibited by the University's Anti-Hazing Policy ([AD98](#)).

i. Physical contact: Physical contact that endangers the health or safety of or harms any person.

j. Public exposure: Exposing one's genitals in a public place or where members of the public could see, including but not limited to exposure which occurs during sexual activity, *and* when the exposure could reasonably be foreseen to cause people to be offended or alarmed.

k. Public urination or defecation: To urinate or defecate in any public location not specifically designated as a restroom.

l. Retaliation and/or deterrence: Conduct prohibited by the University's retaliation policy ([AD67](#)). Retaliation includes any adverse action taken toward a person who is, or is perceived to be, engaged in a report, an investigation, or University or legal proceeding, because that person participated in the process or to deter a person from participating in the process. Adverse action does not include petty slights or trivial annoyances. For example, giving someone angry looks, refusing to socialize with someone, and/or justified, negative comments about someone would not generally constitute retaliation.

m. Safety hazard: Tampering with firefighting equipment or smoke detectors, causing a false alarm, or any other behavior which endangers the health or safety of others.

n. Theft and/or possession: Unauthorized taking or possession of property belonging to another individual or entity, including goods, services, and other valuables.

o. Threatening behavior: Any physical, written, or verbal conduct, whether direct, indirect, or conditional, that conveys intent or is reasonably perceived to convey intent to cause physical harm to property or someone or to place someone in fear of their own safety or the safety of others. Threat encompasses the use of technology to commit this behavior.

p. Unauthorized access or use: Unauthorized access to, entry to, or use of physical or virtual space, including misuse of access privileges. Unauthorized use of university electronic resources,

property or services, or the property of others. Includes conduct prohibited by university policies [AD57](#), [AD95](#), and [AD96](#).

q. Unwanted contact: Repeated contact or communication to another person when the contacting person knows or should know that the contact or communication is unwanted by the other person, and:

- i. The contact would cause a reasonable person fear of physical harm;
- ii. The contact is made with intent to cause psychological or mental harm; or,
- iii. The contacting person knows or should know that the contact or communication

significantly impacts the other person's ability to perform the activities of daily life.

r. Violation of law: Any action or behavior which violates federal, state, or local law.

s. Violation of university regulation: Any action or behavior that violates written University policies or regulations contained in any official publication, administrative announcement, contracts, and/or postings, including University websites.

i. Violation of university housing regulation: Behavior prohibited by the Housing and Food Service Contract when the alleged violation occurred within University Housing and the respondent is a resident of a Penn State Residence Hall.

t. Weapons.

i. Possession of a weapon: Possession of explosive materials, firearms, ammunition, or other weapons is prohibited on University Premises and at University Sponsored Activities, unless expressly authorized by law and applicable University policy. Includes conduct prohibited by university policies [SY08](#) and [SY12](#).

ii. Use of a weapon: Use of explosive materials, firearms, ammunition, other weapons, or any object or substance used as a weapon is prohibited on University Premises and at University Sponsored Activities, unless expressly authorized by law and applicable University policy. Includes conduct prohibited by university policies [SY08](#) and [SY12](#).

4. Discriminatory Misconduct

a. Discriminatory Harassment: Behavior which is prohibited by university policy [AD91](#) including but not limited to stalking, dating violence, domestic violence, and harassment motivated by another's actual or perceived age, race, color, ancestry, national origin, sex, sexual orientation, gender, gender identity, physical or mental disability, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, marital or family status, pregnancy, pregnancy-related conditions, genetic information, or political ideas.

b. Sexual Misconduct: Behavior which meets the definition of sexual assault, including non-consensual penetration and other sexual contact, or sexual exploitation under university policy [AD91](#).

Section V: Resolution Process

1. **Report.** Within a reasonable time, the Senior Director will determine whether a report alleges a potential violation of the Code, and whether the matter should proceed through the student conduct process. If proceeding, the Senior Director assesses whether an adaptable resolution, formal student conduct action, or other process is appropriate. If a resolution process is not pursued, the University may respond in other ways to facilitate dialogue or education.
2. **Adaptable Resolution Pathway.** The Senior Director may determine that an adaptable resolution process (restorative practices, deferred adjudication, mediation, informal resolution, etc.) is appropriate at any time before an administrative conference. If applicable, the Senior Director may consult with the Complainant and/or Impacted Party prior to making this determination. The Respondent must voluntarily agree to an adaptable resolution.

3. **Formal Student Conduct Action.**

a. *Notice.* If the Senior Director deems formal student conduct action to be appropriate, the Senior Director will issue a written notice to the Respondent via Respondent's official Penn State e-mail address. In cases involving Student Organizations, the notice will be emailed to the organization's representative.

i. The burden of proof for finding a violation rests with the University. The Respondent is presumed to be not in violation until such a time as the Respondent accepts responsibility or is found in violation at the conclusion of the formal student conduct process.

ii. This notice will identify whether the Respondent may be subject to suspension or expulsion.

iii. All communications, including this notice, sent by the Senior Director, or a designee, are considered received when sent.

b. *Informational Meeting.* The Case Manager will schedule an informational meeting for the Respondent. This meeting includes a review of the allegations, an explanation of the student conduct process, and an opportunity to review appropriate options for resolving the matter. While not required, the Respondent may choose to share information about the alleged incident with the Case Manager to inform next steps. The Respondent may bring a Support Person with them to this, and any other, meeting throughout the process.

i. Following the Informational Meeting, the Case Manager will determine whether the case requires an administrative conference. The Respondent may also request an administrative conference.

ii. If the Respondent is not subject to suspension or expulsion, the Case Manager may issue a Violation Agreement which includes the alleged violation(s) and an appropriate Action Plan. Respondents receiving such communications will be afforded an administrative conference upon request. If the Respondent does not request an Administrative Conference within three business days of the communication, the Respondent will be deemed to have accepted the violation(s) and agreed to the outlined Action Plan.

iii. A Respondent who is subject to suspension or expulsion may agree to resolve allegations

by accepting responsibility without an administrative conference and may waive their opportunity to appeal. Such a waiver will be knowing, voluntary, and explicit.

c. *Administrative Conference.* The administrative conference is an administrative proceeding not comparable to a criminal or civil trial. The administrative conference is further defined by applicable written procedures.

i. If the Respondent, after receiving notice of the administrative conference, does not appear for the conference, the conference will proceed without the Respondent.

ii. Following the administrative conference, the Decision-maker, applying a preponderance of the evidence standard, will determine if any violation of the Code occurred. The Decision-maker will determine the Action Plan to be assigned for any violation(s).

d. *Student Organization Violations.* In determining whether a Student Organization is in violation, in addition to the above, the Decision-maker may consider whether:

i. The violation arises out of a group-sponsored, organized, financed, or endorsed activity or event;

ii. The organization provides the impetus for the violation;

iii. The violation occurs on the premises or transportation owned, operated, or rented by the group;

iv. A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or

v. A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.

4. **Students with Disabilities.** A Student requesting an accommodation must follow the appropriate process for requesting an accommodation through their Campus Disability Coordinator. That University Official will make a determination regarding the request and notify the appropriate parties. In most instances, a Respondent's disability will not be relevant to finding whether a conduct violation occurred. The extent to which the disability contributed to the prohibited conduct may, however, be considered as a mitigating factor during the creation of an Action Plan.

5. **Action Plan.** When a Student or Student Organization is found to be in violation of the Code, they are assigned an action plan intended to promote reflection and growth, repair any harm caused, and help the Student or Student Organization recommit to institutional values. The following describes the outcomes and sanctions that may be imposed, individually or in various combinations, as a part of an action plan. Any administrative sanction may be issued in a conditional status, meaning the sanction is considered inactive contingent upon compliance with a designated set of conditions, including no further Code violations for a specified period of time. Failure to comply may result in the conditional sanction going into effect immediately upon the finding of a violation. Conditional sanctions may only be appealed at the time they are issued. Appeals at the time they go into effect will not be considered.

a. Outcomes.

i. Educational Outcome: The Student or Student Organization is required to complete a project or activity designed to promote learning and prompt changes to Student behavior and prevent further misconduct. Educational outcomes may include, but are not limited to, workshops, seminars, meetings, assignments, and substance use assessments.

ii. Reflective Outcome: The Student or Student Organization is required to complete a project or activity designed to promote self-reflection on one's actions and the impact of those actions on others.

iii. Restorative Outcome: The Student or Student Organization is required to complete a project or activity designed to address the impact of the behavior and repair harm caused to any person and/or community.

b. Administrative Sanctions.

i. Formal Warning: The Respondent is given official notice that their conduct is in violation of the Code, and that future violations may result in more significant student conduct action.

ii. Conduct Probation: The Respondent is given official notice that their continued relationship with the University is conditional and dependent upon demonstrated and sustained compliance with university policy and the assigned Action Plan. Eligibility for certain University Sponsored Activities may be restricted while a student is on Conduct Probation. The period of probation can last from one semester to multiple semesters, or indefinitely.

iii. Suspension.

1. Individual Suspension: The Student is ineligible to register for, to attend, or to participate in University Sponsored Activities, and to live in university housing for a specified period of time. A Negative Transcript Notation is applied for the length of the suspension and may not be removed until completion of the Action Plan. A suspension may also include an exclusion, see below, from some or all University Premises.

2. Organizational Suspension: The Student Organization loses all rights and privileges associated with being a recognized student organization, must cease any organizational activity or function, and is prohibited from engaging in any organizational activity or function for a specified period of time.

3. Indefinite Suspension: An Individual or Organizational Suspension which is applied for an indefinite period of time. The Respondent may request the Indefinite Suspension be lifted, in accordance with applicable procedures, after a specified period of time.

iv. Expulsion.

1. Individual Expulsion: The Student is permanently expelled from the University and is prohibited from participating in University Sponsored Activities or residing in university housing. A permanent Negative Transcript Notation is applied. An expulsion may also include an exclusion, see below, from some or all University Premises. This sanction requires administrative review and approval by the University President.

2. Organizational Expulsion: The Student Organization permanently loses all rights and

privileges associated with being a recognized student organization. This sanction requires administrative review and approval by the University President.

v. Exclusion: The Student is not permitted to appear at or be present on all, or a specified portion of, University Premises, including virtual spaces, without advance written permission from the Senior Director.

vi. University Housing Action.

1. Housing Reassignment: The Student or Student Organization is relocated to an alternate residence hall assignment(s).

2. Loss of Housing: The Student is ineligible to reside in university owned or operated housing for a designated period of time. During this designated period, the Student may not be present in any private residential areas, such as a resident's room or suite, of any University owned residence hall or apartment building. If applicable, the Student is removed from any current and/or future residence hall assignment. This sanction requires administrative review and approval by the Senior Director of Residence Life.

vii. Loss of Privileges: The Student or Student Organization is denied specified privileges normally associated with Student status or recognized Student Organization status, such as participation in or sponsorship of University Sponsored Activities or use of university property or facilities.

viii. Restitution: The Student or Student Organization is required to replace or restore damaged, stolen, or misappropriated University property.

ix. Other administrative measures, as appropriate.

c. Aggravating and Mitigating Factors. The Decision-maker, in their discretion, will consider any aggravating and/or mitigating factors related to the violation(s) when determining Administrative Sanctions. An Act of Bias is considered an aggravating factor and therefore will typically result in a more significant sanction(s).

6. **Appeals.** If the Respondent was subject to suspension or expulsion, at the time of the administrative conference, the Respondent or, if applicable, the Complainant may choose to appeal the administrative conference decision within five business days to the designated Appeals Body. Appeals must be in writing, state the basis for the appeal, and be delivered as directed in the applicable procedures.

a. Except for new information, an appeal is limited to the case file. An appeal will only be accepted for one or more of the following purposes (Basis for Appeal):

i. To determine whether there was any procedural irregularity, including bias, that significantly affected the outcome of the matter;

ii. To determine whether the action plan imposed was appropriate for the violation(s); and/or

iii. To consider new information that could alter a decision, only if such information could not have been known to the appealing party at the time of the administrative conference.

b. After considering an appeal, the Appeals Body may either modify the action plan or send the

matter back to the Senior Director with a recommendation for additional fact finding, other resolution, or dismissal of the case. If the Appeals Body grants an appeal based on "new information," the only action they may take is to send it back to the Senior Director with a recommendation for additional fact finding, other resolution, or dismissal of the case.

Section VI: Resolution of Title IX Sexual Misconduct Allegations

1. **Title IX Sexual Harassment Procedures.** The definitions and procedures for resolving allegations of Title IX Sexual Harassment at Penn State are set by the University's Title IX Sexual Harassment Policy ([AD85](#)). While Title IX Sexual Harassment allegations may also constitute a violation of this Code, the resolution process outlined in Section V of this code does not apply.
2. **Consolidation of Allegations.** When a report includes allegations of both Title IX Sexual Harassment, as defined in AD85, and Prohibited Conduct, as defined by this Code, the Senior Director may refer the Prohibited Conduct allegations to be resolved with the Title IX Sexual Harassment allegations in accordance with the procedures outlined in the AD85 policy. The decision to consolidate is discretionary and may not be appealed.

Section VII: Resolution of Academic Misconduct Allegations

Academic misconduct is prohibited by university policy. The resolution of an allegation of academic misconduct is managed, in accordance with [applicable policy](#) by the instructor and the respective college, school, or campus academic integrity committee. After this resolution of the alleged violation, the case is referred to the Office of Student Accountability and Conflict Response for recordkeeping and consideration of whether student conduct action plan is appropriate. The student conduct process does not allow for a reconsideration of the finding of an academic misconduct violation.

1. Upon receipt of an academic misconduct violation referral, the Senior Director will determine whether it is appropriate to apply an Action Plan (see Section V., 5.) after considering the following:
 - a. The nature and severity of the academic misconduct.
 - b. Any recommendation of administrative sanctions from the instructor, or the campus or college.
 - c. Whether the Respondent has previous academic misconduct violations.
2. When the Senior Director decides it is appropriate, the Respondent will receive notice of that decision which includes the assigned Action Plan.

3. When the Action Plan includes suspension or expulsion, the Respondent may submit a student conduct appeal to consider whether the action plan imposed was appropriate for the violation(s). Neither a finding of academic misconduct nor an academic sanction is considered a student conduct action and are not eligible for appeal through the student conduct appeals process.

Section VIII: Interim Action

The Senior Director may impose an interim action(s) regarding a Student or Student Organization when, in the professional judgment of the Senior Director or designee, it is necessary to address a threat to health or safety of any person, a threat to property, or a disruption or interference with the normal operations of the University, or when the Student is arrested for and/or charged with a serious violation of state or federal law. The Senior Director may authorize other University Officials to take temporary, emergency action outside of business hours, to address an urgent concern, until a determination can be made regarding whether an interim action is appropriate. Emergency actions will be in place for no more than two business days before they are removed or replaced by an interim action.

1. Interim action may include, but is not limited to:
 - a. Interim suspension from the University;
 - b. Interim removal from, or relocation within, University-owned or operated housing facilities;
 - c. Restrictions on the Student's presence on University Premises;
 - d. Restrictions on the Student's or Student Organization's privileges to participate in University Sponsored Activities.
 - e. A mandated threat assessment by a qualified psychiatric professional;
 - f. A notation on the Student's transcript; and/or
 - g. An administrative hold which would prevent registration and/or the Student from graduating, if applicable.
2. When the interim action takes place, the Senior Director will inform the Respondent of the reason for the interim action.
3. An interim action is reviewed by the Assistant Vice President for Student Affairs, or designee, at the request of the Respondent. The review provides an opportunity to explain, in writing, why an interim action need no longer be imposed, or should be altered. The written request must include rationale for the request and any document that supports the respondent would not pose a threat of harm to person or property, or cause disruption to normal campus operations.
4. Based on the reasonable evaluation of the information presented, the Assistant Vice President of Student Affairs, or designee, will notify the Respondent of the decision, typically within five business days, to:
 - a. Remove the interim action and take no further action;

- b. Remove the interim action but proceed to an administrative conference; or
 - c. Maintain or modify the interim action until such time as a resolution is reached at the conclusion of process.
5. The interim action remains in effect while any review is pending. If upheld, subsequent review of the same interim action may be requested, at most, every ten business days.

Section IX: Retention and Disclosure of Student Conduct Records

1. **Student Conduct Records.** Case reports will result in the creation of an education record in the name of the Respondent. These records, including any additional relevant documentation, will be maintained for a minimum of seven years in accordance with state and federal law. The University reserves the right to keep records for a longer period of time as deemed necessary. If applicable, an education record in the name of the Complainant and/or Impacted Party will be maintained for the same period of time. Upon the finding of a violation of this Code, the Respondent's education record will also be considered a student conduct record and may be disclosed in accordance with written procedure.
2. **Petition for external non-disclosure of records.** Respondents may, under some circumstances, petition to the Senior Director for external non-disclosure of student conduct records. The Senior Director's decision is discretionary and may not be appealed. If the Senior Director is compelled to report the record by lawful order, the approved petition will not apply.

Section X: Student Code of Conduct Adoption and Revision

1. Any question of interpretation regarding the Code shall be referred to the Senior Director for final determination.
2. The Student Conduct Advisory Committee provides peer perspective on matters of student behavior and academic integrity at Penn State.
 - a. The Committee will assist the Senior Director by:
 - i. Reviewing the Code and making suggestions for changes and updates.
 - ii. Exploring new and innovative ways to increase student and faculty awareness of and involvement in the Student Accountability and Conflict Response program.
 - b. The Senior Director will provide the Committee with an annual report which includes:
 - i. An articulation of currently published procedures.
 - ii. An overview of the previous year which illustrates cases, violations, and sanctions, as well

as trends regarding student behavior, demographics information, and the implementation of adaptable resolutions.

3. The Senior Director retains the authority to immediately enact and enforce changes to the Student Code of Conduct. The Student Code of Conduct supersedes all previous versions of this Code at the time it is published on the University website.

Penn State Student Affairs

Student Accountability and Conflict Response

Location

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