



# Community Standards and Student Conduct System

## MISSION AND GOALS

The Student Conduct System of UVA Wise is designed to support the purpose and mission of the College. A fundamental premise of the Student Conduct System (the System) is that students are expected to act responsibly, as outlined in the Code of Conduct so that each student has the opportunity to grow. The System also is designed to encourage accountability by emphasizing the inherent relationship between an individual's choice and its impact. The System is intended to be educational in nature with the principles of fairness and reasonableness serving as its foundations. The Student Conduct System uses a preponderance of the evidence standard to determine responsibility.

Student conduct violations are cumulative during a student's time at the College. Student conduct records are maintained for seven years from the most recent hearing or sanction date to facilitate compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Violations that result in expulsion from the College are kept on record permanently. Students with incomplete sanctions or unheard cases who withdraw, transfer, or are no longer a student at the College will have their record maintained for fifteen years after. Student Conduct procedures and outcomes are separate from any legal or civil proceedings that result from the actions of the student or student organization. The decisions in legal, civil, or criminal proceedings do not determine the outcome of the process.

## DEFINITIONS

**Advisor:** A person selected by a responding party to provide guidance during the investigation, hearing, and resolution process. The advisor must be a student, faculty, or staff member at the College; parents and guardians may not be advisors despite their affiliation with the College. Individuals not affiliated with the College may not be advisors. An advisor may not have any other role in the process and cannot participate in, but may attend, meetings, interviews, or hearings. An advisor can assist by taking notes, providing support, helping organize documentation, or consulting directly with the responding student in a way that does not disrupt the process. An advisor whose presence is deemed disruptive, improper, or improperly interfering with the meeting or proceeding will be required to leave.

If a student would like an advisor from the trained pool of advisors they should contact the Assistant Dean of Students and Director of Community Standards.

**Appellate Officer:** The person or body designated by the Assistant Dean of Students or designee to hear appeals of findings associated with the primary hearing or any assigned sanctions. The appeal officer must not have been involved in the primary adjudication of the case.

**College:** The University of Virginia's College at Wise, each of the programs and activities under its control, and all property owned, leased, used, or controlled by the University of Virginia or the College Wise.

**Hearing Officer:** The person or body assigned by the Assistant Dean of Students to be the deciding body in a case that results in a hearing. The hearing officer will be the decision-maker. The hearing officer may not be the same as the appeal or appellate officer.

**Impacted Party:** An individual who has been directly affected by a reported or alleged violation of the Code of Conduct. An impacted party may also be a reporting party.

**Preponderance of the Evidence:** The standard of proof that applies to student conduct proceedings and decisions. It means what is more likely than not to be true based on the totality of the available information.

**Reporting Party:** An individual who reports an allegation of misconduct or violation of the Code of Conduct.

**Responding Party:** Any student or student organization accused of violating the Code of Conduct and/ or College policy.

**Student:** A new or re-admitted student will be considered enrolled if the following conditions are met: 1) the student is pre-registered for courses in any term (fall, spring or summer); and 2) the student's attendance in at least one class has been verified. After classes begin, students need to be attending classes in order to continue their enrollment status. Students are considered continuously enrolled when they are registered for consecutive fall and spring terms. Please note that those who arrive to campus prior to the start of classes for official College functions including, but not limited to student employment, trainings, athletics, band, and Expedition are considered UVA Wise students.

**Student Conduct Board:** The Student Conduct Board is a hearing body composed of students who determine whether a student has violated policy or policies and to recommend sanctions that may be imposed when a violation has been committed. The Student Conduct Board is composed of students and is part of the student governance philosophy.

**Student Organization:** Any group, club, organization, living group or community, or team that has been recognized by the College as a student group or is in the process of applying for such recognition.

**Written Notice:** Delivery of notification of a charge, violation, hearing date, or outcome to a student's official college email.

## CODE OF CONDUCT

The College is a community of scholars in which the ideals of freedom of inquiry, freedom of thought, freedom of expression, and freedom of the individual are sustained. The College is committed to preserving the rights guaranteed to individuals by the Constitution of the United States. The exercise and preservation of these freedoms and rights require respect for the rights of all in the academic community to allow everyone to enjoy them to the same extent. Conduct that hinders the educational process, interferes with the community of learning, or infringes on the processes of the College, or the rights of other members of the College is not condoned. Students enrolling in the College assume an obligation to conduct themselves in a manner compatible with the College's function as an educational institution.

Students and student organizations of the College are expected to adhere to the standards of conduct for a UVA Wise student on College premises, at College events, and elsewhere. The College's jurisdiction applies to both on and off-campus violations of the Code of Conduct.

The authority has been delegated to the Chief Conduct Officer to provide applicable due process and, upon determination of a College policy or code violation, to impose an appropriate penalty, up to and including expulsion from the College. This authority has been delegated by the Chancellor to the Assistant Dean of Students and Director of Community Standards and the Student Conduct Board.

The Assistant Dean of Students serves as the Chief Conduct Officer. The Chief Conduct Officer in conjunction with the Dean of Students shall develop policies for the administration of the Student Conduct System and procedural

rules for the conduct of the Student Conduct Board that are consistent with the provisions of the Student Code of Conduct. Generally, prohibited conduct for which a student is subject to discipline is defined as, but not limited to, the following:

1. Harmful acts or conduct which endangers the health or safety of others. Examples of such behavior include but are not limited to:
  - Physical or psychological harm including threats of violence, physical violence, use of physical force, coercion, or hazing.
  - Conduct that places another person in danger of harm or causes reasonable persons to fear for their safety.
  - Harm, neglect, or violence towards wildlife or domesticated animals.
  - Retaliation, meaning any act of harm committed in response to actual or perceived harm or wrongdoing.
2. Prohibited Conduct as defined by the *Sexual Misconduct & Interpersonal Violence Policy*, including but not limited to: sexual assault, rape, fondling, sexual harassment, stalking, domestic violence, and dating violence. (*Title IX Coordinator oversees cases involving Prohibited Conduct; full policy available at [www.uvawise.edu/compliance/sexualmisconduct](http://www.uvawise.edu/compliance/sexualmisconduct)*).
3. Unauthorized entry, exit, and/or occupation of College facilities. This includes office space, buildings, residence halls, construction or work zones, and facilities that are closed, locked, or have restricted use.
4. Intentional disruption of, interference with, or obstruction of teaching, research, or other College administration including activities authorized by or hosted by the College.
5. Misuse of, tampering with, or interference with fire safety or fire protection equipment; or intentionally or recklessly causing a fire. This includes:
  - returning to a building during a fire alarm before being told to do so by a College official.
  - failing to exit from a building during a fire alarm.
6. Theft, vandalism, destruction, or unauthorized use or movement of College property or personal property of other students, employees, or visitors.
7. Intentionally providing false identification or information to College officials or failure to comply with the reasonable directions of a College official acting in the performance of their duties. This includes but is not limited to:
  - knowingly providing false or misleading information, including making misrepresentations, to a College official.
  - failure to comply with a sanction imposed by the College in accordance with any College function. This includes violating the terms of any sanction imposed in accordance with this Code.
8. Alteration, fabrication, or misuse of or obtaining unauthorized access to College ID cards, other documents, or computer files or systems.
9. Violations of published College policies, procedures, or regulations, including but not limited to:
  - Alcohol or Drugs (possession, distribution, manufacture, or use of illicit drugs and alcohol, or drug paraphernalia; public intoxication; underage consumption; etc.)

- Tobacco Products
- Housing Agreement terms and conditions
- Information Technology/Computing
- Weapons, Firearms, Fireworks, or Explosives (possession, storage, or use; see Student Handbook or Campus Police for full policy)

10. Conduct that is disorderly or indecent. This includes but is not limited to:

- disorderly, disruptive, or antagonizing behavior that interferes with the safety, security, health, or welfare of the community
- public nudity, sexual activity, urination, or defecation
- acts that infringe on the rights of other members of the community

11. Violations of Federal, State, or local laws not otherwise covered under the Code of Conduct.

### **RIGHTS OF STUDENTS IN STUDENT CONDUCT HEARINGS**

Students have the right to:

1. Written notice of all alleged violations of the student at least three (3) days prior to a scheduled hearing. UVA Wise email is the official communication method used for communications.
2. View all information or documentation that will be presented at the hearing. Information found during the course of the investigation will be given to the responding party along with the notification of alleged violations. Any additional information submitted or gathered by the investigator will be shared no later than two (2) days before the scheduled hearing. Information will be available for a student to review in person until 24 hours before the scheduled hearing. If a significant amount of new information becomes available within the two (2) days of the hearing a postponement of the hearing is possible at the discretion of the Chief Conduct Officer.
3. Be presumed not responsible until proven responsible.
4. Accept responsibility for or state they are not responsible for each alleged violation.
5. Choose not to be present, present information, or speak on their own behalf. A decision may be rendered based on information presented at the hearing.
6. Present material witnesses and/or information. Material witnesses are individuals who have direct knowledge relevant to the alleged violation. *Submit names and all information to be included in the hearing to the Chief Conduct Officer at least 48 hours in advance of the hearing via email.*
7. Be accompanied by an advisor in the hearing. The definition of an advisor is included in the definition section of this document.
8. A separate hearing upon request when multiple students are charged.
9. Appeal the decision as outlined in the appeals section of this document.

### **STRUCTURE OF THE STUDENT CONDUCT SYSTEM:**

Students, faculty, staff, and community members may report alleged violations of the Code of Conduct by using this [referral form](#). There is no time limit on reporting violations; however, the longer someone waits to file a report the more difficult it may become for the College to obtain information, collect witness statements, and make determinations regarding the alleged violation.

#### **A. Investigations**

The investigation process is designed to be timely, thorough, and impartial and provide a fair and reliable gathering of the facts. The investigation may include interviews with the reporting party, impacted parties, the responding party, and relevant witnesses. The investigative record is a compilation of the relevant information gathered during the investigation. In the event of a hearing, the investigative record becomes part of the hearing record.

Individuals who decline or fail to participate in a meeting or interview, provide evidence, or suggest witnesses, waive their right to do so upon the issuance of the investigative record or report.

The investigator will gather relevant materials including documents, communications, electronic records, and media as appropriate. The investigator has the discretion to determine the relevance of any requested materials and what materials to seek to obtain.

The investigator may redact information as necessary that would allow witnesses to be personally identified when the investigator determines it necessary. Any exclusions or redactions will be noted and will become part of the investigative record. Excluded or redacted information will not be considered by the hearing officer or body. An investigator is permitted to be the hearing officer for allegations that move to the hearing phase.

#### **B. Administrative Settlements**

Administrative Settlements may be offered for alleged offenses in the residential community including, but not limited to, noise and visitation violations. Administrative settlements will be conducted by the Chief Conduct Officer or their designee. The outcome and sanctions that would be assigned are communicated via email. The student needs to accept or decline the administrative settlement; if the student declines the matter will move to a hearing. If a student chooses to accept an administrative settlement, there will be no opportunity for appeal. Students may also request an administrative hearing instead of completing the settlement.

#### **C. Hearings**

Hearings will be arranged to determine the outcome for alleged offenses not handled by administrative settlements. All hearings are closed to the public and only those individuals with a legitimate role in the hearing will be permitted to attend or participate. Both administrative and Student Conduct Board hearings may be recorded to be maintained as part of the student(s) conduct record.

The Chief Conduct Officer will determine the type of hearing for each case. Cases will be assigned either to an administrative hearing or a Student Conduct Board hearing. Every effort will be made to consider the circumstances of each case to determine which type of hearing would best serve the student and the College in the student conduct process. Students will receive a notification email stating the time and date of the hearing. The College may postpone hearings or students may request a postponement of a hearing if there are pending criminal proceedings.

Witnesses may be asked to attend the hearing in person, or virtually to provide their statements and answer questions during the hearing process. If the witness is unable to attend the hearing, or unwilling to appear they may provide a written witness statement. Written witness statements must be submitted to the Chief Conduct Officer at least two (2) days in advance of the hearing. Witness statements may be completed in person in the Student Affairs office, or may be submitted via email.

1. **Administrative hearings**

- a) Administrative Hearings may be used for cases where the nature of the incident or the needs of the College warrant this particular venue. It may also include cases where the Student Conduct Board cannot be convened or situations that warrant a certain degree of expediency. These cases may range from simple to very serious infractions.
- b) The Dean of Students and the Chief Conduct Officer and/or their designees may conduct Administrative Hearings.

2. **Student Conduct Board hearings**

The Student Conduct Board (SCB) member pool shall have a minimum of five members and may have up to twelve members. A minimum of three Board members is necessary for a quorum to conduct a hearing. The Student Conduct Board shall hear cases where the Chief Conduct Officer has determined that because of the nature of the alleged offense, a pattern of behavior, or the nature or complexity of the case would benefit from having a hearing with the SCB. Board membership shall consist of the following:

- a) The board members shall be selected through an application and interview process. Individuals selected through the process will be approved by the Dean of Students before being appointed to the Board.
- b) The Chief Conduct Officer shall serve as an advisor to the Board. They participate in discussions but do not vote. The student Chair shall be elected by the student membership of the Board.
- c) Members must be in good standing with the College and maintain a minimum of a 2.5 GPA during the duration of their service (i.e. no pending cases for Honor Court, Prohibited Conduct, Student Conduct, and not be on disciplinary, academic, or Honor Court probation).
- d) Board members shall serve for one year and are eligible for re-appointment.

**C. Appeals process:**

Students have the right to appeal the outcome of their case. Students who are submitting an appeal must include all information they would like to be considered in the [appeal form](#). The appellate officer is assigned from the appellate officer pool by the Chief Conduct Officer. Appellate officers will have full access to all information used in the original hearing along with recordings of the hearing, if applicable.

1. For all decisions **except** suspension or expulsion:

- a) All student conduct hearing decisions may be appealed in writing to the Assistant Dean of Students and Director of Community Standards within **five (5) business days** by using the [Student Conduct Appeals Form](#). The completed form must state just cause for the appeal, such as:
  - i. new information not available at the time of the hearing has become available and may be relevant to the final decision
  - ii. significant deviation from designated procedures that may have had an adverse effect on the outcome
  - iii. the hearing officer, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the impacted party or responding party generally or the specific impacted party or responding party that affected the outcome of the matter
- b) Appeals will be assigned to an appellate officer from the appellate officer pool. The appellate officer cannot be involved in any other part of the hearing process.

- c) An appeal is not a rehearing of the case. The student may or may not be granted an appeal. If the student is given an appeal, the decision and notification will be completed within ten (10) business days of receipt of the appeal request.

2. For **suspension and expulsion** appeals:

- a) The student may appeal a sanction of suspension or expulsion to the Dean of Students (or designee), whose decision will be final. If the Dean of Students rendered the initial decision to suspend or expel the student, the student may appeal the decision to the Vice Chancellor for Student Affairs (or designee), whose decision will be final.
- b) Appeals must be initiated in writing and contain the specific grounds for the appeal based on the criteria below. The appeal must be submitted within **five (5) business days** by using the [Student Conduct Appeals Form](#). The completed form must state just cause for the appeal, such as:
  - i. new information not available at the time of the hearing has become available and may be relevant to the final decision
  - ii. significant deviation from designated procedures that may have had an adverse effect on the outcome
  - iii. the hearing officer, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the impacted party or responding generally or the specific impacted party or responding that affected the outcome of the matter
- c) An appeal is not a rehearing of the case. The student's appeal may or may not be granted, and the outcome of the appeal will be completed within ten (10) business days and will be maintained as a part of the conduct record.

**D. Referral of Cases Involving Failure to Comply with Sanctions**

Students failing to complete or fully meet the requirements of an assigned sanction by a hearing body may face additional student conduct charges and have the case referred to an Administrative Hearing or Student Conduct Board Hearing. This subsequent hearing may be with the same hearing body or conduct officer as the original hearing. Student records with sanctions that have not been completed for students who withdraw, transfer, or otherwise no longer remain a student at the College will be maintained for fifteen years after the hearing date.

**E. Multi-System Offences**

Students and student organizations may have multiple violations arise out of the same incident or report. If these violations spur investigations that span multiple systems (e.g. Honor System or Prohibited Conduct/Title IX), the Community Standards and Student Conduct System can investigate and adjudicate cases concurrently with other systems.

The Community Standards and Student Conduct System shall not bring about allegations of violations that have already been addressed or plan to be addressed through another College system (e.g. an action performed by a student resulting in a lying allegation from the Honor Court should not result in an additional allegation from the Community Standards and Student Conduct System for falsification or intentionally providing false information).

**F. Notification for Allegations that Could Result in Suspension or Expulsion**

The Chief Conduct Officer or Dean of Students shall determine whether the information available is in support of an allegation that could result in suspension or expulsion if the student were found responsible. If suspension or expulsion is a possible outcome, the Dean of Students or Chief Conduct

Officer shall include in the notification to the student via email that suspension or expulsion is a possible outcome based on the available information.

The notification includes a copy of all materials collected at the time of notification. The student may request to see the materials in person or receive a paper copy up until one business day before the hearing. Students may also decline the opportunity to review the materials. Additional notification may be sent to a dependent student's address on record to notify the parents, guardians, or family of the student of the possibility of suspension or expulsion.

### SANCTIONS

Any of the following sanctions, or combinations of sanctions, may be imposed for a Code of Conduct violation. All sanctions are noted in a conduct record. Disciplinary action other than those outlined below may be taken as the situation warrants. Failure to abide by the imposed sanction may result in additional charges.

1. **Warning:** Notice in writing that the student has been found in violation of the Code of Conduct and that the conduct is inappropriate and should not be repeated or continued. Warnings are an internal documentation system; warnings remain a part of the student record but are not reported beyond internal UVA Wise processes and systems.
2. **Reprimand:** Notice in writing for a more serious or repeated violation of the Code of Conduct. Continuation or repetition of inappropriate conduct may be cause for more severe disciplinary action. A written reprimand may include additional disciplinary restrictions.
3. **Disciplinary Probation:** Notice that an individual is no longer in good disciplinary standing with the College until the date set forth in the notice. Disciplinary probation is for serious or repetitive misconduct that does not warrant suspension. Disciplinary probation may be imposed with or without additional restrictions. Disciplinary probation is given on a semesterly basis, not normally surpassing two academic years while the individual is enrolled in classes. Disciplinary probation status may include additional disciplinary restrictions.
4. **Suspension:** Suspension is for very serious or repetitive misconduct and results in exclusion from classes (including online) and other privileges or activities or from the College, as set forth in the notice of suspension, for a definite period of time. *Students that are suspended are trespassed immediately after their appeal period from all College property, classes (including online), and College-sponsored events without prior approval from the Dean of Students. A disciplinary hold will be placed on the student's record.* The hearing body may impose additional requirements connected with the suspension, including but not limited to participation in medical assessment and any compliance with recommended treatment, paying restitution for damages, or restrictions for on-campus housing upon the student's return. This outcome will be noted on the student's transcript. A student will be eligible to re-enroll after the successful completion of their suspension and any additional sanctions communicated in their outcome letter. Students who are suspended forfeit their right to a financial refund.
5. **Deferred Suspension:** Is used for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense. Deferred suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behaviors outlined in the Code of Conduct. During a deferred suspension, the student may continue to attend classes at this time, however, the suspension will automatically be enforced for failure to complete any assigned sanctions by the deadline and/or for any subsequent infractions during the deferred suspension period, unless the Chief Conduct Officer determines otherwise in exceptional circumstances. A student on deferred suspension is considered not in good standing with



the College and may not hold an elected or appointed office in College groups, participate in College-sponsored travel, or represent the College.

6. **Expulsion:** Termination of student status permanently. Students are ineligible to re-enroll at the College. *Students that are expelled are trespassed immediately after their appeal period from all College property, classes (including online), and College-sponsored events without prior approval from the Dean of Students. A disciplinary hold will be placed on the student's transcript. Students who are expelled forfeit their right to a financial refund.*

## 7. **Disciplinary Restrictions**

- i. **Change of Residency:** The relocation of the student from one residence hall area to another. The student is expected to pay the published rate for their new housing assignment.
- ii. **Removal from Campus Housing:** Requires the student to vacate campus housing by a designated time and date. Students who are removed from housing are subject to the pro-rated refund schedule published by the College.
- iii. **No Contact Order:** A no contact order is an official College directive that serves as notice to an individual(s) that they cannot have physical contact with or in proximity to the other involved party. This includes direct verbal, electronic, written, or indirect communication intentionally made through another individual. No contact orders may be removed prior to the specified period at the discretion of the Assistant Dean of Students and Director of Community Standards or the Dean of Students.
- iv. **Trespass Warning:** The student is prohibited from visiting or returning to a part or all of any designated area of campus. If the student returns, they are subject to arrest and additional student conduct action.
- v. **Fines:** An appropriate fine may be levied for policy violations. **Note** — *all fines are billed to the student's UVA Wise account and may be paid at the Cashier's Office.*
- vi. **Restitution:** Reimbursement for damage to or misappropriation of property. This amount may be up to the cost to replace or repair the item(s), inclusive of the cost of installation. **Note** — *restitution costs are billed to the student's UVA Wise account and may be paid at the Cashier's Office.*
- vii. **Community Restitution:** Assigned service and/or participation in educational programs or projects in the College community. *There will be a \$25.00 per hour fee billed to the student's account for community restitution hours not completed by the assigned deadline.*
- viii. **Loss of privileges:** Restriction or loss of the benefit of use of College equipment, programs, and/or extracurricular activities. Additional, specific details will be included in outcome letters.
- ix. **Parental Notification/Notification to address of record:** Written notification sent to the address of record (parents or guardians) of a dependent student at the College. This notification serves as a notification of an alcohol or other drug violation after the student has been found responsible.

## 8. **Sanctions Applicable for Alcohol and Cannabis Violations**

Sanctions for these policy violations are dependent upon factors such as the specific nature of the violation and the number of policies violated. The following is a guideline for what students may expect when found in violation of the College's alcohol or cannabis policies. Discretion may be used when applying sanctions in cases where the violation is of such a nature to warrant additional or more severe actions.

First Violation:

- Up to a \$75 disciplinary fine
- Successful completion of educational program or meeting evaluating behaviors related to alcohol or cannabis usage
- Possible parental notification/notification to address on record
- Possible disciplinary probation for up to two semesters

Second Violation:

- Up to a \$150 disciplinary fine
- Successful completion of educational program or meeting evaluating behaviors related to alcohol or cannabis usage
- Referral to Counseling Services
- Possible parental notification/notification to address on record
- Disciplinary probation for two semesters

Third Violation:

- Up to a \$225 disciplinary fine
- Possible parental notification/notification to address on record about the hearing and of the possibility of suspension or expulsion
- Possibility of suspension or expulsion
- Removal from campus housing
- Successful completion of an educational program or meeting evaluating behaviors related to alcohol or cannabis, inclusive of off-campus supportive resources

**9. Sanctions Applicable for Other Drug Violations**

Sanctions for these policy violations are dependent upon factors such as the specific nature of the violation and the number of policies violated. The following is a guideline for what students may expect when found in violation of the College's drug policy. Discretion may be used when applying sanctions in cases where the violation is of such a nature to warrant additional or more severe actions.

First Violation:

- A \$150 disciplinary fine
- Successful completion of educational programs or meetings evaluating behaviors related to drug usage
- Possible parental notification/notification to address on record
- Disciplinary probation for two semesters

Second Violation:

- Up to a \$250 disciplinary fine
- Possible parental notification/notification to address on record of the hearing and the possibility of suspension or expulsion
- Possibility of suspension or expulsion
- Removal from campus housing

**10. Sanctions Applicable for Physical or Psychological Harm**

Sanctions for these policy violations are dependent upon factors such as the amount of harm done to others and the degree to which the behavior was intentional or irresponsible. Discretion may be used when applying sanctions in cases where the violation is of such a nature to warrant additional or more severe actions. Some factors that are considered in the sanctions for violations of this nature are severity/pervasiveness, level or amount of injuries, and use of a weapon.

**11. Interim Actions**

Interim measures are issued at the discretion of the Assistant Dean of Students & Director of Community Standards or designee. These actions may be housing accommodations, mutual no-contact orders, interim suspensions, or other supportive or protective measures designed to balance a number of goals:

- To support and protect the health and safety of affected parties, the responding, the College's educational environment, and the College community
- To deter retaliation
- To aid in the integrity of the investigation and hearing process

Students who are interim suspended are trespassed from all College property, classes (including online), and College-sponsored events without prior approval from the Dean of Student's Office. An interim suspension is made pending a hearing for the alleged offense(s).

#### **TRANSCRIPT NOTATIONS, DISCIPLINARY REPORTING, DEGREE HOLDS:**

- A. Minor offenses below disciplinary probation is not reported unless a full disciplinary history is requested with the necessary permissions;
- B. Active Disciplinary Probation status may be reported until the student graduates, or if the student departs the College prior to graduation, then at the time of departure if the student has incurred no further violations;
- C. Suspension is reported permanently. Suspensions through the Student Conduct System are noted as disciplinary suspensions.
- D. Disciplinary expulsion is reported permanently. Expulsions through the Student Conduct System are noted as disciplinary expulsions and case information is kept on file in the Student Affairs office permanently.

**NOTE:** *Student Athletes may contact athletics for information related to NCAA eligibility requirements. The Assistant Dean of Students has the ability to contact UVA Wise athletics about incidents and outcomes impacting athlete standing or team behaviors.*

#### **EXPECTATIONS OF STUDENTS IN STUDENT CONDUCT HEARINGS:**

1. To give truthful testimony. Providing false information is a violation of the Code of Conduct.
2. To inform the advisor and witnesses on your behalf of the date, time, and place of the hearing, and to ensure that they appear at the hearing.
3. Bring all information pertinent to your case available at the time of the hearing. This includes the submission of any information, witness names, and the name of the student's advisor via email as stated in the Student's Rights section of this document.
4. To appear at any proceedings in which notice was given. Note: The hearing may proceed even if the student chooses not to attend.

#### **HEARINGS PROCEDURES FOR THE STUDENT CONDUCT BOARD**

Students who will have their hearing with the Student Conduct Board hearings should plan to be present for at least one hour. Some hearings may take more or less time depending on the nature of the allegations and the quantity of information presented.

- The Chair will introduce themselves, the other Board members, and the Advisor and begin the recording of the hearing.
- The responding party will introduce themselves and their advisor.
- The responding party will be asked to accept responsibility or state they are not responsible for each alleged violation of the Code of Conduct.
- The available information will be discussed. The reporting party and/or College official serving as the complainant and the responding party will be given the opportunity to call witnesses and each may ask questions of any witnesses.
- Witnesses, advisors, and the responding party will be dismissed. The Board will meet in closed session to determine responsibility and any resulting sanctions. The Board will use the preponderance of the evidence standard. Decision-making by the Board is done by a simple majority for the finding of responsibility and in the recommendation of sanctions, if applicable.
- The student may be asked to attend an in-person meeting to discuss the outcome at the discretion of the Chief Conduct Officer. The responding party will be notified of the hearing outcome via email within 3 business days. The responding party will be told if they have been found responsible or not responsible, and notified of any sanctions that must be completed. They will also be notified of the appeal process.

#### **NOTICE OF NON-DISCRIMINATION**

The University of Virginia's College at Wise does not discriminate on the basis of age, color, disability, gender identity and/or expression, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, military status (which includes active duty service members, reserve service members, and dependents), veteran status, and family medical or genetic information, in its programs and activities as required by Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Governor's Executive Order Number One (2018), and other applicable statutes and University policies. The College prohibits sexual and gender-based harassment, including sexual assault, and other forms of interpersonal violence.

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