

Section 3.0 - Jurisdiction

JURISDICTION

STU 3.0

Date of Last Update:

January 04, 2021

Approved By:

- President

Responsible Office:

Office of Student Conduct and Conflict Resolution

POLICY STATEMENT

This Statement applies to all individual students, both undergraduate and graduate, and all University-Affiliated Student Organizations (UAO).

3.1 Conduct Addressed in The Statement

The Statement and the Interim Policy Prohibiting Harassment, Discrimination, Retaliation, and Sexual Misconduct SLT 9.1 apply to conduct that occurs on property owned or controlled by the University; at University sponsored activities; at functions, activities, or events hosted by University-Affiliated Organizations, on or off campus. The Statement also applies to off-campus conduct that adversely affects the University community or an individual or keeps an individual from participating in a University program or activity, and/or the pursuit of the University mission.

The Statement incorporates other specific University policies by reference. These policies include, but are not limited to:

- Policies listed on the University Policies website
- Alcohol and Other Drug Policy
- Housing and Residence Life Community Living Standards
- Information Technology Policies and Procedures
- Traffic and Parking Ordinance
- Undergraduate and Graduate Catalogs

3.2 Definitions

3.2.1 Appeal Board

An Appeal Board is composed of two (2) Appeal Officers and one (1) student from the University Conduct Pool assigned by the Conflict Resolution Facilitator (CRF) to review an appeal. Two members of an Appeal Board must be present for the appeal review.

3.2.2 Appeal Officer

A member of the University Conduct Pool who is eligible to serve on an Appeal Board.

3.2.3 Business Day

A business day is defined as 8:00 a.m. – 5:00 p.m. Monday through Friday when the University is open for business.

3.2.4 Conflict Resolution Facilitator (CRF)

A CRF is a staff member from or appointed by OSCCR assigned to handle a student conduct report and/or conflict resolution process.

3.2.5 Evidence

Evidence is anything outside of first-person, personal testimony that will be used, referenced, or shared with the CRF/Hearing Board/Hearing Officer by either party at the hearing (examples may include photographs, emails, screenshots, documents, reports, or audio/visual recordings).

3.2.6 Hearing Boards

Hearing Boards are comprised of faculty, staff, and students, selected from the University Conduct Pool.

3.2.7 Hearing Officer

A member of the University Conduct Pool who is eligible to serve on Hearing Boards.

3.2.8 Restorative Measures

Any restorative, educational, or disciplinary measure issued as a result a student's policy violation. Restorative measures are directly connected to the violation, tailored to the needs of those impacted and intended to repair any harm done.

3.2.9 Standard of Proof

The standard of proof rests by the University is preponderance of evidence, whether it is more likely than not, that a violation occurred.

3.2.10 Student

For the purposes of these policies, the University considers an individual to be a student when an offer of admission has been extended to any program, whether degree or non-degree seeking, for credit or non-credit. The University retains jurisdiction over students who take a leave of absence, withdraw, or graduate for any action that occurred prior to the leave,

withdrawal, or graduation. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the University may invoke these procedures and, should the former student be found responsible for a violation of these rules, the University may revoke that student's degree.

3.2.11 Student Conduct Report

Any documentation that describes an alleged violation of the Statement. Student conduct reports may include University incident reports, investigative reports, police reports, or verbal, written, or electronic communication.

3.2.12 Support Person

Students/UAO representatives may be accompanied by a support person of their choice. A support person's role is limited to providing advice to the student. The support person is not permitted to ask questions or make oral arguments on behalf of the student/UAO representative. If the support person is an attorney, the student/UAO representative must notify OSCCR of this in writing at least one (1) business day before the administrative conference and/or hearing.

3.2.13 University-Affiliated Organization (UAO)

For the purposes of this Statement, the term University-Affiliated Organization (UAO) shall mean any group whose membership consists of students currently enrolled at the University that is, 1) registered with the Office of Student Life or 2) affiliated with the university through an academic department or administrative entity which supports, endorses, supervises, or recognizes the organization, unless the Vice Provost for Student Affairs otherwise determines the organization is a university function. Members of a UAO acting as part of or on behalf of the organization may be held collectively and individually responsible for violations of the Statement. UAOs may be held responsible for such violations whether or not members are individually held responsible for violations arising from the same misconduct. UAOs are also held to the additional standards of conduct based on the policies and procedures of the Office of Student Life or the associated academic department or administrative unit.

3.2.14 University-Affiliated Organization (UAO) Representative

A member of the UAO, typically the President of the UAO.

3.2.15 University Conduct Pool

Faculty members, Administrative/Professional staff and students who have been selected following the processes delineated in Section 7.0 of the Statement, have participated in the required training and who accept the responsibility of administering the rules and regulations of the University in a fair and impartial manner as a matter of public trust for the University

community.

PROCEDURES

[Section 6.0 - Conduct Process and Resolution Procedures](#) outlines the procedures related to this policy.

For a summarized, visual overview of the University conduct process, please click [here](#).
