



BOARD OF REGENTS POLICY: *Student Conduct Code*

SECTION I. SCOPE.

This policy applies to all students and student groups at the University of Minnesota (University), whether or not the University is in session.

SECTION II. GUIDING PRINCIPLES.

- (a) The University seeks an environment that promotes academic achievement and integrity, that is protective of free inquiry, and that serves the educational mission of the University.
- (b) The University seeks a community that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the University; and that does not threaten the physical or mental health or safety of members of the University community.
- (c) The University is dedicated to responsible stewardship of its resources and to protecting its property and resources from theft, damage, destruction, or misuse.
- (d) The University supports and is guided by state and federal law while also setting its own standards of conduct for its academic community.
- (e) The University is dedicated to the rational and orderly resolution of conflict.
- (f) Students are entitled to the rights and responsibilities of other citizens with regard to freedom of speech, peaceable assembly, and right to petition. Students are entitled to exercise their rights to inquire and dissent, speak freely, and peaceably assemble and protest to the extent permissible under both the First Amendment and the Student Conduct Code.
- (g) Students are entitled to due process and procedural fairness protections, including the prompt notification of charges, the opportunity to respond, the right to an advocate of choice, and the right to the resolution of a case within a reasonable period of time.

SECTION III. DEFINITIONS.

Subd. 1. Academic Environment.

Academic environment shall mean any setting where a student is engaged in work toward academic credit, satisfaction of program-based requirements, or related activities including but not limited to on-line courses, learning abroad, and field trips.

Subd. 2. Campus.

Campus shall mean all University premises, including all land, buildings, facilities, and other property owned, possessed, leased, used, or controlled by the University, and adjacent streets and sidewalks.

Subd. 3. Plagiarism.

Plagiarism shall mean representing the words, creative work, or ideas of another person as one's own without providing proper documentation of source. Examples include, but are not limited to:

- copying information word for word from a source without using quotation marks and giving proper acknowledgement by way of footnote, endnote, or in-text citation;
- representing the words, ideas, or data of another person as one's own without providing proper attribution to the author through quotation, reference, in-text citation, or footnote;
- producing, without proper attribution, any form of work originated by another person such as a musical phrase, a proof, a speech, an image, experimental data, laboratory report, graphic design, or computer code;
- paraphrasing, without sufficient acknowledgment, ideas taken from another person that the reader might reasonably mistake as the author's; and
- borrowing various words, ideas, phrases, or data from original sources and blending them with one's own without acknowledging the sources.

It is the responsibility of all students to understand the standards and methods of proper attribution and to clarify with each instructor the standards, expectations, and reference techniques appropriate to the subject area and class requirements, including group work and internet use. Students are encouraged to seek out information about these methods from instructors and other resources and to apply this information in all submissions of academic work.¹

Subd. 4. Student.

Student shall mean any person taking courses at the University or enrolled in a University program; any person participating as a student in University activities prior to the start of classes; any student who is not enrolled or registered for a particular term but has a continuing relationship with the University; any student who withdraws, transfers, or graduates after an alleged violation of the Student Conduct Code; and any already graduated student when the conduct at issue implicates the student's University degree.

Subd. 5. Student Group.

Student group shall mean any group of students that is or has been registered as a University student group under applicable University policies or procedures.

Subd. 6. University-Sponsored Activities.

University-sponsored activities shall mean any program or event sponsored by the University, including but not limited to those sponsored by student groups, or athletics.

Subd. 7. Medical Amnesty.

Medical amnesty shall align with Minnesota Statutes § 340A.503, Subd. 8, and it shall mean that a student is not subject to Student Conduct Code disciplinary sanctions for underage possession and consumption of alcohol if the student contacts a 911 operator to report that the student or another student is in need of medical assistance for an immediate health or safety concern. To be eligible for medical amnesty, the student who initiates contact must be the first person to make such a report, must provide a name and contact information, must remain on the scene until assistance arrives, and must cooperate with the

¹ Portions used with permission from New York Institute of Technology and University of Texas, San Antonio.

authorities at the scene. The student who receives medical assistance and up to two students acting in concert with the student initiating contact with a 911 operator shall also be immune from disciplinary sanctions.

Subd. 8. Assists or Abets.

A student or student group assists or abets prohibited conduct when the student or student group: (a) helps any other person engage in misconduct as defined by the Student Conduct Code; and (b) intends the misconduct to occur or knows that their actions are significantly likely to help the other person to engage in the misconduct.

SECTION IV. DISCIPLINARY OFFENSES.

Any student or student group found to have committed, attempted to commit, or assisted or abetted another person or group to commit the following misconduct is subject to appropriate disciplinary action under this policy:

Subd. 1. Scholastic Dishonesty.

Scholastic dishonesty means plagiarism; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using course materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, misrepresenting, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis.

Subd. 2. Disruption of Academic Environment.

Disruption of the academic environment means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach and/or a student's ability to learn.

Subd. 3. Falsification.

Falsification means willfully providing University offices or officials with false, misleading, or incomplete information; forging or altering without proper authorization official University records or documents or conspiring with or inducing others to forge or alter without proper authorization University records or documents; misusing, altering, forging, falsifying, or transferring to another person University-issued identification; or intentionally making a false report of a bomb, fire, natural disaster, or other emergency to a University official or an emergency service agency.

Subd. 4. Refusal to Identify and Comply.

Refusal to identify and comply means willfully refusing to or falsely identifying one's self or willfully failing to comply with a proper order or summons when requested by law enforcement personnel, by emergency medical staff responding to an emergency, or by a University employee acting within the purview of his or her job responsibilities.

Subd. 5. Attempt to Injure or Defraud.

Attempt to injure or defraud means making, forging, printing, reproducing, copying, or altering any record, document, writing, or identification used or maintained by the University when done with intent to injure, defraud, or misinform.

Subd. 6. Harm to Person.

Harm to person means engaging in conduct that endangers or threatens to endanger the physical and/or mental health, safety, or welfare of another person, including, but not limited to, threatening, harassing, intimidating, or assaulting behavior.

Subd. 7. Bullying.

Bullying means aggressive behavior directed at another person that causes stress or harm and that is repeated over time, including but not limited to assaulting, defaming, terrorizing, making obscene gestures, or invading privacy.

Subd. 8. Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence.

These disciplinary offenses are defined in Board of Regents Policy: *Sexual Harassment, Sexual Assault, Stalking and Relationship Violence* and the related administrative policy.

Subd. 9. Disorderly Conduct.

Disorderly conduct means engaging in conduct that incites or threatens to incite an assault or breach of the peace; breaching the peace; obstructing or disrupting teaching, research, administrative, or public service functions; or obstructing or disrupting disciplinary procedures or authorized University activities.

Subd. 10. Illegal or Unauthorized Possession or Use of Weapons.

Illegal or unauthorized possession or use of weapons means possessing or using weapons or articles or substances usable as weapons, including, but not limited to, firearms, incendiary devices, explosives, and dangerous biological or chemical agents, except in those instances when authorized by law and, where applicable, by proper University authority.

Subd. 11. Illegal or Unauthorized Possession or Use of Drugs or Alcohol.

Illegal or unauthorized possession or use of drugs or alcohol means possessing or using drugs or alcohol illegally or, where applicable, without proper University authorization.

Subd. 12. Providing Alcohol to Minors.

Providing alcohol to minors means directly or indirectly providing alcohol to anyone under the legal drinking age.

Subd. 13. Unauthorized Use of University Facilities or Services.

Unauthorized use of University facilities or services means wrongfully using University properties or facilities; misusing, altering, or damaging fire-fighting equipment, safety devices, or other emergency equipment or interfering with the performance of those specifically charged to carry out emergency services; or acting to obtain fraudulently—through deceit, unauthorized procedures, bad checks, or misrepresentation—goods, quarters, services, or funds from University departments or student groups or individuals acting on their behalf.

Subd. 14. Theft, Property Damage, or Vandalism.

Theft, property damage, or vandalism means theft or embezzlement of, damage to, destruction of, unauthorized possession of, or wrongful sale or gift of property.

Subd. 15. Unauthorized Access.

Unauthorized access means accessing without authorization University property, facilities, services, or information systems, or obtaining or providing to another person the means of such unauthorized access, including, but not limited to, using or providing without authorization keys, access cards, or access codes.

Subd. 16. Disruptive Behavior.

Disruptive behavior means willfully disrupting University events; participating in a campus demonstration that disrupts the normal operations of the University and infringes on the rights of other individuals; leading or inciting others to disrupt scheduled or normal activities of the University; engaging in intentional obstruction that interferes with freedom of movement, either pedestrian or vehicular, on campus; using sound amplification equipment on campus without authorization; or making or causing noise, regardless of the means, that disturbs authorized University activities or functions.

Subd. 17. Hazing.

Hazing means any behavior or activity that endangers the physical and/or mental health or safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a student group or University athletic team.

Subd. 18. Rioting.

Rioting means engaging in, or inciting others to engage in, harmful or destructive behavior in the context of an assembly of three or more persons disturbing the peace on campus, in areas proximate to campus, or in any location when the riot occurs in connection with, or in response to, a University-sponsored event. Rioting includes, but is not limited to, such conduct as using or threatening violence to others, damaging or destroying property, impeding or impairing fire or other emergency services, or refusing the direction of an authorized person.

Subd. 19. Violation of University Rules.

Violation of University rules means engaging in conduct that violates University, collegiate, or departmental regulations that have been posted or publicized, including provisions contained in University contracts with students.

Subd. 20. Violation of Local, State, or Federal Laws or Ordinances.

Violation of local, state, or federal laws or ordinances means engaging in conduct that violates a local, state, or federal law, or ordinance, including, but not limited to, laws governing alcoholic beverages, drugs, gambling, sex offenses, indecent conduct, or arson.

Subd. 21. Persistent Violations.

Persistent violations means engaging in repeated conduct or action in violation of this Code.

SECTION V. SANCTIONS.

Students and student groups found responsible for disciplinary offenses under the Student Conduct Code are subject to sanctions. Factors to consider in determining appropriate sanctions include: the nature of the offense, the severity of the offense, the culpability of the student or student group, the impact on other students or members of the University community, and the opportunity for student development. Separation from the University through suspension or expulsion is a serious sanction that may be appropriate for: repeated violations of the Student Conduct Code, for serious scholastic dishonesty, and for misconduct that constitutes a threat to community safety or well-being (including, but not limited to harm to person and sexual assault), or significantly disrupts the rights of others or the operations of the University.

The University seeks to provide a safe, secure, and healthy environment for all students. Recognizing that the potential application of disciplinary sanctions could deter students from seeking medical attention for themselves or others, the University will provide medical amnesty as defined in Section III, Subd. 7. However, a student requiring emergency evaluation or treatment at a medical facility may be required to complete an alcohol assessment or education program. This is not considered a disciplinary response. Amnesty is granted only for violations of Section IV, Subd. 11, and does not apply to other possible violations of the Student Conduct Code (e.g., property damage or assault) which may have occurred during the time of intoxication. In circumstances involving a student group, the willingness of the student group's members to seek medical assistance for a member or a guest will be viewed as a mitigating factor in the review process for any possible violations.

The following sanctions, which are listed in order of least severe to most severe, may be imposed upon students or student groups found to have violated the Student Conduct Code:

Subd. 1. Academic Sanction.

An academic sanction means a sanction affecting the course or academic work of the student for violation of Section IV, Subd. 1.

Subd. 2. Warning.

A warning means the issuance of an oral or written warning or reprimand.

Subd. 3. Probation.

Probation means special status with conditions imposed for a defined period of time and includes the probability of more severe disciplinary sanctions if the student or student group is found to violate any institutional regulation during the probationary period.

Subd. 4. Required Compliance.

Required compliance means satisfying University requirements, work assignments, community service, participating in a restorative justice process, or other discretionary assignments.

Subd. 5. Confiscation.

Confiscation means confiscation of goods used or possessed in violation of University regulations or confiscation of falsified identification or identification wrongly used.

Subd. 6. Restitution.

Restitution means making compensation for loss, injury, or damage.

Subd. 7. Restriction of Privileges.

Restriction of privileges means the denial or restriction of specified privileges, including, but not limited to, access to an official transcript for a defined period of time.

Subd. 8. University Housing Suspension.

University housing suspension means separation of the student from University Housing for a defined period of time.

Subd. 9. University Housing Expulsion.

University housing expulsion means permanent separation of the student from University Housing.

Subd. 10. Suspension.

Suspension means separation of the student or student group from the University for a defined period of time, after which the student is eligible to return to the University. Suspension may include conditions for readmission. The suspension may be deferred when an offense is serious enough to warrant separation from the University, but where the specific circumstances of the case justify special consideration.

Subd. 11. Expulsion.

Expulsion means the permanent separation of the student from the University.

Subd. 12. Withholding of Diploma or Degree.

Withholding of diploma or degree means the withholding of diploma or degree otherwise earned for a defined period of time or until the completion of assigned sanctions.

Subd. 13. Revocation of Admission or Degree.

Revocation of admission or degree means revoking a student's admission to the University or revoking a degree already awarded by the University.

SECTION VI. INTERIM SUSPENSION.

The president or delegate may impose an immediate suspension on a student or student group pending a hearing before the appropriate disciplinary committee (1) to ensure the safety and well-being of members of the University community or to preserve University property, (2) to ensure the student's own physical or emotional safety and well-being, or (3) if the student or student group poses an ongoing threat of disrupting or interfering with the operations of the University. During the interim suspension, the student or student group may be denied access to all University activities or privileges for which the student or student group might otherwise be eligible, including access to University housing or property. The student or student group has a right to a prompt hearing before the president or delegate on the questions of identification and whether the interim suspension should remain in effect until the full hearing is completed.

SECTION VII. HEARING AND APPEALS OF STUDENT DISCIPLINE.

Subd. 1. Hearing Process.

Any student or student group charged with violation of the Student Conduct Code shall have the opportunity to receive a fair hearing. A finding of responsibility for violation of the Student Conduct Code must be based on a preponderance of the evidence. The president or delegate shall ensure that each campus has a hearing process that includes the following:

- (a) notification of the report and a request to meet;
- (b) an informal meeting to learn more about the steps of the disciplinary process and to share information related to the incident;
- (c) if the student or student group is found responsible, a proposal of an informal resolution that includes the findings and disciplinary sanctions being offered to resolve the incident;
- (d) if the informal resolution is not accepted, a request for a formal hearing in which a panel will determine responsibility and potential sanctions; and
- (e) if the formal resolution is not accepted, a request for an appeal.

In exceptional circumstances where the University determines that an informal resolution is not appropriate, a student's responsibility will be decided through a formal hearing in which a panel will determine responsibility and possible sanctions. In regard to sexual misconduct cases, both the reporting party and the accused student have the opportunity to request a formal hearing and appeal as part of due process.

Subd. 2. Appeals Process.

To safeguard the rights of students and student groups, the president or delegate shall ensure that each campus has a campus-wide appeals procedure to govern alleged violations of this policy. The appeals procedure shall provide both substantive and procedural fairness for the student or student group alleged to have violated the Student Conduct Code and shall provide for resolution of cases within a reasonable period of time.

The appeals procedure must describe:

- (a) grounds for an appeal;
- (b) procedures for filing an appeal; and
- (c) the nature of an appellate review.

SECTION VIII. JURISDICTION.

Subd. 1.

The Student Conduct Code shall apply to student and student group conduct that occurs on campus or at University-sponsored activities.

Subd. 2.

The Student Conduct Code shall apply to student and student group conduct that directly relates to the University's education, services, programs, or rules, including but not limited to scholastic dishonesty, hazing, violation of University rules, and falsification, whether the conduct occurs on campus or off campus.

Subd. 3.

At the discretion of the president or delegate, the Student Conduct Code also shall apply to off-campus student and student group conduct when the conduct, as alleged, adversely affects a substantial University interest and either:

- (a) constitutes a criminal offense as defined by local, state, or federal law or ordinance, regardless of the existence or outcome of any criminal proceeding; or
- (b) indicates that the student or student group may present a danger or threat to the health or safety of the student or others.

Subd. 4.

Conduct of a student who is a member of a student group will not be considered to be conduct of the student group unless the facts and circumstances surrounding the conduct suggest that the student group sponsored, organized, or otherwise endorsed the conduct.

SECTION IX. THE RESPONSIBILITIES OF DUAL MEMBERSHIP.

Students are both members of the University community and of the state. Students are responsible to the community of which they are a part, and they are responsible to the academic community of the University. By enforcing the Student Conduct Code, the University neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the University will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action. Determinations made or sanctions imposed under the Student Conduct Code will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the criminal law defendant.

SECTION X. DELEGATION OF AUTHORITY.

The president or delegate shall implement this policy, including publishing and distributing the Student Conduct Code and the procedures governing the student disciplinary process at the University.

REVISION HISTORY

Adopted: July 10, 1970

Amended: December 13, 1974; March 11, 1994; June 13, 2003; December 8, 2006; October 12, 2012; June 10, 2016; October 13, 2017

Technical Correction: July 8, 2015; May 24, 2018

Supersedes: Existing Disciplinary Appeals Policies in Contradiction and Specifically Repeals the Appeals Policies dated February 9, 1979.