

Policy Title:	Code of Student Conduct
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Governing Body:	Southern Oregon University	Policy Number:	SAD.015 (573-076)
Policy Contact:	Provost	Date Revised:	August 2016
Custodial Office:	Academic Affairs	Date Approved:	August 2016
Approved By:	President	Next Review:	August 2017
Related Policy:			

Revision History

Revision Number:	Change:	Date:
-	Initial version	February 2009
1	Revision	August 2016

A. Definitions

1. “Respondent” means any student accused of violating the Code of Student Conduct.
2. “Complainant” means any person who submits a complaint alleging a Code of Student Conduct violation under “prohibited conduct.” The complainant need not be the victim of the alleged violation, and in cases concerning the university, the university may serve as complainant.
3. “Director” means the Director of Student Support and Intervention, or other employee designated or otherwise assigned to adjudicate a complaint by the Director.
4. “Student” means any person who has (or will have) attained student status by way of:
 - (a) Application for admission, housing or other service that requires student status.
 - (b) Registration for one or more credit hours.
 - (c) Enrollment in any non-credit, certificate or other program offered by the university.

B. Policy Statement

A. Division 76, 573-076-0000 Introduction

1. Participation as a member of the Southern Oregon University (SOU) community entails respect for oneself and all other members of the campus community. All students agree that every other member of the campus community is to be respected as a colleague committed to the pursuit of knowledge and self-understanding. To misuse or abuse that mutual respect is to threaten the entire academic enterprise.
2. Behaviors that impede others' ability to engage in their work and lives at the university and/or that are self-destructive have no place. The Code of Student Conduct, prohibited conduct and all of the university's policies are designed to guide students by providing clear descriptions of problematic behaviors and the responses that can be expected should they occur.
3. Civility is the hallmark of this community. Hostility in any form has no place in open and honest learning. These ideals operate within the balance between freedom of expression and freedom from threats to safety, both physical and emotional.
4. Application to SOU implies acceptance of the university's rules and regulations and compliance with them. All university rules and policies have been crafted to balance freedom and responsibility and to provide standards for the orderly operation of this educational community.
5. Conduct occurs in the context of a community of scholars dedicated to personal and academic excellence. Joining this community obligates each member to observe the following principles:
 - (a) Mutual respect
 - (b) Personal and academic integrity
 - (c) Civil discourse
 - (d) Responsible decision making
6. Most members of the SOU community act in a mature manner consistent with the benchmarks of mutual respect, civil discourse, appreciation of differences and responsible choices. However, it is necessary to protect the many from the few who may choose to act in an irresponsible manner. This is one of the main reasons the university has a Code of Student Conduct and a comprehensive set of policies and regulations.

B. Division 76, 573-076-0010 Process Overview

1. Regarding the practical matter of reviewing incidents of student misconduct, this Code outlines the procedures to be followed by the university. Any allegations of misconduct must involve violations of listed rules and the university must follow written procedures. These procedures include:
 - (a) Written notice of what rule(s) have allegedly been violated, in sufficient detail to allow a response.
 - (b) An opportunity to address the issue(s) before a designated university staff member or hearing board.
 - (c) A timely, written decision based on the greater weight of the information presented.
 - (d) An opportunity to appeal based on alleged deviation from the written procedures.
2. The Code of Student Conduct should be read broadly. It does not define all prohibited conduct in exhaustive terms.

C. Division 76, 573-076-0020 Jurisdiction

1. Generally, university jurisdiction and discipline shall be limited to student conduct which occurs on university premises or which threatens the university community and/or the pursuit of its objectives (the term “university premises” includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the university, and/or university sponsored or controlled events). University jurisdiction and discipline may also apply to student conduct which occurs off-campus if such conduct causes concern for the university and/or the university community.
2. Participants in overseas and off-campus programs are expected to act in accordance with university rules and regulations but assume added responsibility to the group and to the laws and regulations of the host country.

D. Division 76, 573-076-0030 Violation of Law and University Conduct Proceedings

1. In cases where criminal charges are filed against a student for actions that are also violations of university policy, the university is responsible for hearing allegations of policy violations regardless of and separate from any other proceedings. Student conduct hearings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
2. When a student is charged by federal, state or local authorities with a violation of law, the university will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also a violation of university policy, the university may advise off-campus authorities of the existence of this Code and how such matters will be handled internally within the university community. The university will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by the criminal courts for the rehabilitation of student violators.

E. Division 76, 573-076-0040 Oversight and Administration

1. When it appears that a student has violated one or more university policies, the university intervenes with a process designed to resolve the issue and ensure future problems do not arise. The Office of Student Support and Intervention coordinates the procedures associated with responding to student conduct issues. The responsibilities of the office include:
 - (a) Receipt of information about alleged policy violations (typically from Campus Public Safety reports, Residence Hall incident reports and/or reports from other students).
 - (b) Determination of the policies that appear to have been violated.
 - (c) Interviewing and advising parties involved in student conduct proceedings.
 - (d) Training and advising conduct officers and conduct boards.
 - (e) Conducting hearings.
 - (f) Reviewing the decisions of conduct boards.
 - (g) Maintenance of all student conduct records.
 - (h) Development of procedures for conflict resolution.
 - (i) Monitoring of educational sanctions.
 - (j) Collection and dissemination of research and analysis concerning student conduct.

2. The Director of Student Support and Intervention (Director) or designee determines who will hear each allegation of student misconduct.

3. The Director may designate an arbiter for disputes within the student community which do not involve a violation of university policy. All parties must agree to arbitration and to be bound by the decision with no opportunity to appeal.

F. Division 76, 573-076-0050 Conduct Officers and Conduct Boards

1. In matters of alleged violations of this Code, the Director or designee will determine the appropriate forum for hearings proceedings outlined in this Code. The university maintains an active pool of faculty, administrators and specially trained students for the purpose of hearing and resolving student conduct allegations. Hearings or other proceedings outlined in this Code may be held before the following individuals or boards:

(a) Peer Review Board: Generally consisting of no fewer than three trained SOU students, a peer review board will primarily hear allegations involving disruption of community standards and may also act as a mediating body for disputes that occur outside the scope of this Code.

(b) University Review Board: Consisting of at least one faculty member, one administrator and one student. A university review board will hear allegations as deemed appropriate by the Director or designee.

(c) Administrative Conference: The Director or designee may hear allegations in a one-to-one format where appropriate.

(d) Equity Grievance Panel: Consisting of specially trained faculty and administrators. Equity grievance panels will hear matters involving alleged violations of SOU's Equal Opportunity, Harassment and Sexual Misconduct Policy using procedures outlined in that policy.

2. At the discretion of the Director or designee, cases involving assault, intimidation or other matters posing an immediate threat to the campus community may be heard by the Director or designee, or a board of trained administrators appointed by the Director or designee, independent of conduct board action.

3. Student members of any conduct board who are charged with any violation of this Code or with a criminal offense may be suspended from their conduct positions by the Director or designee until a final resolution of the situation is obtained. Students found responsible for any such violation or offense may be disqualified from any further participation in the university conduct system by the Director or designee.

G. Division 76, 573-076-0060 Conduct Referrals and Hearing Procedures

1. Any person may refer a student or a student group or organization suspected of violating university policy to the Office of Student Support and Intervention. Persons making such referrals are required to provide information pertinent to the situation and will normally be expected to provide an incident report and written statement, and/or appear at a hearing as the complainant. The hearing format for resolution will be selected at the discretion of the Director or designee.

2. The Director or designee may conduct an investigation (or request conduct of an investigation by other university officials) to determine if the allegations have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Director or designee.

Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the Director or designee will proceed with a hearing.

3. All allegations of misconduct are presented to the respondent in written form. The notification includes the date or date range, location and description of the prohibited conduct relevant to the alleged violation. A time is set for a hearing, not less than three (3) calendar days and not more than fifteen (15) calendar days after the student has been notified. Minimum and maximum time limits for scheduling of hearings may be extended at the discretion of the Director or designee based on the academic calendar or at the written request of the respondent.

4. Hearings are conducted according to the following guidelines:

(a) Hearings are conducted in private, unless both the respondent(s) and the complainant(s), and the Director or designee agree to an open hearing.

(b) Admission of any person to the hearing is at the discretion of the Director or designee.

(c) In hearings involving more than one respondent, the Director or designee may permit the hearings concerning each respondent to be conducted separately.

(d) The complainant and the respondent may be accompanied by an advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. The advisor may confer quietly with his or her advisee, exchange notes, clarify procedural questions with the chair and suggest questions to his or her advisee. The complainant and/or the respondent is responsible for presenting his or her own information. Comments from advisors may be requested from the Director or designee facilitating the hearing.

(e) The complainant, the respondent, and the conduct officer/board have the privilege of presenting witnesses, subject to questioning by the conduct officer/board.

(f) Pertinent records, exhibits and written statements may be accepted for consideration by a conduct officer/board at the discretion of the Director or designee.

(g) All procedural questions are subject to the final decision of the Director or designee.

(h) After the hearing, the parties are dismissed and the conduct officer or board (by majority vote) determines whether the respondent is responsible for each alleged policy violation.

(i) The conduct officer/board's determination is made on the basis of whether it is "more likely than not" that the respondent violated the policy(ies).

(j) Not more than ten (10) working days following the hearing, the respondent is notified in writing of the decision and its rationale, including any sanction(s) imposed and the opportunity to appeal the decision.

(k) There is a record of all hearings before a hearing board, consisting of an audio recording and all written documentation including notes taken during the hearing. The record is the property of the university and is maintained in the Office of Student Support and Intervention.

(l) Except in the case of a student accused of violating the "failure to comply with directives" policy by not appearing before a conduct board or university official, no student may be found to have violated the policy(ies) in question solely because the student failed to appear. In all hearings, the information in support of the allegations is presented and considered. Final decisions are based on the information available.

5. In decisions of alleged academic misconduct, academic penalties (grades) are imposed only by faculty members (course instructor).

6. Sexual Misconduct Review Hearings are conducted in accordance with guidelines established in the Equal Opportunity, Harassment and Sexual Misconduct Policy.

H. Division 76, 573-076-0070 Sanctions

1. A disciplinary sanction is an educational tool designed to send a clear message regarding violation of university policy. Sanctions relate to the nature of the violation, with stronger sanctions imposed for more aggravated or repeated misconduct. Sanctions of probation, suspension and dismissal require the approval of the Director or designee. All students, as members of the university community, are expected to comply with conduct sanctions within the timeframe specified by the Director or designee. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions up to and including suspension from the university. In such situations, resident students may be required to vacate university housing within 24 hours of notification by the Director or designee. A suspension will only be lifted when compliance with conduct sanctions is satisfactorily achieved. This determination will be made by the Director or designee.
2. The following sanctions may be imposed when a student is found responsible for policy violation(s):
 - (a) Warning: A notice in writing to the student that the student is violating or has violated university policy.
 - (b) Loss of Privileges: Denial of specified privileges, permanently or for a designated period of time.
 - (c) Fines: Previously established and published fines or special fees may be charged to a student's account.
 - (d) Restitution: Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (e) Discretionary Sanctions: Work assignments, censure, research, apology letters, service to the university or other related discretionary assignments.
 - (f) Educational classes to be paid by fee assessed to violator. Fee may be paid directly or through community restitution.
 - (g) University Probation: A written reprimand which may place the student's participation in university activities in a provisional status. Probation may exclude the student from participation in co-curricular activities in which the student represents the university (e.g., varsity athletics and club sports, elected student office, debate, musical and dramatic groups). Probation may include mandatory counseling and includes the probability of more severe disciplinary sanctions if the student further violates university regulation(s) during the probationary period. Probation may also serve as an elevated warning where appropriate.
 - (h) Residence Hall Suspension: Separation of the student from the residence halls for a stated period of time, after which the student is eligible to re-apply. Because the university maintains a one-year residency requirement, a residence hall suspension may result in a suspension from the university, if the student has not completed the one-year residency requirement. Conditions for readmission may be specified. The student may be issued a written trespass notice from one or more residence halls for the duration of the suspension.
 - (i) Residence Hall Expulsion: Permanent separation of the student from the residence halls. The student will be issued a written trespass notice from all residence halls at the time of the expulsion.
 - (j) Eviction from University Housing: Removal from any university owned or operated housing other than the residence halls. The student will be issued a written trespass notice from all university housing at the time of the eviction.

- (k) Unconditional Probation: Immediate invocation of university suspension if additional violation(s) of university policies occur during a specified period of time. Unconditional probation also includes the provisions of a disciplinary probation.
- (l) University Suspension: Separation of the student from the university for a specific period of time after which the student is eligible to return. Conditions for readmission may be specified. At the discretion of the Director or designee, a university trespass order is in effect for the period of the suspension. A suspension may be deferred to the end of a term at the discretion of the Director or designee.
- (m) University Dismissal: Permanent separation of the student from the university.
3. The following sanctions may be imposed upon groups or organizations:
- (a) Those sanctions listed above.
- (b) Deactivation: Loss of all privileges, including university recognition, for a specified period of time.
4. Interim Suspension - In certain circumstances, the Director or designee may impose a university or residence hall suspension prior to the hearing.
- (a) Interim suspension may be imposed only:
- (A) to ensure the comfort, safety and well-being of members of the university community or preservation of university property; and/or
- (B) to ensure the student's own physical or emotional safety and well-being; and/or
- (C) if the student poses a definite threat of disruption of or interference with the normal operations of the university.
- (b) During the interim suspension, the student is denied access to the campus (including classes) and all other university activities or privileges for which the student might otherwise be eligible, as the Director or designee may determine to be appropriate.
5. More than one of the sanctions listed above may be imposed for any single violation.
6. Other than university dismissal, disciplinary sanctions are not made part of the student's permanent academic record, but are part of the student's confidential disciplinary record.
7. Where sanctions involve the separation of the responsible student from university housing, the student is accountable for all financial penalties or other conditions as outlined in the residential housing contract.

I. Division 76, 573-076-0080 Appeals

1. A decision may be appealed within ten (10) working days of the date of the decision letter to the Associate Provost or designee. Such appeals must be in writing and must be delivered by mail or email.
2. An appeal is limited to one or more of the following purposes:
- (a) To determine whether the original hearing was conducted fairly in light of the allegations and information presented and in conformity with the procedures outlined in this Code.
- (b) To determine whether the decision reached regarding the respondent was based on substantial information, that is, whether the facts were sufficient to establish that a violation of university policy occurred under the "more likely than not" standard.
- (c) To determine whether the sanction(s) imposed were appropriate for the violation(s) which the respondent was found to have committed.

(d) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original hearing.

3. If an appeal is granted, this written decision will be communicated to the original conduct officer/board for action, if appropriate.

4. In cases of sexual misconduct, the complainant or victim will be notified of the decision and pertinent sanctions and may appeal the decision and sanctions according to the standard outlined above.

J. Division 76, 573-076-0090 Student Groups and Organizations

1. Student groups and organizations may be charged with violations of university policy.

2. A student group or organization and its officers may be held collectively or individually responsible when violations of policy by those associated with the group or organization have received the tacit or overt consent or encouragement of the group or organization or of the group's or organization's leaders, officers or spokespersons.

3. The student officers or leaders or any identifiable spokespersons for a student group or organization may be directed by the Director or designee to take action to prevent or end violations by the group or organization. Failure to make reasonable efforts to comply with any resulting directives shall be considered a violation of university policy, both by the officers, leaders or spokespersons for the group or organization and by the group or organization itself.

K. Division 76, 573-076-0100 Parent and Guardian Notification

1. A fundamental goal of the university is to support students' independence and maturity, in part by encouraging them to assume responsibility for their own educational and personal matters. The university also encourages students and parents or guardians to communicate directly, regularly and openly with each other about issues of mutual concern.

2. Under laws and policies that govern the privacy rights of students, SOU has the authority and reserves the right to contact parents or guardians of dependent students about a variety of serious matters and the parents or guardians of all students in certain emergencies regarding imminent serious injury or life or death situations. Parental or guardian notification may occur under the following circumstances:

(a) Hospital visits for alcohol poisoning or drug overdose;

(b) Behavior or circumstances which put the student at an imminent safety risk, including repeated or alarming levels of prohibited substance abuse;

(c) Serious mental health concerns.

L. Division 76, 573-076-0110 Disciplinary Files and Records

1. The formal hearing process prompts creation of a disciplinary file in the Office of Student Support and Intervention. The file contains information related to the incident as well as the following:

- (a) Any written statements from earlier documents bearing the name of the respondent which have been maintained at the residence hall level.
- (b) Copies of letters regarding prior disciplinary matters.
- (c) Any subsequent correspondence related to the case.
- (d) Materials related to sanctions.
- (e) Other reports at the discretion of the Director or designee.

2. Respondents involved in disciplinary processes may review the contents of this confidential file (to the extent that the materials therein do not compromise the confidentiality of other students, faculty or staff) and may contest in writing anything in the file. Files may be redacted appropriately and may be viewed only in the presence of the Director or designee, unless the content is appropriate for physical or digital release at the discretion of the Director or designee.

3. Disciplinary records of students will be destroyed pursuant to the Oregon state law retention schedule governing institutional records. Prior access is granted to students who have requested access before the records are destroyed and the State Archivist is empowered to order the retention of some categories of records.

4. Student conduct files are maintained permanently in the event of dismissal.

5. Student conduct records of students who have not yet responded to allegations will remain active. Once they have responded, the records are retained in accordance with the procedures above.

6. Student conduct records may be voided by the Director or designee for good cause, upon written petition of the student. Factors to be considered in review of such petitions include:

- (a) the present demeanor of the student;
- (b) the conduct of the student subsequent to the violation;
- (c) the length of time between the violation and the request;
- (d) the nature of the violation and the severity of any damage, injury or harm resulting from it.

7. Disciplinary files are treated as “education records” under the provisions of the Family Education Rights and Privacy Act (FERPA) and may be viewed only by those who “need to know” such information in the conduct of their official duties, as determined by the Director or designee. Otherwise, contents of the file may be released to others only with consent of the student whose name is on the file.

8. A maximum delay of forty-five (45) days is authorized in granting access to education records involving students.

M. Division 76, 573-076-0120 Interpretation and Revision

1. Any question of interpretation regarding this Code and university policy must be referred to the Director or designee for final determination.

2. This Code and university policies are reviewed annually under the direction of the Director or designee, who consults with students, faculty and staff as appropriate.

3. Changes to the Code recommended through this consultative process are subject to approval by the Executive Council of the university.

N. Division 76, 573-076-0130 Prohibited Conduct

1. University Statement on Academic Misconduct: Each student's education is the product of his or her own intellectual effort and engagement in a process of critical exchange. Breaches of academic integrity compromise the overall quality of scholarship and detract from the value of the SOU degree. The university must respond to any act of academic misconduct to honor and protect responsible citizenship, both globally and within the university community. Prohibited academic conduct is as follows:

(a) Acts of academic misconduct involve the use or attempted use of any method that enables a student to misrepresent the quality or integrity of his or her academic work and are prohibited.

(b) Academic misconduct with respect to examinations includes but is not limited to copying from the work of another, allowing another student to copy from one's own work, unauthorized use of crib notes during exam time, arranging for another person to substitute in taking an examination, or giving or receiving unauthorized information prior to or during the examination.

(c) Academic misconduct with respect to written or other types of assignments includes but is not limited to:

(A) Failure to acknowledge the ideas or words of another that have been intentionally taken from any published or unpublished source;

(B) Placing one's name on papers, reports or other documents that are the work of another individual;

(C) Flagrant misuse of the assistance provided by another in the process of completing academic work, or the submission of unacceptably similar work resulting from inappropriate collaboration or assistance;

(D) Submission of the same paper or project for separate courses without prior authorization by faculty members;

(E) Fabrication, alteration or other manipulation of data;

(F) Knowingly aiding in or inciting the academic dishonesty of another; or

(G) Inappropriate collaboration on papers, exams or other work.

(d) Academic misconduct with respect to intellectual property includes but is not limited to theft, alteration or destruction of the academic work of other members of the community or of the educational resources, materials or official documents of the university and is prohibited.

2. Deliberate Acts of Dishonesty. In general, acts of dishonesty are prohibited. Such acts may include, but are not limited to:

(a) Furnishing false and/or misleading information to any university or community official, faculty member, administrative office or conduct body;

(b) Forgery, alteration and/or misuse of any university record, document or instrument of identification;

(c) Bribery and/or coercion;

(d) Fraud and/or other misrepresentation.

3. Animal Control

(a) The following animal-related behavior is prohibited:

- (A) Inhumane or cruel treatment of animals on university premises;
 - (B) Bringing any animal inside a university building, with the exception of guide or service animals approved by Disability Resources, or by special permission of the Director;
 - (C) Leaving an animal unattended on university premises, even when tethered;
 - (D) Leaving an animal in a closed vehicle on university premises.
- (b) Additionally, resident students may not own or care for pets, other than fish in approved aquaria, in campus residence halls.

4. Controlled Substances

- (a) The unlawful use, abuse, sale, purchase, transfer, possession, manufacture, distribution or dispensing of alcohol or other drugs on university property or as part of any university activity is prohibited.
- (b) Use, possession, cultivation, manufacture, promotion, sale and/or distribution of narcotics or other controlled substances, except as expressly permitted by law, is prohibited.
- (c) Use and/or possession of prescription drugs prescribed to another is prohibited.
- (d) The service of alcohol to and/or consumption by any person who is under the age of 21 or is intoxicated is prohibited.
- (e) Public intoxication at any age is prohibited.
- (f) Intoxication to the point of incapacitation at any age is prohibited.
- (g) Common source containers of alcohol, such as kegs, are prohibited on campus except with prior written permission from the Vice President for Academic and Student Affairs.
- (h) Alcohol and other drugs may not be consumed in the course of any class, laboratory or other activity at which attendance is required as part of a student's course or degree requirements.

5. Disorderly Conduct. Loud, aggressive, profane, abusive, drunken and/or other behavior which disrupts or obstructs the orderly functioning of the university or disturbs the peace and/or comfort of person(s) on campus, on university owned or controlled property, or at university sponsored or supervised functions is prohibited. Exhibiting behavior that creates a concern for harm to self or others, or behavior that suggests a serious problem which is detrimental to the university and university community is prohibited.

6. Disruption, Obstruction or Interference. Engaging in, or inciting others to engage in the disruption, obstruction and/or interference with of any of the following is prohibited:

- (a) University student conduct proceedings;
- (b) Educational activities in classrooms (both physical and online), lecture halls, campus library, laboratories, computer laboratories, theatres or any other place where education and teaching activities take place;
- (c) Classroom expectations. Disruption, obstruction or interference includes classroom behavior, which, in the judgment of the instructor, impedes other students' opportunity to learn and/or which interferes with class objectives. This provision includes university classes held on and off SOU premises, including distance learning and online courses.

- (d) Administrative, auxiliary, support or other campus offices. This may include behavior that demands unreasonable allocation of time or resources beyond the intended scope of the office.
- (e) Operations of Campus Public Safety, fire, police, emergency services and/or residential life staff;
- (f) Interference with campus safety instruments;
- (g) Any student's ability to study, learn and/or complete academic requirements including, but not limited to, destroying, preventing and/or limiting access to information or records;
- (h) Intentionally interfering with the freedom of expression of others on university premises or at university sponsored activities;
- (i) University activities, including its public service functions, whether on- or off-campus, and other non-university activities which occur on university premises.

7. Failure to Comply

- (a) Failure to comply with university regulations, state and/or federal laws, and/or the directives of university and/or community officials while acting in their duties is prohibited.
- (b) Failure to comply with the conditions of the Residential Life Housing Contract is prohibited.
- (c) Failure to comply with university student conduct proceedings, including rules governing hearings procedures and sanctions imposed by university student conduct officials is prohibited.

8. Gambling. Illegal gambling or wagering on university premises or at any official function sponsored by the university is prohibited.

9. Harassment as defined in SOU's Equal Opportunity, Harassment and Sexual Misconduct Policy is prohibited. University Statement on Hate and Bias-motivated language: The university appreciates the complexity of defining language and actions that are not acceptable in a community which values freedom of expression. All members of the SOU community must be free to hold views that others may find distressing or offensive. However, freedom of expression does not include the right to intentionally and maliciously aggravate, intimidate, ridicule or humiliate another person.

10. Hazing. Any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization is prohibited.

11. Interference with Community Standards. Verbal or physical threats and/or intimidation of a person participating in a student conduct proceeding in any capacity is prohibited. Influencing or attempting to influence another person to commit an abuse of community standards is prohibited. Attempting to influence the impartiality of a member of a conduct body prior to, and/or during the course of, the conduct proceeding is prohibited. Failure to comply with the sanction(s) imposed under the Code is prohibited.

12. Misuse of Emergency Equipment and Procedures

- (a) Tampering with, damage of, or intentional misuse of emergency devices or blocking of fire exits or other means of impeding traffic is prohibited.

- (b) Use of fire escapes, ground level fire doors, fire hoses, extinguishers and/or alarm equipment in non-emergency situations is prohibited.
- (c) Failure to comply with fire drill procedures or emergency building evacuation is prohibited.
- (d) Initiating a false report or warning, or the threat of fire, explosion, false fire alarm or other emergency is prohibited.

13. Weapons and Destructive, Chemical and/or Incendiary Devices

- (a) On-campus use, possession, storage (unless authorized) or manufacture of the following is prohibited:
 - (A) Firearms or other devices capable of casting a projectile;
 - (B) Any weapon, device, instrument, material or substance which is designed to, or may by use, inflict injury upon another person;
 - (C) Explosives, bombs or other incendiary or destructive devices;
 - (D) Fireworks of any kind.
- (b) Attempting, committing or aiding the intentional commission of an act which results in a fire being ignited which causes damage, or is intended to cause damage, to the property of the university, to the property of another individual, or to personal property is prohibited.

14. Noise. Activities in violation of established quiet hours in residence halls and academic buildings or which violate local, state or federal noise ordinances is prohibited.

15. Obstruction. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university-sponsored or supervised functions is prohibited.

16. Sexual Misconduct as defined in SOU's Equal Opportunity, Harassment and Sexual Misconduct Policy is prohibited.

17. Smoking. Smoking, including but not limited to the use of smokeless products such as e-cigarettes and others, is prohibited:

- (a) In any university building;
- (b) Within 25 feet of any university building;
- (c) In any university vehicle;
- (d) In any other designated areas.

18. Stalking is defined in SOU's Equal Opportunity, Harassment and Sexual Misconduct Policy and is prohibited.

19. Theft. Attempted or actual theft and/or damage to university property or property of students, other members of the university, or others legitimately using university property is prohibited.

20. Vandalism or Unauthorized Use of Property. Unauthorized use and/or abuse of university property is prohibited. Such acts may include, but are not limited to:

- (a) Alteration, duplication and/or misuse of keys, university documents or identification;
- (b) Unauthorized entry into, or use of, university premises or equipment, including but not limited to camping, building a fire, or use of an unauthorized heating, cooking or electrical device;
- (c) Damage, vandalism, misuse or theft of university property, or the property of another person, group or agency;

- (d) Graffiti, which is defined as intentionally defacing public and/or private property, regardless of the purpose;
- (e) Littering, which is defined as throwing, discarding, placing or depositing items in university buildings or on university grounds, except in receptacles provided for such purposes.

21. Unwelcome Use of Electronic Devices. Unwanted communication with another person using computers, email, cell phones or any other digital device is prohibited. Abuse, misuse and/or theft of computer data, equipment and/or software, including unauthorized file-sharing and distribution of electronic materials is also prohibited.

22. Violation of Local, State or Federal Laws. Violation of local, state or federal laws on or off university premises that may be reasonably expected to have a negative impact on the university or members of the university community in any form is prohibited.

23. Violent, Threatening, Coercive or Abusive Conduct. Examples of prohibited violent and abusive behavior include, but are not limited to, the following:

- (a) Slapping, punching or otherwise physically attacking a person;
- (b) A direct or implied threat of harm or hostile behavior that creates a reasonable fear of injury to another person or unreasonably subjects another individual to emotional distress;
- (c) Brandishing a weapon or an object which appears to be a weapon in a threatening manner;
- (d) Intimidating, threatening or directing abusive language toward another person;
- (e) Intentionally damaging university property and/or the property of a member of the SOU community or a visitor;
- (f) Committing acts motivated by and/or related to racial or sexual harassment or domestic violence;
- (g) Retaliation and/or harassment against a person making a report in good faith.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval.

C. Policy Consultation

Revisions to the text of the policy were posted for campus comment on August 24, 2016.

D. Other Information

The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office.