

The University of North Texas at Dallas Policy Manual	Chapter 7.000
7.001 Code of Student’s Rights, Responsibilities, and Conduct	Student Affairs, Education, & Funding

Policy Statement:

The University of North Texas at Dallas, as a student-centered public University, has established standards of conduct to foster an educational environment conducive to learning and development. Students and University student organizations are expected to conduct themselves in a manner that demonstrates respect for the rights and property of others and upholds the integrity of the University community. The standards of conduct outlined in the Code of Student’s Rights and Responsibilities and Conduct have been developed to ensure the well-being, honor and dignity of all who live, learn and work in our educational community.

Application of Policy:

This policy applies to all individuals who apply for admission to, enroll in and matriculate or graduate from the University of North Texas at Dallas (UNT Dallas), student organizations, and to conduct that occurs on the premises of UNT Dallas, at any location, program or other activity sponsored by or associated with UNT Dallas sponsored activities. The policy also applies when conduct that occurs off-campus adversely affects or has a reasonable likelihood of adversely affecting the educational environment or UNT Dallas community and the pursuit of its objectives

Definitions

1. **Code of Student Rights and Responsibilities (“the Code”)** – The official university policy that sets out the rights and responsibilities of UNT Dallas students and student organizations, as defined by this policy, the manner in which students and student organizations are expected to conduct themselves at all times, and the procedures established to fairly address conduct that departs from these expectations.

2. **Complainant** – Complainant means an individual who may have been the subject of conduct prohibited under the policy regardless of whether the individual reports the conduct.

3. **Conduct Record** - Documentation of a student's conduct violation(s) and sanction(s) while at UNT-Dallas.
4. **Conduct Process** - The procedures provided in the Code from the initial notice of complaint through final resolution to consider whether a student has engaged in misconduct, and whether conduct sanctions should be imposed.
5. **Conduct Sanction** – An official action assigned by the University for a violation of the Code.
6. **Consent** –Words or actions that show an active, knowing and voluntary agreement to engage in sexual activity. Consent cannot be gained by force, coercion, manipulation, threats, or by taking advantage of the incapacitation of another when the individual knows or reasonably should know of such incapacity by use of alcohol or drugs. Consent is absent when the activity in question exceeds the scope of previously given consent, or the person is unconscious or otherwise unaware that the prohibited conduct is occurring. Consent may be revoked at any time.
7. **Day** – Day means calendar days unless otherwise stated in the policy.
8. **Dating Violence** – Abuse or violence, or threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature.
9. **Dean of Students (DOS)** – The University official responsible for administering the student disciplinary conduct process in accordance with the Code, for maintaining student disciplinary conduct records, and for assisting students in resolving conflicts with one another.
10. **Domestic Violence** - A physical act perpetrated against a person's will by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.
11. **Good Conduct Standing** - Status in which a student is fully eligible to participate in University activities and privileges.
12. **Initial Meeting** – An opportunity for a student to review alleged misconduct and provide an opportunity for the student to respond.
13. **No-Contact Order** – Administrative directive issued by a UNTDSA Representative prohibiting contact between individuals. The directive may be given as an interim measure during an investigation or as a sanction.

- 14. Notice of Complaint** - The initial document in the conduct process that identifies alleged misconduct in violation of the Code, and schedules a meeting between the student and a UNTDSA Representative to discuss possible violations of the Code and sanctions.
- 15. Notice of Disciplinary Sanctions** – A document in the disciplinary process that identifies conduct sanctions based on a violation of the Code.
- 16. Permanent Student Conduct Record** - Documentation of a student’s conduct violation(s) and sanction(s) that are permanently maintained by UNTDSA subject to the University records retention schedule. This record is separate from an academic record.
- 17. Preponderance of the Evidence** – Preponderance of the evidence means the amount information necessary to establish whether an allegation is more likely than not to have occurred (i.e. more likely true than not true). Preponderance of the evidence also is referred to as the greater weight of the evidence.
- 18. Respondent** – Respondent means an individual or organization identified as possibly having engaged in conduct prohibited under the policy regardless of whether a formal complaint is made.
- 19. Sexual Assault**- “Sexual Assault” means the intentional or knowing penetration, no matter how slight, of the sex organ or anus with any body part or object, or oral sex, without consent of the complainant. The term sexual assault also is referred to as rape.
- 20. Sexual Coercion** - The use of manipulation or threat to force someone to have sex.
- 21. Sexual Exploitation** - Taking non-consensual or abusive sexual advantage of another for another’s own advantage or benefit, or to benefit or advantage anyone other than the person being exploited, including, but not limited to, non-consensual video or audio-taping of sexual activity or undetected viewing of another’s sexual activity.
- 22. Sexual Harassment** – “Sexual harassment” means unwelcome verbal, nonverbal or physical conduct of a sexual nature (including gender-based and sex-stereotyping conduct of a sexual nature) that:
- a. in the employment context unreasonably interferes with the person's work performance or creates an intimidating, hostile, or offensive work environment;
or
 - b. in the education context is sufficiently severe, persistent or pervasive that the conduct interferes with a student's ability to participate in or benefit from the university’s educational programs or activities. For purposes of this policy,

conduct is sufficiently severe, persistent or pervasive in the education context if its frequency, or threatening or humiliating nature unreasonably interferes with or limits the student's ability to participate in or benefit from the university's educational program or activity, including when the conduct reasonably creates an intimidating, hostile, abusive or offensive educational environment.

Examples of unwelcomed conduct that may constitute sexual harassment under this policy (regardless of the medium or platform) include but are not limited to:

- repeated requests for dates, sexual flirtations or propositions of a sexual nature;
- subtle pressure for a sexual relationship;
- sexist remarks about a person's clothing, body or sexual activities;
- unnecessary touching, hugging or brushing against a person's body;
- direct or implied threats that submission to sexual advances will affect or be a condition of employment, work status, grades, or letter of recommendation;
- comments of a sexual nature that cause humiliation, such as use of inappropriate terms of address;
- sexual assault; and
- sexually explicit or sexist comments, questions or jokes.

23. Sexual Misconduct - Conduct including sexual harassment, sexual exploitation, sexual assault, domestic violence, stalking, and sexual violence.

24. Sexual Violence - A physical sexual act perpetrated against a person's will, or when a person is so incapacitated that he or she is incapable of giving consent due to the use of drugs or alcohol, or where a person is incapable of giving consent due to an intellectual or other disability (including sexual assault). Sexual violence is a form of sexual harassment.

25. Stalking- A course of conduct directed at a person that would cause a reasonable person to fear for the person's safety or to suffer substantial emotional distress.

26. Student – Student means an individual who has applied for admission or readmission to the University of North Texas at Dallas, who is registered or enrolled in one or more courses for credit at the University, or who currently is not enrolled but has continuing academic relationship with the University.

27. Student Conduct Committee (“the Committee”) - A group convened at the request of a student or student organization for the purpose of providing an opportunity for impartial evaluation of alleged violations of misconduct and sanctions.

- 28. Title IX Coordinator** – Title IX Coordinator means a University of North Texas at Dallas employee designated by the President to implement, monitor, and enforce the University’s Title IX program. In this policy, reference to the Title IX Coordinator also means their designees.
- 29. University** - The University of North Texas at Dallas
- 30. University Community** - The collective group of students, faculty, staff, and any other person employed by or contributing to the University.
- 31. University Premises** - All land, buildings, and portion of buildings owned or leased by the University or a component of the UNT System.
- 32. University Privilege** - A benefit that is granted by the University or enjoyed by students, including but not limited to, participating in social events or University sponsored activities, election to student leadership positions, and membership in student organization(s).
- 33. UNTDSA Representative** - A University official authorized by the President to investigate alleged violations of the Code and to administer the procedures and sanctions as set forth in the Code.
- 34. University Sponsored Activity** - All functions, events, and programs on the University premises or conducted under the authority of the University.
- 35. University Student Group/Student Organization (“Student Group” or “Student Organization”)** - A group of students who share a common interest and who are registered as a recognized student group in accordance with student organization policies.

Procedures and Responsibilities:

Interim Removal

A student who presents a substantial and imminent threat to the health, safety, or welfare of the University community or its property may be temporarily removed from campus premises and prohibited from participating in all University sponsored activities pending a determination of the threat. A student temporarily removed under this provision must meet with a member of the C.A.R.E. team within two days or as soon as reasonably possible to determine whether the student may return to campus and participate in activities pending conclusion of the student conduct process. A student will be informed in writing whether the interim removal will remain in effect.

Amnesty Policy

Any student who in good faith reports being the victim of or witness to sexual harassment, sexual assault, dating violence and stalking, will not be subject to disciplinary action for a violation of the code of conduct that occurred at or near the time of the incident, unless the student is found responsible for the offense.

Student Rights and Responsibilities (Section 1):

I. Student Rights

The University is an academic community in which all persons share responsibility for its quality and wellbeing. As members of the University community, students can reasonably expect all the guarantees and protections afforded students of public institutions, including:

1. The right to fair and equitable process in all matters concerning the Code.
2. The right to exercise their privileges and responsibilities as student.
3. The right to be free from discrimination on the basis of race, ethnicity, gender, age, religion, creed, national origin, disability, veteran status, sexual orientation, or gender identity.
4. The right to engage in inquiry and discussion, to exchange thought and opinion, and to speak, write, and print freely on any subject in accordance with the guarantees of federal and state laws.
5. The right to engage in peaceful and orderly speech, protest, demonstration, and picketing within the public forum to the extent such activities do not disrupt the academic and administrative functions of the University. The University reserves the right, in accordance with federal and state law, to approve the time, place and manner of such activities.
6. The right to participate in the formulation of policy directly affecting students when allowed by law.
7. The right to participate in student organizations within the University.
8. The right to ready access to established University policies and procedures.

Responsible Party: Office of Community Standards

II. Student Rights in the Conduct Process

When a student is charged with an alleged violation of the Code that student has the right to:

1. Receive notice of the alleged violation(s), know who to contact for a meeting, and the date by which that contact must occur.
2. Present information in response to the allegations of misconduct, including an oral and written statement, witnesses, documents, and any other information that reasonably responds to the allegations.
3. Be accompanied by an advisor. Advisors may not speak or participate directly in the conduct process.

4. Choose to not participate or answer questions in a meeting.
5. Ask questions of any statements or witnesses presented.
6. Review by impartial officials and students participating in the conduct process.
7. Appeal the findings, suspension, and expulsion as allowed by the Code.

III. Student Responsibilities

1. Witnesses of Student Conduct Violations

Members of the UNT Dallas community are strongly encouraged to participate in any conduct proceedings and to appear as witnesses when reasonably notified.

2. Guests of University Students

Guests must adhere to all University rules, and the hosting student is responsible for all guests' actions. It is the responsibility of the host to inform the guests of these rules. The host can be held financially responsible for the actions of a guest, as well as face Code charges for any guests' behavior. In the University's sole and absolute discretion, guests may be prohibited from entering University premises.

3. Responsible Action Protocol:

At UNT Dallas, the health, safety and welfare of our students and community are paramount concerns. As such, all UNT Dallas students are expected to alert appropriate officials in the event of any health or safety emergency –specifically including those involving the abuse of alcohol or drugs.

Because the University understands that fear of possible disciplinary actions may act as a barrier to students seeking requests for emergency assistance, the University has adopted the following Responsible Action Protocol to alleviate such concerns and promote responsible action on the part of students. In a situation involving imminent threat or danger to the health or safety of any individual(s), students are expected:

- (1) to contact emergency officials by calling 911 to report the incident
- (2) to remain with the individual(s) needing emergency treatment and cooperate with emergency officials, so long as it is safe to do so, and
- (3) to meet with appropriate University officials after the incident and cooperate with any University investigation.

The University will consider the positive impact of taking responsible action in an emergency situation when determining the appropriate response for alleged conduct violations by the reporting student that may have occurred prior to or contemporaneously with the emergency situation. In some situations, this may mean that no University disciplinary action is taken or no disciplinary sanctions are imposed, but the incident will be documented, and educational, community, and health initiatives –as well as contact with a student's parent(s) or guardian(s) –may be required.

The protocol does not preclude or prevent action by police or other local authorities. Nor does this protocol preclude disciplinary action regarding other violations of the Code, such as causing or threatening physical harm, sexual misconduct, property damage, harassment, hazing, etc. Failure of students to take responsible actions in an emergency situation, however, may void all protections under this provision, may constitute an aggravating factor for purposes of sanctioning, and may lead to further disciplinary actions when such failure to act otherwise constitutes a violation of University rules, regulations, or policies

4. Student Organization Responsibility

A student organization will be responsible for the actions and conduct of its members, when one or more of its members, acting in the capacity of their membership, commit a violation of the Code. Group misconduct need not be officially approved by the entire membership in order to be considered grounds for possible conduct action towards the organization. There is no minimum number of organization members who must be involved in an incident before conduct action may be taken towards the entire organization.

Any Notice of Complaint regarding alleged misconduct involving a student group will be delivered to the President as outlined in this policy. A Notice of Complaint will be sent to the attention of the president or other leader of the student organization with a copy to the on campus advisor and other advisors as appropriate along with the appropriate Student Affairs Staff member. Student organizations are responsible for responding to all Notices of Complaint and failure to respond may result in resolution of the matter in the absence of any representative of the student group.

Responsible Party: Office of Community Standards

5. Categories of Misconduct:

- A. Trespassing, forcefully entering and/or occupying University-owned, leased, or controlled premises without authorization.
- B. Destroying or vandalizing personal and/or public property; unauthorized, mischievous and/or inappropriate use of such property.
- C. Unauthorized use or abuse of a computer system, access code[s], keys, or similar device to access controlled data, UNT Dallas's property, or a restricted area of any of the University's campuses.
- D. Theft or unauthorized use of property or services of the University, its members, or its visitors.
- E. Providing false information to a University official who is performing their official duties or engaging in other similar forms of dishonesty, including

making a wrongful accusation against any member of the University community.

- F. Failing to comply with reasonable directive of University officials (i.e. faculty, staff, graduate assistants, resident assistants, student employees) or law enforcement officers who have identified themselves as such and are performing their duties; and/or failing to identify oneself to such persons when requested to do so.
- G. Falsifying or withholding required information in any form from a University official, including information on an application for admission.
- H. Committing academic misconduct:
 - 1. Using the words or ideas of another, from the Internet or any source, without proper citation of the source(s), commonly called plagiarism.
 - 2. Receiving unauthorized external assistance during an examination or any academic exercise for credit. This includes, but is not limited to:
 - a. Providing or receiving aid in connection with any academic assignment;
 - b. Use or possession of camera telephones, text messages, computer disks, audio recorders, calculators, solution materials, photocopies, materials from previous classes, commercial research services, notes or other means to copy or photograph materials used or intended for academic evaluation for use during the academic evaluation or assignment;
 - c. Communication in any manner with another student;
 - d. Working with others on graded coursework, including in-class, on-line and take-home examinations; or
 - e. Possessing, reading, buying, selling or using any materials intended for an academic evaluation or assignment in advance of its administration.
 - 3. Turning in the same work in more than one class (or when repeating a class), unless permission is received in advance from the instructor.
 - 4. Falsifying information for inclusion in an assigned paper, project or exercise; including inventing or altering data from a laboratory or field project, or creating fictional citations for a paper.

5. Attempting to influence or change any academic evaluation, assignment or academic records for reasons having no relevance to academic achievement. This includes, but is not limited to, bribery, threats and making unauthorized changes to any academic record.
 6. Falsifying or misrepresenting attendance, hours, or activities in relationship to any class, internship, externship, field experience, clinical activity or similar activity.
 7. Acting or attempting to act as a substitute for another, or using or attempting to use a substitute, in any academic evaluation or assignment.
 8. Facilitating, permitting or tolerating any of the above-listed items.
- I. Disrupting classroom activity, University functions, and/or the operations of the University by an action or combination of actions that unreasonably interfere with, hinder, obstruct, or prevent the right of others to freely participate in an activity, program, or service of the University.
 - J. Violating any institutional safety regulation, including, but not limited to:
 1. Falsely reporting a fire, bomb, or any other emergency by any means, including activation of an alarm;
 2. Engaging in the unauthorized possession, use, or alteration or tampering of any University-owned emergency or safety equipment;
 3. Failing to evacuate a building or other structure during an emergency or an emergency drill; and
 4. Taking any action that creates a substantial risk that potentially compromises the safety of an individual or the community.
 - K. Operating a vehicle, including a motorized cart, in any manner that endangers any person or property.
 - L. Possessing, storing, controlling, or using a functioning or nonfunctioning firearm, firework, explosive, incendiary device, or other weapon or device classified as a weapon by the State of Texas or utilizing any instrument to simulate a weapon in a manner that endangers or tends to endanger, threaten, or intimidate any person. Individuals who are licensed to carry a handgun must be in compliance with UNT Dallas Policy No. 12.0006 Carrying of Concealed Handguns on Campus. For more information please visit http://www.untdallas.edu/sites/default/files/page_level2/hds0041/pdf/12_006_concealed_handguns_adopted.pdf NOTE: "Firearm" is defined as any gun, rifle, pistol, or handgun designed to fire bullets, BBs, pellets, or shots – including paintballs –regardless of the propellant used. "Other weapon" is defined as any instrument of combat or any object not designed as an

instrument of combat but carried for the purpose of inflicting or threatening bodily injury. Examples include, but are not limited to: knives with fixed blades or pocketknives with blades longer than four inches, metal knuckles, hatchets, nunchakus, or any explosive or incendiary device.

- M. Using, selling, possessing, distributing, or being under the influence of an alcoholic beverage, except as permitted by law and University policy. Members of the University community are accountable for their decisions regarding their use of alcohol, as well as their behavior which occurs as a result of those decisions.
- N. Using, possessing, distributing, selling, or being under the influence of an illegal drug or narcotic; manufacturing, growing, or synthesizing an illegal drug or narcotic; possessing drug paraphernalia; or setting up or possessing laboratory equipment or materials for the purpose of making or distributing an illegal drug or narcotic.
- O. Threatening, assaulting, or causing physical harm to oneself or to another. Uttering any words or performing any acts that cause physical injury, or threaten any individual, or interfere with any individual's rightful actions, including but not limited to the following:
 - 1. words or actions that would cause an individual to fear for his or her immediate safety.
 - 2. the use of physical force against an individual.
 - 3. repeatedly contacting another person when the contact is unwanted.
- P. Hazing (as defined in the Texas Education Code), including engaging in, soliciting, encouraging, direction, aiding or intentionally, knowingly or recklessly permitting behavior such as physical brutality, risk of harm to mental or physical health or safety, intimidation, threat or ostracism, mental stress, humiliation, or other behaviors adverse to health or human dignity in association with pledging, initiation, affiliation with, holding office in, or maintain membership in a student group; or having firsthand knowledge of the planning of hazing or of its occurrence and failing to report it to school authorities
- Q. Harassment, which is any verbal, visual, electronic, or physical conduct that is sufficiently severe, and ongoing that it adversely affects, or has the purpose or logical consequence of interfering with any student's educational program; or creates an intimidating, hostile, or offensive environment within the University community. Harassment can include, but is not limited to, the above behaviors towards any person because of race, ethnicity, religion,

gender, sexual orientation, gender identity, age, creed, national origin, disability, veteran status, or on any other basis.

- R. Sexually harassing any person, by making one or more unwelcome sex-related comments or sexual overtures, engaging in other similar physical behaviors, or displaying offensive visual materials which interfere with, or are intended to interfere with another person's work or study. Even one incident, if it is sufficiently serious, may constitute sexual harassment.
- S. Engaging in sexual misconduct, including any physical act which is sexual in nature that is committed under pressure, force, threat, intimidation, or without the full and informed consent of all persons involved. For the purposes of this policy, consent must be freely and actively given through mutually understandable terms or actions. A person is deemed incapable of giving consent when that person is a minor, mentally disabled, mentally incapacitated, physically helpless, under the influence of drugs or alcohol to the point of being unable to make a rational decision, unconscious, or asleep. A person always has the right to revoke consent at any time during a sexual act.
- T. Abusing the Code of Student's Rights and Responsibilities and Conduct, including but not limited to:
 - 1. Knowingly filing a false, inaccurate, or misleading statement or accusation against another person;
 - 2. Knowingly providing false, inaccurate, or misleading information to a conduct officer or body;
 - 3. Disrupting or interfering with the orderly business of a conduct proceeding;
 - 4. Discouraging, or attempting to discourage, an individual's participation in, or access to the student conduct process;
 - 5. Influencing, or attempting to influence, the impartiality of any conduct officer or member of a conduct body prior to, during, and/or after a conduct proceeding;
 - 6. Intimidating or harassing, or attempting to intimidate or harass, any participant of a conduct process prior to, during, and/or after a conduct proceeding;
 - 7. Failing to comply with sanctions imposed under the Code;
 - 8. Violating the terms of a conduct sanction; and
 - 9. Influencing, or attempting to influence, another person to commit an abuse of the Code of Student's Rights and Responsibilities and Conduct.

- U. Misusing, falsely representing, defacing, mutilating, or stealing a University document.
- V. Assisting in or inciting others into violating any provision of the Code.
- W. Attempting to violate any provision of the Code.
- X. Possessing or manufacturing any false or altered form of identification, improperly using any identification card, knowingly altering or mutilating a UNT Dallas student identification card, using the identification card of another, or allowing use of one's own card by another.
- Y. Littering and/or inappropriate disposal of refuse, including ejecting any objects from vehicles or from windows in residence halls, balconies, or other University buildings.
- Z. Being present during any violation of the Code in such a way as to condone, support, or encourage such violation. Students who anticipate or observe a violation of University policy are expected to remove themselves from participation and are encouraged to report the violation.
- AA. Retaliation against an individual who reports allegations of harassment or any other code violation and provides information in an investigation related to such complaint
- BB. Any act or conduct that obstructs or hinders the application and enforcement of the Code.
- CC. Any violation of the UNT Dallas College of Law Honor Code.
- DD. Any act or actions that is contrary to federal, state, or local law, or University policy.

6. Student Records:

Student records will be maintained in accordance with the Family Educational Rights and Privacy Act ("FERPA") of 1974 and the U.S. Department of Education's guidelines for implementation. Academic and conduct records will be maintained separately. Transcripts of academic records will contain information concerning academic status, including disqualification for academic reasons, expulsion, suspension and revocation of admission for conduct reasons. With the exception of records relating to expulsion, suspension and revocation of admission, all conduct records will be destroyed seven (7) years after the date of the incident. Records relating to expulsion, suspension and revocation of admission will be held permanently.

Responsible Party: Office of Community Standards

Student Conduct Process and Procedure Section 2:

I. Filing a Complaint

Complaints alleging a violation of the Student Code will be filed with the Office of Community Standards. Such complaints must meet the following criteria:

1. The complaint must be submitted in writing or electronically and dated;
2. The complaint must clearly indicate the name of the respondent. If necessary, follow-up documentation may be requested before a complaint is acted upon;
3. To the extent possible; the date, time, place, name of person(s) involved, and the circumstances of the alleged violation should be specified; and
4. The name(s) of any person(s) who may have witnessed the alleged prohibited conduct should be listed.
5. The complaint must be filed no later than thirty (30) days after discovery of the incident which is the topic of the complaint. The Office of Community Standards may waive the thirty-day limitation upon demonstration of good cause.
6. All cases involving possible violations of Title IX will be referred to the Title IX Coordinator and will follow the policies and procedures for investigating a Title IX Case.

Responsible Party: Office of Community Standards

II. Notification and Information Gathering

1. Reports of alleged violations of the Code will be reviewed by the Office of Community Standards for possible administrative action. When necessary the Office of Community Standards may appoint a designee to review the incident and assess the information provided.
2. The Office of Community Standards will notify the student(s) named in the report of the alleged violation(s), who they need to contact for a meeting, and the date by which they call to set up the appointment. The notice of complaint or call in letter, will be sent to the student's official University issued UNT Dallas email account, which will serve as official notice. In the event that the primary notice is not successful, and at the Office of Community Standard's discretion, a secondary notice may also be sent via US Mail to the student's official address on file with the University, or by hand delivery.
3. All communications sent by the Office of Community Standards are considered received when sent, provided:
 - a. If sent by electronic mail: One (1) day has elapsed from the time the official electronic mail is sent.
 - b. If by U.S. Mail: Three (3) days have elapsed from the time notice was sent off-campus by U.S. Mail.

4. The notice of complaint will describe the alleged violation and advise the student that an administrative transcript and a registration hold may be placed on the student's academic records pending investigation and resolution of the report. The notice will include the Office of Community Standards website address where the Code is posted, as well as electronic addresses where any other relevant University policies and/or procedures are posted.
5. The Office of Community Standards will gather information relevant to any report indicating that a Code violation may have occurred. The Office of Community Standards or its responsible designee for gathering that information has the authority to contact and meet with any person(s) believed to have information relevant to the report and encourage them to discuss the allegations in the report. In the absence of compelling circumstances, the information gathering process will be completed within sixty (60) days after the receipt of the complaint
6. During the information gathering process, a "No Contact Order" may be issued by the Office of Community Standards if it is determined by the Office of Community Standards to be in the best interest of the investigation or protection of individuals involved. A "No Contact Order" prohibits a student from initiating or contributing to any verbal, physical, written, or electronic contact with a specifically identified individual(s), and such individual's immediate families or physical possessions. A "No Contact Order" may also prohibit a student from entering specific University-owned or controlled properties. Failure to comply with a "No Contact Order" may result in further conduct proceedings and may result in an emergency removal from the University.
7. Based on the information gathered, the Office of Community Standards will decide whether to: 1) dismiss the code violation 2) find the student not responsible, or 3) make a recommendation to the DOS or their designee for conduct action.
8. The Office of Community Standards may dismiss the code violation or find the student not responsible at any stage if it finds that the report is baseless or otherwise unsupported by preponderance of the evidence, or that the underlying grievance or problem is better resolved in a different manner. If the complaint is dismissed or student is found not responsible, the Office of Community Standards will notify the student either verbally at the agreed resolution meeting, or in accordance with the conditions set forth in this policy about communication from the Office of Community Standards.
9. If the charges assigned to the report are to be forwarded for conduct action, the Office of Community Standards will notify the respondent, the complainant, and any witnesses in the manner and conditions set forth in this policy; and will clearly outline the appropriate procedures to be followed.

10. If the proposed action against the student may lead, in the opinion of the Office of Community Standards, to suspension or expulsion and the respondent is under the age of eighteen (18) years, the parents or legal guardians of the respondent may be notified of the charges and of the pending meeting at least ten (10) days in advance. The notice of Complaint will be sent by certified or registered mail, return receipt requested, to the parent's or legal guardian's last known address.

Responsible Party: Office of Community Standards

III. Agreed Resolution Meeting

In all cases, respondents have the right to a Student Conduct Committee meeting. A respondent, however, may request in writing that the Office of Community Standards resolve the report without proceeding to a Conduct Committee meeting.

1. The Office of Community Standards may resolve the report with the consent of the respondent by:
 - a. Reaching consensus with the complainant and the respondent as mediated by the Office of Community Standards.
 - b. Permitting the complainant to voluntarily drop the complaint; or
 - c. Permitting the student charged to voluntarily accept conduct sanctions.
2. In all Agreed Resolution meetings, the Office of Community Standards will conduct a resolution discussion at which the respondent may have an advisor present. The respondent has the right to be assisted by an advisor of their choice, at their own expense. The respondent is responsible for presenting their own information, and therefore, advisors are not permitted to speak or to participate directly in any agreed resolution meeting.
 - a. All information-gathering will be completed before the conclusion of the agreed resolution meeting process.
 - b. After the information gathering and agreed resolution meeting, the Office of Community Standards will provide the respondent with a letter containing a complete accounting of the proposed sanctions and violations within five (5) of the date of the agreed resolution meeting at which the sanctions were outlined. If the sanctions contained in the written report differ from what was presented at the agreed resolution meeting, the Office of Community Standards must note and explain those differences.
 - c. In addition, the letter will inform the respondent that they or it may accept or reject the sanctions. If the respondent rejects the sanctions in whole or in part, the agreed resolution meeting process ends and a Student Conduct Committee meeting will be scheduled.
 - d. The agreed resolution meeting process is final and is not appealable.
 - e. The respondent has the responsibility to notify the Office of Community Standards in writing of the student's choice to accept or reject the sanctions within five (5) days of the date the respondent received the notice of the

proposed sanctions. If the respondent rejects the proposed sanctions, the Office of Community Standards will notify the respondent that the agreed resolution meeting process has ended and the Student Conduct Committee process will begin.

- f. The respondent has the right to request a Student Conduct Committee meeting at any time during the agreed resolution meeting process. This Student Conduct Committee meeting may be based on responsibility or, when responsibility is already accepted, strictly on acceptance of sanctions.

Responsible Party: Office of Community Standards

IV. Student Conduct Committee Meeting

A) Process: Student Conduct Committee Meeting procedures will be followed:

1. The DOS or their designee may determine that the matter should not proceed to a Student Conduct Committee Meeting. Unless new information sufficient in the opinion of the DOS or their designee to reopen the case is discovered, the conduct procedures will be closed.
2. Within five (5) days of the completion of the initial information gathering process, or the agreed resolution meeting process, the Office of Community Standards will make a determination on whether to proceed to a Student Conduct Committee Meeting.
3. Once the Office of Community Standards determines that the matter should proceed to a Student Conduct Committee Meeting, any additional investigation by the Office of Community Standards must be concluded within five (5) days, absent compelling circumstances.
4. Within five (5) days after the decision of the Office of Community Standards to conduct a committee meeting, the Office of Community Standards will identify which meeting type the student will receive. This decision will be made by the student. If the student does not choose after five (5) days it will be at the discretion of the Office of Community Standards to decide which of the following type of meeting will be held:
 - a. Individual Committee Member Meeting: An Individual Committee meeting will be held individually with a Committee Member who is appointed by the DOS or their designee. The Committee Members role is to be an impartial and objective party, aware of and knowledgeable about the Code and committee meeting procedures.
 - b. Committee Meeting: A committee meeting, administered by the Office of Community Standards, with members drawn from a pool of faculty, staff, and students who have completed the approved conduct committee training. The Student Conduct Committee will be composed of a chair and at least three (3) additional members, one of whom is a student. The chair will serve without a vote and direct the committee meeting. In the event of an unplanned absence, a representative from the Office of Community Standards may serve as the non-voting Chair of a Committee Meeting.

5. A student may petition the DOS or their designee to request, or the DOS or their designee may choose, to hold a meeting before a Special Committee member or a Special Conduct Committee. The decision rests with the DOS or their designee.
 - a. Special Individual Committee Member Meeting: An Individual Committee Member Meeting held before a Committee member, appointed by the DOS or their designee, who has the professional experience in presiding a conduct proceedings and who holds no contractual relationship with UNT Dallas or any other UNT institution during the term of the appointment as a Special Committee member
 - b. Special Committee Meeting: A Student Conduct Committee, administered by a Committee member, appointed by the DOS or their designee and an elected Student Conduct Committee. The composition of the committee will be consistent with the Student Conduct Committee Meeting
6. The student may challenge any representative or committee member(s) for cause, and may challenge a decision by the DOS or their designee to appoint a Special Committee Member or Special Committee Meeting.

B) Notice: Notice for all Student Conduct Committee Meeting options will follow this process:

1. The Office of Community Standards will give a notice of the Student Conduct Committee Meeting to the student at least ten (10) days prior to any committee meeting. That notice of the Student Conduct Committee Meeting will include the following information:
 - a. Date, time, and place of the meeting;
 - b. Specific violations of the Code that the student is charged with;
 - c. Name of the complainant or University department submitting complaint;
 - d. Specification, to the extent possible, of the time, place, person(s) involved, circumstances of alleged prohibited conduct, and name(s) of possible witness(es);
 - e. Notification that an advisor selected by the student may accompany the student to the committee meeting. The advisor will not be permitted to present information on the student's behalf;
 - f. A statement of the applicable type of Committee Meeting; and
 - g. Such other information as the Office of Community Standards may wish to include that is relevant to the case.
2. Notices will be delivered to the respondents in the manner and according to the timelines set forth in this policy in regards to communication
3. If the student intends to have an advisor or other representative present, they must notify the Office of Community Standards at least five (5) days in advance of the Committee Meeting and specify the name and address of the advisor, and whether the advisor is an attorney in writing. If, at any time during the process, the student desires to obtain a representative or change their representative, the student may invoke such right. Under such circumstances, the proceeding may be stayed for a period of no fewer than five (5) and no more than fifteen (15) days as determined by the Office of

Community Standards. The student may invoke the right to obtain or change their representative only once in any conduct process, unless the Office of Community Standards agrees to any additional requests for such changes.

4. During the Student Conduct Committee Meeting the Office of Community Standards is responsible for providing a written summary and verbal presentation of the charges, including all relevant information that resulted from the investigation process, to the committee members and the student. This role is assumed by the Office of Community Standards in all Committee Meetings, whether the complainant is present or not. The summary of charges and supporting information will provide the basis of the Student Conduct Committee Meeting proceedings.
5. Upon request, the respondent, the advisor, and the Office of Community Standards have the right to examine any supporting documentation to be presented at the meeting, at least five (5) days prior to the meeting during regular business hours. Thus, all documentation for the meeting file must be submitted by the complainant, respondent, witnesses, and the Office of Community Standards by this deadline.
6. All Student Conduct Committee Meetings are closed unless the student requests an open meeting. The DOS or their designee must approve the opening of said meeting.
7. All Student Conduct Committee Meetings conducted by a Committee, or Special Committee require a majority vote of the committee to find a student responsible for violating the Code.
8. All determinations by a Student Conduct Committee will be made on the basis of whether it is more likely than not (preponderance of the evidence) that the student violated the Code.
9. During the Student Conduct Committee Meeting the complainant and respondent are responsible for presenting their own information, and therefore, advisors are not permitted to speak or to participate directly in any committee meeting.
10. The complainant, the respondent, and Community Standards representative, Committee member, are the only individuals in a Student Conduct Committee Meeting who have the right to present information and question witnesses.
11. The student has the right to appear at a Student Conduct Committee Meeting to hear the evidence, offer explanatory and clarifying information and evidence, and question any witnesses. The student may choose not to attend the Student Conduct Committee Meeting. If the student, with notice, does not appear for a Student Conduct Committee Meeting, the information in support of the charges will still be presented and considered. In such cases, failure to respond or appear will not create a presumption of either responsibility or non-responsibility.
12. All findings of fact, recommendations, and decisions must be based solely on the information made available for use at the Student Conduct Committee Meeting. This includes, but is not limited to, all information made available to the student as part of the Student Conduct Committee Meeting file.
13. A single Student Conduct Committee Meeting may be held for more than one person charged in cases arising out of a single or multiple occurrences. The Office of Community Standards makes such determinations, subject to review by the DOS or their

designee. Each student, however, retains the right to request that his/her or its case be heard individually.

14. A recording will be made of the meeting for the purpose of review by a Student Conduct Committee Appeal Meeting. The recording will be the property of UNT Dallas and will be maintained as such for a period of two (2) calendar years after the meeting. However, it will be maintained for a longer period if the matter is subject to a litigation hold and/or pending in a court of law. Upon the written request of the student, a copy of the recording will be made available to the student by the Office of Community Standard, within fifteen (15) days of the request.
15. Findings of fact and recommended sanction(s), if any, will be made in writing by the Community Standards representative, or Student Conduct /Committee/Committee Chair to the DOS or their designee within five (5) days after the close of the meeting.
16. The DOS or their designee will review the findings of fact and recommended sanctions reported by the Community Standards representative or Student Conduct /Committee/Committee Chair, and may:
 - a. Dismiss the charge or charges, in any combination;
 - b. Affirm the recommended sanctions;
 - c. Impose a greater or lesser sanction than recommended; or
 - d. Order a new meeting.
17. The DOS or their designee will submit a written decision within five (5) days after receipt of the findings and recommended sanctions. Concurrently, the DOS or their designee will provide notice and copies of the decision to the student and to the Office of Community Standards. The notice will also contain a notice of appeal rights and procedures and will be in accordance with delivery methods and conditions set forth in this policy. An additional five (5) days will be added in cases of suspension or expulsion. When a student under the age of eighteen years is suspended or expelled, the student's parent(s) or legal guardian(s) will be notified by certified mail, return receipt requested, sent to last known address on file with the University.
18. If the student does not appeal the decision of the DOS or their designee such decision will be final

Responsible Party: Office of Community Standards

V. Appeal Rights

1. A student found responsible for a violation of the Code has the right to appeal that decision imposed to the DOS or their designee. A request for appeal must be filed within five (5) days from the student's receipt of findings.
2. The right of appeal is the right to seek review of a Student Conduct Committee Meeting decision or other action by the DOS; it is not a right to a new meeting.
3. To prepare the appeal request, the student and the advisor have the right to review the student's conduct file, including any recording of the meeting.
4. Any sanction imposed as a result of a committee meeting will not become effective during the five (5) days during which an appeal may be filed, or until any such appeal has been decided, except that the DOS or their designee has the authority, in their

absolute discretion that extenuating circumstances exist, to immediately impose the sanction.

Responsible Party: Office of Community Standards

VI. Appeal Procedures

1. Appeal to the DOS: A student may appeal a decision from the Office of Community Standards on at least one (1) of the following:
 - a. The conduct procedures were not followed.
 - b. New information that was not present at the time of the meeting has been made available.
 - c. Imposition of a sanction of suspension or expulsion
2. Procedures for appeals from committee meeting decisions:
 - a. All appeals will be submitted in writing within five day of receipt of the decision from the Office of Community Standards.
 - b. The appeal must identify the procedures that were not followed or any new information that was not present at the time of the decision by the Office of Community Standard. In cases of suspension or expulsion, the appeal must include the reason(s) the student believes the sanction is not supported by the information considered by the Office of Community Standards or the students conduct. The appeals also must include any information the student wants the DOS to consider.
 - c. The student may request a meeting with the DOS to discuss the appeal.
3. Student Appeal Record: In considering the appeal, the DOS will consider all information used in determining the findings and sanctions including the notice of complaint, recommendation of the committee meeting, written decision of the Office of Community Standards, and the letter of appeal.
4. Appeal Result: The DOS may find the student not responsible, modify the decision of the Office of Community Standards including greater or lesser sanctions, or affirm the decision of the Office of Community Standards. The decision of the DOS is final except for findings resulting in the sanction of expulsion.
5. The DOS will send copies of the appeal decision, within five days (5) to the student charged The Office of Community Standards.
6. Appeal to the Vice President of Student Access and Success: A student whose sanction of expulsion is upheld by the DOS may appeal to the Vice President of Student Access and Success.
 - a. The appeal must be submitted in writing within five (5) days of receipt of the decision from the DOS and state why expulsion is not supported by the record.

- b. The Vice President of Student Access and Success will consider all information used in determining the findings and sanctions and inform the student of the result in writing. The decision usual will be made within 5 days.
- c. The decision of the Vice President of Student Access and Success is final.

Responsible Party: Office of Community Standards

VII. Sanctions

Depending upon the severity of the violation, and whether a repeat or multiple violations are involved, sanctions may be imposed by the Hearing Coordinator, Committee, Office of Community Standards, the DOS or their designee, or the Vice President of Student Access and Success in any order or combination.

In addition to the disciplinary, educational, community, and health initiative sanctions identified below, and in the University's sole discretion, a student may be required to perform specific restitution service, to complete counseling or other specialized treatment or support services, and/or be required to participate in an activity or program whose purpose is to redirect behavior.

Any violation of the Code that is motivated by race, ethnicity, religion, gender, sexual orientation, age, creed, national origin, disability, or veteran status may subject the student to the imposition of a sanction more severe than would be imposed in the absence of such motivation.

A sanction may have an accompanying administrative fee, in which case the student will be notified at the time the sanction is assigned. Payment of an administrative fee will be considered part of the successful completion of the sanction.

Failure to comply with any such sanction or requirements will constitute an additional violation of the Code, and may result in additional and increased sanctions in accordance with the procedures set forth in this Code.

Sanctions:

A. Warning: Notice, oral or written, that continued or repeated violations of UNT Dallas policies may be cause for further conduct action. These actions would normally be in the form of censure, loss of privileges, exclusion from activities, probation, suspension, or expulsion.

B. Restrictions, Loss of Privileges and Exclusion from Activities: Exclusion or restriction from participation in privileges, extracurricular activities, holding office, or represent the University. Removal from a University-living environment, loss of use privileges for designated University facilities, denial of the use of a vehicle on campus, and other restrictions consistent with the violation committed.

C. Restitution Payment or Services: The requirement to provide restoration or restitution for a loss due to violations including, but not limited to: defacement, damage, fraud, theft, and misappropriation of property. Restitution may be imposed either exclusively or in combination with other sanctions. Restitution may take the form of monetary payment or appropriate services to repair or otherwise compensate for damages.

D. Conduct Probation: The terms of probation will be determined at the time the probation is imposed. Probation may include exclusion from participation in privileges or extracurricular activities. The student placed on probation shall be notified in writing that the commission of prohibited acts will lead to additional and/or increased conduct sanctions.

E. Disciplinary Conduct Suspension: This is the temporary separation of the student from the University for a specified period of time and until specific conditions, if imposed, have been met. A disciplinary suspended student shall not participate in any University-sponsored activity and shall be barred from all University campuses and properties. The student will be notified in writing of the suspension. The official transcript of the student shall be marked "Conduct Suspension Effective (date) to (date)." The parent(s) or legal guardian(s) of students under the age of eighteen (18) years shall be notified of the action. After the suspension period has elapsed, the student will be placed on conduct probation for a period of time that is equal to the amount of time that the student was suspended. At the end of the probationary period, the student will be classified as being in "good standing" provided that no further Code violations have occurred.

F. Expulsion or Termination: Permanent separation of the student from the University. The expelled student shall not participate in any University-sponsored activity and shall be barred from all UNT campuses and properties. The official transcript of the student shall be marked "Conduct Expulsion Effective (date)." The parent(s) or legal guardian(s) of a student under the age of eighteen (18) years shall be notified of the action.

G. Parent or Guardian Notification of Drugs and Alcohol Related Violations: UNT-Dallas may notify the parent(s) or legal guardian(s) of any student under 21 years of age who is found responsible for violating the Alcohol and/or Controlled Substance policy.

H. Required Educational or Restitution Activities: Mandatory participation in educational activities or programs of community restitution service on campus or in the community, as approved.

I. Administrative Conduct Hold: A status documented in the Registrar's official file that precludes the student from registering for classes and accessing official transcripts until clearance from the Office of Community Standards or the DOS or their designee.

J. Proof of Payment or Resolution of UNT-Dallas Citations: A student may need to provide proof that a citation for parking and/or other issues have been resolved.

K. Intake, Assessment, or Treatment Referrals: A student may be referred to UNT-Dallas Counseling & Wellness Office or a community mental health provider to complete an intake and assessment involving alcohol, controlled substance, or other identified issues arising from a violation. In the University's discretion, proof of participation or completion of treatment may be required. When appropriate, a student may be referred to an off-campus provider for such services at the student's expense.

L. Reflection Letter of Understanding: A student will reflect on what has been learned from the experience. The length and structure of such letter will be specifically assigned to the student by the Office of Community Standards.

M. Alcohol or Controlled Substance Education Responses: A student will complete an alcohol and controlled substance program/workshop, or attend an identified off-campus education or intervention resource.

N. Academic Misconduct: Potential sanctions for academic misconduct include, but are not limited to, the following, either singularly or in any combination:

1. Academic Sanctions

- a. Resubmitting an assignment
- b. Reduction of points or letter grade for the assignment
- c. Dropping a class
- d. Reduction of points or letter grade for class
- e. Failing grade for assignment
- f. Failing grade for class

2. Conduct Sanctions

- a. Reflection Letter of Understanding
- b. Skill Remediation
- c. Academic Integrity Seminar
- d. Conduct Warning or Probation
- e. Loss of Privileges
- f. Transcript notation
- g. Suspension or removal from program, school, or college
- h. Suspension from the University
- i. Expulsion
- j. Withdrawal of credit for previously accepted course or requirement
- k. Revocation of a degree or certificate
- l. Referral to the appropriate legal authority

O. Additional Sanctions: Any other sanctions assigned by the Office of Community Standards that is meant to be educational in nature.

Responsible Party: Office of Community Standards

Interpretation and Revision

1. **Interpretation** - Questions of interpretation or application of the Code will be referred to the DOS, or their designee, for final determination following consultation with the Office of General Counsel.
2. **Revision**-The Code will be reviewed every three (3) years under the direction of the Office of Community Standards Associate Provost for Student Success.

Approved: 5/8/2018

Effective: 5/8/2018

Revised: