

Student Code of Conduct

General Statement

The Student Code of Conduct, which outlines prohibited behaviors and the scope of university jurisdiction, is housed within Regent's Policy and University Regulation Chapter 09.02.

Regents' Policy & University Regulation

(Note: This Handbook is not the official publication of Regents' Policy & University Regulation. Policies and regulations may be updated from time to time. To see the current versions, please visit the Board of Regents website (<https://www.alaska.edu/bor/policy-regulations/>.)

Chapter 09.02 - Student Rights and Responsibilities [Excerpts]

P09.02.020. Student Code of Conduct.

A. As with all members of the university community, the university requires students to conduct themselves honestly and responsibly and to respect the rights of others. Students may not engage in behavior that disrupts the learning environment, violates the rights of others or otherwise violates the student code of conduct (Code), university rules, regulations, or procedures. Students and student organizations will be responsible for ensuring that they and their guests comply with the Code while on property owned or controlled by the university or at activities authorized or sponsored by the university.

B. The university may initiate disciplinary action and impose sanctions on any student or student organization found responsible for committing, attempting to commit, or intentionally assisting in the commission of any of the following prohibited forms of conduct:

1. cheating, plagiarism, or other forms of academic dishonesty;
2. forgery, falsification, alteration, or misuse of documents, funds, property or electronic records;
3. damage or destruction of property;
4. theft of property or services;
5. harassment;
6. discrimination, including sex or gender-based discrimination, which is also addressed in Regents' Policy and University Regulation 01.04 (<https://www.alaska.edu/bor/policy-regulations/chapter-01-04-titleix.php>);
7. hazing;
8. endangerment, assault, or infliction of physical harm;
9. sex or gender-based misconduct;
10. disruptive or obstructive actions;
11. mistreatment of animals;
12. misuse of firearms, explosives, weapons, dangerous devices, or dangerous chemicals;
13. failure to comply with university directives;

14. misuse of alcohol;
15. misuse of drugs or other intoxicants;
16. violation of Regents' Policy, University Regulation, rules, or procedures; or
17. any other actions that result in unreasonable interference with the learning environment or the rights of others.

C. Examples of actions that constitute these prohibitions will be described in the University Regulation and MAU rules and procedures.

D. This policy and University Regulation and MAU rules and procedures are not intended to define prohibited conduct in exhaustive terms, but rather to set forth examples to serve as guidelines for acceptable and unacceptable behavior.

(08-14-20)

P09.02.030. Scope of University Authority for Violations of the Student Code of Conduct.

A. The student code of conduct and student conduct process apply to the conduct of individual students and all university affiliated student organizations. For purposes of determining what conduct is covered, the university considers an individual to be subject to student conduct proceedings for conduct that occurs while the individual is in any way affiliated with the university. Proceedings may be initiated at any time regardless of subsequent affiliation or graduation status. In all cases, conduct matters that have been initiated will be pursued to conclusion or resolution, even when students leave the university or choose not to participate in the process. As such, if a student leaves the university voluntarily or involuntarily, the university may still proceed with the conduct process in the student's absence. A student who has been alleged to have violated the Code may be prohibited from re-enrolling in the university until the allegations are resolved regardless of whether the student participates in the student conduct process.

B. Behavior that occurs on property owned or controlled by the university, in university online environments and classes, or at activities sponsored by or authorized by the university, is subject to university student conduct review and disciplinary action by the university. The student code of conduct may also apply to behavior that occurs off campus when it may present a potential danger or threat to the health and safety of others or may reasonably lead to a hostile environment on campus. The student code of conduct may also apply to behavior exhibited online or electronically via email, social media, text messaging, or other electronic means.

C. There is no time limit on reporting violations of the student code of conduct. Individuals are encouraged to report violations of the student code of conduct in a timely manner.

D. Alleged violations of federal, state, or local laws that are also potential violations of the student code of conduct fall within the jurisdiction of the university. The university reserves its right to pursue disciplinary action independent of the criminal proceedings, if the alleged criminal charges are also violations of the student code of conduct. University actions will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced. University student conduct proceedings may precede, follow, or take place simultaneously with criminal proceedings.

(12-11-15)

R09.02.020. Student Code of Conduct.

Disciplinary action may be initiated by the university and disciplinary sanctions imposed against any student or student organization found responsible for committing, attempting to commit, or intentionally assisting in the commission of any of the following categories of conduct prohibited by the Code.

The examples provided in this section constituting forms of conduct prohibited by the Code are not intended to define prohibited conduct in exhaustive terms, but rather to set forth examples to serve as guidelines for acceptable and unacceptable behavior.

1. Cheating, Plagiarism, or Other Forms of Academic Dishonesty

Academic dishonesty applies to examinations, assignments, laboratory reports, fieldwork, practicums, creative projects, or other academic activities. Examples include, but are not limited to:

- a. presenting as their own the ideas or works of others without proper citation of sources;
- b. utilizing devices not authorized by the faculty member;
- c. using sources (including but not limited to text, images, computer code, and audio/video files) not authorized by the faculty member;
- d. providing assistance without the faculty member's permission to another student, or receiving assistance not authorized by the faculty member from anyone (with or without their knowledge);
- e. submitting work done for academic credit in previous classes, without the knowledge and advance permission of the current faculty member;
- f. acting as a substitute or utilizing a substitute;
- g. deceiving faculty members or other representatives of the university to affect a grade or to gain admission to a program or course;
- h. fabricating or misrepresenting data;
- i. possessing, buying, selling, obtaining, or using a copy of any material intended to be used as an instrument of assessment in advance of its administration;
- j. altering grade records of their own or another student's work;
- k. offering a monetary payment or other remuneration in exchange for a grade; or
- l. violating the ethical guidelines or professional standards of a given program.

2. Forgery, Falsification, Alteration, or Misuse of Documents, Funds, Property, or Electronic Records

Examples include, but are not limited to:

- a. forgery, falsification, or alteration of records or deliberate misrepresentation of facts on university forms and documents;
- b. misrepresenting the truth during a university investigation or student conduct proceeding and/or making false statements to any university official, faculty member, or office;
- c. misuse or unauthorized use of university identification cards, keys, funds, property, equipment, supplies or other resources; such as:
 - i. possession of fake or altered identification;
 - ii. unauthorized duplication of any university key or key card;
 - iii. lending keys or key cards to individuals not authorized to possess them;
 - iv. misusing university computer resources by intentionally making, receiving, accessing, altering, using, providing or in any way

tampering with messages, files, electronic storage devices, programs, passwords or other computer users without their permission (as further defined in Regents' Policy 02.07 (<https://www.alaska.edu/bor/policy-regulations/chapter-02-07-information-resources.php>)); or

- v. use or possession of copyrighted material, including, without limitation, software, graphics, text, photographs, sound, video and musical recordings without the express permission of the owner of the copyright in the material, or other legal entitlement to use the material.
- d. falsely representing oneself as an agent of the university, incurring debts or entering into contracts on behalf of the university; or
- e. unauthorized entry into, presence on, or use of property which has not been reserved or accessed through appropriate university officials.

3. Damage or Destruction of Property

Examples include, but are not limited to:

- a. damage or destruction to property owned or controlled by the university; or
- b. damage or destruction of property not owned or controlled by the university if:
 - i. the action occurred during an event sponsored or authorized by the university;
 - ii. the student was a representative of the university, such as an athlete, student government representative or club member, and the action occurred while traveling to or from an event sponsored or authorized by the university; or
 - iii. the property not owned or controlled by the university was located on university property.

4. Theft of Property or Services

Examples include, but are not limited to:

- a. theft or unauthorized possession or removal of university property;
- b. theft or unauthorized use of university services or unauthorized presence at university activities without appropriate payment for admission; or
- c. theft of property or services not owned or controlled by the university if:
 - i. the action occurred during an event sponsored or authorized by the university;
 - ii. the student was a representative of the university, such as an athlete, student government representative or club member and the action occurred while traveling to or from an event sponsored or authorized by the university; or
 - iii. the property not owned or controlled by the university was located on university property.

5. Harassment

Harassment is defined as behavior that is severe, pervasive or persistent to a degree that a reasonable person similarly situated would be prevented from fully accessing educational benefits, university services, or other opportunities. Harassment is also defined as behavior that limits the ability of third parties to conduct business. This behavior includes, but is not limited to, verbal abuse, threats, intimidation, and coercion (that is not speech or conduct otherwise protected by the First Amendment). In addition, harassment may be conducted in a variety of

mediums, including, but not limited to, physical, verbal, graphic, written, or electronic.

Examples include, but are not limited to:

- a. threats, defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property;
- b. intimidation, defined as implied threats or acts that cause reasonable fear of harm in another;
- c. bullying, defined as repeated, unreasonable actions directed towards an individual (or a group) resulting in intimidating, degrading, humiliating, or undermining behavior that creates a risk to the health or safety of individuals;
- d. cyberbullying, defined as repeated, unreasonable actions using electronic communications that are directed towards an individual (or a group) resulting in intimidating, degrading, humiliating, or undermining behavior that creates a risk to the health or safety of individuals; or
- e. stalking, defined as repetitive and/or menacing pursuit, following, or interference with the peace and/or safety of an individual(s).

6. Discrimination

Discrimination is defined as being adversely treated or affected, either intentionally or unintentionally, in a manner that unlawfully differentiates or makes distinctions on the basis of the individual's legally protected status. Illegal discrimination against any individual because of race, color, religion, national origin, age, sex, sexual orientation, veteran status, physical or mental disability, marital status, pregnancy, or parenthood is prohibited.

7. Hazing

Hazing is defined as an intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness or acquiescence of such other person or persons to participate, that:

- a. is committed in the course of recruitment for, initiation into, an affiliation with, or the maintenance of membership in, a student organization, team, or similar group-affiliated activity; and
- b. causes or creates a risk - above the reasonable risk encountered in the course of participation in university activities or the organization - of physical or psychological injury.

Physical or psychological injury include, but is not limited to:

- i. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- ii. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- iii. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- iv. causing, coercing, or otherwise inducing another person to perform sexual acts;
- v. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

vi. any activity against another person that includes a criminal violation of local, state, tribal, or federal law; or

vii. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.

8. Endangerment, Assault, or Infliction of Physical Harm

Endangerment, assault, or infliction of physical harm is defined as conduct which threatens the health and safety of another person, or conduct which threatens or causes physical harm to another person, or threatening or causing physical harm to another person.

Examples include, but are not limited to:

- a. physical abuse, defined as threatening or causing injury or physical pain to another person, or threatening or causing physical contact with another person when the person knows or should reasonably have known that the other person(s) will regard the contact as offensive or provocative;
- b. relationship violence, defined as violence or abuse by a person on another person with whom they are engaged in an intimate relationship. An intimate relationship is defined as a relationship related to marriage, cohabitation, dating or within a family and can occur in opposite-sex and same-sex relationships, regardless of whether it is a current or past relationship. Examples of relationship violence include but are not limited to:
 - i. domestic violence: a pattern of coercive, controlling behavior in which one intimate partner uses physical violence, coercion, threats, intimidation and emotional, psychological, electronic media or economic abuse to control and change the behavior of the other partner; or
 - ii. dating violence: behavior(s) used to exert power and control over a dating partner. Examples of power and control may come in the form of emotional, verbal, financial, physical, or electronic media abuse.
- c. dangerous behaviors, defined as actions that pose a risk of physical harm to another, which cause reasonable apprehension of physical harm, and/or create hazardous conditions; or
- d. acts that jeopardize the safety or security of the university, the university community, or any university facilities, buildings, or premises, including but not limited to:
 - i. starting a fire or creating a fire hazard on university property without university authorization;
 - ii. tampering with, damaging, disabling or misusing fire safety equipment including fire extinguishers, fire sprinklers, fire hoses, fire alarms, and fire doors;
 - iii. misuse of medical equipment such as automated external defibrillators; or
 - iv. disabling safety equipment such as security cameras, door locks, key card readers, and alarms.

9. Sex or Gender-based Misconduct (Including, but not limited to, any sex or gender-based misconduct not required to be handled under University Regulation 01.04 (<https://www.alaska.edu/bor/policy-regulations/chapter-01-04-titleix.php>)).

10. Disruptive or Obstructive Actions

Examples include, but are not limited to:

- a. obstructing or disrupting teaching, research, administration, disciplinary proceedings, or other activities authorized by the university;
 - i. behavior in a classroom, e-learning environment or instructional program that unreasonably interferes with the instructor or presenter's ability to conduct the class or program, or the ability of others to benefit from the class or program;
 - ii. any behavior in class or out of class, which for any reason, unreasonably interferes with the classwork of others, involves disorder, or otherwise disrupts the regular and essential operation of the university;
 - iii. non-compliance with reasonable time, place, or manner restrictions on expression; or
 - iv. leading or inciting others to disrupt scheduled and/or normal activities on university premises.
- b. interfering with the freedom of movement of any member or guest of the university to enter, use or leave any university facility, service or activity; or
- c. disorderly conduct, including but not limited to, lewd or indecent behavior or conduct that disturbs the peace.

11. Mistreatment of Animals

Examples include, but are not limited to:

- a. noncompliance with accepted animal research procedures, regulations or guidelines set forth by institutional, local, state or federal policies; or
- b. taunting or physically harassing wildlife or otherwise creating an unsafe or hazardous environment involving wildlife on property owned or controlled by the university.

12. Misuse of Firearms, Explosives, Weapons, Dangerous Devices, or Dangerous Chemicals

Examples include, but are not limited to: unauthorized use, possession, or sale of these items in violation of law, Regents' Policy, University Regulation, or MAU rules and procedures. See Regents' Policy and University Regulation on Possession of Weapons, currently 02.09.020 (<https://www.alaska.edu/bor/policy-regulations/chapter-02-09-public-safety.php#P0209020>).

13. Failure to Comply with University Directives

Examples include, but are not limited to:

- a. failure to comply with the directions of law enforcement officers or university officials acting in the performance of their duties;
- b. failure to identify oneself to university officials when requested; or
- c. failure to comply with disciplinary sanctions imposed by the university.

14. Misuse of Alcohol

Examples include, but are not limited to:

- a. use, possession, manufacture, or distribution of alcoholic beverages in violation of local, state or federal law, Regents' Policy, University Regulation, or MAU rules and procedures.; or
- b. Engaging in any other category of prohibited conduct while under the influence of alcohol may constitute a violation of this category.

15. Misuse of Drugs or Other Intoxicants

Examples include, but are not limited to:

- a. use, possession, manufacture, distribution, or being under the influence of illegal drugs or other controlled substances in violation of local, state or federal law, Regents' Policy, University Regulation or MAU rules and procedures;
 - b. abuse or misuse of prescription or over-the-counter medications, other chemical substances or other intoxicants;
 - c. engaging in any other category of prohibited conduct while under the influence of legal drugs or other intoxicants may constitute a violation of this category; or
 - d. use, possession, manufacture, distribution, or being under the influence of designer drugs.
16. Violation of Regents' Policy, University Regulation, or UA Rules or Procedures

Any violation of Regents' Policy, University Regulations or other university policies, procedures, or rules published in hard copy or online or that are otherwise communicated to students verbally or in writing is considered a violation of this category of the student code of conduct.

Examples of such policies, procedures, rules or regulations include, but are not limited to, those described in:

- a. student handbooks;
- b. residence life handbooks;
- c. dining hall policies;
- d. housing agreements;
- e. course syllabi; or classroom rules.

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