

2.1	Interim Student Code of Conduct	BR 24-080	Approved 3/13/2014; amended 4/17/2014, 1/15/2015, 6/16/2016, 7/29/2019, 7/31/2024
------------	--	------------------	--

BOARD OF REGENTS FOR HIGHER EDUCATION
CONNECTICUT STATE COLLEGES AND UNIVERSITIES
Interim Student Code of Conduct

Contents

- I. STUDENT CODE OF CONDUCT 2
- PREAMBLE 2
- INTRODUCTION & DELEGATION OF BOR AUTHORITY 2
- PART A: DEFINITIONS 3
- PART B: APPLICATION, SCOPE AND JURISDICTION 5
- PART C: PROHIBITED CONDUCT 7
- PART D: CONDUCT AND DISCIPLINARY RECORDS 12
- PART E: INTERPRETATION AND REVISION 12
- II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS 13
- PART A. DISCIPLINARY PROCEDURES: ACADEMIC MISCONDUCT 13
- PART B: DISCIPLINARY PROCEDURES: NONACADEMIC MISCONDUCT 15
- PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS 19
- PART D: DISCIPLINARY SANCTIONS 20
- 1. Sanctions Which May Be Imposed for Violations of the Code 20
- 2. Revocation of Admission and/or Degree..... 22
- 3. Consequences of Failure to Comply with a Duly Assigned Sanction..... 23
- 4. Sanctions Which May Be Imposed on Student Organizations..... 23
- III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS 24
- PART A: DISCIPLINARY PROCEDURES (Academic and Non-Academic Misconduct) 24
- PART B: DISCIPLINARY SANCTIONS 27
- IV. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO CHARTER OAK STATE COLLEGE STUDENTS 29
- PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS..... 29
- PART B: DISCIPLINARY PROCEDURES 30
- PART C: INTERIM ADMINISTRATIVE ACTION 33
- PART D: DISCIPLINARY SANCTIONS 33

I. STUDENT CODE OF CONDUCT

PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. In line with this purpose, the Board of Regents for Higher Education (“BOR”) in conjunction with the Connecticut State Colleges and Universities (“CSCU”) has the duty to protect the freedoms of inquiry and expression, and furthermore, has the responsibility to encourage all of its members to develop the capacity for critical judgment in their sustained and independent search for truth.

CSCU has certain self-defined institutional values. Principal among these values is respect for the safety, dignity, rights, and individuality of each member of the CSCU community. The opportunity to live, study, and work in an institution which values diverse intellectual and cultural perspectives and encourages discussion and debate about competing ideas in an atmosphere of civility is considered a privilege and an honor by those who are invited to join the CSCU community.

All members of the CSCU community must at all times govern their social and academic interactions with tolerance and mutual respect so that the students who pass through a CSCU door are enriched by these experiences and are prepared for full and enlightened participation in a multi-cultural society. Because of the BOR’s and CSCU’s commitment to principles of pluralism, mutual respect, and civility, certain activities or behaviors are not acceptable on CSCU campuses. Acts of intolerance, hatred or violence based on race, religion, sexual orientation or expression, disability, gender, age, ethnic background, gender identity or express, or other protected classes, are antithetical to CSCU’s fundamental principles and values. Allegations of conduct that could constitute a violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and the *Student Code* will be administered according to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and applicable procedures.

It is the BOR’s and CSCU’s responsibility to protect our students’ right to learn by establishing an environment of mutual respect and civility.

INTRODUCTION & DELEGATION OF BOR AUTHORITY

This Student Code of Conduct (hereinafter the “Student Code” or “Code”) describes the types of conduct that is not acceptable in an academic community and the general process by which violations of the Code will be addressed. All students are expected to familiarize themselves with and are required to abide by the provisions of the Student Code. Students who breach the trust that has been extended to them by the CSCU community will be held accountable for their conduct. The conduct process within this Student Code is intended to be part of the educational mission of CSCU that promotes individual student development and the welfare of the CSCU community while upholding principles of fundamental fairness. Thus, the student conduct proceedings are not criminal proceedings and are not subject to court rules of procedure and evidence.

The BOR has the statutory authority to establish standards, regulations and procedures for students. The BOR has charged the CSCU Chancellor with developing the standards, regulations and procedures to protect student rights and to address student abdication of responsibilities in collaboration with the CSCU under the jurisdiction of the BOR. In turn, the CSCU Chancellor has delegated the responsibility for these standards, regulations and procedures to specified administrative officials. Therefore, the Student Code is administered under the direction and oversight of the CSCU Senior Vice President of Academic and Student Affairs. The CSCU Senior Vice President of Academic and Student Affairs is responsible for administering and coordinating recommendations from the CSCU community regarding suggested revisions to the Student Code and presenting the proposed substantive changes to the Academic Council, the Student Affairs Council, and the Academic and Student Affairs Committee for BOR's consideration and approval.

Disclaimer: This Code is neither a contract nor an offer of a contract between any BOR governed institution and any student. The provisions of this Code are subject to revision at any time.

PART A: DEFINITIONS

The following terms are defined in an effort to facilitate a more thorough understanding of the Student Code. This list is not intended to be a complete list of all the terms referenced in this Student Code that might require interpretation or clarification. The College or University Disciplinary Officer or Conduct Administrator shall make the final determination on the definition of any term found in this Student Code.

1. "Accused Student" or "Accused Student Organization" or "Respondent" means any Student or Student Organization, as defined in this Student Code, who is alleged to have engaged in conduct that violated this Student Code.
2. "Advisor" means a person who accompanies an Accused Student or Complainant for the limited purpose of providing advice, guidance, and support to the Accused Student or Complainant. An advisor may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process).
3. "Appellate Body" means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students, Charter Oak State College Provost or their designee to consider an appeal from a determination by a Hearing Body that a student has violated the Student Code.
4. "Calendar Days" means the weekdays (Mondays through Fridays) when the University or College is open.
5. "College" means Connecticut State Community College or Charter Oak State College.
6. "Complainant(s)" means the person(s) who initiates a complaint by alleging that a Student(s)

or a Student Organization violated the Student Code.

7. “CSCU” means either collectively or singularly, any of the following institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University; Connecticut State Community College, and Charter Oak State College.
8. “CSCU Affiliates” means individuals and/or entities with whom or with which the College or University has a contractual relationship.
9. “College or University Official” includes any person employed by any College or University to perform administrative, instructional, or professional duties.
10. “CSCU Premises” means all land, buildings, facilities, and other property in the possession of, or owned, used, and/or controlled by, the BOR, University or College, either solely or in conjunction with another entity.
11. “Disciplinary Officer” or “Conduct Administrator” means a University, College or CSCU official who is authorized to determine the appropriate resolution of an alleged violation of the Code, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provisions of this Code, a disciplinary officer or conduct administrator is vested with the authority to, among other duties: investigate a complaint of an alleged violation of the Code, decline to pursue a complaint, refer identified disputants to mediation or other appropriate avenues of resolution, establish charges against a student, enter into an administrative agreement developed with an Accused Student in accordance with Section II.B.3 of this Code, advise a Hearing Body, and present the case before the Hearing Body.
12. “Hearing Body” or “Hearing Panel” means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students or Charter Oak State College Provost to determine whether a student has violated the Code and to impose sanctions as warranted, including a hearing officer or hearing board.
13. “Institution” means a University or College within the CSCU System.
14. “Instructor” means any faculty member, teaching assistant or any other person authorized by the University to provide educational services, including, but not limited to, teaching, research, and academic advising.
15. “May” is used in the permissive sense.
16. “Member of the CSCU Community” means any person who is a student, an official or any other person who works for CSCU, either directly or indirectly (e.g., for a private enterprise doing business on a CSCU campus).
17. “Policy” is defined as the written regulations, standards, and student conduct expectations approved by the BOR and adopted by CSCU and found in, but not limited to, the Student

Code, The Student Handbook, The Residence Life Handbook, CSCU IT Acceptable Use Policy, or the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy.

18. “Prohibited Conduct” means the conduct prohibited by this Code, as more particularly described in Part I.C of this Code.
19. “Reporting Party” means any person who alleges that a student has violated this Code.
20. “Shall” and “will” are used in the imperative sense.
21. “Student” means any person who has been notified of their acceptance for admission, registered, enrolled, or attending any College or University course or program. This applies whether enrollment is full-time or part-time; whether the course(s) occur on-campus, online, or at an off-campus instructional site (domestically, or internationally such as students studying abroad); and whether the student is pursuing undergraduate, graduate, non-degree seeking, post-graduate, or professional studies. This may also apply to any person who resides in a College or University residence hall. Persons who withdraw or otherwise depart a College or University after allegedly violating the Student Code are still considered students for the purpose of resolution through this Student Code. For the purposes of applying this Student Code, the Chief Student Conduct Officer, or designee, may use discretion in determining if the person’s “student” designation and will have the authority to make any final determination as to whether or not a person is a “student.” Generally, a student is not considered to have a continuing relationship if a student has not been enrolled in classes at a University for three (3) or more consecutive terms, or has not been enrolled in classes at a College within two (2) calendar years after the conclusion of their last registered College course.
22. “Student Code” or the “Code” means this Student Code of Conduct.
23. “Student Organization” means an association or group of persons that have complied with the formal requirements for University or College recognition.
24. “Support Person” means a person, who accompanies an Accused Student, a Reporting Party or a victim to a hearing for the limited purpose of providing support and guidance. A support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process.
25. “University” means any of the following CSCU institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, or Western Connecticut State University.

PART B: APPLICATION, SCOPE AND JURISDICTION

1. The *Student Code* shall apply on CSCU campus property, at CSCU-sponsored activities, and at activities conducted by student organizations and may apply to off-campus

conduct. This also applies to student conduct that occurs online and through other forms of electronic communication and social media. A College or University may exercise jurisdiction off-campus if the conduct poses a threat to anyone's health, safety, or security, could negatively affect the mission or reputation of the College or University, poses a threat of undermining the College or University's educational process, involves an alleged violation of local, state or federal law, or if the College or University is required to do so by law.

2. Students remain subject to the *Student Code* and any applicable policies, procedures, rules, regulations or codes of conduct of affiliated clinical sites, offsite locations where a CSCU operates a program or another entity or higher education institution in the United States or abroad. Violations of either the *Student Code* or policies, procedures, rules, regulations or codes of conduct at another entity or higher education institution while a student at CSCU, regardless of location, may lead to disciplinary action by the other entity or higher education institution and/or the CSCU against a student. The Disciplinary Officer or Conduct Administrator shall decide whether the *Student Code* shall be applied to student or student organization conduct occurring off campus on a case-by-case basis, at the Disciplinary Officer or Conduct Administrator's discretion.
3. Each student shall be responsible for one's own conduct from the time of admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of enrollment (and even if the conduct is not discovered until after a degree is awarded). The *Student Code* shall apply to a student's conduct even if the student withdraws from the College or University while a student conduct matter is pending. The *Student Code* shall also apply to former students who have been determined to have a continuing relationship as defined in Section I.A, with the outcome of the conduct case potentially impacting one's ability to be present on the College or University premises and/or ability to reenroll in the future.
4. Students shall also be responsible for the behavior and conduct of their guests on campus and/or any CSCU Premises and for their guests' familiarity with the College or University rules and policies. Guests are expected to observe all College or University rules and regulations, and students are expected to accompany their guests on campus and/or any CSCU Premises at all times. Authorized or unauthorized guests not in compliance with College or University rules and/or policies may be removed from the College or University property and issued a trespass warning. Any violations of the prohibited conduct listed below by a guest of a student may result in the student being held accountable for the applicable violation.
5. CSCU student conduct proceedings may be initiated without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution resulting from the same or related conduct. Proceedings under *The Student Code* may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus at the discretion of the Student Conduct Officer. Determinations made or sanctions imposed

under the *Student Code* shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of CSCU rules were dismissed, reduced, or resolved in favor of or against the defendant in the criminal matter.

6. Although there is no time limit for when conduct allegations can be filed against a student or student organization, it is generally more effective to report incidents as soon as possible after they occur, for reasons including but not limited to the following: witness memory, witness availability, obtaining evidence, and ability to hold a student or student organization accountable. Complaints should be submitted as soon as possible after an incident takes place. Discretion will be used with reports that are submitted more than thirty (30) days after an incident may have occurred. In situations when the delayed reporting of an incident makes it difficult to proceed, or when a student or student organization has been separated from a College or University for a considerable amount of time, the Disciplinary Officer or Conduct Administrator shall decide whether it is appropriate to apply the *Student Code* on a case-by-case basis.

PART C: PROHIBITED CONDUCT

The following list of behaviors is intended to represent the types of acts that constitute violations of this Code.

1. Academic misconduct, which includes, but is not limited to, plagiarism and all forms of cheating.

Plagiarism is defined as the submission of work by a student for academic credit as one's own work of authorship which contains work of another author without appropriate attribution.

Cheating includes, but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests or examinations; (ii) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; (iii) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and (iv) engaging in any other behavior specifically prohibited by a faculty member in the course syllabus.

2. Acts of dishonesty, including but not limited to the following:
 - a. Providing false information, knowingly withholding relevant information, or supplying misleading information to any College or University Official, department or office, faculty member or law enforcement or security officer;
 - b. Misuse of CSCU documents, including, but not limited to forging, transferring, altering or otherwise misusing a student fee card, student

- payroll card, identification card or other College or University identification document, course registration document, schedule card, transcript, or any other institution- issued document or record.
- c. Tampering with the election process of any CSCU recognized student organization;
 - d. Refusing to provide identification, misidentifying oneself, or presenting/possessing any form of false or altered identification to College or University Official; or
 - e. Representing oneself, or a student organization, as having the authority to enter into contracts or agreements that affect CSCU in any way without prior authorization from the CSCU.
3. Disruptive behavior, which is defined as participating in or inciting others to participate in the deliberate interference with the freedom of any person to express their views, or disruption, obstruction or prevention of the peaceful and orderly conduct of any CSCU activity, including, but not limited to: classes, lectures, quiet study, research, events, speaker presentations, administration, Student Conduct proceedings, the living/learning environment, or other CSCU or BOR activities or meetings, on or off-campus; or of other non-CSCU activities when the conduct occurs on CSCU premises; or of the living environment, on or off-campus.
 4. Disorderly, lewd, indecent (including, but not limited to, public nudity and sexual activity in areas generally open to members of a campus community), breach of peace, aiding, abetting or procuring another person to breach the peace on CSCU premises or at functions sponsored by, or affiliated with the University or College, or offensive conduct which causes interference, annoyance, alarm, or recklessly creates a risk thereof at CSCU or on CSCU premises, any function sponsored by CSCU, or CSCU-controlled web or social media sites. This does not apply to speech or other constitutionally protected expression.
 5. Any action that threatens or causes physical harm or endangers the well-being, health, or safety of another person.
 6. Harassment, which is defined as the severe or pervasive use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another individual that objectively and subjectively has the effect of:
 - a. Unreasonably interfering with an individual's work or equal access to education;
 - b. Creating an intimidating, hostile, or offensive work or academic environment;
 - c. Causing physical or emotional harm to the individual or damage to the individual's property; placing the individual in reasonable fear of harm to the individual and/or the individual's property; and/or

- d. Infringing on the rights of other CSCU community members to fully participate in the programs, activities, and mission of the CSCU.

Harassment based on any actual or perceived protected characteristic is discriminatory harassment, as defined by the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy. Allegations of conduct that could constitute a violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and the *Student Code* will be administered according to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and applicable procedures.

In determining whether an act constitutes harassment, the Student Conduct Officer will consider the full context of the conduct, giving due consideration to the protection of CSCU climate, individual rights, freedom of speech, academic freedom, and advocacy. Not every act that might be offensive to an individual or a group constitutes harassment and/or a violation of the *Student Code*.

7. Failure to comply with public health or safety guidance set forth by the BOR, CSCU, federal, state, or local authorities, partner/affiliated institutions, and/or host governments or institutions while abroad.
8. Violations of privacy, including, but not limited to, voyeurism and the use of web-based, electronic or other devices to make a photographic, or video record of any person without his or her express consent, especially when such a recording is intended or likely to cause injury or distress. This includes, but is not limited to: (i) surreptitiously taking pictures or videos of another person in spaces where there is an expectation of privacy, such as sleeping areas, bathrooms, gymnasiums, locker rooms, and changing areas; or (ii) sexually exploiting another person by electronically recording or permitting others to view or electronically record, consensual sexual activity without the person's (who is engaged in the activity) knowledge or permitting others to view or listen to such video or audio recording without the person's knowledge or consent. Publicizing or threatening to publicize such records without the consent of the individuals involved is considered a violation of this Code.
9. Hazing, defined as any activity expected of someone for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization that humiliates, degrades, or risks emotional, psychological, and/or physical harm of a person, or which destroys, damages or removes public or private property. The express or implied consent of the victim(s) is not a defense. Apathy or consent to the activity by remaining silent or not objecting in the presence of hazing is not a neutral act and is also a violation of the *Code*.
10. Use, possession, purchase, sale, distribution of alcoholic beverages, except as

expressly permitted by law and CSCU regulations, or presence under the influence of alcohol. Alcoholic beverages may not, under any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.

11. Consuming, carrying, or possessing an open container of alcohol in the public right-of-way, or on private property without the consent of the landowner or tenant, except as permitted by law.
12. Operating a motor vehicle while impaired by or under the influence of alcohol, narcotics or other controlled substances.
13. Use, possession, purchase, sale, distribution or manufacturing of narcotics, or being under the influence of controlled substances and/or drugs, including, but not limited to, marijuana and or heroin, or possession of drug paraphernalia which can be demonstrated to be linked to drug or controlled substances activity, except as expressly permitted by federal law. The use or possession of marijuana (medical or otherwise) on campus and/or any CSCU Premises is restricted by federal laws, such as the federal Safe and Drug Free Schools and Communities Act and the Drug-Free Workplace Act. Accordingly, CSCU Colleges and Universities prohibit the use or possession of marijuana, including medical marijuana, on campus and/or any CSCU Premises.
14. Use, possession or distribution of firearms, ammunition for firearms, other weapons or dangerous instruments, facsimiles of weapons or firearms, fireworks, explosives or dangerous chemicals. A dangerous instrument is any instrument, article or substance that, under the circumstances in which it is being utilized, is capable of causing death or serious physical injury. The possession of a deadly weapon or dangerous instrument on campus and/or any CSCU Premises is strictly prohibited, even if such item is legally owned.
15. Failure without just cause to comply with the lawful direction of a CSCU College or University Official, or other lawful authority having just cause and acting in the performance of their duties and authority.
16. The setting of or participation in unauthorized fires or explosions; the false reporting of the presence of an emergency such as fires, bombs, incendiary or explosive devices; the unauthorized or improper possession, use, removal, or disabling of fire safety equipment and warning devices; failure to follow standard fire safety procedures; and/or interference with firefighting equipment or personnel.
17. Assisting another person in the commission, or attempted commission of a violation of the *Student Code*, or knowingly in the presence of the commission of the violation(s) of the *Student Code*, including but not limited to conduct of the student's guest.

18. Behaviors in violation of published CSCU policies, College or University policies, rules, or regulations, including but not limited to:
 - a. BOR Information Technology Acceptable Use Policy (BOR Policy IT-001), BOR Information Technology Electronic Communication Policy (BOR Policy IT-002), or the BOR/CSCU Information Security Policy (BOR Policy IT-004);
 - b. Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy; or
 - c. The On-Campus Housing Contract;
19. Theft, which includes, but is not limited to, attempted or actual theft of property or services.
20. Forcible entry and/or unauthorized presence in CSCU owned buildings or property, including but not limited to, construction of permanent or semi-permanent structures within CSCU owned buildings, in or on CSCU property for any activity, unless the construction itself is undertaken and/or approved by the State, BOR, College and/or University.
21. Unauthorized possession, access, duplication, or misuse of CSCU property or other personal or public property, including, but not limited to, records, electronic files, telecommunications systems, forms of identification, and keys.
22. Damage or misuse of property, which includes, but is not limited to, attempted or actual damage to or misuse of CSCU property or other personal or public property, or unauthorized use or misuse of CSCU intellectual property, including but not limited to, trademarks, logos, names, or images.
23. Violation of federal, state or local law, regulation and/or ordinance when such violation represents a substantial or negative impact on the CSCU or any member of the CSCU community.
24. Abuse of the CSCU Student Conduct system, including but not limited to:
 - a. Disruption or interference with the orderly conduct of a Student Conduct Proceeding.
 - b. Falsification, distortion, or misrepresentation of information to a Student Conduct officer or hearing body.
 - c. Influencing or attempting to influence another person to commit an abuse of the Student Conduct system.
 - d. Attempting to discourage or retaliate against an individual's proper participation in, or use of, the Student Conduct system.
 - e. Attempting to intimidate or retaliate against a Student Conduct officer, member of the hearing body or any other participant prior to, during, and/or after a Student Conduct proceeding.
 - f. Initiation of a conduct or disciplinary proceeding knowingly without cause.

- g. Failure to comply with the sanction(s) imposed under the *Student Code*.

PART D: CONDUCT AND DISCIPLINARY RECORDS

The written decision resulting from an administrative conference or a hearing under this Code shall become part of the student's educational record and shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). A student's disciplinary record shall be maintained separately from any other academic or official file maintained by the Institution. Disciplinary records will be maintained for a period of five (5) years from the date of the incident, except that the sanction of expulsion shall be noted permanently.

While student education records are generally protected from disclosure by FERPA, there are a number of exceptions to this rule. Students should be aware that a record concerning his/her behavior while a student at the College or University may be shared with other colleges or universities to which the student may subsequently wish to transfer or be admitted. Similarly, prospective employers may require a student to provide access to his/her education records as part of the employment application process. A record of having been sanctioned for conduct that violates Section I.D. of the Code may disqualify a student for admission to another college or university, and may interfere with his/her selection for employment.

PART E: INTERPRETATION AND REVISION

Questions regarding the interpretation of this Code shall be referred to the University's and Charter Oak State College's Provost or a Community College's Dean of Students, or their designees, for the administration of the Academic Misconduct portion of the Student Code and to the University's Vice President for Student Affairs, a Community College's Dean of Academic Affairs or Charter Oak State College's Provost or their designees for the administration of the Non-Academic Misconduct portion of the Student Code.

The CSCU Senior Vice President of Academic and Student Affairs is responsible for periodic review and updates to this Policy, in consultation with the Office of General Counsel and other relevant CSCU stakeholders. The BOR reserves the right to revise this Policy as necessary.

II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS

Procedures for University students differ from those procedures applicable to either Connecticut State Community College or Charter Oak State College. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.C.1) for University Students are set for in this Section II, Part A of the Code.

Connecticut State Universities are committed to creating a learning environment and academic community that promotes educational opportunities for all individuals, including those with disabilities. It is the responsibility of students with documented physical or learning disabilities seeking accommodation to notify their appropriate campus accessibility/disability services office in a timely manner concerning the need for such accommodation. Connecticut State Universities will make reasonable accommodations for access to programs, services, and facilities as outlined by applicable state and federal laws.

A student requesting an accommodation related to an administrative conference or hearing must follow the appropriate process for requesting an accommodation through the appropriate campus accessibility/disability services office. The office designated to work with students with disabilities will make a determination regarding the request and notify the appropriate parties.

PART A. DISCIPLINARY PROCEDURES: ACADEMIC MISCONDUCT

1. Instructor's Role: When the instructor of record or his or her designee believes that an act of academic misconduct has occurred, he or she shall notify the student of the allegation and save any evidence of such misconduct in its original form. (Copies of the Accused Student's work will be provided to the Student upon request.) In addition, the instructor shall not transmit a final grade to the Registrar until such time as the allegation(s) of academic misconduct are finally determined. Each institution shall establish implementation guidelines in accordance with this Code.
2. Information from Person Other than Student's Instructor: Any member of the CSCU Community may provide information which might lead to a complaint against a Student alleging academic misconduct.

3. The Academic Misconduct Hearing Board: There shall be an academic misconduct hearing board convened by the University's Disciplinary Officer to consider allegations of academic misconduct lodged against a Student. The University's disciplinary officer shall be a non-voting member of the board and act as convener.
4. Hearing Process: The Accused Student shall be afforded adequate notice of the allegation, an opportunity to discuss the allegation with the instructor, and adequate time to request and prepare for a hearing. All parties shall have an opportunity to be heard and a record of the proceedings shall be made. The decision of a hearing board shall be communicated in writing.
5. Sanctions: If the academic misconduct hearing board determines that the Accused Student is "Not Responsible," the board shall not impose any sanctions. The board shall so advise the Student's instructor and the instructor shall reevaluate the student's course grade in light of the Board's determination. If the academic misconduct hearing board determines that the Accused Student is "Responsible," the academic sanction set forth in the instructor's course syllabus shall be imposed.

The academic misconduct hearing board may make a recommendation to change the academic sanction imposed by the instructor on the basis of its hearing of the evidence of academic misconduct. (Should the academic sanction not be changed pursuant to this recommendation, the University reserve the right to change the academic sanction.) Upon consideration of the Accused Student's record of misconduct and/or the nature of the offense, the academic misconduct hearing board may impose additional non-academic sanctions in proportion to the severity of the misconduct. These sanctions may include the following: warning, written reprimand, discretionary sanctions, suspension and/or expulsion, as described in II.D of this Student Code of Conduct.

6. Appeals: The decision rendered by the academic misconduct hearing board may be appealed to the Provost/Academic Vice President, who shall review the record of the hearing, including any and all documents presented to the academic misconduct hearing board. An appeal shall be in writing and shall be delivered to the Provost/Academic Vice President within three (3) calendar days of receipt of the academic misconduct hearing board's written decision.

An appeal may be brought on any of four grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; (c) a claim that the non-academic sanction(s) imposed were not appropriate for the violation of the Code for which the accused student was found responsible; and/or (d) a claim that the academic sanction imposed has resulted in a palpable injustice. The Provost/Academic Vice President shall have the right to deny an appeal not brought on any of the foregoing grounds. The decision rendered by the Provost/Academic Vice President shall be final and there shall be

no further right of appeal.

PART B: DISCIPLINARY PROCEDURES: NONACADEMIC MISCONDUCT

The following procedures shall be followed in addressing allegations of non-academic misconduct. These procedures do not apply to allegations relating to academic misconduct or violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy. Allegations of conduct that could constitute a violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and the *Student Code* will be administered according to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and applicable procedures.

1. Providing Information leading to a Complaint: Any person may provide information leading to the filing of a complaint against a Student or a Student Organization alleging a violation of the Student Code. A complaint must be made in writing and submitted to the University's Disciplinary Officer or Conduct Administrator.
2. Disciplinary Proceedings Against a Student Charged with a Violation of Law and a Violation of the Code: University proceedings may be instituted against an Accused Student who has been charged with a violation of state or federal law for conduct which also constitutes a potential violation of this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following the institution of civil or criminal court proceedings against the Accused Student. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
3. Pre-Hearing Investigation and Administrative Disposition:
 - a. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the Accused Student and the Disciplinary Officer or Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Disciplinary Officer or Conduct Administrator may also present the case for the University at any subsequent hearing, but if he or she does, he or she shall not serve as a member of the Hearing Body.
 - b. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if there is reason to believe the student has committed a violation of any part of Section I.D. of the Code and, after considering both the possible violation and the prior conduct record of the

student, if the Disciplinary Officer or Conduct Administrator determines that a sanction of less than residential hall separation or suspension or expulsion from the University is appropriate, the Disciplinary Officer or Conduct Administrator shall schedule an administrative conference with the student. The student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the student shall have the opportunity to present information for the Disciplinary Officer's or Conduct Administrator's consideration. At the conclusion of the administrative conference, the Disciplinary Officer or Conduct Administrator shall determine whether it is more likely than not that the student has violated the Policy and, if so, impose a sanction less than residential hall separation, or suspension or expulsion from the University. The Disciplinary Officer or Conduct Administrator shall provide the student with a written explanation for the determination. The decision of the Disciplinary Officer or Conduct Administrator shall be final.

4. Hearing Bodies: A Student accused of misconduct has the right to be heard by an impartial Hearing Body. Any concern surrounding the impartiality of the Hearing Body or any member thereof will be referred to the Vice President for Student Affairs or his or her designee, who will review the matter and make a determination.
5. Hearing Procedures:
 - a. Notice of Hearing: Normally, a hearing will be conducted within ten (10) calendar days of the Accused Student being notified of the charges. Notice may be provided to the Accused Student by in-hand delivery, by registered mail, with delivery receipt attached or by certified mail, return receipt requested by University email or by overnight delivery with signature of recipient required. Should the Accused Student refuse to accept in-hand delivery, a written statement of the attempted delivery of the notice signed by the person attempting to make such delivery shall constitute notice. Should the Accused Student refuse to sign for registered or certified mail, the postal document indicating such refusal shall constitute notice.

The notice shall advise the Accused Student of each section of the Student Code alleged to have been violated and, with respect to each such section, a statement of the acts or omissions which are alleged to constitute a violation of the Code, including the approximate time when and the place where such acts or omissions allegedly occurred.

The Accused Student shall be afforded a reasonable period of time to prepare for the hearing, which period of time shall not be less than three (3) Calendar Days. The Accused Student, the Reporting Party and/or any alleged victim may request a delay of the hearing due to extenuating circumstances. Any decision to postpone the hearing shall be made by the Disciplinary Officer or Conduct Administrator or by the Hearing Body, or by the designee of the Vice President for Student Affairs.

- b. Hearing: Hearings shall be closed, but the Hearing Body may, in its discretion, admit any person into the hearing room. The Hearing Body shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

The Accused Student, the Reporting Party and any alleged victim shall have the right to be present at all stages of the hearing process except during the private deliberations of the Hearing Body and the presentation of sanctions. In hearings involving more than one Accused Student, the Hearing Body may determine that, in the interest of fairness, separate hearings should be convened.

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.
- d. Opportunity to Present a Defense: The Accused Student shall have the full opportunity to present a defense and information, including the testimony of witnesses, in his or her behalf. The Reporting Party and the Accused Student may question the statements of any person who testifies in a manner deemed appropriate by the Hearing Body. The Reporting Party and the Accused Student may make concluding statements regarding the charges made and the information presented during the hearing. The Hearing Body may question the Accused Student and the Reporting Party, any witness presented by the Accused Student or the Reporting Party, and any other witness(e)s the Hearing Body may choose to call to testify.
- e. Accused Student Can Choose Whether or Not to Testify in His or Her Own Defense: The Accused Student who is present at the hearing shall be advised by the Hearing Body that he or she is not required to testify, to answer questions, or to make any statement regarding the complaint or the allegations set forth in the complaint. Refusal to do so shall not be considered by the Hearing Body to constitute evidence of responsibility.
- f. Non-Appearance of Accused Student at Disciplinary Hearing: If an Accused Student does not appear at a disciplinary hearing, the Hearing Body shall enter a plea of "not responsible" on behalf of such student and the hearing shall proceed in the normal manner of hearing evidence, weighing facts, and rendering judgment. The failure of an Accused Student to appear at the disciplinary hearing shall not be considered by the Hearing Body to constitute evidence of responsibility.

- g. Advisors and Support Persons: The Reporting Party, any alleged victim, and the Accused Student shall each have the right to be accompanied by an Advisor and Support Person. The Advisor and the Support Person should be someone whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of an Advisor or Support Person.
 - h. Presentation of Evidence: Only evidence introduced at the hearing itself may be considered by the Hearing Body in determining whether it is more likely than not that the alleged violation was committed by the accused student.
 - i. Evidence of Prior Convictions or Disciplinary Actions: Evidence of prior criminal convictions or University disciplinary actions may be presented to the Hearing Body only after a determination of responsibility has been made and only for consideration in connection with determining the sanction.
 - j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.
 - k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of “responsible” or “not responsible,” and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.
6. Review: An Accused Student may request that the decision of the Hearing Body be reviewed by the Vice President for Student Affairs or his or her designee. A request for review must be made in writing to the Vice President for Student Affairs or his or her designee within three (3) Calendar Days of the Accused Student’s receipt of the written notice of decision. For good cause shown, the Vice President for Student Affairs may extend the three-University Calendar Day limitation on filing a request for a review. An Accused Student may request only one review of each decision rendered by the Hearing Body. A decision reached as a result of an Administrative Disposition may not be reviewed.
- a. Grounds for Review: The Accused Student has the right to request a review of the decision of the Hearing Body on the grounds that: (i) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected; (ii) the sanction(s) imposed were not appropriate for

the violation of the Code for which the Accused Student was found responsible; and/or (iii) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing. The review shall be limited to a review of the record except as required to explain the basis of new information.

- b. Review Procedures: In order to prepare for the review, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The review will not be heard by anyone involved in the initial hearing. The review shall be considered and a decision rendered within ten (10) Calendar Days of the filing of the request for review.

If a request for review is granted, the matter shall be referred to the original Hearing Body for reconsideration of its original determination or to a newly-constituted Hearing Body for a new hearing, or the sanction imposed may be reduced, as appropriate. If a request is not granted, the matter shall be considered final and binding upon all involved.

- c. Status of Student Pending Review: All sanctions imposed by the Hearing Body shall be and continue in effect pending the outcome of a review. Any request to delay the commencement of sanctions pending a review must be made by the Accused Student, in writing, to the Vice President for Student Affairs or his or her designee.

PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS

In certain circumstances, the Vice President for Student Affairs, or his or her designee, may impose an interim suspension or residence hall separation on an Accused Student prior to the hearing before the Hearing Body.

1. Basis for Imposition of Interim Suspension or Residence Hall Separation: An interim suspension may be imposed upon an Accused Student only: (i) to ensure the safety and well-being of members of the University Community or preservation of University property; or (ii) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

An interim suspension or residence hall separation is not a sanction and will continue in effect only until such time as a hearing on the alleged violation has been completed.

2. Effect of Interim Suspension or Residence Hall Separation: During the interim suspension or residence hall separation, the removed Student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the Student might otherwise be eligible, as the Vice President for Student Affairs, or his or her designee, may determine to be appropriate.
3. Procedure: The Accused Student shall be notified, either orally or in writing, of the pending imposition of an interim suspension or residence hall separation. Whenever possible prior to the imposition of the interim suspension or suspension, the affected Student will be afforded an opportunity to meet with the Vice President for Student Affairs, or his or her designee. Otherwise, the meeting will be held on the first Calendar Day that the Student is available.

At that meeting, the Accused Student will be advised of his/her reported behavior and be offered the opportunity to provide information upon which the determination may be based whether or not the Student engaged in conduct warranting an interim suspension or residence hall separation.

Any Student placed on an interim suspension will be given an opportunity to appear at an administrative conference or a formal hearing on the misconduct charges lodged against him or her in accordance with II.B.5 of this Code within ten (10) Calendar Days of being placed on such suspension, or as soon as practical after the Accused Student is prepared to participate in such a hearing.

PART D: DISCIPLINARY SANCTIONS

Sanctions which may be imposed for violations of the Student Code are listed below. In determining appropriate sanctions, the Hearing Body may take into consideration any and all prior violations of the Code for which the Accused Student was determined to be responsible. The Hearing Body shall have the authority to defer the imposition of any sanction when deemed appropriate. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

1. ***Sanctions Which May Be Imposed for Violations of the Code***: The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.

- a. Warning: A disciplinary warning is a written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
- b. Fine: A sanction involving the imposition of a specified dollar amount due and payable by a specified date.
- c. Probation: Disciplinary probation is a designated period of time during which a Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within University Community. Disciplinary probation may involve the imposition of certain restrictions and/or conditions upon the Student including, but not limited to, financial restitution, community service, fines, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required. If the Student fully complies with the terms and conditions imposed in connection with the disciplinary probation, full student privileges will be restored to the student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice of the alleged violation and the procedures set forth in this Code shall be followed.
- d. Loss of Privileges: Denial of specified privileges for a designated period.
- e. Restitution: Compensation for loss, damage to real or personal property. This may take the form of appropriate service and/or monetary or material replacement.
- f. Discretionary Sanctions: Work assignments, essays, service to the University, or other related discretionary assignments, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required.
- g. Residence Hall Warning: A written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
- h. Residence Hall Probation: Residence hall probation is a designated period during which an Accused Student is given the opportunity to modify

unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within the residence hall in which the Student resides. Residence hall probation may include restrictions and/or conditions on the exercise of residence hall activities and privileges. Periodic contact with a designated member of the residence hall staff or professional may be required. If the Accused Student fully complies with the terms and conditions imposed in connection with the residence hall probation, full residence hall privileges will be restored to the Student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice and the procedures set forth in this Code shall be followed.

- i. Residence Hall Separation: Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
 - j. Residence Hall Expulsion: Permanent separation of the Student from the residence halls.
 - k. Suspension: Suspension is temporary disciplinary separation from all universities among CSCU and the denial of all student privileges. Suspension shall be effective on the date that notice of the suspension is provided to the Accused Student, or later, if so stated in the notice, and shall prescribe the date and conditions upon which the Student may petition for readmission to the University. A Student separated from all universities within CSCU by suspension may under the terms of the suspension be excluded from the premises of all CSCU premises when in the judgment of the suspending authority, the Student's continued presence would constitute a danger to persons or property or a threat to the academic process. Notwithstanding the foregoing, the suspending authority of the suspended Student's home University or his or her designee may authorize a suspended student who has been excluded from all University premises to enter the premises of the student's home University for designated purposes.
 - l. Expulsion: Expulsion is permanent disciplinary separation from all universities within CSCU and the denial of all student privileges. Expulsion shall be effective on the date that notice of expulsion is provided to the Accused Student, or later, if so stated in the notice. A student separated from all universities of CSCU by expulsion may under the terms of the expulsion be excluded from all CSCU Premises when in the judgment of the expelling authority the Student's presence would constitute a danger to persons or property or a threat to the academic process.
2. ***Revocation of Admission and/or Degree***: Upon the recommendation of the Hearing Body, admission to the University may be revoked by a University. Upon the

recommendation of the Hearing Body, a degree conferred by the University may be revoked by the University with the approval of the BOR.

3. ***Consequences of Failure to Comply with a Duly Assigned Sanction:*** Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:

- a. Denial of access to certain university services, including, but not limited to housing and parking;
- b. Denial of access to administrative processes, including, but not limited to, course add/drop, pre-registration, registration, and room selection; and/or
- c. Withholding of the privilege of participation in university sponsored activities and/or public ceremonies, or formal disciplinary charges under II.B hereof.

4. ***Sanctions Which May Be Imposed on Student Organizations***

- a. Sanctions: Those sanctions listed in subsections 1.a through f of Section II.D.
- b. Loss of recognition: Loss of recognition for a specified period of time results in the loss of privileges, such as the use of university space, access to student activity fee funding, and/or the privilege of functioning as a student organization. Loss of recognition for more than two (2) semesters shall require that an organization reapply for University recognition. Conditions for future recognition may be imposed by the hearing body.

III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS

Procedures for Connecticut State Community College students differ from those procedures applicable to either the Universities or Charter Oak State College. This is due to the environmental, cultural and administrative differences within the types of the institutions comprising CSCU.

These procedures do not apply to allegations relating to violation of Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy. Allegations of conduct that could constitute a violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and the *Student Code* will be administered according to Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and applicable procedures.

Connecticut State Community College is committed to creating a learning environment and academic community that promotes educational opportunities for all individuals, including those with disabilities. It is the responsibility of students with documented physical or learning disabilities seeking accommodation to notify their appropriate Connecticut State Community College campus accessibility/disability services office in a timely manner concerning the need for such accommodation. Connecticut State Community College will make reasonable accommodations for access to programs, services, and facilities as outlined by applicable state and federal laws.

A student requesting an accommodation related to an administrative conference or hearing must follow the appropriate process for requesting an accommodation through the appropriate Connecticut State Community College campus accessibility/disability services office. The Connecticut State Community College office designated to work with students with disabilities will make a determination regarding the request and notify the appropriate parties.

PART A: DISCIPLINARY PROCEDURES (Academic and Non-Academic Misconduct)

Regarding Community College Students, the following procedures shall govern the enforcement of the Code:

1. Information that a student may have violated the Code should be submitted to the Dean of Students, Dean of Academic Affairs or other designee of the President (hereinafter referred to as “the Dean”), normally within thirty (30) calendar days of the date of a possible violation or within thirty (30) calendar days of the date that the facts constituting a possible violation were known.

2. Upon receipt of information relating to a possible violation, the Dean may immediately place restrictions on or suspend a student on an interim basis if, in the judgment of the Dean, the continued presence of the student at the College or continued participation in the full range of college activities poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process.
 - a. “Interim restrictions” are limitations on the Student’s participation in certain College functions and activities, access to certain locations on campus and/or any CSCU Premises or access to certain persons, that do not prevent the Student from continuing to pursue his/her academic program. A Student upon whom the Dean has placed interim restrictions shall be afforded written reasons for the restrictions, as well as the time period during which the interim restrictions shall apply. The decision of the Dean regarding interim restrictions shall be final.
 - b. “Interim suspension” is the temporary separation of the Student from the College that involves the denial of all privileges, including entrance to College premises. Prior to imposing an interim suspension, the Dean shall make a good faith effort to meet with the Student. At this meeting, the Dean shall inform the Student of the information received and provide the Student an opportunity to present other information for the Dean’s consideration. Based upon the information available at that time, the Dean shall determine whether the Student’s continued presence on campus and/or any CSCU Premises poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process. A Student suspended on an interim basis by the Dean shall be provided written reasons for the suspension and shall be entitled to an administrative conference or a hearing as soon as possible, normally within ten (10) calendar days from the date the interim suspension was imposed. The decision of the Dean regarding an interim suspension shall be final.
3. Following the imposition of interim restrictions or interim suspension, if any, the Dean shall promptly investigate the information received by meeting with individuals who may have knowledge of the matter, including the accused Student, and by reviewing all relevant documents. If upon the conclusion of the Dean’s investigation, the Dean determines that there is insufficient reason to believe the Student has committed a violation of any part of Section I.D. of this Policy, the Dean shall dismiss the matter and shall so inform the Student in writing.
4. If upon the conclusion of the Dean’s investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I. D. of this Code and, after considering both the possible violation and the prior conduct record of the Student, that a sanction of less than suspension or expulsion is appropriate, the Dean shall schedule an administrative conference with the Student. The Student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the Student shall have the opportunity to present information for the Dean’s consideration. At the conclusion of the administrative conference, the Dean shall determine whether it is more likely than not that the Student has violated the Policy and,

if so, impose a sanction less than suspension or expulsion. The Dean shall provide the Student with a written explanation for the determination. The decision of the Dean shall be final.

5. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I.D. of this Code and, after considering both the violation and the prior conduct record of the Student, that a sanction of suspension or expulsion is appropriate, the Dean shall provide the Student with reasonable written notice of a meeting and shall inform the Student that his/her failure to attend the meeting or to respond to the notice may result in the imposition of the maximum permissible sanction. At the meeting, the Dean shall provide the Student with a written statement that shall include the following:
 - a. a concise statement of the alleged facts;
 - b. the provision(s) of Section I.D. that appear to have been violated;
 - c. the maximum permissible sanction; and
 - d. a statement that the student may resolve the matter by mutual agreement with the Dean, or may request a hearing by notifying the Dean in writing, which must be received by 5:00pm on the following business day.
6. If the Student requests a hearing, he/she is entitled to the following:
 - a. to be heard within five (5) days or as soon as reasonably possible, by an impartial party or panel whose members shall be appointed by the Dean;
 - b. if the Dean appoints an impartial panel, to have a Student on the panel if requested by the Student;
 - c. to appear in person and to have an advisor who not shall attend as a representative of the Student. However, if there is pending at the time of the hearing a criminal matter pertaining to the same incident that is the subject of the hearing, a lawyer may be present for the sole purpose of observing the proceedings and advising the Student concerning the effect of the proceedings on the pending criminal matter;
 - d. to hear and to question the information presented;
 - e. to present information, to present witnesses, and to make a statement on his or her behalf; and
 - f. to receive a written decision following the hearing.
7. As used herein, the term "impartial" shall mean that the individual was not a party to the incident under consideration and has no personal interest in the outcome of the proceedings. Prior to the commencement of the hearing, the Student who is subject to the hearing may challenge the appointment of an impartial party or panel member on the ground that the person(s) is (are) not impartial. The challenge shall be made in writing to the Dean and shall contain the reasons for the assertion that the person(s) is (are) not impartial. The decision of the Dean shall be final.
8. The written decision of the impartial party or panel shall specify whether, based on the information presented, it is more likely than not that the Student committed the violation(s) reported and shall state the sanction to be imposed, if any. The written decision shall be provided to the Student.

9. Sanctions imposed by an impartial party or panel are effective immediately. The President may, for good cause, suspend imposition of the sanctions imposed by the impartial party or panel to allow the Student time to prepare a written request for review. If a written request is received, the President may continue to suspend imposition of the sanctions until he has reviewed and acted on the Student's request.
10. A written request for review of the decision of the impartial party or panel must be received by the President within three (3) calendar days after the Student is notified of the decision and must clearly identify the grounds for review. The review by the President is limited to the record of the hearing, the written request, and any supporting documentation submitted with the request by the Student. The decision of the impartial party or the panel shall be upheld unless the President finds that:
 - a. a violation of the procedures set forth herein significantly prejudiced the Student; and/or
 - b. the information presented to the impartial party or panel was not substantial enough to justify the decision; and/or,
 - c. the sanction(s) imposed was (were) disproportionate to the seriousness of the violation.
11. Decisions under this procedure shall be made only by the college officials indicated.

PART B: DISCIPLINARY SANCTIONS

The prior conduct record of a Student shall be considered in determining the appropriate sanction for a Student who has been found to have violated any part of Section I.D. of this Code. Sanctions shall be progressive in nature; that is, more serious sanctions may be imposed if warranted by the prior conduct record of the Student.

A "sanction" may be any action affecting the status of an individual as a Student taken by the College in response to a violation of this Policy, and for the purposes of this Section III of the Code include but are not limited to the following:

1. "Expulsion" is a permanent separation from the College that involves denial of all Student privileges, including entrance to College premises;
2. "Suspension" is a temporary separation from the College that involves denial of all Student privileges, including entrance to college premises for the duration of the suspension, and may include conditions for reinstatement;
3. "Removal of College Privileges" involves restrictions on Student access to certain locations, functions and/or activities but does not preclude the Student from continuing to pursue his/her academic program;
4. "Probation" is a status that indicates either (a) serious misconduct not warranting expulsion, suspension, or removal of College privileges, or (b) repetition of misconduct after a warning has been imposed;

5. A “Warning” is a written notice to the Student indicating that he or she has engaged in conduct that is in violation of Section I.D. of this Code and that any repetition of such conduct or other conduct that violates this Code is likely to result in more serious sanctions;
6. “Community Restitution” requires a Student to perform a number of hours of service on the campus or in the community at large.

IV. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO CHARTER OAK STATE COLLEGE STUDENTS

Procedures for Charter Oak State College students differ from those procedures applicable to either the Community College or the Universities. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU.

These procedures do not apply to allegations relating to violation of Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy. Allegations of conduct that could constitute a violation of the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and the *Student Code* will be administered according to Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and applicable procedures.

Charter Oak State College is committed to creating a learning environment and academic community that promotes educational opportunities for all individuals, including those with disabilities. It is the responsibility of students with documented physical or learning disabilities seeking accommodation to notify their appropriate Charter Oak State College accessibility/disability services office in a timely manner concerning the need for such accommodation. Charter Oak State College will make reasonable accommodations for access to programs, services, and facilities as outlined by applicable state and federal laws.

A student requesting an accommodation related to an administrative conference or hearing must follow the appropriate process for requesting an accommodation through the appropriate Charter Oak State College accessibility/disability services office. The Charter Oak State College office designated to work with students with disabilities will make a determination regarding the request and notify the appropriate parties.

PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS

Hearing participants may include the accused student(s), a complainant, witnesses, support person(s), and the members of the hearing body.

The complaining party, any alleged victim, and the student who has been charged shall each have the right to:

1. Be notified of all charges.
2. Review any written complaint(s) submitted in support of the charge(s).
3. Be informed of the hearing process.
4. Request a delay of a hearing due to extenuating circumstances.
5. Be accompanied by an advisor or support person during the hearing.
6. Be present at all stages of the hearing process except during the private

- deliberations of the hearing body.
7. Submit a written statement regarding the incident.
 8. Give a personal statement.
 9. Question all statements and other information presented at the hearing.
 10. Present information and witnesses when deemed appropriate and relevant by the hearing body.
 11. Be informed of the finding(s) as well as any sanctions imposed.
 12. Present a personal or community impact statement to the hearing body upon a finding of "Violation."

In addition to the above-mentioned rights, a student who has been charged with a violation of the Student Code of Conduct shall have the right to:

1. Be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing when the Chair of the disciplinary hearing knows such information.
2. Request an alternate hearing panel member when there is reasonable cause to believe that the hearing panel will be unable to conduct an impartial hearing.
3. Be presumed not to be in "violation" of the code unless the facts presented at the hearing prove otherwise.
4. Deny or admit violating the Code of Conduct.
5. Decline to give a personal statement.
6. Present Character Witnesses, if appropriate.
7. Receive a written notice of the sanction(s) imposed.

PART B: DISCIPLINARY PROCEDURES

The Administration and the Faculty of Charter Oak State College believe that all members of the academic community are entitled to expect compliance with Section I.D.1 Prohibited Conduct. Accordingly, any Student or employee of the College may initiate a disciplinary process in the manner specified by this section. Once the process has been initiated, all subsequent decisions concerning possible discipline of a Student or students rest with the appropriate College officials. The President shall designate the Provost or another College official to have responsibility for the disciplinary procedures.

1. A statement of possible violation must be filed in writing with the Provost within thirty (30) business days of the date of the alleged violation or within thirty (30) business days of the date the alleged violation was known. Said statement must specify the Student conduct in question and the part or parts of Section I.D.1 Prohibited Conduct, which it is alleged said conduct violates, if applicable.
2. If the Provost determines that the alleged conduct may violate the provisions of the Code or otherwise threatens the safety or order of the College, the Provost shall, within ten (10) business days of receiving a written statement, provide written notice to the Student of the statement of possible violation(s) and the fact that the allegations will be investigated. The investigation shall be conducted by the Provost and/or his or her

- designee(s), and may include but not be limited to interviews with witnesses, the complainant(s), and review of any pertinent materials and information, and shall include an interview with the Student suspected in engaging in misconduct conduct unless the Student suspected declines to be interviewed. The investigation shall be completed within thirty (30) business days of the Provost's receipt of the written statement of possible violation. A record of the investigations will be maintained.
3. Following completion of the informal investigation specified above, the Provost will (a) determine that there is insufficient basis in fact and dismiss the matter or (b) conclude that there is a sufficient factual basis for discipline.
 4. If the Provost determines there is a sufficient factual basis for moving forward with disciplinary proceedings, he or she shall cause a written statement of charges to be provided to the Student. Said statement shall contain (a) a concise statement of the facts on which the charge is based; (b) a citation of the rule or rules alleged to have been violated; (c) a statement of the maximum penalty sought; (d) a statement that the Student may request a hearing by responding in writing to the Provost within thirty (30) business days requesting such hearing; and (e) a statement that failure to request a hearing may result in imposition of the penalty sought.
 5. If the Student requests a formal hearing, the Student is entitled to the following: (a) a hearing be conducted within thirty (30) business days after receipt by Provost of a written request for a hearing; (b) to be heard by an impartial panel chaired by the Dean of the Faculty or his/her designee and composed of no fewer than two members of the Charter Oak State College Faculty, one appointed by the Dean of the Faculty and one Student appointed by the Student Association; (c) to appear in person or through a conference call or other mutually agreed upon electronic means, or to have a representative attend on his/her behalf; (d) be accompanied by a support person during the hearing; (e) to hear and have a reasonable opportunity to question adverse witnesses and to present evidence and testimony in his/her behalf; and (f) to receive a written decision within ten (10) business days following the hearing specifying the panel's findings and the penalty assessed, if any. The hearing shall be taped and a record shall be maintained of this hearing.
 6. Hearing: A hearing shall be conducted following the guidelines specified below:

On-site:

- a. A hearing shall be conducted in private.
- b. Admission of any person into the hearing room shall be at the discretion of the chair of the hearing body. The chair, who is the Dean of the Faculty or his/her designee, shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceeding.
- c. Except as directed by the chair, support persons shall limit their role in a hearing to that of a consultant to the accused, to the complainant or to the victim.
- d. The complainant and the accused are responsible for presenting their respective

- witnesses, any additional information, and any concluding statements regarding the charges and the information.
- e. In a manner deemed appropriate by the chair, the complainant and/or the accused may question the statements of any person who testifies.
 - f. The hearing panel may question any witness presented by the accused and the complainant, including the complainant and the accused as well as any other witnesses the chair may choose to call.
 - g. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Hearing Body at the discretion of the chair.
 - h. All procedural questions are subject to the final decision of the chair or the Provost.
 - i. After the hearing has concluded, the hearing panel, in private, will decide whether the Student charged with misconduct is in violation of the Student Code of Conduct. The Dean of the Faculty or his/her designee may participate in the discussion, but is a non-voting member. Only evidence introduced at the hearing shall be considered in the determination of the decision. Each decision shall be made on the basis of whether or not the information presented at the hearing substantiates the charges in a more likely than not manner.
 - j. If the panel finds that the student violated the Student Conduct Code, the panel, in private, shall review the Student's academic transcript and disciplinary record, hear a character witness, if appropriate, and impose the appropriate sanction (s). The decision of the panel will be provided in writing to the Provost. The decision and sanction will be sent to the student in writing by the Provost.
 - k. A taped record of the hearing will be maintained. The record shall be the property of the College.

Via the Phone:

- a. For the accused or complainant who cannot attend in person, Charter Oak State College will set up a conference call.
- b. Twenty-one (21) business days before the hearing, the Provost must receive all materials to be presented by the accused and by the complainant, including the names and relationships of the character witnesses and support persons. The Provost will send copies of the materials to the hearing panel, the accused, and the complainant at least seven (7) business days before the hearing. The Provost will arrange for the conference call.
- c. The procedures outlined in the "on- site" section will be followed, unless they specifically apply only to the on-site hearing.
- d. Within ten (10) business days of the conclusion of the formal hearing, a Student may appeal the decision, in writing, to the President. An appeal shall be limited to a consideration of the verbatim record of the hearing and supporting documents for one or more of the following: a.) the process set forth in the guidelines was not followed and resulted in prejudice to the Student; b.) the evidence presented was insufficient to justify the decision; and c.) sanction(s) imposed was/were disproportionate to the gravity of the offense. The President may accept the decision of the hearing panel, overturn their decision, return the matter to the original hearing panel, or appoint a new hearing panel. The decision of the original hearing panel or the new hearing panel or the President will be sent to the Student in writing by the President and will be final.

- e. During any appeal period, any sanctions will remain in place and the Student will not be allowed to participate in a graduation ceremony nor graduate until the review process has been completed and a final decision rendered.

PART C: INTERIM ADMINISTRATIVE ACTION

The President or his/her designee may impose an interim "College Suspension" and/or other necessary restrictions on a Student prior to a hearing on the Student's alleged violation. Such action may be taken when, in the professional judgment of the President or his/her designee, a threat of imminent harm to persons or property exists.

Interim Administrative Action is not a sanction. Rather, it is an action to protect the safety and well-being of an accused Student, or other members of the College community, or greater community or to protect property. Such action is in effect only until a hearing is completed.

PART D: DISCIPLINARY SANCTIONS

Disciplinary penalty shall mean any action affecting the status of an individual as a Student taken by the College in response to a Student's misconduct in violation of Section I.D.1 Prohibited Conduct above, which penalties shall include but not be limited to:

1. Warning - A written notice that the Student has violated College Policy and a warning that another violation will likely result in a more severe sanction.
2. Restitution - Compensation for loss of or damage to property.
3. Academic Sanctions
4. Suspension - Suspension is a temporary disciplinary separation from the College involving denial of all Student privileges, including entrance to College premises. A notation of "suspension" will be placed in the Student database but will not be placed on the Student transcript. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of suspension. Suspensions shall range from one semester to two years.
5. Students who are suspended will receive no refund of tuition or fees.
6. A Student who has been suspended must apply for re-matriculation if he/she plans to return.
7. Expulsion - Expulsion is mandatory separation from the College involving denial of all Student privileges, including entrance to college premises for a minimum of 5 years. After the length of the term for expulsion has expired, the Student may request in writing directed to the Provost permission to re-matriculate. That permission must indicate why Charter Oak State College should allow the Student to return.
8. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of expulsion. A permanent notation of "Dismissed" shall be placed on the Student's transcript.

Failure to comply with requirements of Restitution or Academic Sanctions above will result in dismissal from the institution. The Student must complete the requirements of the sanction before he/she would be allowed to apply for readmission and/or graduate.

CSCU Board of Regents

CT BOARD OF REGENTS FOR HIGHER EDUCATION

RESOLUTION

concerning

CSCU Student Code of Conduct

July 31, 2024

WHEREAS, the Board of Regents for Higher Education on March 13, 2014 adopted the Student Code of Conduct and has amended the policy from time to time to remain consistent with state and federal law, regulatory requirements and best practices; and

WHEREAS, the United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 (“Title IX”) and set forth certain specific requirements, which become effective on August 1, 2024; and

WHEREAS, the Student Code of Conduct must be amended to address the requirements set forth in the Title IX regulations; and

WHEREAS, additional revisions to other sections of the Student Code of Conduct were also necessary to ensure compliance with federal and state law; and

WHEREAS, the requirements outlined above have made it necessary to update the Student Code of Conduct’s intent, language, and substance in the Preamble, Introduction, Delegation of BOR Authority and Parts A-F, including Definitions, Prohibited Conduct, and other consolidated/streamlined sections; and

WHEREAS, there are numerous legal challenges underway in several states, other than Connecticut, that may affect the implementation of some or all the new Title IX regulations; and additional consultation with internal stakeholders, including institution administrators, faculty and students, is required to complete the necessary revisions to the Student Code of Conduct. As such, it is advisable to title the Student Code of Conduct policy as “Interim”; therefore, be it

RESOLVED, that the Board of Regents approve the proposed revisions to the Student Code of Conduct and designate the revised Student Code of Conduct as an “Interim” policy to be further be amended in the next academic year effective July 31, 2024.

ITEM

Approval of revisions to the Student Code of Conduct and designation of the revised Student Code of Conduct as an “Interim” BOR policy.

OVERVIEW

- Changes to the Student Code of Conduct are necessitated by multifaceted influences, including recent changes to the U.S. Department of Education’s Title IX regulations, guidance from the Department of Justice, as well as internal confusion in applying multiple CSCU policies that cover the same sexual misconduct subject matter.
- The Student Code of Conduct is one of three BOR/CSCU policies that is part of a systemic overhaul in the way the BOR/CSCU governs sexual misconduct and Title IX matters. The new *Interim Discriminatory Harassment, Nondiscrimination and Title IX* policy will streamline all discriminatory and harassing misconduct into one comprehensive policy and will govern not only students but also faculty and staff under the same rules.
- The Student Code of Conduct will no longer include the student-specific procedures regarding sexual misconduct; rather, it will refer jurisdiction to the new *Interim Discriminatory Harassment, Nondiscrimination and Title IX* policy.
- The remaining changes in this *Interim Student Code of Conduct* fall into one of two categories:
 - (1) general changes to the preamble, definitions, jurisdiction, and scope; or
 - (2) changes to the prohibited conduct section. The Summary of Changes section below provides an in depth explanation of the changes in these categories.

BACKGROUND

In 2020, the U.S. Department of Education promulgated updated regulations under Title IX of the Education Amendments of 1972. The Title IX regulations required significant changes be made to procedures regarding formal complaints of sexual harassment. Accordingly, in 2020 the BOR passed the Statement of Title IX Policy, revised the Sexual Misconduct Policy, and revised the Student Code to ensure compliance with state and federal law.

Since then, CSCU administrators have consistently expressed confusion and frustration with the aforementioned policies and procedures because three separate BOR policies covered the same subject matter. The current Student Code contains definitions, responsibilities and procedures regarding sexual misconduct and sexual harassment that overlap but are not consistent with the definitions and procedures set forth in the separate Sexual Misconduct Policy and Title IX Policy. Currently, the CSCU System’s Title IX policies comprise a patchwork across several Board policies, the Student Conduct Code, and employee policies. These policies have long needed revision to better support the commitment of the CSCU to provide an educational and employment environment that is free from discrimination and/or harassment based on protected characteristics, and/or retaliation. Ease of use helps not only students, faculty, and staff (and their advisors/supporters), but also the staff who must implement the policies and procedures on the individual campuses.

In January 2023, the Office of Academic and Student Affairs at the System Office formed and charged a Student Code of Conduct Task Force to revise the CSCU Student Code of Conduct. The Task Force

leadership included representatives from CSCU universities, CT State and Charter Oak State College from student affairs, DEI, judicial affairs, the registrar's office, and the Office of General Counsel in an advisory capacity.

In April 2024, the US Department of Education released final Title IX regulations that amend 34 C.F.R. §106.1 and take effect on August 1, 2024. Due to the numerous changes in the Title IX regulations (i.e., definitions to scope of conduct, applicability of sex discrimination, grievances procedure options), CSCU retained a consultant to assist in revising the Title IX Policy ("Title IX Policy") and the Sexual Misconduct Reporting, Supportive Measures and Process Policy ("Sexual Misconduct Policy").

As there are numerous legal challenges underway in several states, other than Connecticut, that may affect the implementation of some or all the new Title IX regulations, and CSCU institutional leaders have expressed the need to separate academic misconduct from the Student Code and establish a separate academic integrity policy with more robust language concerning artificial intelligence, which will require additional consultation with internal stakeholders, including institution administrators, faculty and students to complete the remaining necessary revisions to the Student Code of Conduct, it is advisable to title the Student Code of Conduct policy as "Interim."

SUMMARY OF CHANGES

The proposed Interim Student Code of Conduct addresses the revisions to the Student Code of Conduct (BR 20-104, amended 7/29/2020).

1. General Updates:

The intent, language and substance of Section I, which includes the Preamble, Introduction & Delegation of BOR Authority, and Parts A – F have been updated as follows:

- a. Preamble now refers to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, and includes revisions to the enumerated protected classes in the last paragraph of the Preamble.
- b. Introduction section now includes language regarding the BOR's authority to establish standards, regulations, and procedures for students. The updates also explain the BOR and Chancellor's delegation of authority for policies and procedures, as well as oversight and accountability.

2. Part A (Definitions) Updates:

- a. "Student" updated to address issues in assessing whether an individual has a continuing relationship with a CSCU institution and, thus, subject to jurisdiction of the Code.
- b. "College" and "CSCU" definitions were updated to include the newly accredited CT State Community College.
- c. "Policy" updated to specifically reference the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy.

3. Part B Updates:

Application, Scope and Jurisdiction sections have been consolidated and streamlined to explain these provisions clearly and concisely.

4. Part C (formerly Part D): Prohibited Conduct major updates include:

- i. Acts of dishonesty definition expanded;
- ii. Removed “sexual harassment” and instead referred to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- iii. Removed “intimate partner violence” and instead referred to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- iv. Removed “stalking” and instead referred to the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- v. Updated “harassment” to appropriate standard and clarified that discriminatory harassment will be administered by the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- vi. Updated “disorderly, lewd, or indecent” conduct provision to better explain the conduct that violates this provision.
- vii. Removed “self-harm” reference from “behavior that endangers the health safety, or well-being ...” The U.S. Department of Education, relevant federal law and legal precedent have made it clear that self-harm may not be subject to discipline. In the same paragraph, we also removed “or emotional” because it could be inferred to be at odds with the First Amendment right to freedom of speech. If the speech or conduct is ultimately unprotected (i.e., is discrimination harassment that violates Title VI) it will still be adjudicated under the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy.
- viii. Updated “Starting fires...” to better explain the conduct that violates this provision.
- ix. Updated “use, possession ... narcotics” provision to explicitly state “The use or possession of marijuana (medical or otherwise) on campus is restricted by federal laws, such as the federal Safe and Drug Free Schools and Communities Act and the Drug- Free Workplace Act. Accordingly, CSCU Colleges and Universities prohibit the use or possession of marijuana, including medical marijuana, on campus.”
- x. Removed “gambling” provision because online gambling has since been legalized. The Code still includes a prohibition on violating federal, state or local laws, regulations, and/or ordinance that would encompass any illegal gambling.
- xi. Expanded definition of “disruption or obstruction” to better explain conduct that violates this provision and is not protected by the 1st Amendment.
- xii. In light of the current Presidential election year and the current political climate around the nation, added language to address 1st Amendment and protests on campus:

- “Disruptive behavior, which is defined as participating in or inciting others to participate in the deliberate interference with the freedom of any person to express their views, or disruption, obstruction or prevention of the peaceful and orderly conduct of any CSCU activity, including, but not limited to: classes, lectures, quiet study, research, events, speaker presentations, administration, Student Conduct proceedings, the living/learning environment, or other CSCU or BOR activities or meetings, on or off-campus; or of other non-CSCU activities when the conduct occurs on CSCU premises; or of the living environment, on or off-campus.”
- “Forcible entry and/or unauthorized presence in CSCU owned buildings or property, including but not limited to, construction of permanent or semi-permanent structures within CSCU owned buildings, in or on CSCU property for any activity, unless the construction itself is undertaken and/or approved by the State, BOR, College and/or University.”

5. Deleted Part E: Sexual Misconduct, Sexual Intimate Partner, Domestic Violence & Stalking

The Student Code of Conduct Task Force assessed whether Part E of the Student Code of Conduct was legally necessary and determined that given the confusion expressed by CSCU administrators adjudicating student cases, it was advisable and legally permissible to remove Part E from the Student Code and instead explicitly state that student conduct shall be adjudicated under the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy.

6. Revised Section II, Part B (Disciplinary Procedures: Nonacademic Misconduct):

Revocation of Admission and/or Degree - The following language has been added: “Upon the recommendation of the Hearing Body, admission to a University may be revoked by a University. Upon the recommendation of the Hearing Body, a degree conferred by the University may be revoked by the University with the approval of the BOR.”

7. Revised Section II, Part C (Interim Suspensions and Residence Hall Separations):

Section II, Part C (1) ("Basis for Imposition of Interim Suspension or Residence Hall Separation") Deleted "(ii) to ensure the Student's own physical or emotional safety and well-being" to ensure the University is not punishing students for self-harm or other mental health disabilities in violation of the ADA.

8. Revised Disciplinary Procedures:

The disciplinary procedures section in Section II (Connecticut State Universities), Section III (CT State Community College), and Section III (Charter Oak State College) were supplemented to include the following statement as appropriate for each institution:

Connecticut State Universities/Connecticut Community State College/Charter Oak State College are committed to creating a learning environment and academic community that promotes educational opportunities for all individuals, including those with disabilities. It is the responsibility of students with documented physical or learning disabilities seeking accommodation to notify their appropriate campus accessibility/disability services office in a timely manner concerning the need for such accommodation. Connecticut State Universities/Connecticut Community State College/Charter Oak State College will make reasonable accommodations for access to programs, services, and facilities as outlined by applicable state and federal laws.

A student requesting an accommodation related to an administrative conference or hearing must follow the appropriate process for requesting an accommodation through the appropriate campus accessibility/disability services office. The office designated to work with students with disabilities will make a determination regarding the request and notify the appropriate parties.

ONGOING WORK

Work will continue regarding additional revisions to the Interim Student Code of Conduct. CSCU institutional leaders have expressed the need to separate academic misconduct from the Code and establish a separate academic integrity policy with more robust language concerning artificial intelligence. Additionally, CSCU institution behavioral misconduct procedures need to be further evaluated and revised to ensure consistent best practices throughout the CSCU System.

RECOMMENDATION

That the Board of Regents approve the proposed revisions to the Student Code of Conduct and designate the revised Student Code of Conduct as an “Interim” policy to be further amended in the 2024 - 2025 academic year. Additional revisions to this interim policy will be brought before the Board of Regents for approval.