



# **Student Code of Conduct**

**2026-2027**

**Prepared by:  
Department of Student Conduct  
Division of Student Affairs**



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# STUDENT CODE OF CONDUCT

## Preface

Arkansas Tech University is dedicated to learning, the advancement of knowledge, and the development of ethically sensitive and responsible persons. Achieving these goals through a sound educational program and by implementing student conduct policies that encourage independence and maturity is a priority. Each member of the Arkansas Tech University community assumes an obligation to obey all rules and regulations made by properly constituted authorities, preserve faithfully all property provided for his or her education, and fulfill his or her duties as a student with diligence, fidelity, and honor.

Arkansas Tech University students are responsible for understanding all rules, regulations, and policies that shape the structure of our campus community. Students should read, understand, and follow the rules and regulations outlined in the Student Handbook and the Student Code of Conduct as well as those outlined in the Undergraduate and Graduate Catalogs.

In compliance with the Constitution of the State of Arkansas, the Arkansas Tech University Board of Trustees is vested with authority to make regulations and policies, consistent with the laws of the land, for Arkansas Tech University. Students seeking interpretations of provisions within the Student Code of Conduct may contact Tamika Harrel, [tharrel@atu.edu](mailto:tharrel@atu.edu), Associate Vice President for Student Affairs and Dean of Students or Will Cooper, [wcooper@atu.edu](mailto:wcooper@atu.edu), Student Conduct Administrator.

## Article I: Definitions

- A. The term "**University**" refers to Arkansas Tech University. Arkansas Tech University is herein referred to as "Tech."
- B. The term "**student**" refers to each person who is currently enrolled, full-time or part-time, in any non-credit or credit courses pursuing undergraduate, graduate, or postgraduate/professional studies. For disciplinary purposes, under the Student Code of Conduct, a student may also be defined as any individual who:
  - 1. attends post-secondary educational institutions other than Tech;
  - 2. was enrolled within the last twelve months, but is not enrolled during a current term;
  - 3. has been notified of acceptance for admission but has yet to be enrolled for study;
  - 4. withdraws after allegedly violating the Student Code of Conduct;
  - 5. is a non-temporary guest having continuous residence at any University housing property, even if not enrolled at the University.
  - 6. is a concurrently enrolled high school student.
- C. The term "**faculty member**" refers to any person hired by the University to conduct classroom activities.
- D. The term "**University official**" refers to any person employed by the University, performing assigned administrative or professional responsibilities.
- E. The term "**member of the University community**" includes any person who is a student, faculty member, University official, or any other person employed by the University. The status of a person in a particular situation shall be determined by the conduct advisor in conjunction with the Student Conduct Administrator.
- F. The term "**University premises**" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University. This includes adjacent streets and sidewalks.

- G. The term "**organization**" refers to any number of persons who have complied with the formal registration requirements for University recognition including, but not limited to, Registered Student Organizations.
- H. The term "**Student Conduct Administrator**" refers to the person designated by the University President, through the Vice President for Student Affairs, to be responsible for the administration of the Student Code of Conduct.
- I. The term "**conduct body**" refers to any persons authorized by the Student Conduct Administrator to determine whether a student has violated the Student Code of Conduct and impose sanctions.
- J. The term "**disciplinary proceeding**" refers to a hearing, appeal, or investigatory interview conducted by a University official.
- K. The term "**conduct advisor**" refers to a University official authorized on a case-by-case basis, by the Student Conduct Administrator, to adjudicate possible violations of the Student Code of Conduct and impose sanctions upon students found to have violated the Student Code of Conduct.
- L. The term "**appellate authority**" refers to any person or persons authorized to consider an appeal of a decision by a conduct body. M. The term "**shall**" is used in the imperative tense.
- N. The term "**may**" is used in the permissive tense.
- O. The term "**policy**" is defined as the written regulations of the University as found in, but not limited to, the Student Handbook, Housing Contract, The Residence Life Guide, Parking and Traffic Regulations, and Graduate or Undergraduate Catalogs.
- P. The term "**complainant**" refers to any person(s) who submits a charge alleging a violation of a University policy.
- Q. The term "**respondent**" refers to any student(s) alleged to have violated a University policy.
- R. The term "**serious violation**" refers to an alleged violation of the Student Code of Conduct that may result in University Suspension or University Expulsion should the respondent accept responsibility for the alleged violation or is determined to be responsible at a hearing. The Student Conduct Administrator or designee will determine if an alleged violation has University Suspension or University Expulsion implications at the outset of the disciplinary process.
- S. The term "**administrative file**" refers to all documents and evidence in the University's possession or control that is relevant to an alleged violation of the Student Code of Conduct including disciplinary proceedings which the University will maintain. This does not apply to privileged documents, internal communications, or communications from nonparties that the institution does not intend to introduce as evidence at a disciplinary hearing.
- T. The term "**fully participate**" in allegations involving serious violations means the opportunity for a complainant, respondent, or registered student organization to be provided an opportunity to be present and advised by an advisor of their choice.
- U. The term "**antisemitism**" is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

## Article II: Student Code of Conduct Authority

While enrolled at the University, students are subject to delegated University authority. The Vice President for Student Affairs shall designate a Student Conduct Administrator, who

shall identify other conduct advisors to assist with the administration of the conduct process. The Student Conduct Administrator or designee will train the conduct advisors and members of the conduct body who are responsible for the discipline of students and may, through the disciplinary procedures specified herein, impose sanctions for violations of the Student Code of Conduct. University disciplinary action will not be stayed or suspended even if a case(s) is pending, in process, or determined in the civil or criminal courts.

- A. The Vice President for Student Affairs is designated by the University President to be responsible for overseeing the administration of the Student Code of Conduct through the appointment of a Student Conduct Administrator.
- B. The Student Conduct Administrator or designee shall ensure that the composition of the conduct body follows the criteria set forth in this document. The Student Conduct Administrator shall also determine which conduct advisor(s) shall be authorized to hear each case.
- C. The Vice President for Student Affairs, along with the Student Conduct Administrator, or designee, shall develop policies for the administration of the conduct program and procedural rules for the conduct body, including hearings.
- D. Decisions made by a conduct body shall be final barring successful appeal. Appeal of a conduct body decision must follow the process outlined in the Student Code of Conduct.

## **Article III: General Conduct Expectations**

### A. Jurisdiction of the University

The Student Code of Conduct applies to the conduct of any University student that occurs:

1. on University premises, or
2. at any University sponsored event or activity.

In addition, the University may take action under the Student Code of Conduct based upon the offcampus behavior of a student if that behavior constitutes a safety or security threat to the campus and:

1. directly affects any other University student,
2. substantially affects the University community or its objectives or
3. violates local, state, or federal law.

Concurrently enrolled high school students who fail to comply with the Student Code of Conduct may be subject to program dismissal as outlined in the Concurrent Enrollment Handbook. Each student is responsible under the Student Code of Conduct for their conduct occurring at any time prior to being awarded an applicable degree, even if the University does not discover the conduct until after awarding the degree. The Student Code of Conduct also applies to any student conduct that occurs during any interim period:

- before classes have begun or after classes have ended;
- during which the student's enrollment temporarily ceases.

The Student Code of Conduct may also apply to the student's conduct:

- if the student withdraws from the University, or leaves its premises, while a disciplinary matter is pending;
- retroactively as of the student's first admission application date if the student at any time has enrolled at the University.

In the event that a responding party is a former student who is not currently enrolled at the time the University is made aware of an alleged incident, the University may suspend the student conduct process and place a hold on the responding party's account which suspends future

enrollment by the responding party. Further, the University reserves the right to resume the student conduct process should the former student seek reenrollment or readmission to Arkansas Tech University at a later date.

## **B. Application of the Student Code of Conduct to Registered Student Organizations**

As a condition of Registered Student Organization status at Tech, groups agree to abide by the Student Code of Conduct, as well as by all other applicable University policies and local, state and, federal laws. Registered Student Organizations are herein referred to as "RSOs and/or RSO."

### **1. Charging a Registered Student Organization**

RSOs can generally be held responsible for violations of the Student Code of Conduct when:

- a. One or more officers or authorized members/representatives, acting in the scope of their organizational capacities, commit a violation;
- b. One or more of its members commit a violation after the action that constitutes the violation was approved by a vote of the organization; or was part of a committee assignment of the organization.
- c. A violation occurs at an activity funded/sponsored (registered or unregistered) by the organization;
- d. A violation occurs at an event funded/sponsored (registered or unregistered) by the organization;
- e. One-tenth or more members of an organization or its officers permit, encourage, aid, or assist in committing a violation;
- f. One-tenth or more members of an organization or its officers fail to report to appropriate University authorities' knowledge or information about a violation;
- g. One-tenth or more members of an organization or its officers issue a casual or formal invitation to another member to participate in a violation;
- h. One or more members of alumni commit a violation in the name of the organization;
- i. One or more members of an organization fail to satisfactorily complete the terms of any disciplinary penalty related to an organizational violation;
- j. One or more members of an organization commit a violation while attending a function as a representative of the University including, but not limited to, competitions, conferences, and conventions;
- k. One or more members willingly witness or observe a violation of the Student Code of Conduct and choose to remain present at the site of the violation (passive participation).
- l. An organization fails to register an activity or event, on or off campus, with or without alcohol present, with the Department of Campus Life.

### **2. Jurisdiction and Authority**

- a. Students, who are members of an RSO involved in a violation of the Student Code of Conduct, may be subject to discipline both as a member of the RSO and as an individual.
- b. The Associate Dean for Student Conduct or designee shall be the conduct advisor for cases involving general RSOs.
- c. The Associate Dean for Student Conduct or designee shall be the conduct advisor for all cases involving social Greek organizations.
- d. The Associate Dean for Student Conduct, the Assistant Dean for Residence Life, or Residence Life staff member, or designee shall be the conduct advisor for all cases

involving students contracted for housing with the Department of Residence Life who violate the Student Code of Conduct or housing rules and regulations.

- e. Under the direction of the Coordinator of Fraternity and Sorority Life, Greek governing councils (i.e., Interfraternity Council, College Panhellenic Council) shall be responsible for hearing cases for social Greek organizations affiliated with their respective council where their governing documents provide jurisdiction for incidents that do not involve a violation of the Student Code of Conduct. Registered social Greek organizations who violate the Student Code of Conduct may be subject to disciplinary action both as a member of the governing council and within the University's conduct body.
- f. The Student Conduct Administrator will maintain jurisdiction over all cases involving RSOs where there is a possible violation of the Student Code of Conduct including, but not limited to, actions that may violate University policy and/or local, state, or federal law; when there is a conflict of interest with one of the aforementioned conduct advisors; when the incident involves multiple violations; and/or all other incidents with possible sanctions.

### **3. *Interim Disciplinary Action***

Information about interim disciplinary action is referenced in the Student Code of Conduct, Article IV, Section E.

### **4. *Conduct Bodies and Procedures***

In determining whether or not an RSO violated the Student Code of Conduct, all conduct advisors and/ or the conduct body shall make a decision as to whether or not the information presented establishes by a preponderance of evidence in support of the allegation(s), indicating that the information presented would lead a reasonable person to conclude that it was more likely than not that the RSO violated the policy. Upon receipt of a complaint alleging a violation of the Student Code of Conduct by an RSO, the Student Conduct Administrator or designee will begin the investigative process. Pending the outcome of the investigation, the following means shall be utilized to resolve allegations of RSO misconduct:

#### **a. *Preliminary Conference***

Alleged violations of the Student Code of Conduct shall require a preliminary conference with the president or primary contact of the accused RSO and a conduct advisor. In the preliminary conference, the conduct advisor shall review conduct procedures and all available information with the RSO president or primary contact to determine whether or not a decision can be made regarding the RSO's responsibility without a formal hearing. The following procedures apply to preliminary conferences:

- i. The accused RSO's president or primary contact on record shall be notified that they need to schedule a preliminary conference and shall be required to attend the scheduled preliminary conference. The accused RSO president or primary contact shall have no less than five (5) business days from the date of the notification to schedule the preliminary conference.
- ii. If the RSO president or primary contact agrees that the RSO should accept responsibility for the violation(s) and the recommended sanctions, an informal resolution agreement may be prepared and signed by the president or primary contact, on behalf of the RSO, and the conduct advisor. A signed informal resolution agreement shall constitute an acceptance of the finding and sanctions with no subsequent proceedings.

- iii. The RSO president or primary contact has three (3) business days from the date of signing the informal resolution agreement to reconsider the agreement and request a formal hearing.
- iv. If the RSO president or primary contact disagrees with the charge(s) and sanction(s), the matter shall be referred to the Student Affairs Conduct Board for a formal hearing.
- v. If the RSO president or primary contact fails to attend the preliminary conference, the case will be scheduled for a formal hearing.
- vi. The conduct advisor may also determine that the respondent is not responsible or that insufficient evidence exists to reach a finding of responsible for the alleged violation(s). This determination does not prevent the Department of Student Conduct from pursuing a subsequent complaint should new evidence become available.

#### **5. *Alternate Conflict Resolution***

In some instances, when requested, Student Affairs may elect to enact an alternative conflict resolution pathway to address disputes within the RSO community that do not involve a violation of the Student Code of Conduct. At these times, an arbiter may be appointed by the Student Conduct Administrator. All parties must agree to the conflict resolution pathway and to be bound by the decision agreed to within the pathway with no right to appeal.

#### **6. *Academic Misconduct Cases***

Information about academic misconduct cases is referenced in the Student Code of Conduct, Article V.

#### **7. *Hearing Procedures***

Information about hearing procedures are referenced in the Student Code of Conduct Article IV, Section C.

#### **8. *Appeals***

Information about the appeal process is referenced in the Student Code of Conduct, Article IV, Section F.

#### **9. *Disciplinary Sanctions***

The University cannot foresee all violations of the Student Code of Conduct. As such, RSOs may be subject to disciplinary action when their behavior is disruptive to the operation of the University. The following sanctions may be imposed by a conduct body upon any RSO found to have violated the Student Code of Conduct (multiple sanctions may be imposed):

- a. **Censure.** A censure is an official statement that the RSO has violated a University regulation, and serves as a formal reprimand. A censure also indicates that future violations will likely result in a more serious level of sanctioning.
- b. **Disciplinary Probation.** Disciplinary probation is a serious encumbrance on the RSOs good standing in the University community. Disciplinary probation will last at least one semester and any subsequent violations during the probationary period will be viewed as both a violation of University regulations and a violation of the probation. If more than three (3) disciplinary probation sanctions are imposed on an RSO, within a five (5) year period, the RSO may be banned from the University community. Disciplinary probation is not a pre-condition to imposition of more serious sanctions.
- c. **Deferred Suspension.** Deferred suspension is a notice to an RSO that their actions are of such a serious nature that removal from the University for a period of time is recommended. The University will defer the suspension as long as the RSO meets all

requirements set by the conduct body or conduct advisor. Any future violations would result in immediate removal from the University for an indefinite period of time with the possibility of additional sanctions. No more than one deferred suspension shall be imposed on an RSO prior to the RSO being banned from the University community. While an RSO is serving a deferred suspension, they may not represent the University in any official capacity, such as intercollegiate events or major extracurricular activities including, but not limited to, campus recreation and homecoming activities.

- d. **Disciplinary Suspension.** Disciplinary suspension establishes a fixed period of time during which the RSO may not participate in any academic, extracurricular, or other activities of the University. At the end of the suspension period, the RSO may be again registered only upon the recommendation of the Associate Vice President for Student Affairs and Dean of Students.
- e. **Indefinite Dismissal.** Indefinite dismissal denies the RSO the right to participate in any academic, extracurricular, or other activities of the University. This is a permanent ban from the University community.
- f. **Restrictions.** A restriction takes away a privilege that the RSO may or may not otherwise have had including, but not limited to:
  - i. the ability to host guests on campus;
  - ii. the ability to reserve space on campus;
  - iii. the ability to attend athletic events; iv. the ability to host/sponsor/co-sponsor specified
  - v. events/activities;
  - vi. the ability to sponsor or place a student on any University election ballot;
  - vii. the ability to have contact with specified individuals or RSOs in the University community;
  - viii. the ability to host/sponsor/co-sponsor off-campus events/activities with or without alcohol present.
- g. **Educational Sanctions.** The conduct body may also impose educational sanctions that promote learning and understanding. These sanctions may be developed as necessary by a conduct body including, but not limited to:
  - i. Sponsorship of an education program;
  - ii. Attendance at educational programs;
  - iii. Requirement of members to complete the Group Alcohol Workshop or other educational training programs;
  - iv. Attendance in conflict management training;
  - v. Educational service hours;
  - vi. Attendance in ethics workshop/training;
  - vii. Reflective exercises.
- h. **Restitution.** RSOs may be required to restore any lost or damaged property and/or pay compensation for loss, injury, damage to or misappropriation of University property. This may take the form of appropriate service and/ or monetary or material replacement.
- i. **Monetary Fines.** A penalty imposed by the conduct body involving the collection of fees from the RSO.

### C. Conduct Rules and Regulations

Any student or RSO found to have committed or attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV, Section D and Article III, Section B, 9.

1. Acts of dishonesty including, but not limited to:
  - a. Furnishing false information or false reports to any University official, faculty member, or office;
  - b. Forgery, alteration, unauthorized use or misuse of any University document, record, or instrument of identification;
  - c. Tampering with the election of any University RSO or campus vote;
  - d. Possible violations of the Academic Dishonesty Policy or the Academic Misconduct Policy are administered separately through academic channels as outlined in Article V of the Student Code of Conduct. Certain behaviors may violate both the Academic Dishonesty/Misconduct Policies and the Student Code of Conduct. In these cases, one process or both processes may be utilized.
2. Material disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or other authorized non-University activities, when the conduct occurs on University premises.
3. Attempted or actual theft of property of the University, services of the University, property of a member of the University community or other personal or public property.
4. Unauthorized possession, duplication or use of keys to any University premises, or unauthorized entry to or use of University premises, including residence hall facilities and rooms within. Failure to report a lost key issued by the University to proper officials.
5. Violation of the Tech Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures. The Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures is located [here](#).  
\*\*\*If you feel that you have been a victim of harassment (sexual misconduct), please contact Stacy Galbo, Title IX Coordinator, Doc Bryan 233, (479) 964-0583 ext. 4714, [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu).
6. Physical abuse, defined as intentional physical contact with any person when such conduct threatens or endangers the health and safety of that person(s), including fighting or a physical altercation.
7. Threats defined as making statements, verbal or written, that communicate a clear and serious expression of intent to commit an act of violence upon a particular person or group of people.
8. Intimidation, defined as spoken or unspoken threats made with the intent to harass or alarm any individual or group, placing a person or group in fear of retaliation, bodily harm, or death.
9. Stalking, defined as behavior with the intent to harass or alarm any individual or group, subjecting an individual or group to uninvited interaction or the threat of uninvited interaction. Willfully, maliciously, and repeatedly following or harassing another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, or harassed.
10. Harassment, defined as unwelcome conduct that is severe and pervasive and substantially interferes with the learning, working, or living environment, and which would detrimentally affect a reasonable person under the circumstances. Harassment is extreme, outrageous, or persistent acts or communications that are intended or reasonably likely to harass, intimidate, or humiliate another. Whether the alleged conduct constitutes prohibited harassment depends on the entire circumstances, including the nature, frequency, type, and duration of the conduct.

11. Hazing, defined in Arkansas law in § 6-5-201 and § 6-5-204, and as further defined in University policy as:

- a. Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which is directed against any other student and done for the purpose of intimidating the student attacked by threatening him or her with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his or her fellow students, and acts calculated to produce such results;
- b. The playing of abusive or truculent tricks on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others, upon another student to frighten or scare him or her;
- c. Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or
- d. Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution; or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.
- e. The term "hazing" as defined in this section does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.
- f. Any intentional, knowing, or reckless act committed against another person(s) regardless of their willingness to participate that:
  - i. is committed in the course of initiation, affiliation, or maintenance of membership in a student organization; and
  - ii. creates a risk of physical or psychological injury, such as whipping, beating, striking, sleep deprivation, exposure to the elements, consumption of food, alcohol, drugs, sexual acts, activities that put someone in reasonable fear of bodily harm, or engagement in criminal violations of local, state, tribal, or federal law.

\*\*\*The University Hazing Prevention Policy can be found [here](#).

12. Failure to comply with a request by an authorized University Official, either written or verbal, including resident directors, resident assistants, or law enforcement officers acting in performance of their duties, including failure to identify oneself and/or present their University identification card upon request.
13. Cyberbullying, defined as using an electronic device, such as a computer or cell phone, to send an electronic communication to harass, threaten, humiliate, defame, or intimidate a person or group of people.

14. False notification of an emergency, defined as providing a false report to 911, the Department of Public Safety or false activation of an emergency call station, panic button, fire alarm, or intentionally creating or causing a false alarm.
15. Violation of University policies, rules or regulations including, but not limited to, Department of Residence Life regulations, may be considered a violation of the Student Code of Conduct.
16. Violation of local, state, or federal law on University premises or at University sponsored or supervised activities.
17. Illegal drugs, including the use, possession, manufacturing, distribution, or being found under the influence of marijuana, inhalants, narcotics, or other controlled substances and paraphernalia, except as expressly permitted by law. Use or possession of marijuana, including medical marijuana used or prescribed under the Arkansas Medical Marijuana Amendment of 2016, is strictly prohibited on campus. Any such use or possession is a violation of the Student Code of Conduct. Specifically, Act 740 of 2017 provides that the Arkansas Medical Marijuana Amendment of 2016 does not permit a person to possess, smoke, or otherwise engage in the medical use of marijuana on the grounds of a college or university. The University may notify parents or guardians of students under age 21 who are found to be in violation of this policy.
18. Use of any tobacco product including, but not limited to, smoking, use of electronic cigarettes, vapor pens (with or without tobacco products), nicotine pouches, dipping, or chewing tobacco is prohibited. See Tobacco-Free Policy [here](#) for more details and definitions.
19. Improper use, possession, or distribution of legal drugs and/or prescription drugs without a prescription.
20. Alcohol, including use, possession (including ingestion), distribution, public intoxication, being found under the influence of alcohol, or being present at a gathering in which a reasonable person would be aware alcohol is present. The University may notify parents or guardians of students under age 21 who are found to be in violation of the policy found [here](#).
21. Unless otherwise permitted by law, use, possession, storage, or distribution of firearms, rifles, shotguns, pistols, explosive materials (including fireworks), archery equipment, ammunition/bullets, or any other weapons or dangerous instrumentality on the campus is prohibited and may result in immediate interim suspension of the student. This includes, but is not limited to, knives\* (with blades larger than 3.5 inches in length), blow guns, sling shots, BB guns, paintball guns, airsoft guns, swords, pellet guns, toy guns, water guns, Nerf guns, and any other object used or threatened to be used as a weapon in which serious injury does or could result. Students owning firearms and/or other prohibited hunting materials should make arrangements for storage of these weapons off campus. \*This policy may apply to knives with blades less than 3 inches in length when used in commission of other policy violations. Effective September 1, 2017, provided that the concealed carry licensee has the enhanced carry endorsement/ training required by Act 562 of 2017, and subject to the limitations in Act 859 of 2017 (i.e. designated collegiate athletic events and/or discipline or grievance meetings or hearings), carrying a concealed handgun in the buildings or on the grounds owned or leased by Arkansas Tech University is permitted.  
Pursuant to A.C.A. 5-73-322(d), the storage of a handgun by any person, concealed carry licensee or not, in a university-operated student dormitory or residence hall is prohibited under A.C.A. 5-73-119(c).  
Pursuant to A.C.A. 5-73-306, a concealed carry licensee may have a concealed handgun in a locked and unattended vehicle when the vehicle is in a university parking lot.

22. Destruction, vandalism, damage, or misuse of University or other personal, public, or private property including, but not limited to, buildings, furniture, library materials, computer hardware, software and network, trees, shrubbery, or University files and records; violation of University rules for use of campus facilities; tampering with safety equipment including, but not limited to, fire alarms, fire equipment, or escape mechanisms and elevators.
23. Participation in a campus demonstration that infringes on the rights of other members of the University community; leading or inciting others to materially disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
24. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.
25. Disorderly conduct; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University. This includes but is not limited to behavior that is generally disruptive and causes a public disturbance.
26. Use of bicycles, skateboards, longboards, scooters, or in-line and roller skates in restricted areas at the University. The possession, use, or storage of self-balancing scooters/hoverboards inside Arkansas Tech University buildings (Russellville campus, Ozark campus, and all auxiliary locations) is prohibited. For more information, please refer to the Bicycles, Skates, Skateboards, and Hoverboard policies located in the Student Handbook under Policies.
27. Misuse of technology, theft or other abuse of computer time including, but not limited to:
  - a. Unauthorized entry into a file to use, read, or change the contents or for any other unauthorized transfer of a file;
  - b. Unauthorized use of another individual's identification and password;
  - c. Use of computing facilities and resources to interfere with the work of another student, faculty member, or University official;
  - d. Use of computing facilities and resources to send messages that adversely affect the University community and/ or the pursuit of its objectives, including obscene or abusive messages;
  - e. Use of computing facilities and resources to interfere with normal operation of the University computing system;
  - f. Use of computing facilities and resources in violation of copyright law, including illegal file-sharing and downloading. Please see DMCA Violation Policy [here](#) and in Article III, Section D.
  - g. A complete list of Tech's computer use policies can be found [here](#).
28. Abuse of the judicial system including, but not limited to:
  - a. Failure to obey the directions of a conduct body or University official;
  - b. Falsification, distortion, or misrepresentation of information before a conduct body;
  - c. Disruption or interference with a conduct proceeding;
  - d. Knowingly filing false charges that result in a conduct proceeding;
  - e. Attempting to discourage an individual's proper participation in, or use of, the conduct system;
  - f. Attempting to influence the impartiality of a member of a conduct body prior to and/or during the course of the conduct proceeding;

- g. Harassment (verbal or physical) and/or intimidation of a member of a conduct body prior to, during, and/or after a conduct proceeding;
  - h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct;
  - i. Influencing or attempting to influence another person to commit an abuse of the conduct system.
29. Knowingly being present at the commission of a violation and/or exhibiting passive approval and participation.
  30. Misconduct abroad by any student, who in any foreign country undertakes study or represents the University otherwise remains subject to the Student Code of Conduct.
  31. Endangerment or any action that unnecessarily places oneself or others in danger or physical harm.
  32. Discrimination, defined as actions that deprive other members of the University community of educational or employment access, benefits, or opportunities on the basis of any protected category.
  33. Bullying, defined as repeated or severe aggressive behavior likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally (that is not speech or conduct that is otherwise protected by the First Amendment).
  34. Residence hall violations as outlined in the Guide to Residence Hall Living located in the OnCampus Living section of this handbook.
  35. Any unauthorized use of electronic or other devices to make an audio or video recording of any person while on University premises without their prior knowledge, or without their effective consent when there is a reasonable expectation of privacy and/or when such a recording is likely to cause injury or distress. This includes video voyeurism, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, residence hall room, or restroom.

#### D. Digital Millennium Copyright Act (DMCA) Violation, Procedures and Policy

Arkansas Tech University recognizes that downloading and sharing copyrighted material online without permission is both illegal and unethical. In compliance with the Digital Millennium Copyright Act of 1998, Arkansas Tech is obligated, based on federal regulations, to address and resolve any cases of copyright infringement brought to our attention via the procedures listed below:

1. The Office of Information Systems staff or University Counsel is made aware of copyright infringement through use of file sharing or peer-to-peer (P2P) software or through a Notice of Claimed Infringement, which includes the violation type, IP address, and IP port number. The port is restricted immediately when notification is made to Office of Information Systems personnel.
2. Office of Information Systems personnel links the IP information to a user.
3. In cases involving student users, Office of Information Systems personnel sends the student name, T#, residence hall room location or alternate location of activity (if applicable), email address, "material in question" (Notice of Claimed Infringement), and date of activity to the Student Conduct Administrator.
4. A student conduct case is created and assigned to a conduct advisor. The student will be provided a copy of the notice of copyright infringement and the case is adjudicated in accordance with Article IV of the Student Code of Conduct. Internet access provided by Arkansas Tech is restricted until the student completes the conduct process.

5. If found responsible for violating the policy, the student may receive sanctions including, but not limited to:
  - a. 1st Offense: Restriction of Internet access from Arkansas Tech University for a period of 10 weeks; Educational sanction; \$75 monetary fine; Warning issued to student that the conduct was unlawful and could be subject to civil or even criminal prosecution.
  - b. 2nd Offense: Termination of Internet access from Arkansas Tech University for a minimum six (6) month period.
  - c. 3rd Offense: University suspension for one (1) full semester and permanent termination of Internet access from Arkansas Tech University.
6. The student is responsible for the removal of any illegally downloaded material. If Arkansas Tech University officials receive notification of another violation, the student will be held accountable for the second offense, even if the same material from the original violation is detected due to the student's failure to remove the illegally downloaded material.
7. The conduct advisor notifies Office of Information Systems personnel of the date when the student's Internet access can be reactivated.

#### E. Off-Campus Conduct

If a student engages in conduct off-campus or is charged only with an alleged off-campus violation of local, state, or federal laws, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed if that behavior constitutes a safety or security threat to the campus and:

1. directly affects any other University student,
2. substantially affects the University community or its objectives, or
3. allegedly violates local, state, or federal law.

University disciplinary proceedings may be instituted against a student who engages in conduct or is charged with violation of a law that is also a violation of the Student Code of Conduct if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under the Student Code of Conduct will be conducted independently of any pending civil or criminal proceedings off-campus.

When a student is charged by local, state, or federal authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a conduct body under the Student Code of Conduct, however, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

If a complaint is brought forward to the University regarding an alleged violation of the Student Code of Conduct occurring off-campus, the same safety and security threat assessment and subsequent decision matrix (as described above) will be used to determine if disciplinary action may be taken or sanctions imposed. This includes alleged violations of the Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures, which upon meeting the threshold outlined in this policy, would be evaluated under Process B.

## **Article IV: Adjudication of Student Misconduct and Appeal Process**

### **A. Filing Complaints**

1. Any member of the University community may file a complaint against a student for alleged violation(s) of the Student Code of Conduct. Complaints filed by persons outside the University community will be reviewed and may also initiate the student conduct process.
2. Complaints alleging a violation of the Student Code of Conduct should be submitted as soon as possible after the incident.
3. Complaints shall be prepared in writing and directed to the Student Conduct Administrator. The Student Conduct Administrator is Will Cooper, Associate Dean for Student Conduct, Doc Bryan Student Services Center, Suite 233, wcooper@atu.edu. Complaints may also be made online by utilizing the incident report form on the Student Conduct website found [here](#).
4. The Student Conduct Administrator or designee will assign the case to a conduct advisor to initiate the conduct process.
5. The conduct advisor may conduct an initial inquiry to assess the validity of the complaint.
6. The respondent shall be presumed not responsible for a violation until the respondent acknowledges responsibility or is determined to be responsible by a preponderance of the evidence at the conclusion of a disciplinary proceeding.

### **B. Preliminary Conference**

1. The conduct advisor will present all charges, supporting documentation and meeting notification (Preliminary Conference Summons Letter) to the respondent in written form sent to the official ATU email address (along with a text message alert when available) of the respondent. This shall constitute full and adequate notice. The failure of a student to check their ATU email account, or the refusal or inability to accept the emailed notice, shall not constitute good cause for failure to comply with the notification. A student or RSO alleged of a serious violation will be provided a copy of the Arkansas Student Due Process and Protection Act at the inception of the disciplinary matter in the Preliminary Conference Summons Letter and the preliminary conference will not be scheduled until at least twenty-four (24) hours after the receipt of the summons. Additionally, a student or RSO alleged of a serious violation will be advised in the Preliminary Conference Summons Letter of the ability to seek representation by an attorney.
2. The respondent shall meet with the conduct advisor in a preliminary conference.
3. The conduct advisor will review the charges and supporting documentation, advise the respondent of due process rights, and explain the Student Code of Conduct adjudication process during the preliminary conference.
4. The conduct advisor shall offer the respondent an opportunity to informally resolve the alleged violation.
  - a. The informal resolution process involves a review of the incident and discussion of the possible sanction(s).
  - b. If the respondent acknowledges responsibility for the violation and the resolution offered by the conduct advisor, the respondent and the conduct advisor shall complete an informal resolution agreement, which shall include information regarding the violations for which the respondent has been found responsible, the resulting sanctions, and signature (when applicable) of both the respondent and conduct advisor.

- c. When the respondent agrees to take responsibility for the violation and the sanction recommended by the conduct advisor, the case will be settled and there shall be no subsequent proceedings.
  - d. The respondent has three (3) business days from the date of signing the informal resolution agreement to reconsider the agreement and request a formal hearing.
  - e. If the respondent wishes to request a formal hearing, they shall file a request for a formal hearing by notifying the Conduct Advisor. A student or RSO alleged of a serious violation has the right to have a live hearing and be present at the hearing unless waived by the student or RSO. The signed waiver will be provided in writing by the student or RSO. The student or RSO will receive a copy of the completed waiver, and a copy will be maintained in the administrative file. If a student or RSO waives the right to be present, they forfeit the right to make an opening and closing statement, present relevant evidence, cross-examine adverse witnesses through an advisor, or appeal the decision of the Student Affairs Conduct Board. A respondent's failure to participate in the conduct process does not preclude the University from conducting the hearing in their absence.
  - f. The University shall maintain an administrative file of all disciplinary proceedings. The respondent and complainant involved in alleged serious violations may have reasonable continuing access to the administrative file by contacting the Department of Student Conduct to schedule a reasonable date and time for review beginning at least seven (7) business days before the formal hearing. Portions of the administrative file shall be redacted if confidentiality of the evidence is required. Each record of any disciplinary process or sanction imposed under the Student Code of Conduct involving a respondent and other students may constitute an educational record the release of which is governed by FERPA.
  - g. The outcome of an informal resolution cannot be contested after three (3) business days.
  - h. The outcome of a formal hearing shall replace any agreements made during the informal resolution.
  - i. If the charge(s) cannot be settled by mutual consent of the respondent and the conduct advisor, if the respondent maintains they are not responsible for the alleged violation(s), or the respondent fails to attend the preliminary conference, the case will be forwarded to the Student Conduct Administrator for referral to a conduct body for a formal hearing.
  - j. A formal hearing shall be set to occur no less than five (5) business days and no more than ten (10) business days after the Student Conduct Administrator refers the case for a formal hearing. Time limits for scheduling of formal hearings may be adjusted at the discretion of the Student Conduct Administrator. A formal hearing for a student or RSO alleged of a serious violation shall be set to occur no less than seven (7) business days after the Student Conduct Administrator refers the case for a formal hearing.
  - k. The conduct advisor may also determine that the respondent is not responsible or that insufficient evidence exists to reach a finding of responsible for the alleged violation(s). This determination does not prevent the Department of Student Conduct from pursuing a subsequent complaint should new evidence become available.
5. The conduct advisor may later serve in the same matter as a member of the conduct body.

6. The respondent may request one change in the date and time of the preliminary conference by requesting the change 24 hours prior to the scheduled conference by contacting the Conduct Advisor.
7. Failure of the respondent to attend the preliminary conference will result in a formal hearing being scheduled.

### C. Formal Hearing

If the charges cannot be settled by mutual consent of the respondent and the conduct advisor or if the respondent maintains they are not responsible for the alleged violation(s), the Student Conduct Administrator will refer case to the Student Affairs Conduct Board to adjudicate the case in a formal hearing.

#### *Composition of the Student Affairs Conduct Board*

This conduct body is assigned to conduct formal hearings involving alleged violation(s) of the Student Code of Conduct that cannot be settled during a preliminary conference. The conduct board is composed of the following members, appointed by the Student Conduct Administrator:

- One (1) student representing membership from the following groups: Student Government Association, IFC/CPC/NPHC, Residence Hall Association, Student Activities Board, or an officer from an ATU Registered Student Organization;
- One (1) Resident Assistant;
- Two (2) Students at-large;
- One (1) Residence Life staff member; • One (1) Student Affairs staff member.

The Student Conduct Administrator or designee will serve as the chairperson. The Student Affairs Conduct Board will hear the case and determine if the policy was violated, and, if applicable, the appropriate sanction(s). All participants are bound to confidentiality in accordance with the federal Family Educational Rights and Privacy Act (FERPA). Students serving on the Student Affairs Conduct Board must be fulltime, in good academic standing, and demonstrate satisfactory conduct history. In cases involving a serious violation, no individual will carry out more than one (1) of the following roles with respect to the disciplinary proceeding: investigator, adjudicator, or appellate adjudicator. However, if the matter is not resolved at a preliminary conference, the conduct advisor (adjudicator) is allowed to serve on or chair the Student Affairs Conduct Board.

#### **Hearing Guidelines**

1. Hearings shall normally be conducted in private.
2. The complainant, the respondent, and their advisors (if any), shall be allowed to attend the entire portion of the student conduct hearing at which information is received excluding deliberation. Admission of any person to the hearing who is not a party or potential witness shall be at the discretion of the conduct body and/or the chairperson of the conduct body.
3. In hearings involving more than one respondent, the Student Conduct Administrator or designee may at his or her sole discretion permit the hearings concerning each respondent to be conducted separately or jointly.
4. The complainant and the respondent have the right to be assisted by any advisor they choose, at their own expense. The complainant and/or respondent is responsible for presenting his or her own information. Advisors are not permitted to speak or to participate directly in any student conduct hearing. The complainant and respondent must notify the Student Conduct Administrator who they are bringing at least 72 hours prior to the hearing. A complainant and respondent should select as an advisor, a person whose schedule allows attendance at the scheduled date and time of the student conduct hearing; delays will not normally be allowed

due to the scheduling conflicts of an advisor. A student or RSO alleged of a serious violation and the complainant alleging a serious violation has the right to be represented by any advisor they choose (including representation by an attorney) and the advisor may fully participate, as defined in the Arkansas Student Due Process and Protection Act, during the disciplinary proceeding and through the conclusion of any appellate process.

5. The complainant, the respondent, and the conduct body shall have the privilege of presenting witnesses, subject to the right of cross examination by the conduct body.
6. The complainant, the respondent, and the conduct body may arrange for witnesses to present pertinent information to the Student Affairs Conduct Board. Witnesses will provide information to and answer questions from the Student Affairs Conduct Board. The complainant and respondent will not be allowed to directly cross-examine each other or witnesses. Requested witnesses must be provided to the Student Conduct Administrator at least 72 hours prior to the hearing. A student or RSO alleged of a serious violation has the opportunity to cross-examine adverse witnesses through their advisor. A party who does not select an advisor forfeits the right to cross-examination during the hearing.
7. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the conduct body at the discretion of the chairperson. This information must be provided to the Student Conduct Administrator at least 72 hours prior to the hearing. A student or RSO alleged of a serious violation has the opportunity to make an opening and closing statement.
8. All procedural questions are subject to the final decision of the chairperson of the conduct body or Student Conduct Administrator or designee.
9. After the portion of the hearing concludes in which all pertinent information has been received and the respondent, complainant, and witnesses are dismissed, the conduct body shall determine by majority vote whether the respondent has violated each section of the Student Code of Conduct in which the respondent is charged and determine the sanction(s), if any.
10. The determination of the conduct body shall be made on the preponderance of the evidence standard of proof, whether it is more likely than not that the respondent violated the Student Code of Conduct.
11. Formal rules of process, procedure, and/or technical rules of evidence, such as applied in criminal or civil court, are not used in the Student Affairs Conduct Board proceedings. However, a good faith effort to include only relevant evidence and exclude evidence that is neither relevant nor probative will be made.
12. There shall be a single verbatim record, such as a digital recording, of all hearings before the Student Affairs Conduct Board, not including deliberations. The recording shall be the property of the University.
13. If the respondent does not appear before the conduct body for the formal hearing, the formal hearing will proceed in absentia.
14. The conduct body may accommodate concerns for the personal safety, well-being, retaliation, and/or fears of the confrontation of the complainant, respondent, and/or other witnesses during the formal hearing by providing a visual screen and/or by permitting participation by telephone, video conferencing, or by other means at the discretion of the Student Conduct Administrator or designee.
15. After the formal hearing, the Student Conduct Administrator will advise the respondent in writing of the determination of the conduct body and any imposed sanction. Each record of any disciplinary process or sanction imposed under the Student Code of Conduct involving a

respondent and any alleged victim may constitute an educational record the release of which is governed by FERPA.

#### D. Sanctions

1. The following sanctions may be imposed singularly or in combination upon any student found to have violated the Student Code Conduct:
  - a. **Warning.** A formal statement that the conduct was unacceptable and a warning that further violation of any ATU policy, procedure, or directive will result in more severe sanctions/responsive actions.
  - b. **Probation.** A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated
  - c. **Loss of Privileges.** Suspension or denial of rights and privileges for a designated period of time, and may include denial of specified social privileges, exclusion from cocurricular activities, exclusion from designated areas of campus, no-contact directives, and/or other measures deemed appropriate.
  - d. **Monetary Fines.** A penalty imposed involving the collection of fees from the student.
  - e. **Restitution.** Compensation for loss, injury, damage to or misappropriation of ATU property. This may take the form of appropriate service and/or monetary or material replacement.
  - f. **Educational Sanctions.** Educational sanctions may be assigned that promote learning and understanding. These sanctions may be developed as necessary by a conduct body including, but not limited to:
    - i. Attendance at educational programs;
    - ii. Requirement of members to complete educational training programs;
    - iii. Attendance in conflict management training;
    - iv. Educational service hours;
    - v. Attendance in ethics workshop/training;
    - vi. Reflective exercises;
    - vii. Research exercises.
  - g. **Discretionary Sanctions.** Work assignments, service to ATU for other related sanctions. Students who violate the alcohol/drug policies may be subject to completion of alcohol and other drug education programs.
  - h. **Holds.** Withholding of grades, right to register for classes, official transcript, and/or degree.
  - i. **Loss of Scholarship.** Scholarships awarded by the University or University-related programs may be partially or fully revoked.
  - j. **Housing Suspension.** Separation of the student from ATU housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - k. **Housing Expulsion.** Permanent separation of the student from ATU housing.
  - l. **University Suspension.** Termination of student status for a definite period of time and revocation of rights to be on campus for any reason or to attend ATU-sponsored events. Conditions for readmission may be specified. Students who return from suspension are automatically placed on probation for a definite period of time.

- m. **University Expulsion.** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend ATU-sponsored events.
  - n. **Revocation of Admission and/or Degree.** ATU reserves the right to revoke admission or a degree previously awarded from ATU for fraud, misrepresentation, and/or other violation of ATU policies, procedures, or directives in obtaining admission or the degree, or for other serious violations committed by a student prior to graduation.
2. Tech may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Code of Conduct, including the completion of all sanctions imposed, if any. Students who fail to complete the assigned sanction(s) will have a disciplinary hold placed on their student account which may prevent registration activities. The hold is removed when sanctions are complete.
  3. A disciplinary sanction becomes part of the student's permanent academic record as set forth. A student's permanent academic record includes any disciplinary sanction that comprises:
    - a. University Suspension
    - b. Expulsion
    - c. Any revocation of degree
  4. Other than University suspension, University expulsion, and revocation of degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's conduct record. Upon graduation and application to the Student Conduct Administrator, the student's confidential record may be expunged of disciplinary actions other than University housing expulsion, University suspension, University expulsion, or revocation of degree. Requests for expungement should be made in writing to the Student Conduct Administrator.
  5. More than one of the sanctions listed above may be imposed for any single violation.
  6. Additional sanctions beyond those listed in this section of the Student Code of Conduct may be imposed upon RSOs. Please see Article III, Section 9.

#### E. Interim Suspension

In certain circumstances, the Student Conduct Administrator or designee, may impose a University and/or residence hall suspension on a student or RSO prior to the conclusion of the conduct process.

1. Interim suspension may be imposed only:
  - a. to ensure the safety and well-being of members of the University community or preservation of University property;
  - b. to ensure the student's own physical or emotional safety and well-being;
  - c. if the respondent poses a definite threat of disruption of, or interference with, the normal operations of the University after an individualized safety and risk analysis;
  - d. if the respondent is provided with notice and an opportunity to challenge the decision immediately following the interim suspension;
  - e. if the respondent is provided with written notice within twenty-four (24) hours of the interim suspension explaining the reasons for the removal;
  - f. and within three (3) business days of the written notice noted above, unless waived by the respondent, convene an interim hearing to determine whether there is substantial

evidence that the respondent poses a risk to the health or safety of any student or other individual and that the interim suspension is appropriate to mitigate that risk.

2. During the interim suspension the respondent shall be denied access to University housing 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 Student Conduct Administrator or designee may determine to be appropriate.
3. The interim suspension does not replace the outlined conduct process, which shall proceed on the normal schedule, up to and through a formal hearing, if required.

#### F. Appeals

Appeal of the decision of the Student Affairs Conduct Board may be made in writing to Amy Pennington, Vice President for Student Affairs, located in Student Affairs, Doc Bryan Student Affairs Center, Suite 202, (479) 968-0238, [apennington@atu.edu](mailto:apennington@atu.edu) within five (5) business days of notification of the decision. A student or RSO appealing a serious violation has up to seven (7) days to appeal. Simultaneous notification of procedures to appeal the result of a disciplinary hearing will be made to both parties. The only basis for appeal shall be:

1. Alleged failure of the Student Affairs Conduct Board to follow procedures set forth in the Student Code of Conduct; or
2. Consideration of new evidence that was not reasonably available at the time of the hearing before the Student Affairs Conduct Board.

If an appeal is upheld, the review of the case may result in a modified sanction or the case may be remanded to the Student Affairs Conduct Board for a new hearing. If the appeal is denied, the sanction imposed by the Student Affairs Conduct Board shall be immediately implemented.

Sanctions issued following the Student Affairs Conduct Board hearing shall not be implemented until all appeals have been either exhausted or voluntarily waived.

#### G. Vice President for Student Affairs Certification

At the conclusion of a disciplinary proceeding or an appeal that involves a serious violation, the Vice President for Student Affairs will certify that the substantial rights of student complainants and respondents established in the Arkansas Student Due Process and Protection Act have been followed. The certification will be maintained in the administrative file.

#### H. Interpretation and Revision

- A. Any question of interpretation or application of the Student Code of Conduct shall be referred to the Student Conduct Administrator or designee for a final determination in his or her sole discretion.
- B. The Student Code of Conduct shall be reviewed at minimum every two (2) years under the direction of the Student Conduct Administrator.

### **Article V: Classroom Provisions**

While Student Affairs is generally responsible for addressing alleged violations of the Student Code of Conduct, classroom management and behaviors that do not otherwise constitute violations of this Code fall under the jurisdiction of the responsible faculty member.

Matters related to academic expectations and decisions, including, but not limited to, academic integrity, attendance and absences, grading, course requirements, and academic grievance procedures, are governed through academic channels and are addressed separately from the student conduct

process. These policies are published in the Student Handbook under Academics and in the University's Undergraduate and Graduate Catalogs.

Students are responsible for reviewing and complying with all applicable academic policies and procedures.

*Previous review: May 2026.*