Code of Student Conduct

University of Louisville

1. Coverage
The Code of Student Conduct ("The Code") is the University's policy regarding non-academic misconduct of students and student organizations. Academic dishonesty is not covered by this Code, but rather falls within the authority of the individual academic units of the University. Students have the responsibility to follow all regulations outlined in this policy.

2. Rationale
The primary purpose for the Code in the University setting is to respond to incidents of non-academic misconduct in a way that is developmentally sound and which creates an environment in which all members of the academic community can live, work, and learn together. The Code is designed to provide educational guidance to those choosing to develop into good citizens and, at the same time, to respond appropriately to behavior which may be inconsistent with university policies.

Criminal and civil codes are undesirable models for student conduct codes. Unlike society, the University of Louisville is a voluntary association of scholars who demand and deserve a positive and special learning environment, as well as an approach for enforcing the community's standards. The University of Louisville is a community dedicated to the principles of free expression in which diverse views are encouraged and embraced. Opinions that may be unpopular and/or contrary to the University's values and objectives, but do not otherwise violate policy, will not be sanctioned.

3. Interpretation of Code
The University's Code of Student Conduct is set forth in writing in order to give students general notice of non-academic prohibited conduct. The Code should be read broadly and is not designed to define non-academic misconduct in exhaustive terms. The Vice Provost for Student Affairs ("VPSA") or designee is the final authority in defining and interpreting the Code of Student Conduct and conduct procedures. The University reserves the right to amend the Code of Student Conduct at any time.

4. Inherent Authority and Jurisdiction
The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. The Code applies to incidents that take place on University premises or at University-sponsored activities.

Additionally, the Vice Provost for Student Affairs or designee may determine that acts prohibited by the Code but not committed on University premises may be grounds for disciplinary action. Such action will be taken if a student or student organization has acted in a way that substantially interferes with or endangers the University community, or behavior with significant potential to disrupt the educational environment. Such acts include, but are not limited to, drug trafficking, hazing, and acts or threats of violence against persons.
The Code may also be applied to conduct online, via email, or other electronic medium. Students and student organizations should be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings may subject a student and/or student organization to allegations of conduct violations if information of policy violations is posted online.

Each student is responsible for their conduct from the time of application for admission through the actual awarding of a degree. This includes, but is not limited to, alleged conduct which may occur during the application process, before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. Any member of the University of Louisville community, or visitor, may report an alleged violation of non-academic misconduct against a student or student organization. The Dean of Students Office may also independently investigate information concerning alleged student misconduct from any source, such as police and/or press reports, even where no formal complaint has been filed. Where serious misconduct is alleged to have been committed while the student is still enrolled but reported after the accused student has graduated, the University may invoke these procedures. In these instances, should the individual be found responsible, the University may revoke the individual’s degree. The University retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to leave, withdrawal, or graduation. The Code will apply to a student's conduct even if the student withdraws from school while a conduct matter is pending.

5. Interim Administrative Authority
The Vice Provost for Student Affairs, or designee, may defer procedural due process and enforce an interim sanction(s), up to and including interim suspension. This action is taken to ensure the safety and well-being of members of the University community; preserve University property; ensure a student's own physical or emotional safety and wellbeing; and/or respond to a student/student organization who poses an ongoing threat of disruption of the normal operations of the University. Any student/student organization who has had interim action taken against the student/student organization will be afforded an administrative conduct meeting or a conduct hearing, as soon as it is practical.

6. Student Contact Information
All students are responsible for maintaining their current address, phone number, and emergency contact information with the Registrar's Office or ULink. University email is the University’s primary means of communication with students. Students are responsible for all communication delivered to their University email address.

7. Violations of The Law and of The Code
Students/student organizations may be accountable to both civil authorities and to the University for acts which constitute violations of law and of this Code. Those accused of violations are subject to the University disciplinary proceedings outlined in this Code during any pending criminal or civil proceedings, or of any other University proceedings, regarding the same conduct. Accused students may not challenge the University disciplinary proceedings outlined in this Code on the grounds that criminal charges, civil actions, or other University proceedings regarding the same incident are pending or have been terminated, dismissed, reduced, or not yet
adjudicated. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings. The University will refer matters to federal and/or state authorities when appropriate.

Disciplinary holds may be placed on students' records at any point in the disciplinary process to assure compliance with sanctions, pending the resolution of disciplinary matters, or a formal hearing. Students who are dismissed from the University for non-academic misconduct are responsible for all tuition and fees.

8. Standard of Proof
The standard of proof for incidents of non-academic misconduct is a preponderance of information. Preponderance of information is defined as information that a reasonable person would find persuasive or more likely than not to have occurred. The Complainant bears the burden of establishing a violation of the Code by a preponderance of relevant and admissible information. The technical rules of evidence applicable to civil and/or criminal cases do not apply when resolving incidents as outlined by this Code.

9. Definitions
a. The term “accused” means any student or registered student organization alleged to have violated the Code of Student Conduct.
b. The term “advisor” means an individual who may attend an administrative conduct meeting or conduct board hearing to confer, support, and/or give advice to their advisee (either complainant or accused student).
c. The term “complainant” means a student, non-affiliated individual, or student organization who submits a report alleging that a student or student organization violated the Code of Student Conduct.
d. The term "consent" means freely given agreement by a competent person. A person is deemed incompetent to give consent when that person is under such an incapacitation that the person does not appreciate the nature of the consent, or if the person is a minor. (See also, Student Sexual Misconduct Policy.)
e. The term "days" means business days as defined by the University academic calendar.
f. The term "destructive device" means any explosive, incendiary, or poison bomb, grenade, mine, rocket, missile, or similar device and includes the unassembled components from which such a device can be made.
g. The term "distribution" means giving, selling, or exchanging.
h. The term "group" means a number of persons who are associated with each other, but who have not met the University requirements for recognition as an organization.
i. The term "intentionally" means a conscious objective to engage in the described conduct; intoxication is not a defense to a charge of intentional misconduct.
j. The term "notify in writing" means to mail written notice to a student's most recent address of record, send electronic notification to the student's official University email account, or provide a written notice to the student in person.
k. The term "organization" means a number of persons who are associated with each other and who have complied with the University requirements for recognition.
l. The term "reckless" means conduct which could reasonably be expected to create a substantial risk of harm to a person(s) or property, or which would be likely to result in interference with normal University or University-sponsored activities.
m. For purposes of the Code of Student Conduct, the term "student" means any person admitted or matriculating at the University in any student status, including but not limited to a degree granting program, consortia program, study abroad, professional studies, online education, or any other University sponsored or sanctioned program. Persons also to be considered "students" under the Code include, persons who withdraw after allegedly violating the Code, who are currently serving a period of suspension, who are not officially enrolled for a particular term but who have a continuing relationship with the University, who have been notified of acceptance or persons who are living in University residence halls, although not enrolled in this institution, and during the University application process.

n. The term "University premises" means buildings, grounds owned, leased, operated, controlled, or supervised by the University.

o. The term "University-sponsored activity" means any activity, on or off campus, which is partially or fully funded or supervised by the University.

p. The term "University official" includes any person employed by or contracted to provide services for the University of Louisville, performing assigned administrative or professional responsibilities.

q. The term "University resources" means supplies, equipment, or technology services (e.g., computers, disk storage, software, voice communications [local or long distance,] network) which are owned, leased, operated, controlled, supervised, or provided by the University via University supplied resources. These resources may be funded in part by state funds.

r. The terms "University," "campus," and "institution" mean the University of Louisville.

s. The term "week" means five (5) business days as defined by the University academic calendar.

t. The term "witness" means an individual who has information regarding the facts of the case. The accused and complainant are able to submit witness names and contact information for the incident. The witness(es) may be contacted by the Dean of Students Office for their statement.

10. Prohibited Conduct
Any student found to have committed or to have attempted to commit the following prohibited conduct is subject to the conduct sanctions outlined in Section 12:

a. **Physical Harm.** Intentionally or recklessly causing physical harm to another person.

b. **Weapons.** Unauthorized use, possession, or storage of any weapon, ammunition, or realistic replica of a weapon on University premises or at a University-sponsored activity unless an exemption is allowed in accordance with the University’s weapons policy. The term "weapon" means any object or substance designed to inflict a wound, cause injury or incapacitate including, but not limited to, any weapon from which a shot readily capable of producing death or serious injury may be discharged; any knife other than an ordinary pocket knife; sharp tools such as axes; billy or nightstick; blackjack or slapjack; nunchaku karate stick; shuriken or death star; and artificial knuckles made from metal, plastic, or similar hard material.

   (https://sharepoint.louisville.edu/sites/policies/library/SitePages/Business%20Services/Deadly%20Weapons.aspx)

c. **False Report.** Intentionally initiating or causing any false report, warning, or threat of fire, explosion, or other emergency.
d. **Disruption.** Intentionally or recklessly disrupting or interfering in normal University functions and processes, University-sponsored activities, or any function, process or activity on University premises or affiliated housing property including, but not limited to the following: studying; learning; teaching; public speaking; meetings; research; approved demonstrations; University business operations; processes or administration; or fire, police, or other emergency services.

e. **Sanction Violation.** Knowingly violating the terms of any disciplinary sanction imposed in accordance with this policy.

f. **Fire Safety.** Intentionally or recklessly misusing or damaging fire or other safety equipment. Causing a fire which damages University, affiliated housing, or personal property and/or causes injury. Failure to evacuate a University-controlled building or buildings in which a University-sponsored activity or function is taking place during a fire alarm.

g. **Controlled Substances.** Unauthorized distribution, possession, or use of any controlled substance or illegal drug, as defined by the Kentucky Revised Statutes, Chapter 218A.

h. **Underage Consumption.** Providing alcoholic beverages to individuals under 21 years of age, or possession or use of alcoholic beverages by individuals under 21 years of age.

i. **Open Container.** Unauthorized possession of an open container of an alcoholic beverage.

j. **Alcohol Distribution.** Unauthorized distribution of alcoholic beverages or possession of alcoholic beverages for purposes of distribution.

k. **Misrepresentation.** Misrepresenting information or furnishing false information to a University official.

l. **Falsification.** Forging, altering, misrepresenting, counterfeiting, or misusing any University document, identification/authentication method/mechanism or access device or process.

m. **Expression Interference.** Intentionally and substantially interfering with the freedom of expression of others.

n. **Theft.** Theft or misuse of property or of services on University premises, at University-sponsored activities, or from University organization(s) or group(s), or knowing possession of stolen property or use of stolen services on University premises, at University-sponsored activities, or from University organization(s) or group(s).

o. **Destruction of Property.** Intentionally or recklessly destroying, damaging or altering property or the property of others.

p. **Failure to Comply.** Failure to comply with the reasonable directions of University official(s) acting in the performance of their duties.

q. **Violation of Laws or Policy.** Violation of any government laws or ordinances, or of any University rules, regulations, or policies as approved by University Officials.

r. **Unauthorized Presence.** Unauthorized presence on or use of University premises, facilities, or property.

s. **Destructive Devices.** Unauthorized use, possession, or storage of fireworks; destructive device; incendiary, dangerous, or noxious devices or materials; or chemicals that could pose a health risk, either by themselves or in conjunction with other chemicals.

t. **Threatening.** Threatening or endangering the health, well-being, property, or safety of any person(s).

u. **Sexually Abusive Contact.** Engaging in sexual intercourse, anal intercourse, or oral intercourse, touching of the genitals, breasts, buttocks, or inner thighs, sodomy or any other physical conduct or touching of a sexual nature without consent and/or by force.
v. **Sexual Harassment.** Engaging in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:
   a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or participation in a university-sponsored education program or activity;
   b. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such an individual;
   c. such conduct creates a hostile environment if the harassment is so severe, pervasive, and objectively offensive so as to deny or limit a person’s ability to participate in or benefit from the University’s programs, services, opportunities, or activities; or
   d. such conduct has the purpose or effect of interfering with an individual's employment.

w. **Hazing.** Engagement, encouragement, or facilitation, by any organization or by any individual on behalf of an organization or group (recognized or not recognized by the university), or visitor within the University of Louisville community in any action or situation which recklessly or intentionally endangers mental or physical health; creates an atmosphere of servitude; involves dangerous, demeaning, or ridiculing activities; involves the forced consumption of liquor or drugs; for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in, a group or organization. It is also a violation to allow yourself to be hazed. The express or implied consent of the individual will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act; it is a violation of the Code.

x. **Indecent Exposure.** Intentionally exposing genitals, buttocks, or breasts in a public place without University authorization.

y. **Public Intoxication.** Appearing in a public place manifestly under the influence of a controlled or other intoxicating substance.

z. **Misuse of Technology.** Intentional or reckless interference with or disruption of University technology services or resources (e.g., computer disk storage, data, software, voice communications [local or long distance,] network), unauthorized use, misuse, abuse, alteration, disclosure or destruction of University technology services or resources, improper access to University technology services/resources, or violation of intellectual property (e.g., copyright) rights or restrictions of others.

aa. **False Complaint.** Intentionally filing a false complaint under this Code.

bb. **Aiding or Abetting.** Aiding or abetting any prohibited conduct described in section 10.

cc. **Disruptive Demonstration.** Participating in, leading, or inciting a demonstration, riot, or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community. (Section 7. of the Code of Student Rights and Responsibilities outlines a student’s responsibilities as it relates to demonstrations)

dd. **Voyeurism.** Viewing or spying on a person engaged in intimate behaviors without that person’s knowledge or consent, or the transmitting, recording, or photographing the image or voice of another person without that person’s knowledge or consent, while in an environment that is considered private or where there is an expectation of privacy, such as a residence or bathroom.

ee. **Deliberate Incapacitation.** Deliberate constraint or incapacitation of another, without that person's knowledge or consent, or without reasonable explanation.
ff. **Failure to Report.** Failing to report immediately any serious health or safety risk to the police, the Dean of Students Office or other appropriate University personnel.

gg. **Stalking.** Intentionally or recklessly directing behavior at a specific person(s) involving repeated (two or more occasions) of visual or physical proximity, non-consensual communication, expressed or implied threats of death or bodily harm, or a combination thereof, causing a reasonable person fear for their safety or the safety of others. Stalking behaviors may include persistent patterns of leaving or sending the person(s) unwanted items or gifts ranging from seemingly romantic to bizarre, following the person(s), lying in wait for the person(s), or harassing the person(s) via the internet or other forms of online and computer communications (i.e. Cyberstalking), or interferes with a person’s property.

hh. **Driving Under the Influence.** Driving under the influence of alcohol or other controlled substance(s).

ii. **Harassment.** Engaging in conduct that is so severe, pervasive, and objectively offensive, and that so undermines and detracts from the person(s) educational experience or work environment, that the person(s) are effectively denied equal access to an institution’s resources and opportunities.

jj. **Dating Violence.** Intentionally, knowingly, or recklessly causing physical or sexual abuse to a person who is or has been in a social relationship of a romantic or intimate nature with the accused. Whether or not a dating relationship exists is determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. This includes threats, assault, property damage, and violence or threat of violence to one’s self or to pets of the romantic or intimate partner when used as a method of coercion, control, punishment, intimidation, or revenge.

kk. **Domestic Violence.** Intentionally, knowingly, or recklessly causing physical or sexual abuse to a current or former spouse, to a person whom shares a child in common with the accused, or to a person who is cohabitating with or has cohabited with the accused as a spouse or intimate partner.

ll. **Retaliation.** Action taken by an accused individual or an action taken by a third party against any person because that person has reported a violation of the University’s sexual misconduct policies or because that person has filed a complaint, served as a witness, assisted, or participated in an investigation or proceeding. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment, or sexual misconduct. Retaliation includes intimidating, threatening, or coercing an individual because of the individual’s complaint or participation.

mm. **Sexual Exploitation.** Taking of non-consensual or abusive sexual advantage of another by a person(s), or the inducement of another person to do the same; or for one’s own advantage or benefit; or to benefit or advantage anyone other than the one being exploited.

nn. **Child Pornography.** Possessing, producing, and/or distributing any depiction of sexually explicit material involving a minor (persons less than 18 years old) including but not limited to any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

oo. **Fraud.** Attempting to defraud by means of deception, bad checks, forged, or stolen credit or ID cards, possession or use of counterfeit currency, and/or other means.

11. **Student Complaint Process**
The general responsibility for non-academic misconduct is vested in the Office of the Vice
Provost for Student Affairs and delegated to the Dean of Students Office for administration of the Code of Student Conduct. If the incident occurred in University Housing the student may be referred to the appropriate Campus Housing staff member. The Dean of Students Office in consultation with Campus Housing staff will determine if an incident that occurred in University Housing should be resolved by the Dean of Students Office.

Anyone choosing to report an alleged incident of nonacademic misconduct, as specified in Section 10, may submit such report in writing to the Dean of Students Office, which will determine whether any action should be taken in response to the reported incident.

The Dean of Students Office staff may review and investigate any complaint to determine whether it appears to violate the Code and will decide whether to proceed by an administrative conduct meeting with the accused student, conduct board hearing, or alternative dispute resolution.

If the complaint is not resolved through alternative dispute resolution (see Section 11.1, Alternative Dispute Resolution), the conduct process will proceed through an administrative conduct meeting or conduct board hearing (see Sections 11.2-11.4).

11.1 Alternative Dispute Resolution Process
Alternative dispute resolution is a process by which an accused student is assigned to resolve an issue that has been reported to the Dean of Students Office collaboratively with the other person(s) involved instead of pursuing the matter through the conduct process. Alternative dispute resolution is an inappropriate means of resolving complaints of sexual misconduct, and will not be used for that purpose. Where conduct violations other than sexual misconduct are at issue, it is within the discretion of the Dean of Students Office staff to determine if alternative dispute resolution is an appropriate process for resolution in a given case.

11.2 Student Conduct Procedures
The Dean of Students Office staff reviews all available information with the accused student, meets with the person filing the complaint (if necessary), and gathers information from witnesses to determine whether or not there is enough information to charge the student with a violation of the Code of Student Conduct.

The complainant and the accused student are informed of university options to move forward. If the complainant chooses to move forward with the conduct process and the violation would result in a sanction less severe than suspension or expulsion, the matter will be resolved in an administrative conduct meeting unless the Dean of Students Office staff decides that a hearing is warranted. If the complainant and accused student agree to move forward with the alternative dispute resolution process in appropriate cases, that process will stand in lieu of the conduct process.

The accused student will be notified in writing of the charges for violating the Code and given information about the conduct process. The written notice will include the date, time, and location of the administrative conduct meeting or conduct board hearing. In the case of a conduct board hearing, the accused student and complainant, if any, will be given five (5) days written
notice of the charges alleged against the accused student and the date, time, and location of the hearing.

An administrative conduct meeting is between the accused student and the Dean of Students Office staff. The meeting is designed to provide the accused student an opportunity to give their account of the incident, to think critically, reflect on the behavior and decisions that led to this situation, and to discuss alternative options for the future. If the Dean of Students Office staff determines that the student violated the Code, a sanction may be imposed during the meeting. If the accused student fails to appear at an administrative conduct meeting, the meeting may be held in their absence, with determination of violation(s) and sanction(s) being imposed.

11.3 Conduct Board Hearing Procedures
A conduct board hearing will take place for all matters for which revocation of admission or degree, withholding a degree, suspension, or expulsion are possible outcomes. When incidents occur that involve more than one accused student or multiple complainants, the Dean of Students Office staff may permit the hearing concerning each student to be conducted jointly or separately. In the case that the person reporting the alleged misconduct is not serving as the complainant, the university will serve as the complainant.

When a hearing regarding an alleged incident of non-academic misconduct is scheduled, the accused student and the person reporting the alleged misconduct, or the complainant, if any, will be given five (5) days written notice of the charges alleged against the accused student and of the date, time and location of the hearing. A representative for the Dean of Students Office will serve as the hearing official and preside over the hearing. The hearing will be informal and state and federal rules of evidence will not apply. The hearing will be closed to everyone except the hearing official(s), appropriate Dean of Students Office and/or University staff, accused student, complainant, advisor to the accused student, advisor to the complainant, and witnesses during the actual time of their participation. The hearing will be recorded for review purposes. Any record of the hearing will remain the property of the university. No other recording(s) of the hearing will be permitted.

A student conduct hearing board will be utilized in all conduct hearings. The hearing board will be composed of three members chosen from a pool of trained students, faculty, and staff who serve as members of the student conduct hearing council. The hearing board will hear information and make recommendations regarding findings and sanctions (if any) to be imposed, to the Assistant Dean of Students or designee. Findings will be based on information contained in the hearing record as provided by the complainant and the accused. Board recommendations will be based on a majority vote.

The accused student(s) may waive their right to a conduct board hearing and may elect to have their case resolved through an administrative conduct meeting. However, if the accused student(s) waives their right to a hearing, the full range of sanctions authorized by this Code may be imposed, and the right to appeal is forfeited.
The accused student and the complainant, if any, have the opportunity to:

a. Be present at the hearing. However, if the accused student and/or complainant fail to appear for the hearing, the hearing may be held in their absence(s).
b. Present information by witness or by written statement from a witness sent to the Dean of Students Office staff. It is requested that witness statements be submitted two (2) days prior to the hearing. The witness statement will be reviewed by the hearing officer to verify that the statement was written by the witness. The hearing officer will review witness statements for relevant information. The hearing officer will determine whether the statement(s) is appropriate for inclusion in the hearing. It is the responsibility of the accused student and the complainant to notify their witness(es) of the date, time, and location of the hearing. If witnesses fail to appear, the hearing will be held in their absence. Neither character witnesses, nor information regarding behavior not relevant to the incident in question, will be considered in a hearing.
c. Bring one advisor to the hearing. The advisor may not serve as a witness in the hearing. The advisor may not participate in examination of witnesses, presentation of materials, and/or presentation of information to the conduct hearing board unless specifically asked to do so by the hearing official. The advisor may confer and give advice to their advisee in a quiet, confidential and non-disruptive manner. The date, time, and location of the hearing will not be scheduled, postponed, and/or rescheduled due to an advisor’s availability. An advisor may not appear in lieu of the accused student or complainant.
d. Question all evidence and information, as well as witnesses and/or the opposing party or parties. Due process permits that parties may be allowed to conduct direct questioning of the opposing party; however, concerns for personal safety, well-being, and/or fears of confrontation between the parties or between the parties and, other witness(es) during the hearing may nonetheless be accommodated by, e.g., providing a visual screen between the questioner and the person being questioned; permitting participation by phone or videophone; or other appropriate means as determined by the hearing official.
e. Request a pre-hearing meeting prior to the conduct hearing.
f. To not speak or answer any question during a student conduct hearing. Refusal to do so is not considered an admission of responsibility for an alleged violation; neither, however, is a person remaining silent entitled to have the hearing panel draw inferences favorable to the witness’s or any party’s position based on that silence.

All procedural questions are subject to the final decision of the hearing official.

11.4 Hearing Decision
Within three (3) days after the date of the hearing, the hearing official on behalf of the hearing board will make a written recommendation to the Assistant Dean of Students or designee. The Assistant Dean of Students or designee will review the recommendation and will issue a written decision within ten (10) days after the date of the issuance of the hearing board’s written recommendations.

The written decision for the accused student will include information regarding:

a. the finding(s) (if any),
b. the sanction(s) (if any), and
c. the appeal procedures.
The complainant will receive notification of the hearing decision in conduct cases involving sexual misconduct or crimes of violence. The written outcome letter for the complainant (for cases involving sexual misconduct or crimes of violence) will include:

a. the finding(s) (if any),
b. the sanction(s) (if any) imposed that directly relate to the complainant,
c. the appeal procedures, and
d. any other steps the institution has taken to eliminate any hostile environment that may have been created and prevent its recurrence.

12. Conduct Sanctions

If it is determined at the administrative conduct meeting or conduct hearing that the accused student has committed conduct prohibited by Section 10, the Dean of Students Office staff will impose (an) appropriate sanction(s) which may include, but may not be limited to, the following:

a. Reprimand: Notice of violation of specified regulations and warning that further such conduct may result in a more severe disciplinary action.
b. Conduct Restrictions: Limiting of certain privileges or practices of the individual(s) or organization(s) involved in the prohibited conduct for a designated period of time. This may include but is not limited to the following: status and participation in any and all organized University activities; restriction of use of university facilities, services and resources; or restriction of contact with specific students, faculty and staff.
c. Conduct Probation: Imposition of conditions or restrictions on the individual(s) or organization(s) involved, with warning of more severe action if further infractions occur (or if probation is violated).
d. Fines: Fines may be imposed.
e. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
f. Discretionary Sanctions: Counseling, residence hall relocation, work assignments essays, service requirements, educational assignments, or other related assignments.
g. Residence Hall Suspension: Separation of the student from University housing or affiliated housing for a period of time. Conditions for readmission may be specified.
h. Residence Hall Expulsion: Permanent separation of the student from University housing or affiliated housing.
i. Conduct Suspension: Immediate exclusion from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
j. Conduct Expulsion: Immediate, permanent exclusion from the University subject only to readmission by the Vice Provost for Student Affairs (VPSA) or designee of the University as outlined in section 14.
k. Revocation of Admission and/or Degree: Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation. Degree revocation is subject to approval by the Board of Trustees.
l. Withholding Degree: The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code of Student Conduct, including the completion of all sanctions imposed, if any.
m. Alternative Dispute Resolution (ADR): A concept designed to not only address any violation of the Code but to also allow any affected parties a chance at satisfaction. Both accused and affected students benefit from creating an atmosphere conducive to growth. This may include
one or more of the following: restorative justice, conflict coaching, group circle sessions, and/or brief solution counseling.
n. Prohibition of Future Enrollment: The student will not be able to continue any further education at the University.
o. Persona Non Grata: A student, student organization, and/or person who is prohibited from being on University-owned or operated property for any reason. This restriction extends to all buildings, facilities, and grounds of the University of Louisville, any University sponsored activities or events on or off campus, as well as all affiliated properties (Clubhouse, Province, The Nine, The Quad, etc.).

More than one of the sanctions listed above may be imposed for any single violation. Additionally, a student’s conduct record is cumulative. Therefore, increased sanctions may be assigned to take into consideration the student’s overall record of violations of all types, not just those of a similar type.

Any student who was involved in non-academic disciplinary action that warranted separation from the University or revocation of degree will have a transcript insert sent with their transcript. See Transcript Insert Policy for more information.

When a violation of this Code is determined to be motivated by intolerance based on race, ethnicity, age, religion, gender, sexual orientation, disability, or national origin, the sanction(s) imposed may be increased in severity.

12.1. Separation from the University
In any case which results in separation from the University, withholding a degree, revoking a degree, or prohibiting future enrollment, the Dean of Students Office will notify the dean of the academic unit in which the student has been enrolled and other appropriate University officials.

12.2 Student Organizations
Student organizations and their members are expected to follow the Code of Student Conduct. Student organizations and their officers may be held collectively or individually responsible for violations of the Code of Student Conduct. Conduct procedures for student organizations will be the same as other student procedures as outlined in section 11. In addition to the conduct sanctions outlined in section 12; student organizations may also face the following sanctions as necessary:
c. Revocation of charter recognition.
The appeal process for student organizations is listed in section 13.1 of the Code of Student Conduct.

13. Student Appeals
The accused student may appeal a conduct hearing decision in all cases. In cases that involve sexual misconduct or crimes of violence, the complainant and/or accused may appeal the conduct hearing decision.
To initiate an appeal for a conduct hearing decision the individual must complete the **Student Appeal Form**.

The purpose of an appeal is not to provide a second hearing for the case. The accused student and/or the complainant may request an appeal for one or all of the following reasons:

a. whether the hearing was conducted fairly and in accordance with the procedures outlined in this Code of Student Conduct;
b. whether there was sufficient information presented at the hearing to establish, by a preponderance of the information, that a violation of the prohibited conduct section occurred;
c. whether the sanction(s) imposed was appropriate;
d. whether there is new information that was not known to the person requesting the review at the time of the hearing and that, if presented at the hearing, would more likely than not have altered the hearing decision.

The Vice Provost for Student Affairs or designee will first review all requests for appeal to determine if the request meets the established criteria for appeal and are within the appeal filing timeline. If the accused student(s) do(es) not meet the established criteria for appeal or the appeal is not submitted within the allotted timeframe, the decision of the Assistant Dean of Students or designee will be the final decision of the University.

Appeals must be completed by submitting the online **Student Appeal Form** to the Vice Provost for Student Affairs or designee within ten (10) days after the issuance of the hearing decision of the Assistant Dean of Students or designee. In the case where the complainant is informed of the case outcome and an appeal is submitted by the complainant or accused student, the other party shall be given a copy of the appeal and an opportunity to respond within five (5) days of notification that an appeal has been submitted.

13.1 Student Organization Appeals
The accused student organization may appeal a conduct hearing decision. In conduct hearings that involve sexual misconduct or crimes of violence, the complainant may appeal the conduct hearing decision.

To initiate an appeal, student organizations must complete the **Student Organization Appeal Form**.

The accused student organization and/or complainant may request an appeal for one or all of the following reasons:

a. whether the hearing was conducted fairly and in accordance with the procedures outlined in this Code of Student Conduct;
b. whether there was sufficient information presented at the hearing that a violation of the prohibited conduct section occurred;
c. whether the sanction(s) imposed was appropriate;
d. whether there is new information that was not known to the person requesting the review at the time of the hearing and that, if presented at the hearing, would more than likely have altered the hearing decision.
The Vice Provost for Student Affairs or designee will first review all requests for appeal to determine if the request meets the established criteria for appeal and are within the appeal filing timeline that is allotted. If the student organization does not meet the established criteria for appeal or does not appeal within the allotted timeframe, the decision of the Assistant Dean of Students or designee will be the final decision of the University.

Appeals must be completed by submitting the online Student Organization Appeal Form to the Vice Provost for Student Affairs or designee within ten (10) days after receiving the hearing decision of the Assistant Dean of Students or designee.

13.2. Separation from the University Pending Appeal
In cases where the sanction(s) imposed on the student and/or student organization involves suspension or expulsion, the Vice Provost for Student Affairs or designee may exclude the student and/or student organization from the University property during the pendency of the appeal.

13.3. Appeals Decision
The Vice Provost for Student Affairs or designee has the authority to:
   a. Uphold the hearing decision of the Assistant Dean of Students or designee, including the sanction(s) imposed.
   b. Alter the sanction imposed by the Assistant Dean of Students or designee by reducing or increasing the severity of the sanction(s).
   c. Remand the case to the Assistant Dean of Students or designee for further consideration.
   d. Reverse the hearing decision of the Assistant Dean of Students or designee.

The decision of the Vice Provost for Student Affairs or designee will be transmitted in writing to the appealing student and/or organization and to the Assistant Dean of Students or designee within fourteen (14) days after the receipt of the appeal. The complainant will be notified of the appeal decision in conduct hearing appeals that involve sexual misconduct or crimes of violence. The decision of the Vice Provost for Student Affairs or designee on all conduct hearing appeals is the final decision of the University.

14. Expulsion Review
A student who has been expelled from the University may apply for special consideration for readmission after a period of not less than five (5) years. The former student must submit a written petition for readmission to the Office of the Vice Provost for Student Affairs or designee. This written request must outline a strong justification for readmission. Additional pertinent documentation may also be required. The Vice Provost for Student Affairs will review relevant information and make a final decision. Factors to be considered in review of such a petition will include, but not be limited to:
1. The present demeanor of the petitioner,
2. the conduct subsequent to the expulsion (documentation may be required), and/or
3. the nature of the violation causing the expulsion and the severity of damage, injury, or harm that occurred.
15. Good Samaritan Consideration
The health and safety of our students is of the highest priority. At times students may need immediate medical or other professional assistance. However, students may be reluctant to get help because of concerns that their own behavior may be a violation of the Code of Student Conduct. To minimize any hesitation students and/or student organizations may have in obtaining help due to these concerns, the University has enacted the following "good samaritan" provision.

Although policy violations cannot be overlooked, the University will consider the positive impact of reporting an incident when determining the appropriate response for policy violations. In such cases, any possible negative consequences for the reporter of the incident should be evaluated against the possible negative consequences for the student who needed assistance. At a minimum, students and/or student organizations are encouraged to make an anonymous report that would put the student in need in touch with emergency care providers (Police, EMS). Examples where this policy would apply include:
A student is reluctant to call an ambulance when a friend becomes unconscious following excessive consumption of alcohol because the reporting student is under the age of 21 and was also consuming alcohol.
A student is reluctant to report that they have been sexually assaulted because the student has been consuming alcohol and is under the age of 21.

For further information or for clarification of the Code of Student Conduct, please contact the Dean of Students Office, W301 Student Activities Center, University of Louisville (502) 852-5787.

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