

POLICIES & STUDENT CONDUCT

Student Conduct Code

Winona State University is an academic community committed to providing a welcoming learning environment for all. We are committed to upholding the safety and well-being of our University community while promoting and protecting the University's educational mission.

Therefore, WSU students are expected to be respectful citizens who are responsible for their behavior.

All students are expected to comply with the Student Conduct Code. This policy applies to all conduct on campus, in addition to university-sponsored events—even if they are off-campus.

WSU's Student Conduct Code is designed to:

1. promote attitudes conducive to learning
2. hold students accountable for violating University standards
3. protect the due process rights of those charged with Student Conduct Code violations

WSU will investigate conduct that interferes with the rights of others, threatens University property, or interferes with the University's educational mission. The University also supports local, state, and federal laws.

If they fail to comply with the Student Conduct Code, students could be given sanctions from the University.

The Conduct Code is based on mutual respect and understanding. In this community of learners, student conduct issues will be addressed with an educational approach. Sanctions will be designed as educational opportunities which promote personal responsibility.

Article I: Definitions/Rights & Responsibilities

Article II: Proscribed Conduct

A. Jurisdiction — Student Conduct Code

1. Off-Campus Conduct

The Student Conduct Code shall apply to all conduct that occurs on University premises and at University sponsored activities. The Student Conduct Code shall also apply to off-campus conduct where:

- Hazing is involved;
- The violation is committed while participating in a university-sanctioned or sponsored activity;
- The victim of the violation is a member the university community;
- The violation constitutes a felony under state or federal law; or
- The violation adversely affects the educational, research, or service functions of the University.

In accordance with Minnesota State Policy 3.6.1-Student Code: Part 3b Contents, examples of off-campus behavior which may be subject to university conduct action include, but are not limited to, the following:

- underage consumption, selling or otherwise providing alcohol to underage persons
- hosting underage drinking or disruptive parties
- actions that threaten or endanger the health or safety of individuals
- using, selling or distributing illegal drugs
- sexual violence
- hazing
- cyberbullying

The Director of Student Conduct & Citizenship shall decide whether the Student Conduct Code shall be applied to conduct occurring off-campus on a case-by-case basis, in their sole discretion.

2. Conduct Addressed Outside Student Conduct Code

A. Allegations of **Discrimination, Harassment, and Sexual Violence** shall be resolved pursuant to the following policies and procedures:

1. Minnesota State Policy 1B.1 (Nondiscrimination in Employment and Education Opportunity)
2. Minnesota State Procedure 1B.1.1 (Report/Complaint of Discrimination/ Harassment Investigation and Resolution)
3. Minnesota State Policy 1B.3 (Sexual Violence Policy)
4. Minnesota State Procedure 1B.3.1 (Sexual Violence Procedure)
5. the University's Sexual Violence Policy

These policies and procedures are available on the University and Minnesota State websites, and in the Offices of Affirmative Action and Legal Affairs

B. Academic **dishonesty**, including, but not limited to, **cheating** and **plagiarism**, and all allegations of academic dishonesty shall be resolved pursuant to the University's Academic Integrity Policy. The Academic Integrity Policy is available on the University's website.

Information pertaining to alleged violations of the Academic Integrity Policy can be answered in the Office of the Vice President for Academic Affairs/Provost.

C. Allegations of **Fraudulent and Dishonest Acts** by student employees shall be resolved pursuant to Minnesota State Policy 1C.2 (Fraudulent or Other Dishonest Acts). This policy is available on the Minnesota State website.

B. Conduct — Rules and Regulations

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article III:

1. Violation of any University or Minnesota State policy, rule, or regulation, contained in any official publication or administrative announcement, or available electronically on the University or Minnesota State System websites.
2. Obstruction of the free flow of traffic, both pedestrian and vehicular, on university property or at University-sponsored or University-supervised functions.
3. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including University's public service functions on or off-campus, or of other authorized non-University activities when the conduct occurs on university premises.
4. Physical or verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct, whether verbal, written, online, physical or psychological, direct or implied that threatens or

endangers the health or safety of any person. This includes any form of fighting. This includes communication in all forms of digital/online interactions and social media.

5. Attempted or actual theft of and/or damage to university property or to property of a member of the University community, or other personal or public property on or off campus
6. Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to or use of university premises.
7. Any violation of the University's Computer Usage Policy, Policy 7-1or Minnesota State Policy and Procedure 5.22 and 5.22.1 on Acceptable use of Computers and Information Technology Resources.
8. Violation of University rules governing residence in university-owned or controlled property.
9. Use, possession, manufacturing or distribution of marijuana, cocaine, heroin, narcotics, other controlled substances, or drug paraphernalia, except as expressly permitted by law.
10. Use, possession, manufacturing or distribution of alcoholic beverages (except as expressly permitted by University or Minnesota State regulations), public intoxication, or violation of University's Alcohol Policy or Minnesota State Policy and Procedure 5.18 and 5.18.1 on Alcoholic Beverages and Controlled Substances on Campus. Alcoholic beverages may not under any circumstance be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
11. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear in others.
12. Failure to comply with directions of university officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so. University officials include, but are not limited to, Resident Assistants, Residence Hall Directors, Security Guards, Food Service Managers, Student Union Night Managers, and any other person delegated supervisory responsibility by a university official.

13. Conduct that is disorderly, lewd, or indecent; a breach of the peace; or aiding, abetting, or procuring another person to breach the peace on university premises or at functions sponsored by the University or in which University or members of the academic community participate. Disorderly conduct includes but is not limited to: any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent, when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
14. Gambling for money or other things of value, except as permitted by law.
15. Commercial solicitation, including the distribution of advertisements and samples, on university property without prior authorization by the appropriate University official(s).
16. Hazing by any group or individual. Hazing includes, but is not limited to, forced or required consumption of any food, liquor, drug, or any other substance; forced or required participation in physical activities; physical brutality; verbal abuse; kidnapping (transportation with the intent of stranding individuals); theft of or damage to property; assignment of unlawful or illegal activities; intentional creation of clean-up work or labor; denial of sufficient time to study; or causing excessive fatigue as a result of any of the above actions.
17. Tampering with fire or safety equipment or setting off false alarms, including Code Blues.
18. Falsification or misuse, including forgery, alteration, or fraudulent misuse of university records, permits, documents, or identification cards.
19. Knowingly furnishing false or incomplete information to the University or a University official in response to an authorized request.
20. Violation of any federal, state or local law.
21. Abuse of the student conduct system, including, but not limited to:
 - Falsification, distortion, or misrepresentation of information before a university investigator or decision-maker, or student conduct panel;

- Disruption or interference with the orderly conduct of a student conduct panel or other disciplinary proceeding;
 - Bad faith institution of a student conduct code or other complaint of misconduct;
 - Discouraging, or attempting to discourage, an individual's proper participation in, or use of, the student conduct system;
 - Attempting to influence the impartiality of a designated investigator or decision-maker, or a member of a student conduct panel, prior to and/or during the course of the student conduct proceeding;
 - Harassment (verbal or physical) and/or intimidation of a university investigator or decision-maker, or member of a student conduct panel, prior to, during, and/or after a student conduct proceeding; or
 - Failure to comply with the sanction(s) imposed by the University.
22. Failure to engage in responsible social conduct that reflects credit upon the University community and to model good citizenship in any community.
23. Participating in an on-campus or off-campus 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; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

C. Violation of Law and University Discipline

University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution.

Proceedings under the Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Director of Student Conduct & Citizenship. Determinations made or sanctions imposed under the Student Conduct Code shall not be subject to change because criminal charges arising out of the same incident were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

Article III: Student Conduct Code Procedures

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