

University Policy

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New/Updated Policies

- ▶ 2020: Faculty Teaching Load
1 month ago
- ▶ 3810: Student-Athlete Compensation
for Use of Name, Image, and Likeness
1 month ago
- ▶ 8110: Hiring
1 month ago
- ▶ 5130: Graduate Scholarships
1 month ago
- ▶ 8160: Internal Promotion
1 month ago
- ▶ 8120: Dual Career
1 month ago

Code of Student Conduct

Policy Number:

3720

Date Created/Revised:

10/6/2021

Executive Responsibility:

Dean of Students

Functional Responsibility:

Community Standards and Student Conduct

3720.1 Purpose

As part of its educational mission, Wright State University establishes the Code of Student Conduct and student conduct system. The Code and related system serves to educate students as to their civic and social responsibilities as members of the campus community. The Code also serves to provide students with the opportunities for service and leadership; to resolve, disputes in a cooperative, educational, and non-adversarial manner; to facilitate informed participation in the conduct process; and to increase awareness of and respect for differences of culture, gender, religion, race, sexual orientation, gender identity, and ability.

The University has an obligation to conduct its affairs in an orderly and efficient manner. Actions by individuals or groups that interfere with orderly functions or threaten health or safety will not be tolerated. In prescribing the student conduct system, the rights and responsibilities of the individual are considered concurrently with institutional rights and responsibilities. Unacceptable behavior is defined and the consequences of such behavior explained.

Wright State University has established standards of student conduct and procedures for enforcement. The standards of conduct are published as the Code of Student Conduct. The commission or attempted commission of any of the acts enumerated in the Code will be considered violations of accepted conduct. In the enforcement of the Code, all students minimally will have the right to receive notice of the alleged violation(s) and the time, date, and location of the opportunity to respond to the alleged violation(s).

The Code applies to Wright State University undergraduate, graduate and professional students, and all student organizations. A student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree. Students will also be held accountable for their conduct, even though the behavior may have occurred before classes began, after classes ended, or if it was discovered after the student graduates. Additionally, inappropriate behavior during the academic year, between academic terms or during periods of suspension is not permitted. All policies, processes and procedures outlined in the Code shall also apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

Student organizations shall be responsible for the conduct of its members from the time of application for recognition until such time as they are no longer recognized by the Office of Student Activities. Organizations and/or its individual members shall be held accountable for their conduct, even though the behavior may have occurred before classes began, after classes ended, or if it was discovered after the student graduates. Additionally, inappropriate behavior during the academic year, between academic terms or during periods of suspension is not permitted. The Code shall apply to an organization even if the organization disbands while a disciplinary matter is pending.

An Organization may be held responsible for a violation of University policy or rule when:

1. one or more of its officers, members, or authorized representatives acting as a member of the organization commit the violation;
2. the misconduct occurs at an event that is sponsored, financed, or endorsed by an organization where it is reasonable to believe that the organization's members knew or should have known that one or more of the participants engaged in conduct that is in violation of this Code;
3. the misconduct occurs on the premises owned, leased, or operated by the organization where it is reasonable to believe that the organization's members knew or should have known that one or more of the participants engaged in conduct that is in violation of this Code.

3720.2 Jurisdiction

The Code of Student Conduct and discipline system outline the rights and responsibilities of students and student organizations. This Code addresses misconduct that takes place on University premises and addresses off-campus conduct when the behavior may have or has had an adverse impact upon the University community. Procedural rights of students and student organizations, as well as possible sanctions are also enumerated within the Code.

The Code also applies to University sponsored events, activities, trips, etc., which may occur off campus. A student who violates the Code and breaks the law is subject to University, civil, and/or criminal authorities. The University, at its sole discretion, may pursue disciplinary action against a student while the student is also subject to criminal proceedings. The University reserves this right even if criminal charges are pending, reduced, or dismissed.

The Wright State University conduct system is the responsibility of the vice provost for student affairs. The director or designee of the Office of Community Standards and Student Conduct has specific responsibility for the day to day operation and administration of the conduct system. The director or designee shall develop policies for the administration of the student conduct system and procedural rules for the conduct of any hearing or conference that are not inconsistent with provisions of the Code. The director or designee, in consultation with appropriate University officials and students, will revise and update all regulations and processes; conduct training sessions for hearing officers and bodies; and manage and maintain all student disciplinary records. Under the oversight of the director or designee, other members of the University's staff may also have responsibilities within the conduct system.

3720.3 Definitions

Academic Integrity Hearing Panel (AIHP) – A group of trained students and faculty who examine information presented to them in order to determine if a violation(s) of academic integrity occurred and, if so, what sanction(s) should be assigned. This panel also determines if additional sanctions are necessary for repeated violations of academic misconduct.

Academic Misconduct - Engaging in an act that violates the standards of the Academic Integrity Policy as described in the Code of Student Conduct or in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

Behavioral Misconduct - Any behavior that is inconsistent with University policy or community standards as outlined in the Code of Student Conduct, Residence Hall Source Book, Student Handbook, or other University publications or announcements.

Category "A" Violation - A first time violation of the Code that will not result in separation from the University.

Category "B" Violation - A violation that is of a serious nature or repeated behavior for which any sanction in the Code may be assigned up to and including expulsion. These violations are processed exclusively through the director or designee. Category "B" violations may entail an administrative hearing before a conduct officer, Conduct Review, Gender Based Harassment and Violence, or Academic Integrity Hearing Panel.

Conduct Conference - A process in which the facts of an alleged violation of the Code of Student Conduct are presented to a conduct officer to determine if a violation(s) took place and what sanction(s) are appropriate.

Conduct Officers - University staff and graduate students trained to adjudicate violations of the Code of Student Conduct.

Consent - This is the act of knowingly and affirmatively agreeing to engage in a sexual activity. Consent must be voluntary. Consent is not considered voluntary in the case of an individual who: is substantially impaired by any drug or intoxicant; has been compelled by force, threat of force, or deception; is unaware that the act is being committed; is a minor by legal definition; or whose ability to consent is impaired because of a mental or physical condition. Consent may be withdrawn at any time. Prior sexual activity or relationship does not, in and of itself, constitute consent. (As used in The Code, Dating Violence has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Complicity - Complicity is condoning, supporting, or encouraging any violation of the Code of Student Conduct. Students who anticipate or observe any violation of the Code are expected to remove themselves from association or participation in any such inappropriate behavior.

Conduct Body - Any person or panel authorized by the University to determine whether a student has violated the Code of Student Conduct and to assign appropriate sanctions.

Conduct Review Panel (CRP) - A group of trained students, faculty, and staff who review cases in which information of an alleged violation are presented in an effort to determine if a violation(s) took place and what appropriate sanction(s) should be assigned.

Dating Violence - A type of intimate partner violence that occurs between two people in a dating relationship. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence does not include acts covered under the definition of domestic violence. (Examples of dating violence include but are not limited to: extreme jealousy or insecurity, belittling, isolation you from family or friends, or making false accusations). (As used in The Code, Dating Violence has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Domestic Violence - A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Ohio; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Ohio. (As used in The Code, Domestic Violence has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Family Educational Rights and Privacy Act (FERPA) - A federal law passed in 1974 which defines educational records and indicates who may have access to disciplinary records and under what circumstances.

Fundamental Fairness - A standard that includes minimally the right to receive notice of the alleged violation(s) and the time, date, and location of the opportunity to be heard.

Gender-Based Harassment and Violence - Any behavior or practice that causes or intends to cause emotional, psychological, physical harm or property damage based on actual or perceived gender, gender identity, gender expression, and/or sexual orientation. (As used in The Code, Gender-Based Harassment and Violence has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Hazing - As defined in Ohio Revised Code 2903.31, hazing involves doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing physical or mental harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section [3719.011](#) of the Revised Code.

Intimate Partner Violence - Physical, sexual, threats, or psychological abuse that occurs between two people in a close or intimate relationship. The term "intimate partner" includes current and former spouses, partners and date partners. (Examples of Intimate Partner Violence include but are not limited to: grabbing, shoving, slapping, hitting, kicking, punching, stabbing, shooting, rape, intimidation, blackmail, or maintaining control over financial resources including a person's earned income). (As used in The Code, Intimate Partner Violence has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Ohio Revised Code 3345.23 (Trigger Offense) - A state law that mandates certain state action if a student at a public university is arrested for specified crimes. (See Section 3720.14 "Distinguishing the Student Code Provisions and Local, State, and Federal Laws" for more information).

Plagiarism - Quoting, paraphrasing, or otherwise using the words or ideas of another as your own without acknowledging or properly citing the other.

Preponderance of Information - A standard of proof that indicates that the information provided leads the conduct officer or panel member that "more likely than not" a violation did or did not occur.

Sanction - An outcome imposed for the violation of the Code of Student Conduct. Generally, sanctions are educational in nature and intended to modify the student's behavior as well as build an awareness of personal responsibility and community standards.

Sexual Harassment - Sexual harassment is unwelcome, gender-based verbal or physical conduct of a sexual nature, without regard to the gender of the Complainant and Respondent; that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying, or limiting someone's ability to participate in or benefit from WSU's educational program or activities, or work activities; and; the unwelcome behavior is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation. A different number of acts fall into this category of sexual harassment, including without limitation, dating violence, sexual exploitation and stalking.

1. Quid pro quo sexual harassment exists when there are: unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and submission to or rejection of such favors, or other verbal or physical conduct of a sexual nature; and submission to or rejection of such conduct results in adverse educational or employment action; or affects the terms or condition of education or employment or activities with the University.
2. A hostile environment is created by unwelcome sexual behavior directed at an individual because of that individual's sex, gender or sexual orientation that is offensive, hostile and/or intimidating and that adversely affects that individual's university work/learning/living/program performance. Harassing conduct that is sufficiently severe, pervasive/persistent and patently offensive that it substantially interferes with the conditions of education or employment, from both a subjective (the alleged victim's) and an objective (reasonable person's viewpoint).

(As used in The Code, Sexual Harassment has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Sexual Misconduct - Any attempt or any actual unwanted sexual contact, physical or nonphysical, in the absence of clear and voluntary consent. Clear and voluntary consent is consent that is given freely and actively in mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent is not clear or voluntary if it results from the use of physical force, threats, intimidation, or coercion. It is a violation of policy to have sexual contact with someone who is known to be, or should be known to be incapable of making a rational, reasonable decision. (Examples of sexual misconduct include but are not limited to: sexual penetration, sexual touching with any body part or object without consent, taking non-consensual, unjust, or abusive sexual advantage of another, such as video or audio or audio-taping of sexual activity without the express permission of both parties, or the exposure of the private or intimate parts of the body in a lewd manner in public or in private premises). (As used in The Code, Sexual Misconduct has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. (Example of Sex Offenses include but are not limited to: rape, sexual assault, sexual battery, sexual imposition, or public indecency). (As used in The Code, Sex Offenses has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Stalking - Stalking involves repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death. (Examples of stalking include but are not limited to: monitoring an individual's phone calls, reading a person's mail, following a person outside the home, breaking into a person's home, stealing a person's belongings, calling, texting, emailing, mailing a person repeatedly at home or work, repeated, uninvited appearances at a place of work or residence). (As used in The Code, Stalking has the same definition as the Gender-Based Harassment and Violence Policy, [UP#8065](#))

Student - An individual who has been accepted to the University and/or taking courses at Wright State University on a full or part time basis. Student status lasts until an individual graduates, is academically or disciplinary separated from the University or is not in attendance for two (2) complete, consecutive terms.

Student Organization, group, or team- The term "student organization" means any number of persons who have complied with the formal requirements for Wright State University recognition.

University Appeals Panel (UAP) - A group of trained students and faculty who examine information presented to them in order to ensure the disciplinary outcome was appropriate and/or to ensure University policies and procedures have been followed. All appeals involving "A" violations will be heard by the director or designee. The appellate decision of the director or designee will be final.

All appeals involving "B" violations heard by the Conduct Review Panel, Gender Based Harassment and Violence Panel, and those decisions by the director of Community Standards and Student Conduct or designee resulting in suspension or expulsion will be heard by the University Appeals Panel. The appellate decision of the University Appeals Panel is final.

Regarding the academic integrity hearing process, the decision as to whether a student is responsible or not responsible for a violation of academic misconduct is final. Furthermore, if the student is found responsible by the AIHP, then the academic sanction recommended by the faculty member is also final. Only non-academic sanctions levied by the AIHP (e.g. a suspension for a second violation) may be appealed to the University Appeals Panel.

University Official - Any individual who is employed, contracted with or appointed and performing administrative or professional responsibilities within the scope of his/her authority by the University.

University Premises - The premises of Wright State University includes all land, buildings, facilities, and other property in the possession of, owned, used, managed, or controlled by the University (including adjacent streets and sidewalks).

3720.4 Conduct Bodies

Each person involved in the administration of the student conduct system at Wright State University will set as a goal the fair, objective, and humane approach to all cases. While consistent and equitable treatment in the disciplinary process is another goal, each case must be dealt with based on the circumstances of that particular situation. Those involved in the conduct system should also be aware that their efforts are directed toward:

- Protecting the integrity and order of the institution.
- Preserving the health and safety of the University community.
- Educating the students involved so that they may gain insight into the reasons and consequences of their behavior, learn self-discipline, and accept the responsibilities of membership in the University community.

- Identifying and acting upon factors, environmental and/or personal, which may have contributed significantly
- The student’s unacceptable behavior.

The following officials and conduct panels shall review and process issues of student conduct.

Conduct Officers

Student Affairs Staff

- Composition: Members of the Division of Student Affairs staff, including professional and/or graduate staff members.
- How Appointed: Appointed by the Director of Community Standards and Student Conduct and/or assumed as part of his/her/their job responsibilities.
- Jurisdiction: Adjudication of all category “A” offenses and “B” offenses as assigned by the Director.
- Term of Service: Duration of employment at Wright State University.
- Authority: May assign any sanction excluding those that terminate a student from his/her/their current residential agreement or enrollment at the University.

Community Standards and Student Conduct Staff

- Composition: The Director is a member of the Division of Student Affairs administrative staff.
- How Appointed: Assumed as a function of job responsibilities.
- Jurisdiction: Adjudication of cases involving “A” or “B” violations where it has been determined that the case will be resolved through a conduct conference. Additionally, he/she will also serve as the appellate option for students involved in “A” violations not adjudicated by him/her/them.
- Term of Service: Duration of employment at Wright State University.
- Authority: May assign any sanction provided for in the Code.

Conduct Panels

Conduct Review Panel (CRP)

- **Composition:** Composed of members of the University community, including faculty, staff, and students. A student will be designated by the Director or designee to serve as the chair. Quorum to conduct a hearing shall consist of at least one faculty or staff member and two students.
- **How Appointed:** Faculty members are appointed by the Faculty Senate. Staff and student panel members are appointed by the Director or designee.
- **Jurisdiction:** Adjudication of any violation of the Code of Student Conduct.
- **Term of Office:** One academic year. (Appointment for additional years of service is permitted.)
- **Authority:** May assign any sanction provided for in the Code.

Gender-Based Harassment and Violence Hearing Panel (GBHVP)

- **Composition:** Composed of members of the University community, including faculty, staff and students. The Director of CSSC or designee will serve as the chair. Quorum to conduct a hearing is at least four panel members consisting of two university employees (faculty and/or staff) and one student in addition to the Director or designee.
- **How Appointed:** Faculty members are chosen from the CRP members appointed by the Faculty Senate. Staff and student panel members are appointed by the Director or designee.
- **Jurisdiction:** Adjudication of any GBHV violations of the Code of Student Conduct as well as other violations arising from the same incident.
- **Term of Office:** One academic year. (Appointment for additional years of service is permitted.)
- **Authority:** May assign any sanction provided for in the Code.

Academic Integrity Hearing Panel (AIHP)

- **Composition:** Composed of faculty members, one of whom is designated as the chair by Faculty Senate, and students. Quorum to conduct a hearing shall consist of two faculty members and one student.
- **How Appointed:** The University Faculty Senate president and Director will collaborate to recommend a chair, and multiple members for Faculty Senate ratification to the Faculty Executive Committee for approval by the Faculty Senate. The Director or designee will appoint student representatives.
- **Jurisdiction:** Adjudicates cases of academic dishonesty when a student wishes to dispute the allegation of academic misconduct by a professor. This panel also determines if additional sanctions are necessary for repeated violations of academic misconduct.
- **Term of Office:** The chair will serve for a term of two academic years. All other panel members will serve a term of one academic year. (Appointment for additional years of service is permitted.)
- **Authority:** May assign any sanction provided for in the Code.

University Appeals Panel (UAP)

- **Composition:** Composed of faculty members, one of whom is designated as the chair by Faculty Senate, and students. Quorum to conduct a hearing shall consist of two faculty members and one student.
- **How Appointed:** The University Faculty Senate president and Director will collaborate to recommend a chair, and multiple members for Faculty Senate ratification. The Director or designee will appoint student representatives.
- **Jurisdiction:** Serves as the appellate body of any “B” violation or AIHP where the sanction issued is non-academic related. The panel is responsible for determining if University policies and procedures were followed including verifying if decisions were adequately supported by the documentation, witnesses, etc. and for reviewing sanction(s) imposed for appropriateness.
- **Term of Office:** The chair will serve for a term of two academic years. All other panel members will serve a term of one academic year. (Additional years of service are permitted.)
- **Authority:** The appeals panel may affirm any part of or the entire decision of the Conduct Review Panel or Director/designee or remand back the case to the original hearing panel or Director/designee. The appellate decision of the panel is final.

3720.5 Conduct Policies: Code of Student Conduct

1. The Code of Student Conduct is divided into two categories of violations. Category "A" violations are typically first-time violations or violations of a minor nature, while category "B" violations are typically repeat violations or first-time violations that are of a serious nature.

A/B Violations 1 - 19 listed below may be considered at the director's or designee's discretion, as either "A" violations or "B" violations depending upon the particular circumstances of an incident. Violations B1-9 will always be considered type "B" violations.

2. Students notified of an alleged category "A" violation(s) will have their cases adjudicated through a Conduct Conference in most cases. The director or designee will determine the most appropriate conduct officer for the case or if there is a need to have the case resolved by a hearing panel. Students notified they may have violated a category "B" violation(s) will have their cases adjudicated by the director or designee or by a hearing panel.

"A" Violations or "B" Violations

1. A/B Violation of written University policy or regulations contained in any official publication or administrative announcement of Wright State University (i.e., Student Handbook, Residence Hall publications, etc).
2. A/B Violations, alleged or convicted, of local, state, or federal law whether on University premises, or off campus when such violation of the law has or may have an adverse impact upon the University community.
3. A/B Disruption of the operations of the University. Disruption is an action or combination of actions by an individual or a group that unreasonably interferes with, disrupts, hinders, obstructs, or prevents the right of others to freely participate in its activity, program, or services (e.g. teaching, research, etc). This offense shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott of classes or other forms of peaceful dissent.
4. A/B Any act of academic dishonesty including, but not limited to, forgery, alteration, destruction, or misuse of University documents, records, identification cards, or papers. (Note: see Section XII, Academic Integrity).
5. A/B Furnishing false information to the University or other similar forms of dishonesty in University-regulated affairs, including knowingly making false oral or written statements to any University official, conduct officer, or discipline body.
6. A/B Students are required to cooperate with, comply with the direction of, and present identification to any University official when that official has identified himself/herself/themselves and is acting expressly within their authority to uphold a University policy. University officials include faculty and staff of the University. Also included are student employees who are carrying out assigned work responsibilities. Cooperation includes, but is not limited to, appearing at offices for appointments and/or leaving areas when requested to do so, etc.
7. A/B Sale, use, possession, distribution, or being under the influence of alcoholic beverages, except as permitted by law and University policy.
8. A/B The University is committed to maintaining an educational environment free of illegal drugs. The use, manufacturing, purchase of or possession of (including possessing drug paraphernalia) any controlled substance(s), prescription drug(s) (that is not prescribed to you), illegal drugs, or general products used as intoxicants as a means to get high is prohibited. Furthermore, making available, giving away, selling or serving any illegal drug(s) or drug paraphernalia or using any drug in a manner not legally prescribed to any person is also prohibited.
9. A/B Gambling for money or other items of value.
10. A/B Unauthorized entry into, or use of University-owned, -contracted or -managed facilities/property.
11. A/B Unauthorized use of University-owned or -contracted computer systems including, but not limited to, failure to comply with license agreements, contracts or agreements governing acceptable use standards, network software and hardware use, unauthorized commercial or personal gain, harmful intrusion or invasion of privacy, destruction, alteration or prevention of rightful access.
12. A/B Unauthorized entry into, or misuse of University-owned or -contracted telecommunication services or auxiliary services including, but not limited to, the inappropriate use of personal identification numbers, voice mail, and theft of service.

13. A/B The theft of any property is prohibited. Furthermore, the possession of any stolen property or property obtained or used without the owner's permission is also prohibited.
14. A/B Damage to property of the University or to property of any of its members or visitors.
15. A/B Violating the terms of any disciplinary sanction.
16. A/B Failure to exercise reasonable care toward any person(s) or their property.
17. A/B Attempting to commit and/or complicity in any prohibited act(s) of the Code of Student Conduct.
18. A/B The forging, duplication, alteration, destruction, or misuse of University documents, records, identification cards, keys, or papers.
19. A/B Invasion of Privacy: The recording, filming, photographing, viewing, transmitting or producing the image or voice of another person without his/her/their knowledge and expressed consent while in an environment that is considered private or where there is an expectation of privacy, including the use of undisclosed and/or hidden recording devices and the storing, transmission and/or distribution of any such recordings. (This violation pertains to areas on campus that are considered private or where there is an expectation of privacy, including but not limited to a residence, restroom, shower, faculty or administrative offices, locker room, or gym.) (This violation does not pertain to the recording of public events or discussions or recordings made for law enforcement purposes.)

"B" Violations

1. B Infliction or threat of physical harm to any person(s), including self, or their property. This includes but is not limited to dating violence and domestic violence.
2. B Hazing involves doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing physical or mental harm to any person, including coercing another to consume alcohol or a drug of abuse.
3. B All hostile, threatening, or intimidating behavior that by its very nature would be interpreted by a reasonable person to threaten or endanger the health, safety or well-being of any person is contradictory to the University's mission and therefore not acceptable. Examples of such behavior may include, but are not limited to:
 - Harassment. The University defines harassment as conduct that is so severe, pervasive, and objectively offensive that it so undermines and detracts from a student's educational experience or creates a hostile environment and essentially denies a student equal access to the University's resources and opportunities. Conduct over social media that rises to this level is prohibited. Harassment, as defined above, is not protected by the First Amendment.
 - Any form of harassment, including, stalking, sexual harassment or harassment based on perceived or actual identities.

4. B The use or possession of weapons, including, but not limited to, pistols, rifles, shotguns, airsoft guns, paintball guns, pellet guns, dangerous knives, ammunition, any stun device, or other dangerous weapons is prohibited while on University-owned or controlled property, or at University-sponsored or supervised activities, except by police officers and other persons specifically authorized by the University.
5. B The use or possession of explosive devices or other dangerous items, including, but not limited to pipe bombs, bottle bombs, incendiary devices, smoke devices, fireworks and ammunition, self-balancing personal scooters (hoverboards) while on University-owned or controlled property, or at University-sponsored or supervised activities except by University or other persons specifically authorized by the University.
6. B Disorderly conduct or lewd, indecent, or obscene conduct on University premises or at University-sponsored or -supervised activities including, but not limited to, academic classes and activities. Obscene conduct includes conduct that depicts or describes sexual conduct and, when taken as a whole, portrays sex in a patently offensive way and has no serious literary, artistic, political, or scientific value.
7. B Any unwelcome sexual advance, exploitation, and/or all forms of sexual misconduct including but not limited to deliberate touching or penetration of another's sexual parts without consent, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating or hostile environment and effectively bars the victim's access to an educational opportunity or benefit.
8. B Bias Related Incidents: Any violation of the Code motivated by a consideration of race, sex (including gender identity), color, religion, ancestry, national origin, age, disability, veteran status, or sexual orientation may subject the student to the imposition of a sanction more severe than would be imposed in the absence of such motivation.
9. B Conduct System Abuse: Any act(s) by a person(s) that inhibits or disrupts the University conduct process including but not limited to, retaliation, intimidation or harassment of witnesses, attempting to influence the impartiality of a representative of a hearing panel or conduct officer, failure to participate in a hearing or conduct conference, and/or providing false or misleading information to a hearing panel or conduct officer.

3720.6 Sanctions

The following are University sanctions that may be assigned as a result of a student found in violation of the Code of Student Conduct. Sanctions may be imposed independently or in combination with other sanctions. Sanctions can be assigned to an individual student, groups of students, and student organizations.

1. **Warning**

A finding that the behavior violated a community standard and a written or verbal warning was issued to the student that any repetition of the behavior

will result in more severe disciplinary action.

2. Educational Sanction

An order requiring the student or student organization to perform mandated service or to participate in an education program or activity, including, but not limited to, an educational seminar, a treatment program for alcohol or drug abuse, psychological counseling, or other program/task designed to assist the student in learning more about how their behavior impacted themselves and/or the community.

3. Parental Notification

A letter or phone call notifying a parent or guardian of a student who is under 21 years of age (at the time the letter will be sent) that he/she has committed a violation of law or university policy pertaining to drugs or alcohol.

4. Alcohol Violation Sanctioning Guidelines

Incident results in:

Offense	Harm to Self, Others, or Property	No Harm to Self, Others, or Property
First	Written warning, substance abuse assessment, probationary period of no less than two semesters, \$50 fine, and parental notification.	Written warning, alcohol course, \$50 fine, probationary period for no less than two semesters, and possible parental notification.
Second	Completion of outpatient substance abuse program, probationary period for no less than one academic year, \$100 fine, possible removal from campus housing and/or suspension from University, and parental notification.	Substance abuse assessment, probationary period for no less than two semesters, \$100 fine, and parental notification.
Third	Suspension from school for no less than one academic year, \$150 fine, parental notification, and permanent removal from campus housing. Further violations may result in expulsion from the University.	Completion of outpatient substance abuse program, possible removal from campus housing and/or suspension from University, \$150 fine, probationary period for at least one academic year upon return to University, and parental notification.

The above sanctions are guidelines. Sanctions may be increased or decreased based on the severity of the incident, the impact upon the community, and/or the student's discipline history.

E. Drug Violations Sanctioning Guide

Incident results in:

Offense	Harm to Self, Others, or Property	No Harm to Self, Others, or Property
First	Written warning, substance abuse assessment, probationary period for no less than one academic year, \$50 fine, parental notification, possible removal from campus housing, and/or suspension from the University.	Written warning, substance abuse assessment, Marijuana 101 workshop, \$50 fine, probationary period for no less than two semesters, possible removal from campus housing, and parental notification.
Second	Suspension from the University for no less than one semester, permanent removal from campus housing, completion of substance abuse treatment program, probationary period for no less than one academic year, \$100 fine, and parental notification.	Probationary period for no less than one academic year, completion of an outpatient substance abuse treatment program, \$100 fine, removal from campus housing and/or possible suspension from the University, and parental notification.
Third	Suspension from university for no less than two semesters, \$150 fine, parental notification, and further violations may result in expulsion from the University	Suspension from the University for no less than one semester, probationary period for no less than one academic year, \$150 fine, permanent removal from campus housing, and parental notification. Further violations may result in expulsion from the University.

The above sanctions are guidelines. Sanctions may be increased or decreased based on the severity of the incident, the impact upon the community, and/or the student's discipline history.

6. Good Samaritan Medical Amnesty

To safeguard students so they receive the help they need without fear of consequences or retribution, the Good Samaritan Medical Amnesty Policy has been adopted. Students who seek emergency medical attention for themselves, or for a student who need medical assistance, as a consequence of consumption of alcohol, drugs, and/or substances will not be held accountable for violations of the Wright State University Code of Student Conduct, providing they do the following:

1. Contact and obtain assistance from Residence Life and Housing staff, University Police Department, medical professionals and/or local law enforcement;
2. Complete an assessment/evaluation with the Alcohol and Other Drug counselor, in a timely manner;

3. Meet with a member of the Community Standards and Student Conduct staff to discuss the incident.

To honor the culture of respect of self and others, this policy is only for those students who activate the assistance and not for those found by the University employees or other emergency personnel or law enforcement.

G. Restitution

Requires a student to pay for damages to property, or the property of members or of visitors to the University, or for misappropriation of university funds, or for other expenses incurred as a result of violations of the Code of Student Conduct. Such reimbursement will be charged to any student who alone, or through group activities, organizes or knowingly participates in the events causing the damages or costs. Restitution may be imposed separately or in addition to any other sanction(s).

H. Fine/Administrative Fee

A fine or fee requires a student to pay a sum of money (not to exceed \$200). An administrative fee of \$25.00 (minimally) is automatically assessed to any student found responsible for violating the Code of Student Conduct each time they are involved in an incident. Fines and fees assist with costs associated with an educational workshops and programs, as well as the daily operations of the Office of Community Standards and Student Conduct. The conduct body shall determine the amount of the fine. Fines may be imposed separately or in addition to any other sanction(s).

The fines or fees listed below may be assessed.

Amount Reason

- \$25 Fine for a finding of responsibility for a violation of the Code during an incident.
- \$35 Fine due to failure to attend a meeting/conduct conference or complete a sanction by the required date.
- \$100 Fee to cover costs associated with an educational workshop (Ethics Workshop, etc).
- \$35 Fee to cover costs for Under the Influence alcohol course or Marijuana 101 program.
- \$50 Fine due to 1st alcohol or drug violation.

- \$100 Fine due to 2nd alcohol or drug violation.
- \$150 Fine due to 3rd (and each subsequent) alcohol or drug violation.

9. Probation

A trial period during which a student must behave in a manner acceptable to the University. Under the status of disciplinary probation, a student is encouraged to seek advice and counsel from appropriate University officials. Conditions of probation may be set forth which restrict the student's participation in co-curricular activities such as holding a student leadership position, competing in a sporting event(s), being employed on campus or other specified activities. Disciplinary probation status may also affect qualifications of some awards, prizes, or financial aid, particularly those stipulating conduct acceptable to the University. Established proof of a violation of the terms of probation, or of a further incident of misconduct while on probation, may result in separation from the University for no less than one academic semester.

10. Loss of Privilege

The withdrawal of a privilege, use of a service, participation in a program, event, or activity for a specific period of time. The loss of privilege may prohibit a student or organization from participating in co-curricular or athletic activities, continuing a degree program, and/or prohibit a student from enrolling in a class or classes. This sanction may be imposed separately or in addition to any other sanction(s).

11. Termination of Recognition

An order terminating University recognition of a registered student organization for a specific or indefinite period of time.

12. No Contact Order

No contact orders are designed to prevent communication between students to minimize further altercations. Students who have no contact orders are not to contact each other using ANY means. This includes, but is not limited to comments, words or gestures in person, through postal mail, email, social networking sites, or by having others (friends, acquaintances, family members etc) act on his/her behalf. In most instances, no contact orders will be issued to all parties involved when the alleged violations pertain to any act of harassment and physical or emotional violence.

13. Suspension

An action which excludes the student from registration, class attendance, residence in University-owned or -managed housing, and use of University facilities for a specified period of time. The privilege of the use or being on the premises of University facilities/property is withdrawn by this action unless specific permission otherwise is obtained from the conduct officer.

When the suspension action is decided upon after the twelfth week of the semester and the presence of the student on campus is deemed not to be a threat, the suspension may be deferred until the end of the semester at the discretion of the hearing panel or director. Should the student be readmitted, established proof of a further incident of misconduct will result in additional suspension periods or expulsion. Additionally, the failure to observe the terms and conditions of a suspension may cause the extension of the suspension period or in further disciplinary action.

Any student who is suspended is entitled to a refund of fees in accordance with the University refund schedule. Furthermore, a notation will be placed on a student's transcript indicating disciplinary suspension for the entire duration of the student's suspension. Lastly, upon completion of the period of suspension and fulfillment of all conduct sanctions, the student must comply with all academic admission standards then in effect in order to re-register.

14. Summary Suspension

In certain circumstances, the vice provost of Student Affairs or his/her designee has the authority to summarily suspend a student or student organization from the University, pending a hearing before the director of Community Standards and Student Conduct or hearing panel. A student or organization will be summarily suspended to ensure the safety and well-being of members and/or property of Wright State University, ensure the student's own physical or emotional safety and well-being, or protect the community if the student poses a threat to the normal operations of the university. The hearing following summary suspension will be held according to the procedure set forth in Section 3720.8 of the Code of Student Conduct.

In the event the student committed the violation for which he/she was notified of, any sanction imposed shall take effect from the date of the summary suspension. The fact of summary suspension and subsequent disciplinary action shall become part of the student's disciplinary record. If the hearing body concludes that there is insufficient evidence to support a finding that the student committed the violation for which he or she was notified of, no record of the summary suspension shall be maintained.

15. Residential Summary Suspension

In certain circumstances, the director of Residence Life and Housing has the authority to summarily suspend a student from all residential communities pending a hearing. A student may be summarily suspended from all residential communities to ensure the safety and well-being of members and/or property of Wright State University, ensure the student's own physical or emotional safety and well-being, or protect the community if the student poses a definite threat to the normal operations of the University.

16. Deferred Suspension

This sanction is a suspension that is delayed pending specified behavioral performance. A definite period of observation and review occurs during deferred suspension. If a student is again found responsible of violating the Code of Student Conduct, the suspension will take place immediately

without appeal.

17. Expulsion

The permanent loss of the privilege of registration, class attendance, and residence in University owned or managed housing. The privilege of the use of or being on the premises of University facilities or property is also withdrawn by this action. A student who has been expelled is not eligible for readmission. Any student who is expelled may be entitled to a refund of fees in accordance with the University refund schedule. Lastly, a notation will be placed on a student's transcript indicating disciplinary expulsion.

18. Academic Sanctions

1. **Written Reprimand:** A written reprimand is a warning given indicating the student's behavior was in violation of the Academic Integrity Policy and should not be repeated. This sanction may be an appropriate for minor violations (poor citations or other plagiarism without the intent to defraud).
2. **Retake/Replace Assignment:** Allowing a student to retake an assignment or to make-up an assignment with different work may be an appropriate sanction for minor violations in which the student admits culpability. Retake/Replace assignments should have a maximum score less than that of the initial assignment.
3. **No Credit (for Assignment):** This is the recommended sanction for most violations of academic integrity. This sanction is generally appropriate for collaborating on homework and/or minor plagiarism in a writing assignment.
4. **Reduction of Final Course Grade:** This sanction may be appropriate in violations where the student refuses to take responsibility for their misconduct or compounds their misconduct with a pattern of inappropriate behavior. This sanction may also be appropriate for major violations in which the student is fully cooperative.
5. **Failure of Class:** This sanction is recommended for most major violations of academic integrity. Such violations include cheating on a midterm or final exam, plagiarizing a term paper, or other misconduct on a major summative experience.

19. Non-academic Sanctions

Nonacademic sanctions may be imposed by the Academic Integrity Hearing Panel (AIHP) in addition to the academic sanction that was issued by the faculty member. The AIHP may issue any sanction set forth in the Code of Student Conduct. Nonacademic sanctions are automatically considered by the panel for repeat offenses or if the student fails to initially meet with the professor to discuss the allegations.

1. **Removal of Credit:** An order withdrawing academic credit previously granted to a student may be imposed by the academic integrity hearing panel (AIHP) who has been found responsible for a serious violation of the Academic Integrity Policy.

2. **Academic Integrity Notation on a Transcript:** A notation on a transcript may be imposed if the AIHP determines that a student has committed a violation of the Academic Integrity Policy. The AIHP may impose the sanction of a notation, which is placed on the student's academic transcript indicating that he/she received a failing grade in the course or was suspended/expelled due to a violation of academic integrity. A notation of this type will be reserved for cases in which the violation of the Academic Integrity Policy is determined by the AIHP as serious, or when the violation is a repeat offense.
3. **Revocation of Degree:** This sanction may be imposed by the AIHP when a student has been found responsible of a serious violation of the Academic Integrity Policy. Plagiarism of a graduate thesis or dissertation discovered after a student has graduated may result in revocation of the student's degree.

3720.7 Student Rights

A. Rights of the Accused

1. The right to receive notification of the section(s) of the Code allegedly violated and the date, time, and place of any conference or hearing on the alleged violation.
2. The right to challenge the objectivity or fairness of any of the persons serving on a hearing panel. The decision to uphold any challenge made rests with the chair of the proceedings.
3. The right, in all disciplinary proceedings to have the presence of an advisor. The advisor may consult with the student, but may not address the conduct officer or hearing panel board or participate directly in the hearing.
4. Upon request, the right to review a copy of each document pertinent to the alleged violation.
5. Upon request, the right to notification of the name of each person expected to testify at any conference or hearing.
6. The right to introduce documents, to call witnesses, and present other evidence. The right to call witnesses is accompanied by the obligation to provide the name of each witness, in writing, two business days in advance of a conference or hearing to the conduct officer or Director or designee.
7. The right to be present at disciplinary hearings or conferences on the alleged violation and to make or refrain from making statements. (This right is not applicable to appeal hearings with the Director or academic integrity hearings unless requested to appear)
8. The right to ask questions of any person participating in or providing information at a conference or hearing. All questions asked by the accused are to be directed towards the chair of the proceedings. In certain circumstances, questioning may be done outside the physical presence of those participating in

the conference or hearing.

9. The right to receive timely written notification of any decision made.
10. The right to appeal the decision of a hearing or conference in accordance with University procedures.
11. The accused has the right to review the accused student's record that exists of any hearing in accordance with all state laws and the Family Educational Rights and Privacy Act.
12. The right to request postponement of a hearing for good cause shown. In most cases, a postponement will only be granted due to an academically related commitment. The decision to postpone a conduct conference rests with the hearing officer. The decision to postpone a hearing rests with the Director or designee of Community Standards and Student Conduct.
13. The right to be granted, if reasonably available, a change in living assignment, academic arrangement, no contact order, or other steps necessary to prevent unnecessary or unwanted contact.

B. Rights of Complainant

1. The right to be kept informed of the status of proceedings throughout the process.
2. The right to challenge the objectivity or fairness of any of the persons serving on a hearing panel. The decision to uphold any challenge made rests with the chair of the proceedings.
3. The right, in all disciplinary proceedings to have the presence of an advisor. The advisor may consult with the student, but not address the conduct officer or hearing panel board or participate directly in the hearing.
4. Upon request, the right to review a copy of each document pertinent to the alleged violation.
5. Upon request, the right to notification of the name of each person expected to testify at any conference or hearing.
6. The right to introduce documents, to call witnesses, and present other evidence. The right to call witnesses is accompanied by the obligation to provide the name of each witness, in writing, two business days in advance of a conference or hearing to the conduct officer or Director or designee.
7. The right to be present at disciplinary hearings or conferences on the alleged violation and to make or refrain from making statements. (This right is not applicable to appeal hearings with the Director or academic integrity hearings unless requested to appear)
8. The right to ask questions of any person participating in or providing information at a conference or hearing. All questions asked by the complainant are to be directed towards the chair of the proceedings. In certain circumstances, questioning may be done outside the physical presence of those participating in the conference or hearing.

9. The right to request to answer questions posed by the accused outside of the physical presence of the accused. The Director or designee will determine if such a request will be granted.
10. The right to submit, in writing, an impact statement to any conduct body. Impact statements are considered only after a decision is made that a violation occurred.
11. The right to receive timely written notification of any decision made (only in instances of sexual misconduct/harassment, physical assault domestic violence, stalking, and dating violence).
12. The right to be granted, if reasonably available, a change in living assignment, academic arrangement, no contact order, or other steps necessary to prevent unnecessary or unwanted contact.
13. The right to request postponement of a hearing for good cause shown. In most cases, a postponement will only be granted due to an academically related commitment. The decision to postpone a conduct conference rests with the hearing officer. The decision to postpone a hearing rests with the Director or designee of Community Standards and Student Conduct.
14. The complainant has the right to review the complainant's record that exists of any hearing in accordance with all state laws and the Family Educational Rights and Privacy Act

In Cases of Gender Based Harassment or Violence (including Sexual Misconduct/Harassment, Dating Violence, Domestic Violence, and Stalking)
(Gender Based- Harassment and Violence Policy,[UP#8065](#))

A complainant or respondent involved in a process pertaining to any of the allegations mentioned above is provided the following additional rights:

1. The right to remain present throughout the entire hearing except during deliberations.
2. The right to not have his/her/their past sexual history discussed during the hearing. The hearing chair shall determine questions of relevancy.
3. The right to be informed, in writing, of the outcome of the conference or hearing decision and any sanctions that may have been assigned as well as the outcome of any subsequent appeal hearing.
4. The right to a single appeal of the outcome of a conference or hearing decision in accordance with University appeal procedures.

3720.8 Non-academic Violations Process

A. Violation Notification and Hearings

1. Any person may file a complaint against a student or organization for misconduct. The complaint must be prepared in writing, signed, and directed to the Office of Community Standards and Student Conduct. All complaints should be submitted as soon as possible after the event takes place.
2. Upon receipt of a complaint, the conduct officer will review the report to determine if a possible violation may have occurred and what type of violation (A or B) it may be. If, based on the review, there is not sufficient evidence to substantiate the complaint, the complaint will be dismissed.

B. Conference and Hearing Processes

1. In cases where the complaint suggests that a category "A" violation may have occurred, a conduct officer will schedule a meeting with the student or organization's president to obtain additional information about the incident. Upon discussing the situation with those involved and reviewing all information available, the conduct officer will either provide the student with a notice of alleged violation or dismiss the case. If issued, all alleged violations will be presented to the accused student in written form and a conduct conference scheduled. In most cases, the student shall be entitled to receive written notice of a conference at least three days in advance. However, if the incident involves alleged behavior that causes concern for the safety and/or security of the campus community, verbal or written notice to meet immediately with a conduct officer or hearing panel may be given. Furthermore, the student has the ability to waive his/her right to advanced notice if a meeting can be scheduled earlier at a mutually agreeable time. Minimum and maximum time limits for scheduling conferences may be reduced or extended at the discretion of the conduct officer.

Students may call others to a conference to provide information on their behalf. If the student fails to attend the initial meeting with the conduct officer, a determination as to whether to proceed or dismiss the complaint will be made in the student's absence. In the event that the conduct officer determines there is enough information to proceed with the disciplinary process, notice of the alleged violation(s) and the time, date, and location of the conduct conference will be given to the student.

2. If the student, during the investigation or conduct conference, admits responsibility for violation(s), the conduct officer will determine an appropriate sanction and the incident shall be considered resolved. In the event that the student denies that a violation took place, the conduct officer, based on a preponderance of the evidence, will either dismiss the case, or hold the student responsible and assign an appropriate sanction(s).
3. In cases where the complaint suggests that a category "B" violation may have occurred, the case will be processed by the director or designee. The director or designee will investigate the incident and schedule a meeting with the accused student. Upon discussing the situation with the student and reviewing all relevant information, the director or designee will either provide the student with a notice of alleged violation or dismiss the case. If issued, all violations will be presented to the accused student in written form. Once notified, the student may choose to waive his/her right to a hearing, and agree that the director or designee adjudicates the case or may request a hearing. (The director or designee has the right to refer any case and all materials to the Conduct Review Panel to be resolved.)

a. Violation Notification and Hearings

1. Any person may file a complaint against a student or organization for misconduct. The complaint must be prepared in writing, signed, and directed to the Office of Community Standards and Student Conduct. All complaints should be submitted as soon as possible after the event takes place.
2. Upon receipt of a complaint, the complaint will be reviewed to determine if there is enough information present to proceed with the process. If, based on the review, there is not sufficient information to substantiate the complaint, the complaint will be dismissed.

b. Conference and Hearing Processes

1. In cases where the complaint suggests that a category “A” violation may have occurred, a conduct officer will schedule a meeting with the student or organization’s president to obtain additional information about the incident. Upon discussing the situation with those involved and reviewing all information available, the conduct officer will either provide the student with a notice of alleged violation or dismiss the case. If issued, all alleged violations will be presented to the accused student in written form and a conduct conference scheduled. In most cases, the student shall be entitled to receive written notice of a conference at least three calendar days in advance. However, if the incident involves alleged behavior that causes concern for the safety and/or security of the campus community, verbal or written notice to meet immediately with a conduct officer or hearing panel may be given. Furthermore, the student has the ability to waive his/her/their right to advanced notice if a meeting can be scheduled earlier at a mutually agreeable time. Minimum and maximum time limits for scheduling conferences may be reduced or extended at the discretion of the conduct officer.

Students may call others to a conference to provide information on their behalf. If the student fails to attend the initial meeting with the conduct officer, a determination as to whether to proceed or dismiss the complaint will be made in the student’s absence. In the event that the conduct officer determines there is enough information to proceed with the disciplinary process, notice of the alleged violation(s) and the time, date, and location of the conduct conference will be given to the student.

2. If the student, during the investigation or conduct conference, admits responsibility for violation(s), the conduct officer will determine an appropriate sanction and the incident shall be considered resolved. In the event that the student denies that a violation took place, the conduct officer, based upon a preponderance of the evidence, will either dismiss the case, or hold the student responsible and assign an appropriate sanction(s).

3. In cases where the complaint suggests that a category “B” violation may have occurred, the case will be processed by the Director or designee. The Director or designee will investigate the incident and schedule a meeting with the accused student. Upon discussing the situation with the student and reviewing all relevant information, the Director or designee will either provide the student with a notice of alleged violation or dismiss the case. If issued, all violations will be presented to the accused student in written form. Once notified, the student may choose to waive his/her/their right to a hearing, and agree that the Director or designee adjudicates the case or may request a hearing. The Director or designee has the right to refer any case and all materials to the appropriate panel to be resolved.

4. If the student fails to attend the initial meeting with the Director or designee, a determination as to whether to proceed or dismiss the complaint will be made in the student's absence. In the event that the Director or designee determines there is enough information to proceed with the disciplinary process, the Director or designee will determine if the student shall participate in a conduct conference or hearing. Notice of the alleged violation(s) and the time, date, and location of the conduct conference or hearing will be provided to the student. In the event that the student requests a hearing, the Director or designee will schedule a hearing with the appropriate panel. In most cases, the student shall be entitled to receive written notice of the hearing at least three days in advance. However, if the incident involves alleged behavior that causes concern for the safety and/or security of the campus community, verbal or written notice to meet immediately with a conduct officer or hearing panel may be given. Furthermore, the student has the ability to waive his/her/their right to advanced notice if a meeting can be scheduled earlier at a mutually agreeable time. Minimum and maximum time limits for scheduling conferences may be reduced or extended at the discretion of the conduct officer.

5. When a student or organization is directed to participate in a hearing or conduct conference, a date and time will be set as soon as possible. Minimum and maximum time limits for scheduling of conferences or hearings may be reduced or extended at the discretion of the Director or designee. If a student or organization fails to respond to directions from a conduct officer, the Director or designee or hearing panel relative to participating in an investigation, conference, or hearing, a \$35 non-appearance fine will be imposed, and the case adjudicated without the involvement of the student. Furthermore, no student may be eligible to graduate, receive grades, or have transcripts released until all pending conduct matter(s) are resolved.

6. If a student is found responsible for violating the Code of Student Conduct and fails to respond to directions from the conduct officer, Director or designee, or hearing panel relative to completing a conduct sanction(s), a \$35 non-compliance fine will be imposed, a hold will be placed upon the student's University record and he or she may face additional disciplinary action.

7. If an organization is found responsible for violating the Code of Student Conduct and fails to respond to directions from the conduct officer, Director or designee, or hearing panel relative to completing a conduct sanction(s), a \$35 non-compliance fine will be imposed, the organization shall lose its recognition until all sanctions are complete and may face additional disciplinary action.

8. Hearings and conduct conferences will be conducted in a fair and reasonable manner and will not be restricted unduly by rules of evidence and procedure.

a. Hearings and conferences will be conducted in private. At the request of the accused student, along with the agreement of any other student participants and

subject to the discretion of the conduct officer or chairperson of the hearing panel, the proceedings may be open to the public.

b. Admission of any person to the hearing will be at the discretion of the conduct officer or hearing body chair. In hearings involving more than one accused student,

the conduct officer, at his or her discretion, will determine if hearings or conferences concerning each student will be conducted jointly or separately.

c. Any student involved in the conduct process has the right to consult an advisor of his/her/their choice. Advisors are not permitted to speak or to participate

directly in any hearing, conference, or appeal.

d. The complainant, the accused, and the conduct officer or conduct bodies have the ability to present witnesses, subject to the right of questioning by all parties.

The complainant and accused will direct their questions to the conduct officer or chair of the conduct body.

e. Pertinent records, exhibits, and written statements may be accepted as information for consideration.

f. While other means may be used, e-mail is the official method of notice for the Office of Community Standards and Student Conduct. In hearings and/or

conferences it shall be presumed that the notice of a hearing/conference has been received if the notice is furnished in any of the following ways:

An e-mail sent

to their Wright State e-mail address, notice sent by regular, registered or electronic mail to the local address provided by the student to the Office of Community

Standards and Student Conduct or that is on record in the Registrar's Office, or delivery to the student's campus residence by a staff member.

g. All questions regarding the interpretation of a procedure pertaining to a conference or hearing are subject to the final decision of the conduct officer or chair.

Questions of interpretation of University policy which may arise during a conference or hearing will be subject to the final decision of the Director or designee.

h. At the conclusion of a conference or hearing, the conduct officer or hearing panel will determine whether the student has violated each section of the Code of

Student Conduct for which the student was given notice. Decisions of any hearing panel will be determined by a majority vote. All decisions shall be made on the basis of a preponderance of the evidence.

i. If it is determined that a student has violated the Code, the conduct officer or discipline body must determine the appropriate sanction. In doing so, the student's past disciplinary history will be considered.

j. No student may be found to have violated the Code solely because the student failed to appear before a conduct body. In all cases, the information in support of the alleged violations shall be presented and considered.

k. A single record, such as a tape recording or written record of all conferences or hearings may be created by the Office of Community Standards and Student

Conduct. The record shall be the property of the University and will be maintained until the conclusion of all appeal proceedings, or until the appellate term has concluded. Students are not permitted to record any conference, hearing or disciplinary meeting without the consent of the presiding conduct officer or hearing chair.

l. The Director or designee is the liaison to students who have been placed on probation or separated from the University and is responsible for informing the

student of the procedure for reinstatement. The Director or designee has the authority to place holds on registration and transcripts of students as a result of disciplinary action.

3720.9 Gender-Based Harassment and Violence Policy

see University Policy #8065)

3720.10 Hazing Policy

Wright State University recognizes that membership in organizations can significantly enhance the learning and experiences of university students. In addition, the University is committed to cultivating a community that fosters respect for the dignity and rights of all its members. In our community there is no place for hazing which includes abusive behavior, harassment, or assault. Group loyalty and unity is built on trust and mutual respect. Hazing is an abuse of power and relationships, and puts individuals at risk; therefore, Wright State University will not tolerate hazing in any form by any members of the University community. This policy applies to all student organizations including but not limited to fraternities, sororities, military organizations, etc.

Hazing in any form is prohibited. The University will investigate and respond to all reports of hazing as defined in this policy. Retaliating in any manner against an individual who reports hazing or who participates in an investigation of a hazing report is strictly prohibited and will be investigated by the Office of Community Standards and Student Conduct. All members of the University community shall cooperate in an investigation of hazing.

This policy applies to all members of the University community. Students, administrators, staff, faculty, consultants, alumni, student organizations (including but not limited to, fraternities, sororities, military organizations, etc.) and volunteers of any organization are members of the University Community for purposes of this Policy. This Policy applies to hazing that takes place between two or more people affiliated with the University, regardless of whether the behavior occurs on or off University property. This policy applies regardless of a person's willingness to participate.

Reporting

A. Duty to report:

Immediately upon learning of potential hazing, all employees, volunteers, advisors, consultants, and alumni have a duty to report any alleged violation of hazing. Each mandated reporter must report to the university and to law enforcement.

Separate from and in addition to any administrative duty to report hazing, Ohio Revised Code section 2903.0311 states that "[n]o administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization,...who is acting in an official and professional capacity shall recklessly fail to immediately report the knowledge of hazing to a law enforcement agency in the county in which the victim of hazing resides on in which the hazing is occurring or has occurred."

B. Filing a report of violation of this Policy:

The Office of Community Standards and Student Conduct serves as the recipient for any complaint or report of hazing in violation of this Policy. Making an intentionally false accusation of hazing is strictly prohibited.

C. Anonymous complaints:

Wright State University is committed to reviewing all reports of hazing. Anonymous reports are accepted; however, the University's ability to obtain additional information may be compromised and the ability to investigate anonymous reports may be limited.

Rights of Those Who Report

The Office of Community Standards and Student Conduct, in its discretion, may not pursue disciplinary violations against students or organizations under the following circumstances:

- Individuals who are victims of hazing and truthfully report the activities to the University Police Department and/or an appropriate University official.
- Individuals who have knowledge of a hazing incident, but did not participate, and truthfully report the activities that occurred.
- An organization that seeks assistance in preventing hazing from occurring, even if past behaviors have included hazing.
- Any organization that self-reports a hazing incident to the appropriate University officials prior to the incident being reported by another source will be given the opportunity to present to Community Standards and Student Conduct their plans to self-govern and address the conduct violation and change the behavior. At the discretion of Community Standards and Student Conduct, the organization's sanctions could be accepted without any further disciplinary sanctions.
- Any organization that self-reports must identify those individuals responsible for the hazing behaviors to be held individually responsible through the appropriate conduct process.

Out Comes and Consequences

Hazing is a serious offense, and, therefore, is subject to the full range of sanctions set forth within this Policy. If evidence is presented in subsequent semesters that hazing behaviors have continued within the organization, that organization or individuals may be held responsible for current and past behaviors. Any organization or individual may be found responsible for any violations of this policy if it is shown that the organization or individuald did not discourage or did not take reasonable steps to prevent hazing.

3720.11 Health and Wellness Conference

The director or designee may require a student to participate in a health and wellness conference when an alleged violation of the Code of Student Conduct has occurred (either A or B violations) in which the student demonstrates evidence of a physical and/or emotional condition which may preclude an effective resolution of the situation through the conduct process. Any student who participates in a health and wellness conference is entitled to the same rights and has the same responsibilities as any other student who participates in any other conduct conference, hearing or appeal (See Section 3720.8 Student Rights for more information).

Once a determination is made to refer the student to a health and wellness conference, the student will meet with a professional staff member from the Division of Student Affairs who will serve as a conduct officer and a mental health consultant from Counseling and Wellness Services. This conference shall take place at the first available time after the student has received notice that a health and wellness conference is necessary.

If, during the conference, it is determined that the student accepts responsibility or is found responsible for the violation(s), the conduct officer, in collaboration with the mental health consultant will determine an appropriate intervention/sanction(s). The conduct officer may impose any sanction provided for in this code. A student found responsible for violating the Code of Student Conduct as a result of a health and wellness conference may appeal the decision to the assistant vice president for student affairs or designee. (See Section 3720.13 Appeals for more information).

In the event that a determination is made that a student should not remain in school and/or in campus housing, there will be no academic penalty for the term in which the student is enrolled and a full refund of all tuition and fees will be provided. Any student separated from school, in accordance with this policy, will be advised in writing of the procedure for applying for readmission to Wright State University.

Application for readmission after withdrawal due to a health and wellness conference will require a formal letter of request for readmission to the director or designee accompanied by a written treatment evaluation from either a mental health consultant from Counseling and Wellness Services at Wright State University or a previously agreed upon mental health professional. The decision to readmit a student will be determined by the director or designee in collaboration with a mental health consultant from the Counseling and Wellness Services. The director or designee is responsible for monitoring the completion of all sanctions imposed.

3720.12 Academic Integrity

It is the policy of Wright State University to uphold and support standards of personal honesty and integrity for all students consistent with the goals of a community of scholars and students seeking knowledge and truth. Furthermore, it is the policy of the University to enforce these standards through fair and

objective procedures governing instances of alleged dishonesty, cheating, and other academic misconduct.

A. The following recommendations are made for students:

1. Be honest at all times.
2. Act fairly toward others. For example, do not disrupt or seek an unfair advantage over others by cheating, by talking, or by looking at other individuals' work during exams.
3. Take group as well as individual responsibility for honorable behavior. Collectively, as well as individually, make every effort to prevent and avoid academic misconduct, and report acts of misconduct that you witness.
4. Do not turn in the same work in more than one class unless permission is received in advance from the professor.
5. Unless permitted by the instructor, do not collaborate with others on graded course work, including in class and take-home tests, papers, or homework assignments.
6. Know what plagiarism is and take steps to avoid it. When using the words or ideas of another, even if paraphrased in your own words, cite the source(s).
(Note: see Section III, page 4 - Definitions)
7. Know the policy-ignorance is no defense. If you have any questions regarding academic misconduct, contact your instructor. Those who violate campus policy are subject to disciplinary action.

B. Academic Integrity Policy and Process (*Approved by Faculty Senate on October 5, 2009*)

The student discipline process for violations of academic integrity is activated whenever an undergraduate or graduate student is accused of violating the Academic Integrity Policy. Students who are participating in a professional practice program may be held accountable to additional standards and should refer to all relevant policies and procedures pertaining to their particular school or college.

Any member of the community may report an alleged violation. A violation may be reported to the instructor of the course in which the alleged act occurred, the chair or dean (or equivalent academic administrator) of the college/school with which the course is affiliated, or a member of the staff of the Office of Community Standards and Student Conduct. An individual who suspects a student of cheating may at any time contact the Office of Community Standards and Student Conduct at (937) 775-4240 to receive assistance with any aspect of the academic integrity process. All reports must be in written form to be adjudicated.

A student accused of a violation of academic integrity is not permitted to drop or withdraw from the course giving rise to the allegation of academic dishonesty unless the matter is resolved in the student's favor. Once notified by the professor, the Office of Community Standards and Student Conduct is responsible for notifying the Office of the Registrar that there is an alleged violation being considered. If the alleged violation cannot be resolved prior to the date upon which

final grades must be reported to the Office of the Registrar, the instructor of the class, with the advice and counsel of the department chair or equivalent will assign a grade of "N." In the event that a student is exonerated as a result of an academic integrity investigation, the student may choose to either complete the course, with the opportunity to make up any work missed, or withdraw from the course without any notation of the course on the student's academic transcript.

When a student is suspected of committing an act of academic dishonesty, the faculty member should utilize the procedures listed below. Both the student and /or faculty member may invite an advisor to be present during any phase of this process; however, advisors are not permitted to speak or to participate directly in the process.

C. Faculty-Student Meeting Procedures

The faculty member will document the alleged violation utilizing either an Academic Integrity Violation form or written memo. He/she will then notify the student of the allegations (preferably in writing). Within three business days of receiving the notification, the student should contact the faculty member and schedule a meeting. The subsequent meeting should be convened within two weeks. If the faculty member is not available, the student may be requested to see a suitable representative (department chair, Dean, etc). A copy of the Academic Integrity Violation form or memo should be provided to the student when the faculty member and student meet. In the event the student fails to meet with the faculty member, a copy of the documentation can be provided to the student at his/her request by the Office of Community Standards and Student Conduct.

If the student chooses to not schedule a meeting or fails to attend a scheduled meeting, the student will be found responsible for violating the Academic Integrity Policy. The faculty member will choose one or more academic sanctions provided in the policy and submit the Academic Integrity Violation form or a memo to the Office of Community Standards and Student Conduct describing the resolution of the incident. Furthermore, upon receipt of the documentation, the Office of Community Standards and Student Conduct will bill a \$35 non-compliance fee to the student's bursar account and he/she may be referred to the Academic Integrity Hearing Panel (AIHP) for consideration of further sanctioning.

If, as a result of the meeting with the student, the faculty member believes that no violation took place, the faculty member will dismiss the case and the issue will be considered resolved. Any academic misconduct documentation regarding the incident should be destroyed. However, if after discussing the incident with the student, the faculty member still believes that "more likely than not" a violation did occur; the faculty member will choose one or more academic sanctions provided for within this policy.

If the student and faculty member agree that a violation took place, the faculty member will complete the Academic Integrity Resolution form and ask the student to sign the form. If the student refuses to sign, the faculty member will check the box "student did not sign" on the form. The form will then be sent to the Office of Community Standards and Student Conduct and a copy provided to the student. Additionally, the faculty member should retain his or her copy and forward all remaining copies of all forms to the Office of Community Standards and Student Conduct .

If, after reviewing all of the information, the faculty member believes that the seriousness of the incident warrants additional action beyond an academic sanction, the Resolution Form should be completed indicating that the case will be referred to the AIHP for consideration of additional sanctioning. Furthermore, any student who has previously been found responsible for committing an act of academic dishonesty according to the records maintained within the Office of Community Standards and Student Conduct will also be referred to the AIHP for possible further sanctioning.

In the event that the student denies the allegation(s), the faculty member will inform the student that the case will be forwarded to the AIHP for adjudication. The faculty member will then complete the Academic Integrity Resolution form indicating a referral to the AIHP and ask the student to sign the form. If the student refuses to sign, the faculty member will check the "student did not sign" box on the form. All remaining documentation is then sent to the Office of Community Standards and Student Conduct. The Office of Community Standards and Student Conduct is responsible for the scheduling of the hearing.

D. Academic Integrity Hearing Panel (AIHP)

The AIHP consists of two faculty members and a student member. One of the faculty members will be the chair of the committee. Faculty panel members are nominated by the Executive Committee of Faculty Senate and approved by the Faculty Senate. The Office of Community Standards and Student Conduct is responsible for the selection of the student representatives.

The AIHP will review the written material submitted by the faculty and the student and select one of the following actions (1) AIHP concurs with the faculty member's opinion that the student has committed a violation of the Academic Integrity Policy, (2) AIHP concurs with the faculty member's opinion that the student has committed a violation of the Academic Integrity Policy and recommends an additional sanction, or (3) AIHP is unable to make a determination based on the written documentation and asks the student and faculty to appear at a AIHP hearing.

The AIHP hearing is an opportunity for the student and faculty member to present views, call witnesses, and present documents and other evidence. The student accused of violating the Academic Integrity Policy is required to represent himself/herself at the hearing. The university may be represented by the instructor of the course giving rise to the alleged incident, by the chair of the department offering the course, or by the dean or designee of the college or school with which the course is affiliated.

The AIHP will consider the documents, testimony, or other evidence presented to it by the student and the faculty representative. Based upon the standard of a preponderance of the evidence ("more likely than not"), the AIHP will render a decision. The AIHP will confer in private to determine whether the student committed an act of academic dishonesty and, if so, the proper sanction(s). If the AIHP finds in favor of the student, the grade of "N" previously assigned to the student's record shall be expunged. The AIHP will refer the matter back to the faculty member who gave rise to the alleged violation with the instruction to re-evaluate the student's work based on its merits.

If the AIHP finds against the student, it may impose any of the sanctions set forth in the code in addition to the original sanction that was issued by the faculty member. The student's cumulative disciplinary history will be taken into account during the sanctioning phase of the process. The AIHP shall mail to the

student written notice of its decision. The decision of the AIHP as to whether a student is responsible or not for a violation of academic misconduct is final. Furthermore, if a student is found responsible by the AIHP, then the academic sanction recommended by the faculty member is also final. Only non-academic sanctions levied by the AIHP (e.g. a suspension for a second violation) may be appealed to the University Appeals Panel. Any appeal must be delivered, in writing, to the Office of Community Standards and Student Conduct (See Section XI).

Additional Information Regarding Academic Misconduct

E. Examples of Academic Dishonesty include, but is not limited to the following behaviors:

Using external assistance during an examination unless expressly permitted by the instructor, including:

- Communicating in any manner with another student during an examination;
- Copying material from another student's examination;
- Permitting another student to copy from your examination;
- Using notes, calculators, or other devices during an examination without express permission from the instructor; and
- Utilizing the assistance of a third party in completing a take-home exam when such assistance is not expressly permitted.

Falsifying information for inclusion in an assigned paper or exercise, including:

- Inventing or altering data for a laboratory experiment or field project;
- Altering the content of a graded paper and resubmitting it to the instructor under the pretense of an error in grading;
- Creating a fictional citation for a research paper.

Taking credit for the work of others, including:

- Quoting, paraphrasing, or otherwise using the words or ideas of another as your own without acknowledging or properly citing the other (commonly called plagiarism);
- Submitting as your own work any paper, homework assignment, take-home examination, computer program, artistic work, or other academic product created wholly or in part by, provided by, or obtained from another.

Engaging in improper conduct such as:

- Obtaining or reading a copy of a confidential examination in advance of the time it will be administered without the knowledge and consent of the instructor;
- Submitting a paper or essay prepared for one class in another class without the knowledge and consent of the instructor of the latter;
- Creating or making changes to your academic record or changing grades; stealing, changing, destroying, or impeding the academic work of another student.

3720.13 Appeals

The appellate process is designed to ensure the integrity of the deliberations and decisions of the University hearing panel(s) and/or the decisions of a conduct officer.

1. A student participating in a conduct conference due to a category “A” violation may appeal the outcome of the conference to the Director of Community Standards and Student Conduct or designee. The appellate decision of the Director or designee will be final.
2. A student participating in a health and wellness conference may appeal the outcome to the Assistant Vice Provost for Student Affairs or designee. The appellate decision of the Assistant Vice Provost or designee will be final.
3. A student may appeal a decision to the University Appeals Panel when any of the following criteria are met:
 - A student participated in a conduct conference with the Director or designee where suspension or expulsion is the sanction.
 - A student participated in a Conduct Review Panel hearing or Gender-Based Harassment and Violence Panel hearing.
 - A student participated in an Academic Integrity Hearing Panel hearing.

The appellate decision of the University Appeals Panel is final.

4. A student who has participated in a conduct conference (except those involving gender-based harassment or violence) with the Director or designee and where sanctions do not include suspension or expulsion, may appeal to the Assistant Vice Provost of Student Affairs or designee. The appellate decision of the Assistant Vice Provost or designee will be final.
5. In all cases, a detailed, written appeal must be submitted using the link provided in the decision letter within five business days after the date the student is sent written notification of the decision. The Director or designee is responsible for processing all appeals as described in this Code.

A student may request an appeal on one or more of the following grounds:

1. The student has been deprived of his or her rights as defined herein.
2. The facts appear to be insufficient to support the decision to find that a violation was committed.
3. In cases of gender based harassment and violence the accused student was found not responsible but the complaining party believes that the facts were sufficient to establish the violation.
4. The sanction(s) imposed by the officer/body of original jurisdiction was not justified by the nature of the offense.
5. To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.

The appeal should state in plain and simple language that the decision is being appealed. An appeal also should describe, in plain and simple language, each error of procedure or fact allegedly made by the conduct officer or hearing panel and the facts that support the student's assertion that an error was made.

In cases appealed to the Director or designee or Assistant Vice Provost, he/she, as necessary, may request the student appear in person to provide oral arguments in addition to the written appeal in order to render a decision. The appellate decisions of the Director or designee, Assistant Vice Provost, and the University Appeals Panel are final.

In non-academic cases referred to the University Appeals Panel, the panel examines the hearing or other records to determine whether the procedures employed were proper, whether the decision is adequately supported by the documents, testimony, or other evidence, or the propriety of any sanction imposed, or new evidence presented.

The appellate process differs from that of the hearing. The Appeals Panel does not hear testimony from witnesses; consider documents or other evidence not previously considered by the hearing body unless the appeal is based upon the discovery of new information and/or evidence. The Appeals Panel may, however, permit the student who has appealed and the conduct officer to make oral arguments and answer questions posed by the board. Furthermore, after oral arguments and questioning are complete, the Appeals Panel will meet in closed session to review records, including any tapes or transcripts, and to determine whether the procedural and substantive decisions made were proper. If there were no procedural or substantive errors made which would have significantly affected the outcome of the hearing, the decision will be upheld.

If, however, there were procedural or substantive errors significantly affecting the outcome of the hearing, the Appeals Panel shall remand the case to the hearing panel or Director for appropriate action. Every effort will be made to notify students of the findings of the Appeals Panel within five business days of the date of the decision. Students are entitled to a single appeal. The decision(s) of the Appeals Panel is final.

3720.14 Distinguishing the Student Code Provisions from Local, State and Federal Laws

Members of Wright State University and its visitors are subject to all University rules and regulations, including those contained in the Code of Student Conduct. Additionally, students are also simultaneously subject to all local, state, or federal laws. Any conduct that involves violation of local, state, or federal law may result in University disciplinary action as well as civil and/or criminal action. The Board of Trustees has delegated to the president and to the president's designated representatives the authority to seek the assistance of appropriate law enforcement officers, in addition to the University's Police Department to enforce University regulations and state laws for the preservation of good order on the campus.

On January 1, 1974, the Ohio Campus Disruption Act, which was originally introduced as House Bill 1219, became part of the Ohio Revised Code. House Bill 1219 contained sections that pertain to "control of campus violence." A Wright State University student arrested for one or more crimes of violence as listed under Ohio Revised Code Section 3345.23 (or an equivalent offense under a municipal ordinance) will be afforded a hearing in accordance with the ordinance to determine whether he or she will be suspended from the University. The law mandates that such a hearing is to take place within five days of the arrest (continuances may be granted, which may not exceed a total of 10 days) and is to be conducted by a referee appointed by the Ohio Board of Regents.

If the hearing produces a preponderance of evidence indicating that the student did commit the offense, the referee may suspend the student from the University or place the student on disciplinary probation with restrictions. The period of suspension or probation is in effect until the student is acquitted or convicted in a court of law. If the student is convicted, he or she will be suspended from the University for not less than one calendar year, and may not attend any state of Ohio college or University for that period.

Students so convicted may be readmitted or admitted to any other Ohio tax-supported college or university, at the discretion of the college or university's board of trustees, but only after the lapse of one calendar year following suspension and only upon terms of strict disciplinary probation. If the student is acquitted, he/she will be re-instated "in good standing" by the University, and the record of suspension or probation will be expunged. The initiation of a 1219 proceeding against a student does not prohibit the University from taking disciplinary action against that same student under the Code of Student Conduct for the same conduct that gave rise to the 1219 proceeding.

Ohio Revised Code 3345.23 Offenses

1. Aggravated Murder
2. Murder
3. Voluntary Manslaughter
4. Involuntary Manslaughter

5. Felonious Assault
6. Aggravated assault
7. Assault
8. Permitting child abuse
9. Aggravated Menacing
10. Menacing by stalking
11. Menacing
12. Kidnapping
13. Abduction
14. Extortion
15. Rape
16. Sexual Battery
17. Gross sexual imposition
18. Aggravated Arson
19. Arson
20. Terrorism
21. Aggravated Robbery
22. Robbery
23. Aggravated Burglary
24. Burglary
25. Inciting to Violence
26. Aggravated Riot
27. Riot
28. Inducing Panic
29. Domestic Violence

30. Intimidation

31. Intimidation of attorney, victim or witness in criminal case

32. Escape

33. Improperly discharging a firearm at or into habitation or school safety zone

34. Endangering children

35. Trafficking in persons

* The above list of Ohio Revised Code Offenses may change without notice. Please refer to the most recent addition of the Ohio Revised Code for further information.

3720.15 Student Disciplinary Files and Records

A. Disciplinary File

An incident file is created in the name of each student or student organization alleged to have violated the Code and follows the student or organization through any conference or hearing.

B. Disciplinary Records

A student is considered to have a disciplinary record when any of the following occurs: (1) a hearing panel or conduct officer finds the student responsible for violating one or more of the policies set forth in Section 3720.5 of the Code and any appeal taken by the student results in an affirmation of the hearing panel's or conduct officer's decision or the student is the subject of a hearing pursuant to Section 3345.23 of the Ohio Revised Code and is found guilty of the charges that gave rise to the hearing.

C. Family Educational Rights and Privacy Act

The following information is published as a public service for the Wright State University community. Federal regulations require annual notice to students on this subject.

Wright State University has for many years regulated access to student records. The Family Educational Rights and Privacy Act of 1974 (FERPA) as amended sets forth requirements designed to limit the disclosure of student educational records. The law governs access to records maintained by educational institutions

and the release of information from those records.

This information includes the regulations designed to explain the rights of students with respect to records maintained by the university. This information also outlines the university's procedures to comply with the requirements of FERPA. Copies of FERPA, the federal regulations adopted pursuant to it, and this notice are available for review in the Office of the Registrar. A digest version of FERPA can be found in the *Student Handbook* and *Undergraduate and Graduate Catalogs*.

The full University FERPA policy may be reviewed at [UP#3010](#)

D. Records Maintenance and Storage

The existence of all student disciplinary records and the contents of such records are kept and maintained by the director or designee in accordance with the federal Family Educational Rights and Privacy Act, all state of Ohio laws, and Wright State University's records retention policy.

The director or designee shall retain all files at least through the end of the fiscal year in which the incident occurred. The disciplinary records of students or organizations who have had a notation placed on their transcript due to academic dishonesty, have been removed from an academic college, suspended, dismissed, de-registered, found guilty in a court of law of the charges giving rise to a Section 3345.23 hearing, or who have failed to successfully complete all of their disciplinary sanctions, shall be retained indefinitely. At the close of each academic year, the director or designee will review all student disciplinary records for the purpose of eliminating those records that document disciplinary action taken against a student or student organization. Records may be eliminated if at least three of the criteria listed below are met:

1. The student has not been registered for classes at the University at any time during the prior five academic years or, if a student organization is the subject of disciplinary record, five full academic years have passed since the organization fully satisfied the terms or conditions of all sanctions imposed upon it.
2. The student or student organization has no outstanding financial or conduct obligations to the university (e.g., personal growth workshop, educational sanction).
3. The student or student organization has not been suspended, de-registered, or found guilty of the charges giving rise to an ORC Section 3345.23 hearing.
4. One calendar year has passed since the student has graduated.

E. Record Elimination

A student or alumna/alumnus may request that the vice provost for student affairs or designee eliminate an incident or incidents from his or her disciplinary record and file kept within the Office of Community Standards and Student Conduct. This request must be in writing and may not be submitted earlier than two years from the time of the original incident(s). The decision to eliminate a record will be based on the violation(s), the individual's disciplinary history, and evidence of appropriate behavior since the violation occurred. Permanent expulsion may not be eliminated from a student's record.

3720.16 Operating Procedures

The director or designee will develop written operating procedures for the Conduct Review Panel, Academic Integrity Hearing Panel, University Appeals Panel, and any other entity given responsibility for implementing the University's conduct process after the effective date of this code. The operating procedures are intended to assist these entities in completing their responsibilities under the code in an effective and efficient manner. The departure of any judicial entity from its operating procedures, in the absence of bad faith or gross error, is not grounds for reversing any decision made at the time of the departure.

3720.17 Implementation and Revisions

This Code shall take effect as of the first day of the fall semester, 2016. The Code of Student Conduct shall be reviewed at least every three years under the direction of the Director or designee. Wright State University reserves the right to make changes to the Code of Student Conduct as deemed appropriate by the Vice Provost for Student Affairs or his/her/their designee.

Revised 8/1/16