

# Student Code of Rights and Responsibilities

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## ▼ 4. Behavioral Expectations and Responsibilities

(1) The University considers the behavior described in the following sub-sections as inappropriate for the University community and in opposition to the lawful missions and core values of the University. Any student and/or student organization found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section .05 Disciplinary Outcomes.

(2) **Academic Misconduct:** A student may be found to have engaged in academic misconduct, if they engage in any act of academic dishonesty which may include, but is not limited to the following:

- a. Making use of or providing unauthorized assistance or materials in the preparation or taking of an examination or other academic coursework;
- b. Acting as a substitute for another person in any academic evaluation or assignment;
- c. Utilizing another person as a substitute for him/herself in any academic evaluation or assignment;
- d. Committing plagiarism by presenting as one's own work, for academic evaluation or assignment, the ideas, representations, or works of another person or persons or oneself without customary and proper acknowledgment of sources;
- e. Knowingly submitting one's work for multiple assignments or classes unless explicitly authorized by the instructor;
- f. Committing an act that materially prevents, impedes, and/or impairs others from completing an academic evaluation or assignment; and/or
- g. Attempting to influence or change one's academic evaluation or record, through dishonesty, coercion, threat, and/or intimidation.

(3) **Disruptive Classroom Behavior:** Disruptive Classroom Behavior is defined as, but not limited to, behavior by any student that obstructs or disrupts the learning environment such as outbursts that inhibit instruction or concentration, failure to cooperate in maintaining classroom decorum, the persistent use of devices that disturb others, or other similar actions.

- a. The instructor and/or the instructor's designee has responsibility for maintaining control over classroom behavior and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct that violates the general rules and regulations of the University for the class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be affected only through appropriate procedures in this rule.

- (4) **Failure to Cooperate with a University Official or Police**: Failure to comply with reasonable directions of University officials or police acting in the performance of their duties.
- (5) **Harm to Persons**: Causing physical harm or endangering the health or safety of any person.
- (6) **Abuse**: Abuse means acts or omissions that would cause a reasonable person, based on the severity, nature, and/or frequency of the conduct, to believe that an individual was subject to an abusive living, learning, and/or working environment, including but not limited to, repeated verbal abuse, including derogatory remarks, insults, and epithets; verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature; or the sabotage or undermining of an individual's performance in the living, learning, and/or working environment.
- (7) **Harassment**: Harassment is unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to participate in or benefit from the University's educational or employment programs or activities.
- (8) **Retaliation**: Engaging in retaliation as defined in this rule.
- (9) **Attempting to Violate the Rules Governing Student Conduct**: Any attempt to commit any of the offenses identified as prohibited conduct, or the aiding/abetting of the commission of any of the offenses listed as such. An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission.
- (10) **Bystanding**: Bystanding is complicity with or failure of any student and/or student organization to appropriately address known or obvious violations of the Student Code or law. Being present during the planning or commission of any offense listed under this section may be considered as bystanding. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the University.
- (11) **Theft of Property or Services**:
- Attempted or actual theft, misappropriation, or unauthorized possession of University property, on or off campus;
  - Attempted or actual theft, misappropriation, or unauthorized possession of the personal property of a Member of the University Community, on or off campus;
  - Obtaining services, access to events, or access to physical spaces from the University or from a Member of the University Community by deception, force, threat or other means, without compensating the provider for these services; and/or
  - Knowingly taking or maintaining possession of stolen property.
- (12) **Damage to Property**:
- Any act of misuse, vandalism, malicious, attempted or actual damage or destruction, defacing, disfiguring of University property; and/or
  - Attempted or actual damage to the personal property of a member of the University community, including, but not limited to, inflicting, or attempting to inflict physical injury on any animal owned, possessed, leased, kept, or held by the victim.
- (13) **Violation of Privacy**:
- Unauthorized creation, use, maintenance, display or transfer of any recording (audio, video, digital, pictorial, etc.) taken without another person's knowledge and effective consent and/or used, maintained, displayed or transferred without the person's express permission;
  - Engaging in observation of activities occurring in a place or places where there is a reasonable expectation of privacy without the knowledge and effective consent of all parties; and/or
  - Unauthorized access of another individual's electronic accounts in any manner.

(14) **Firearms, Weapons, Ammunition, and Explosives:**

- a. Possessing, carrying, using, storing, or manufacturing any weapon on University controlled property or in connection with a University-affiliated activity, unless authorized in writing by the Chief of Police or designee or unless federal or state law affirmatively gives a student a right, irrespective of the Student Code, to possess or carry a weapon on University controlled property or in connection with a University-affiliated activity;
- b. Possessing, carrying, using, storing, or manufacturing any replica or toy weapons or items that simulate firearms or weapons on University controlled property. Examples of these items include but are not limited to: BB guns, pellet guns, paintball guns, water guns, cap guns, stun guns, tasers, and toy knives;
- c. Possessing, carrying, using, storing, or manufacturing ammunition on University controlled property unless authorized in writing by the Chief of Police or designee or unless federal or state law affirmatively gives a student a right, irrespective of the Student Code, to possess or carry ammunition on University controlled property or in connection with a University-affiliated activity; and/or
- d. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or explosion or other means to persons, or possession of any substance which could be considered to be fireworks or an explosive device.

(15) **Hazing:** As it is impossible to anticipate every situation that could involve hazing, this list does not, and cannot, encompass every circumstance that will cause the University to discipline for hazing.

- a. Hazing means any intentional or reckless act, on or off University property, by one (1) student acting alone or with others, that is directed against any other student, that endangers the mental or physical health or safety of that student or that induces or coerces a student to endanger that student's mental or physical health or safety. Hazing shall include, but not be limited to, forcing, compelling, requiring, encouraging, or expecting, whether direct or implied, any individual to participate in any of the following actions or activities:
  1. Paddling;
  2. Kidnapping;
  3. All forms of physical activity which are used to harass, punish, or harm an individual;
  4. Excursions or road trips;
  5. Confinement;
  6. Spraying, painting, or pelting with any substance;
  7. Burying in any substance;
  8. Nudity with the intent to cause embarrassment;
  9. Servitude;
  10. Exposure to uncomfortable elements;
  11. Verbal abuse;
  12. Wearing, in public, of apparel which is conspicuous and/or indecent;
  13. Forcing consumption of alcohol or any other substance, legal or illegal;
  14. Depriving students of sufficient sleep (six consecutive hours per day is normally considered to be a minimum);
  15. Burning, branding, or tattooing any part of the body;
  16. Psychological hazing, defined as any act which is likely to:
    - i. Compromise an individual's dignity;
    - ii. Cause an individual embarrassment or shame;
    - iii. Cause an individual to be the object of malicious amusement or ridicule; and/or
    - iv. Cause an individual emotional distress;
  17. Interrogating an individual in an intimidating or threatening manner;

18. Misleading prospective members in an effort to convince them that they will not become members unless they complete tasks, follow instructions, or act in a certain way;
  19. Misleading prospective members into believing that they will be hurt during induction or initiation;
  20. Carrying any items (shields, paddles, bricks, hammers, etc.) that serve no constructive purpose or that are designed to punish or embarrass the carrier;
  21. Blindfolding and parading individuals in public areas, blindfolding and transporting in a motor vehicle, or privately conducting blindfolding activities that serve no constructive purpose;
  22. Binding or restricting an individual in any way that would prohibit them from moving on their own; and/or
  23. Requiring or suggesting that an individual obtain, purchase, or possess items or complete tasks in an unlawful manner (i.e. for a scavenger hunt).
- b. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts.
- c. This rule is not intended to prohibit the following conduct:
1. Customary athletic events, contests, or competitions that are sponsored by the University or the organized and supervised practices associated with such events; or
  2. Any activity or conduct that furthers the goals of a legitimate educational curriculum, extracurricular program, or military training program, as approved by the University.
- d. An individual may not consent to being hazed, and a victim's voluntary or willful participation in hazing activities will not be considered as a defense against a violation of the hazing rule by an individual or organization.

(16) **Unauthorized Access to University of Memphis Facilities and/or Grounds:** Any unauthorized access or occupancy of University facilities, grounds, and/or other property designated or used for academic and/or research purposes, including but not limited to internship and practicum locations, is prohibited, including, but not limited to, gaining access to facilities and/or grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings with no legitimate reason. This also includes unauthorized entry into or use of University or a Community member's premises and/or equipment, property, room, or distinct physical space. This rule also prohibits trespassing, propping of doors, or unauthorized use of alarmed doors for entry into or exit from a University building.

(17) **Unauthorized Duplication or Possession of Keys:** Making, causing to be made, or the possession of any key (including electronic and/or card keys) for a University grounds, facilities, and/or other property designated or used for academic and/or research purposes, including but not limited to internship and practicum locations, without proper authorization.

(18) **Litter:** Dispersing litter which includes, but is not limited to, garbage, refuse, rubbish and other waste material, in any form onto the grounds or facilities on University property.

(19) **Disorderly Conduct:** Any individual or group behavior which is obscene, lewd, indecent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, residential facilities, other groups, or individuals.

(20) **Falsification:**

- a. Submitting any false, falsified, forged, or altered, materials, documents, accounts, records, identification, or financial instruments to the University or a University official;
- b. Failure to disclose complete official transcripts of all domestic and/or international coursework for the purpose of admission into the University, admission to a program of study, or for consideration of transfer articulation;
- c. Any forgery, alteration of or unauthorized use of University documents, forms, and/or records;

- d. Providing false or misleading information to a University official;
- e. Withholding necessary information from any University official acting in the performance of his/her duties; and/or
- f. Impersonating another member of the University community or a University official.

(21) **University Identification Card:**

- a. The student's University identification card must be provided when requested by any University official.
- b. Misuse of a student identification card is prohibited. Misuse includes, but is not limited to, any of the following:
  - 1. Allowing others to use your identification card;
  - 2. Using another student's identification card;
  - 3. Representing an invalid identification card as valid to a University official or for the purpose of entry into a University resource or event; and/or
  - 4. Alteration of the identification card.

(22) **Alcoholic Beverages:** Except as explicitly allowed for by the University, the use and/or possession of alcoholic beverages on University property is prohibited. The unlawful use and/or possession of alcoholic beverages off University property in violation of any University prohibition, local ordinance, state, or federal law concerning alcoholic beverages is prohibited. This rule includes any violation of the following:

- a. Possession or consumption of alcoholic beverages by students under the age of 21;
- b. Possession or consumption of alcoholic beverages by students aged 21 and over on University owned or controlled property;
- c. The intentional or unintentional supply or sale of alcohol to any person under the age of 21;
- d. Consumption of alcohol associated with disruptive behavior;
- e. Possession or use of false forms of identification to enter a liquor establishment or to obtain alcoholic beverages;
- f. Use of alcohol resulting in incapacitation that requires hospitalization or the recommendation of medical personnel that hospitalization occur; and/or
- g. Driving under the influence of alcohol.

(23) **Drugs and other Controlled Substances:** This offense includes the violation of any local ordinance, state, or federal law concerning drugs or controlled substances, on or off University property. This prohibition also includes the following:

- a. The unlawful possession or consumption of drugs or controlled substances (including, but not limited to, any stimulant, depressant, narcotic, hallucinogenic drug, or marijuana);
- b. The intentional or unintentional unlawful supply or sale of drugs or controlled substances to any person;
- c. Consumption of drugs or controlled substances associated with disruptive behavior;
- d. Obtaining prescription drugs under false pretenses;
- e. Knowing misuse, possession or sale, or distribution of prescription drugs;
- f. Improper use of drugs or controlled substances resulting in incapacitation that requires hospitalization or the recommendation of medical personnel that hospitalization occur; and/or
- g. Driving under the influence of drugs.

(24) **Drug Paraphernalia:** The use or possession of equipment, products or materials that are used or intended for use in the unlawful manufacture, growth, use or distribution of any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia, on or off University property.

(25) **Gambling**: Gambling as prohibited by the laws of the State of Tennessee. Gambling may include, but is not limited to, raffles, lotteries, sports pools, and online betting activities. The prohibition against gambling does not apply to approved fundraising and philanthropic activities of the University or registered student organizations.

(26) **Financial Irresponsibility**: Financial Irresponsibility includes any of the following:

- a. Knowingly passing a worthless check or money order in payment to the University or a member of the University community; and/or
- b. Knowingly using counterfeit money to pay for goods or services provided by a member of the University community.

(27) **Wheeled Devices**: Skateboards, roller blades, roller skates, bicycles and similar wheeled devices are not permitted inside University buildings, University owned or controlled housing, or on tracks or tennis courts. Wheeled devices may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to University property caused by these activities. Additionally, wheeled devices must not be stored or deposited in areas that block entry or exit to/from any University building or facility or block the effective use of railings, curbs, benches, and/or sidewalks/walkways.

(28) **Trademark**: Unauthorized use (including misuse) of University or organizational names and images.

(29) **Ineligible Pledging or Association**: Pledging or associating with a student organization without having met the University's registration requirements.

(30) **Animals**: Animals are not permitted on campus except as allowed by law or as allowed by the University.

(31) **Drones**: Any use of an unmanned aircraft system or drone vehicle in, from, and/or above University property is prohibited except for University approved educational and/or research purposes.

(32) **Life, Property, and Fire Safety**: Violation of local, state, federal or campus fire and safety regulations including, but not limited to:

- a. Intentionally or recklessly causing a fire which damages University or personal property or which causes injury;
- b. Failure to evacuate a University-controlled building during a fire alarm;
- c. Improper use of University fire safety equipment;
- d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University owned or controlled property;
- e. Tampering with or disabling locks, other door hardware, cameras or other equipment used to provide security on campus; and/or
- f. Tampering with or improperly engaging Automated External Defibrillator or other first-aid equipment while on University property.

(33) **Abuse of the Conduct Process, Unacceptable Conduct in Disciplinary Proceedings**: Any conduct at any stage of a disciplinary proceeding or investigation that may be contemptuous, disrespectful, threatening, or disorderly, including, but not limited to:

- a. Failure to obey the directives of a disciplinary body or University official(s) in the performance of their duties;
- b. Knowing falsification, distortion, or misrepresentation of information before a disciplinary body;
- c. Deliberate disruption or interference with the orderly conduct of a disciplinary proceeding;
- d. Failure to provide, destroying, or concealing information during an investigation of an alleged violation;

- e. Attempting to influence the impartiality of a member of a disciplinary body prior to, or during the course of a disciplinary proceeding;
- f. Harassment or intimidation of any participant in the University disciplinary process;
- g. Attempting to discourage an individual's proper participation in, or use of the disciplinary process;
- h. Failing to appear at a University hearing, including, without limitation, a hearing of a University conduct board, following a request to appear either as a party or as a witness;
- i. Violation of Interim Administrative Actions, Disciplinary Sanctions, or Conditions of Re- enrollment. Violating the terms of a no-contact directive, an interim restriction, a disciplinary sanction, or a condition of re-enrollment imposed by the University;
- j. Influencing, or attempting to influence, another person to commit an abuse of the disciplinary process; and/or
- k. Failure to abide by a resolution agreement.

(34) **Violation of General Rules and Regulations, State, Local or Federal Laws**: Any violation of the general rules and regulations of the University of Memphis as published in official University publications and websites, including but not limited to, the intentional failure to perform any required action or the intentional performance of any prohibited action. Further, any violation of any local, state, or federal laws is also prohibited.

▶ **5. Disciplinary Outcomes**

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