



Community Standards and Student Conduct System

NOTICE OF NON-DISCRIMINATION

The University of Virginia's College at Wise does not discriminate on the basis of age, color, disability, gender identity and/or expression, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, military status (which includes active duty service members, reserve service members, and dependents), veteran status, and family medical or genetic information, in its programs and activities as required by Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Governor's Executive Order Number One (2018), and other applicable statutes and University policies. The College prohibits sexual and gender-based harassment, including sexual assault, and other forms of interpersonal violence.

MISSION AND GOALS

The purpose of the Student Conduct System is to help foster an environment that promotes the intellectual, personal, ethical, psychological, social, and spiritual development of all students, aligning with the College's mission. This system is fundamentally educational in nature but also aims to protect the rights of others within the campus community, sometimes necessitating severe yet appropriate responses to augment student learning and safeguard community rights. It emphasizes personal development, moral and ethical enrichment, value formation, and citizenship.

The Student Conduct System supports the College's mission by expecting students to act responsibly, as outlined in the Code of Conduct, to foster personal growth. It encourages accountability by highlighting the inherent relationship between individual choices and their impact. Founded on principles of fairness and reasonableness, the system uses a preponderance of the evidence standard to determine responsibility.

Student conduct violations are cumulative during a student's time at the College. Student conduct records are maintained for seven years from the most recent hearing or sanction date to facilitate compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Violations that result in expulsion from the College are kept on record permanently. Students with incomplete sanctions or unheard cases who withdraw, transfer, or are no longer a student at the College will have their record maintained for fifteen years after. Student Conduct procedures and outcomes are separate from any legal or civil proceedings that result from the actions of the student or student organization. The decisions in legal, civil, or criminal proceedings do not determine the outcome of the process.

DEFINITIONS

Advisor: Students may bring an advisor of their choice to any conduct hearing or meeting related to an alleged violation. The advisor must be a student, faculty, or staff member at the College. Parents, guardians, and individuals not affiliated with the College cannot serve as advisors.

The advisor's role is limited to attending the meetings, interviews, or hearings—they cannot participate in any way, such as asking questions, interjecting, coaching, advocating, or speaking on the student's behalf. Advisors must not have any other role in the process.

Hearings will not be scheduled or postponed based on an advisor's availability. If a student wants an advisor at a hearing, they must notify the hearing officer in writing at least two business days before the hearing. If the hearing is scheduled with less than two business days' notice, the student must request additional time to obtain an advisor if needed.

Students and their advisors can confer at any time, but the advisor cannot formulate specific questions, responses, or statements for the student. Violating these guidelines may result in a warning to the advisor, and repeated violations may lead to the advisor being asked to leave.

The College may have legal counsel present at any hearing to advise the hearing board or officer. The chairperson or hearing officer and legal counsel may consult at any time during the hearing.

Students must communicate directly with the College on their own behalf regarding any questions, concerns, or other matters. If a student wants an advisor from the trained pool of advisors, they should contact the student conduct official and/or their designee.

Appellate Officer: The person or body designated by the student conduct official and/or their designee to hear appeals of findings associated with the primary hearing or any assigned sanctions. The appeal officer must not have been involved in the primary adjudication of the case.

College: The University of Virginia's College at Wise, each of the programs and activities under its control, and all property owned, leased, used, or controlled by the University of Virginia's College at Wise.

Hearing Officer: The person or body assigned by the student conduct official and/or their designee to be the deciding body in a case that results in a hearing. The hearing officer will be the decision-maker. The hearing officer may not be the same as the appeal or appellate officer.

Impacted Party: An individual who has been directly affected by a reported or alleged violation of the Code of Conduct. An impacted party may also be a reporting party.

Preponderance of the Evidence: This is the standard of proof used in student conduct proceedings and decisions. It means that, based on all the available information, something is more likely than not to be true.

Reporting Party: An individual who reports an allegation of misconduct or violation of the Code of Conduct.

Responding Party: Any student or student organization accused of violating the Code of Conduct and/or College policy.

Student: A new or re-admitted student will be considered enrolled if the following conditions are met: 1) the student is pre-registered for courses in any term (fall, spring, or summer); and 2) attendance in at least one class has been verified. After classes begin, students must attend classes to maintain their enrollment status. Students are considered continuously enrolled when registered for consecutive fall and spring terms. Additionally, those who arrive on campus before the start of classes for official College functions, such as student employment, training, athletics, band, and Expedition, are also considered UVA Wise students.

Student Conduct Board: The Student Conduct Board is a hearing body made up of students who determine whether a student has violated policies and recommend appropriate sanctions. This board, consisting entirely of students, operates as part of the student governance philosophy.

Student Organization: Any group, club, organization, living group, community, or team recognized by the College as a student group or in the process of applying for such recognition.

Written Notice: Delivery of notification of a charge, violation, hearing date, or outcome to a student's official college email.

SCOPE OF THE CODE OF STUDENT CONDUCT

The Code of Student Conduct applies to all enrolled students, campus organizations, and athletic teams, as well as individuals who have accepted admission to the College. This includes those who may not be enrolled full-time but are taking at least one credit. Individuals with a continuing relationship with the institution, such as those studying abroad, are also expected to uphold the College's standards.

Persons who withdraw or attempt to withdraw after allegedly violating College policies must fully resolve such matters to be eligible to return to the College from a disciplinary perspective. Additionally, individuals with outstanding outcomes may not be eligible to return until those outcomes are completed. If allegations of a violation cannot be resolved before a student's intended graduation date, the College reserves the right to withhold the student's degree until the matter is resolved. A student suspended after meeting all academic requirements for a degree will not be awarded the degree until the suspension period is over and all conditions for reinstatement are met. A student expelled before the conferral of a degree forfeits all rights and degrees not conferred at the time of expulsion.

Students represent the College community and are responsible for their behavior both on and off campus. The jurisdiction of the College includes behavior that occurs (1) on College premises, (2) at College-sponsored or supervised events regardless of location, (3) on electronic networks or social media, (4) off College premises, including behavior reported through off-campus programs such as study abroad or athletic team travel, and (5) in any situation where a student allegedly violates the Code, other College policies, or the law, regardless of location.

The College may investigate and resolve reports of off-campus or online conduct based on the behavior's nature, impact, connection to College activities, and risk to the College community. Students are subject to the Code's expectations both during and outside of class sessions.

The College is a community of scholars committed to the ideals of freedom of inquiry, thought, expression, and individual rights, as guaranteed by the U.S. Constitution. Respect for the rights of all in the academic community is essential for everyone to enjoy these freedoms. Conduct that hinders the educational process, interferes with the community of learning, or infringes on the processes of the College or the rights of others is not condoned. Students enrolling in the College assume an obligation to conduct themselves in a manner compatible with the College's educational mission.

The authority to provide due process and impose penalties for violations, up to and including expulsion, has been delegated by the Chancellor to the Chief Conduct Officer and/or their designee..

The Deputy Title IX Coordinator and Compliance Specialist serves as the Chief Conduct Officer. The Chief Conduct Officer in conjunction with Coordinator of Community Standards shall develop policies for the administration of the Student Conduct System and procedural rules for the conduct of the Student Conduct Board that are consistent with the provisions of the Student Code of Conduct.

EXPECTATIONS FOR STUDENTS

A. Alcohol and Tobacco Violations

1. **Illegal Use or Possession:** Using or possessing alcoholic beverages and nicotine products in violation of the law, including underage possession or use of alcohol. Providing alcohol, tobacco, or alternative nicotine products (e.g., e-cigarettes and vaping products) to individuals under 21 years of age is a violation of Virginia state law.
2. **Distribution and Coercion:** Selling, distributing, manufacturing, or coercing consumption of alcoholic beverages, except as permitted by law. This includes providing alcohol to underage individuals, those visibly intoxicated, and those attempting to join an organization or group.
3. **Misconduct While Intoxicated:** Engaging in unsafe behaviors or causing property damage while under the influence of alcohol or operating a vehicle while intoxicated. This includes behaviors like vomiting, loss of balance, and unresponsiveness due to overconsumption of alcohol that require medical intervention.
4. **Prohibited Locations:** Possessing or consuming alcohol in unauthorized areas on campus, including all first-year residence halls (regardless of age) and any residential room where at least one person is under 21 years of age. Common areas (e.g., patios, roofs, lounges, stairways, walkways, parking lots), athletic facilities, dining spaces, academic buildings, and fraternity or sorority houses are also alcohol-free unless express and documented permission has been obtained.
5. **Bulk and Common Containers:** Using bulk-source and common-source containers at events involving students and athletic teams, both on and off campus, is prohibited. Students are encouraged to seek help from Campus Police, residential assistants (RAs), or other professional staff if they or others experience high-risk levels of intoxication from alcohol or other drugs.
6. **Alcohol-Related Paraphernalia and Activities:** Using alcohol-related paraphernalia or participating in activities that promote mass or rapid consumption of alcohol, such as beer funnels, beer pong, and other drinking games.
7. **Organizational Responsibility:** Campus organizations or student groups must take all necessary steps to ensure alcohol is not distributed or made available to underage or visibly intoxicated individuals at events they sponsor, host, or associate with.

8. **Smoking Restrictions:** Smoking, including the use of e-cigarettes, is prohibited in all interior spaces of College buildings, including residential rooms and halls. Smoking is permitted only outside and at least 25 feet from building entrances and windows
9. **Prohibition of Smokeless Nicotine Products:** Using or possessing smokeless nicotine products, such as chewing tobacco, nicotine pouches, and snuff, is prohibited inside college buildings except for products that are FDA approved for smoking cessation. These approved products must be used in accordance with their intended purpose and guidelines.

B. Cannabis, Marijuana, and Other Illegal Substance Violations (Including Prescription Drugs)

“Cannabis” includes all parts, products, and derivatives of the plant *Cannabis sativa*, *indica*, *ruderalis*, and hybrid strains, regardless of the delta-9-tetrahydrocannabinol (THC) level. Although Virginia law permits the recreational use of marijuana by adults over 21, the College prohibits its use. The possession, use, consumption, manufacturing, sale, or distribution of drugs, including marijuana and other illegal substances, by students or visitors is strictly forbidden. Federal law also bans the possession, use, purchase, or sale of marijuana or THC, including edibles. This policy is in alignment with the federal “Drug-Free Schools and Communities Act,” requiring institutions that receive federal funding to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and visitors on campus and as part of its activities.

Misconduct related to marijuana, cannabis, and other illegal drugs includes the following:

1. **Use and Possession:** Using or possessing marijuana, cannabis-derived substances, or other illegal drugs, including those intended for medicinal use.
2. **Controlled Substances:** Using, possessing, or receiving controlled substances through the mail.
3. **Drug Paraphernalia:** Using or possessing drug-related paraphernalia, such as pipes, bongs, vaporizers, and grinders.
4. **Manufacture and Distribution:** Manufacturing, distributing, selling, or offering to sell any controlled or illegal substance. Possession of quantities of drugs or materials suggesting distribution, such as scales and packaging, may be interpreted as intent to manufacture, distribute, or sell.
5. **Misconduct Under the Influence:** Engaging in unsafe behavior, damaging property, or operating a vehicle under the influence of marijuana or other drugs. Disruptive behaviors resulting from overconsumption of these substances are considered misconduct.
6. **Prescription and Over-the-Counter Medication Misuse:** Misusing or distributing prescription or over-the-counter medications. This includes consuming medication for non-medical purposes, distributing personal prescriptions to others, or possessing or using prescription medication without a prescription.

C. Harmful Behavior Violations

1. **Endangerment:** Any action or threat that physically endangers or harms, or threatens to endanger or harm, the health, safety, or well-being of any person.
2. **Reckless Behavior:** Engaging in reckless, non-accidental behaviors that cause or could likely cause physical danger or harm to another person, regardless of intention.
3. **Discrimination and Harassment:** Engaging in discrimination or harassment (including bullying, cyberbullying, or physical or other abuse) based on an individual’s race, color, religion, national origin, sex, pregnancy status, sexual orientation, gender identity or expression, parental status, marital status, age, disability, citizenship, veteran status, or genetic information. This includes unwelcome behavior that is offensive and sufficiently severe or pervasive to interfere with or limit an individual's ability to participate in or benefit from the College's services, activities, or

privileges, or that creates an intimidating, hostile, or abusive environment. This policy also covers behavior not specifically based on protected class status, such as general bullying or abuse. While isolated incidents typically do not constitute harassment, bullying, or abuse, a single severe incident may meet this threshold. Harassment includes persistent aggressive or unreasonable behavior, which can be verbal, nonverbal, psychological, or physical. The policy extends to cyber harassment or cyberbullying and other forms of digital communication harassment on any platform, whether or not controlled by the College. Discrimination, harassment, or other misconduct based on actual or perceived protected characteristics is contrary to the values of the College.

4. **Retaliation:** The College strictly prohibits retaliation against anyone in its community for reporting a violation of College policies or this Code, or for participating in any related processes. This includes any action taken, directly or indirectly, to dissuade or prevent a reasonable person or witness from reporting violations or participating in investigations or hearings. Examples of retaliation include intimidating, threatening, coercing, or harassing individuals based on their perceived or actual involvement in reporting or participating in disciplinary processes. Any behavior that deters, or is intended to deter, a reasonable person from engaging in protective activities under similar circumstances is prohibited.

D. Disruptive Behavior Violations

1. **Failure to Comply:** Not following the authorized instructions of law enforcement, firefighters, other emergency responders, and College employees, including student employees and Campus Police officers, while they are performing their job duties.
2. **Disruptive Conduct:** Engaging in behavior that significantly disrupts or interferes with College operations or the College environment. This includes, but is not limited to, disruptions to teaching, research, residential spaces, administrative buildings, and campus communities, whether these occur on or off campus.
3. **Disruptive Demonstrations:** Refer to the UVA Wise Free Speech Policy (<https://www.uvawise.edu/about/our-history-mission/free-speech-policy>)
4. **Inappropriate Sanitation:** Urinating or defecating in areas not designated for the sanitary disposal of human waste.
5. **Tents:** All tents (regardless of size), whether rental, College-owned, or privately owned, erected on College property must be assembled in accordance with the Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code with the assistance of Campus Police.
6. **Noise Violations:** Creating excessive noise that disturbs other community members or disrupts College operations. Quiet hours in residential areas are from 10:00 p.m. to 9:00 a.m. Sunday through Thursday, and from 12:00 a.m. to 9:00 a.m. on Friday and Saturday. During these times, any noise, including music, loud conversations, or door slamming, may be considered a violation. During exam periods, quiet hours are enforced 24 hours a day, starting at the regular quiet hour on the last day of classes.
7. **Prohibition of wearing of masks in certain places:** per § 18.2-422. Prohibition of wearing masks in certain places. It is unlawful for any person over 16 years of age to, with the intent to conceal his identity, wear any mask, hood or other device whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer.

E. Behavioral Integrity Violations

1. **Falsified Identification:** Possessing and/or using any falsified identification (ID), including but not limited to manufacturing IDs or other official college documents, or using an ID issued to or belonging to another person for one's own identity.

2. **Providing False Information:** Giving false, inaccurate, misleading, or incomplete information to College officials, law enforcement, or other emergency responders, especially during investigations of alleged misconduct.
3. **Concealing Identity:** Concealing or attempting to conceal one's identity to avoid the consequences of irresponsible, inconsiderate, or illegal behavior.
4. **Invasion of Privacy:** Photographing or recording any person in situations where there is a reasonable expectation of privacy without that person's expressed knowledge and effective consent. This includes, but is not limited to, the setup and/or use of Ring cameras or other recording devices.
5. **Misuse of College Technology:** Improperly using College technology, including College-related email, Canvas, and other College-related applications, in a manner that is inconsistent with the College Acceptable Use Policy. (<https://security.virginia.edu/acceptable-use>)

F. Damage to Property Violations

1. **Vandalism:** Vandalizing, damaging, or destroying College, private, or public property.
2. **Reckless Behavior:** Engaging in reckless behaviors, regardless of intention, that cause or are likely to result in damage, destruction, or misplacement of College, private, or public property.
3. **Possession of Damaged Property:** Possessing College property that has been vandalized, damaged, or destroyed.

G. Trespass or Misuse of Facilities Violations

1. **Unauthorized Access:** Unauthorized entry into other students' living spaces or use of College facilities without permission. This includes accessing roofs, ledges, closed academic or College areas, using windows for entry or exit, and using fire escapes outside of emergencies.
2. **Facilitating Unauthorized Entry:** Enabling unauthorized access to College spaces by others, such as propping open doors with restricted access or granting entry to individuals without confirmed permission.
3. **Misuse of Access Devices:** Unauthorized use, distribution, duplication, or possession of any key or access device (e.g., College ID card) issued for campus buildings, structures, rooms, or facilities.
4. **Tampering with Entryways:** Altering entryways, door latches, or handles, and/or propping open doors within College spaces, including residence halls and College building doors, to facilitate unauthorized access.
5. **Unsafe Activities:** Engaging in unauthorized and unsafe activities on College premises. This includes swimming in or entering the Lake and other outdoor bodies of water, participating in unauthorized water activities, and using College property (other than sidewalks and roadways) for skateboarding, bicycling, scootering, or roller skating.

H. Fire and Safety Violations

1. **Unauthorized Open Burning:** Engaging in open burning (e.g., candles, incense, torches, bonfires). Acts of arson or creating conditions conducive to fire are strictly prohibited.
2. **Fire Hazard Conditions:** Creating conditions that may lead to fire hazards, such as covering room lights, hanging materials from ceilings or walls, or covering room doors with paper or other highly flammable materials.
3. **Tampering with Safety Equipment:** Tampering with or covering fire or other life-safety equipment, including but not limited to smoke detectors, fire alarms, sprinklers, fire extinguishers, and window screens.

4. **Obstruction in Common Areas:** Blocking or impeding access to or egress from lobbies, hallways, stairwells, and other common areas in both residential and academic buildings with items like trash bags, bicycles, furniture, or personal effects, regardless of whether it is an emergency situation.
5. **Non-Compliance During Emergencies:** Failing to comply with regulations and instructions during fire or other life-safety emergencies or drills, or ignoring UVA Wise alert notifications. Students are expected to evacuate buildings and proceed to designated emergency areas upon hearing an alarm or receiving official instructions. Students are not permitted to re-enter the building until cleared by authorities.
6. **False Safety Reports:** Intentionally making false reports, warnings, or threats about safety concerns (e.g., fire, weapons, or other life-safety emergencies) to College officials, law enforcement, or other emergency responders.

I. Theft Violations

1. **Unauthorized Taking of Property:** Taking or attempting to take property or services belonging to the College, another person, business, or organization without consent.
2. **Embezzlement and Fraud:** Embezzling, defrauding, or using false pretenses to acquire property or services from another person, the College, or a non-College entity.
3. **Unauthorized Transactions:** Conducting transactions on behalf of another person without their permission, including but not limited to using another student's College identification card for campus purchases.
4. **Possession of Stolen Property:** Possessing property that has been stolen or could reasonably be assumed to have been stolen from another person, the College, or a non-College entity.

J. Hazing Violations

1. **Definition and Prohibition of Hazing:** Hazing is prohibited under both the State statute on hazing (Virginia Hazing, Civil and Criminal Liability, Code of Virginia, 18.2-56) and College policy, including the College's Code of Conduct. The College does not condone hazing in any form. Hazing is defined as any action taken or situation created by a member(s) of a student organization toward one or more organization members or prospective members (as part of the new member selection process) that:
 - Occurs on College-owned or leased property or at College-sponsored or supervised functions or at the local residence of any College student, faculty member, or employee.
 - Is designed to or produces mental or physical harassment, discomfort, or ridicule. This includes activities that create excessive physical or psychological shock, fatigue, stress, injury, or harm.
2. **Specific Prohibited Activities:** This includes, but is not limited to:
 - a. Embarrassing, demeaning, degrading, harassing, abusing, or endangering someone physically or psychologically.
 - b. Removing, damaging, or destroying property.
 - c. Disrupting College or community activities, or the educational process.
 - d. Coerced consumption of food, drink, alcohol, drugs, or other substances.
 - e. Sleep deprivation or interruption.
 - f. Physical or psychological shocks or extreme tests, such as excessive exercise, prolonged standing, or enforced silence.
 - g. Acts of humiliation or degradation, including nudity, wearing degrading apparel, or performing personal servitude.

- h. Paddling in any form.
 - i. Physical branding or other permanent markings
 - j. Restrictions on personal hygiene, such as eating or bathing.
 - k. Interfering with academic work or commitments.
 - l. Sending on quests or trips.
 - m. Engaging in public stunts or misconduct.
3. **Aiding or Abetting Hazing:** Assisting, being complicit in, or being present during the planning or execution of any hazing-related activity. Students who are aware of or witness hazing are obligated to disengage from the situation and must report the incident to the institution. Student organizations and/or individual members found to have engaged in hazing, as defined above, shall be in violation of College policy and the College's Code of Conduct, and may also be in violation of state law.

K. Sexual Misconduct Violations

Students are required to adhere to the College's Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence (refer to <https://www.uvawise.edu/about/leadership/compliance-inclusion/sexual-misconduct-policy> for details). The procedures for addressing these violations are outlined within that policy. The behaviors prohibited by this policy include:

1. **Sex/Gender Discrimination:** Unfair or unequal treatment based on an individual's sex or gender or perceived sex or gender.
2. **Sexual Assault:** Any non-consensual sexual act, or attempts to commit such acts.
3. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, quid pro quo, and other verbal or physical conduct of a sexual nature that interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive environment.
4. **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.
5. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
6. **Domestic Violence:** 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, or by a person similarly situated to a spouse of the victim under domestic or family violence laws.
7. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

These behaviors violate the dignity of individuals and are not tolerated within the College community.

L. Misconduct within the Student Conduct Process

1. **Falsification or Misrepresentation:** Engaging in falsification or misrepresentation of information or supplemental documentation during any part of the student conduct process, academic integrity process, or sexual misconduct process. This includes, but is not limited to, filing false complaints against another individual, manipulating or deleting supporting documentation, or providing misleading information.
2. **Non-Cooperation:** Failing or refusing to appear upon request, or not cooperating with a College investigation, student conduct meeting, hearing process, or any other College procedural

requirement. This non-cooperation hinders the fairness and effectiveness of the College's ability to enforce its policies and maintain a safe and respectful environment.

M. Weapons and/or Dangerous Materials Violations

1. **Weapons Possession or Use:** Possessing or using weapons on College premises or at any College-approved or -sponsored event. This includes firearms, air guns, BB guns, paintball guns, and ammunition. Knives are also regulated, with the exception of kitchen knives or ordinary pocketknives that have a blade of three inches or less. Additionally, any object that is used to intimidate, threaten, harm, or exert force towards another individual may also be considered a weapon.
2. **Dangerous Materials:** Possessing or using dangerous materials such as fireworks, explosives, or harmful chemicals on College premises or at any College-approved or -sponsored event.
3. **Ceremonial, Decorative, or Replica Weapons:** Possessing, using, or displaying ceremonial, decorative, or replica weapons, including firearms, swords, and collectible knives, is prohibited. These items, even if not functional, can be perceived as real threats and are treated as serious violations of College policy.

N. Student Housing Policy Violations

A complete guide to Residence Life policies can be found at <https://view.publitas.com/university-of-virginias-college-at-wise/guide-to-campus-living>

O. Additional Behavior Violations

1. **Unauthorized Campus Organizations:** Participating in a campus organization that has had their recognition suspended or revoked.
2. **Unauthorized Solicitation:** Engaging in soliciting, selling, or fundraising on College premises without prior official College authorization.
3. **Posting Restrictions:** Posting signs, notices, banners, or other materials on trees, light fixtures, life-safety equipment, doors, windows, or window frames, or inside stairwells is prohibited. Materials may not cover doors, windows, or pathways of emergency egress in a way that impairs visibility or access to exits or emergency equipment. Banners and other materials are not allowed to hang from the exteriors of buildings or ceilings. Advertising materials are only permitted in designated interior spaces. Any materials posted on exterior surfaces are subject to removal, and fines may be imposed on responsible parties.
4. **Animal Restrictions:** Possessing or facilitating the entry of animals into College buildings is prohibited without prior written authorization, except for medical accommodations or Emotional Support Animals (ESA).
5. **Non-Completion of Sanctions:** Failing to complete sanction requirements by the assigned deadline as established through any finding and outcome letter processed through a formal conduct process.

P. Violations of Law and/or College Policy

1. **Legal Violations:** Engaging in conduct that could constitute a violation of any local, state, or federal law.
2. **College Policy Violations:** Engaging in conduct that could constitute a violation of any College policy or procedure.

STRUCTURE OF THE STUDENT CONDUCT SYSTEM:

Students, faculty, staff, and community members may report alleged violations of the Code of Conduct by using this [referral form](#). There is no time limit on reporting violations; however, the longer someone waits to file a report the more difficult it may become for the College to obtain information, collect witness statements, and make determinations regarding the alleged violation.

A. Investigations

The investigation process is designed to be timely, thorough, and impartial and provide a fair and reliable gathering of the facts. The investigation may include interviews with the reporting party, impacted parties, the responding party, and relevant witnesses. The investigative record is a compilation of the relevant information gathered during the investigation. In the event of a hearing, the investigative record becomes part of the hearing record.

Individuals who decline or fail to participate in a meeting or interview, provide evidence, or suggest witnesses, waive their right to do so upon the issuance of the investigative record or report.

The investigator will gather relevant materials including documents, communications, electronic records, and media as appropriate. The investigator has the discretion to determine the relevance of any requested materials and what materials to seek to obtain.

The investigator may redact information as necessary that would allow witnesses to be personally identified when the investigator determines it necessary. Any exclusions or redactions will be noted and will become part of the investigative record. Excluded or redacted information will not be considered by the hearing officer or body. An investigator is permitted to be the hearing officer for allegations that move to the hearing phase.

B. Administrative Settlements

Administrative Settlements may be offered for alleged offenses in the residential community including, but not limited to, noise and visitation violations. Administrative settlements will be conducted by the Chief Conduct Officer or their designee. The outcome and sanctions that would be assigned are communicated via email. The student needs to accept or decline the administrative settlement; if the student declines the matter will move to a hearing. If a student chooses to accept an administrative settlement, there will be no opportunity for appeal. Students may also request an administrative hearing instead of completing the settlement.

C. Hearings

Hearings will be arranged to determine the outcome for alleged offenses not handled by administrative settlements. All hearings are closed to the public and only those individuals with a legitimate role in the hearing will be permitted to attend or participate. Both administrative and Student Conduct Board hearings may be recorded to be maintained as part of the student(s) conduct record.

The student conduct official and/or their designee, will determine the type of hearing for each case. Cases will be assigned either to an administrative hearing or a Student Conduct Board hearing. Every effort will be made to consider the circumstances of each case to determine

which type of hearing would best serve the student and the College in the student conduct process. Students will receive a notification email stating the time and date of the hearing.

Witnesses may be asked to attend the hearing in person or virtually to provide their statements and answer questions during the hearing process. If the witness cannot attend the hearing or is unwilling to appear, they may provide a written witness statement. Written witness statements must be submitted to the Chief Conduct Officer at least two (2) days before the hearing. Witness statements may be completed in person in the Student Affairs office or may be submitted via email.

1. Administrative hearings

- a) Administrative Hearings may be used for cases where the nature of the incident or the needs of the College warrant this particular venue. It may also include cases where the Student Conduct Board cannot be convened or situations that warrant a certain degree of expediency. These cases may range from simple to very serious infractions.
- b) The student conduct official and/or their designees may conduct Administrative Hearings.

2. Student Conduct Board hearings

The Student Conduct Board (SCB) member pool shall have a minimum of five members. A minimum of three Board members is necessary for a quorum to conduct a hearing. The Student Conduct Board shall hear cases where the student conduct official and/or their designee has determined that because of the nature of the alleged offense, a pattern of behavior, or the nature or complexity of the case would benefit from having a hearing with the SCB. Board membership shall consist of the following:

- a) The board members shall be selected through an application and interview process. Individuals selected through the process will be approved by the Dean of Students before being appointed to the Board.
- b) The Chief Conduct Officer shall serve as an advisor to the Board. They participate in discussions but do not vote. Two Co-Chairs shall be elected by the student membership of the Board.
- c) Members must be in good standing with the College during the duration of their service (i.e. no pending cases for Honor Court, Prohibited Conduct, Student Conduct, and not be on disciplinary, academic, or Honor Court probation). *Additionally, members must maintain a minimum GPA of 2.5.*
- d) Board members shall serve for one year and are eligible for re-appointment.

C. Appeals process:

Students have the right to appeal the outcome of their case. Students who are submitting an appeal must include all information they would like to be considered in the [appeal form](#). The appellate officer is assigned from the appellate officer pool by the student conduct official and/or their designee. Appellate officers will have full access to all information used in the original hearing along with recordings of the hearing, if applicable.

1. For all decisions **except suspension or expulsion:**

- a) All student conduct hearing decisions may be appealed in writing to the student conduct official and/or their designee. within **five (5) business days** by using the [Student](#)

[Conduct Appeals Form](#). The completed form must state just cause for the appeal, such as:

- i. new information not available at the time of the hearing has become available and may be relevant to the final decision
 - ii. significant deviation from designated procedures that may have had an adverse effect on the outcome
 - iii. the hearing officer, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the impacted party or responding party generally or the specific impacted party or responding party that affected the outcome of the matter
- b) Appeals will be assigned to an appellate officer from the appellate officer pool. The appellate officer cannot be involved in any other part of the hearing process.
- c) An appeal is not a rehearing of the case. The student may or may not be granted an appeal. If the student is given an appeal, the decision and notification will be completed within ten (10) business days of receipt of the appeal request.

2. For **suspension and expulsion** appeals:

- a) The student may appeal a sanction of suspension or expulsion to Deputy Title IX Coordinator and Compliance Specialist (or designee), whose decision will be final. If the Deputy Title IX Coordinator and Compliance Specialist (or designee) rendered the initial decision to suspend or expel the student, the student may appeal the decision to the Vice Chancellor for Student Affairs (or designee), whose decision will be final.
- b) Appeals must be initiated in writing and contain the specific grounds for the appeal based on the criteria below. The appeal must be submitted within **five (5) business days** by using the [Student Conduct Appeals Form](#). The completed form must state just cause for the appeal, such as:
 - i. new information not available at the time of the hearing has become available and may be relevant to the final decision
 - ii. significant deviation from designated procedures that may have had an adverse effect on the outcome
 - iii. the hearing officer, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the impacted party or responding generally or the specific impacted party or responding that affected the outcome of the matter
- c) An appeal is not a rehearing of the case. The student's appeal may or may not be granted, and the outcome of the appeal will be completed within ten (10) business days and will be maintained as a part of the conduct record.

D. Referral of Cases Involving Failure to Comply with Sanctions

Students failing to complete or fully meet the requirements of an assigned sanction by a hearing body may face additional student conduct charges and have the case referred to an Administrative Hearing or Student Conduct Board Hearing. This subsequent hearing may be with the same hearing body or conduct officer as the original hearing. Student records with sanctions

that have not been completed for students who withdraw, transfer, or otherwise no longer remain a student at the College will be maintained for fifteen years after the hearing date.

E. Multi-System Offences

Students and student organizations may have multiple violations arise out of the same incident or report. If these violations spur investigations that span multiple systems (e.g. Honor System or Prohibited Conduct/Title IX), the Community Standards and Student Conduct System can investigate and adjudicate cases concurrently with other systems.

The Community Standards and Student Conduct System shall not bring about allegations of violations that have already been addressed or plan to be addressed through another College system (e.g. an action performed by a student resulting in a lying allegation from the Honor Court should not result in an additional allegation from the Community Standards and Student Conduct System for falsification or intentionally providing false information).

F. Notification for Allegations that Could Result in Suspension or Expulsion

The student conduct official and/or their designee shall determine whether the information available is in support of an allegation that could result in suspension or expulsion if the student were found responsible. If suspension or expulsion is a possible outcome, the student conduct official and/or their designee shall include in the notification to the student via email that suspension or expulsion is a possible outcome based on the available information.

The notification includes a copy of all materials collected at the time of notification. The student may request to see the materials in person or receive a paper copy up until one business day before the hearing. Students may also decline the opportunity to review the materials. Additional notification may be sent to a dependent student's address on record to notify the parents, guardians, or family of the student of the possibility of suspension or expulsion.

SANCTIONS

UVA Wise's student conduct program is committed to restorative practices, aiming to address the needs of community members, educate responsible students about their behavior, and create opportunities to repair harm and rebuild community. Educational sanctions may be applied singly or in combination, influenced by mitigating and aggravating circumstances, including the frequency, severity, and community impact of violations.

Students who fail to complete sanctions may face additional actions, including registration holds, delays in housing selection, limitations on athletic participation, and restrictions on student activities or graduation. Similarly, student organizations that fail to complete sanctions may lose hosting privileges for events, the ability to reserve campus spaces, and organizational recognition.

For students or organizations responsible for violating the Code's prohibitions on dating violence, domestic violence, sexual assault, or stalking, potential outcomes include all disciplinary statuses listed below, as well as the revocation or deferral of admission or degree, in addition to any other appropriate educational sanctions.

Students found responsible for violations of the Student Code of Conduct may experience a change in their conduct-related status, which can vary based on the nature of the violation and generally progress in seriousness with subsequent violations. All status sanctions are issued at the discretion of the student

conduct official and/or their designee and are typically imposed for a specified period. A student's previous conduct history is a factor in determining appropriate sanctions for violations.

Subsequent violations of the Student Code of Conduct while on an active probationary status will generally result in the next higher level of probationary sanction. These statuses are as follows:

- **Conversational Resolution:** Typically used for first-time, low-level violations, this sanction provides students with an opportunity to discuss UVA Wise's behavioral expectations and strategize ways to prevent further misconduct. This resolution is generally afforded only once.
- **Written Warning:** A formal notification documenting a violation of the Student Code of Conduct. It serves as an official warning that subsequent violations may result in higher-level sanctions.

Probationary Statuses:

Probationary statuses remain active for a specified period and serve as a formal notification that the behavior in question is unacceptable. During this time, students have the opportunity to modify their behavior, complete specific assignments, and demonstrate a positive contribution to the College community. If further inappropriate behavior occurs, higher-level sanctions may be issued. These statuses remain part of a student's conduct record even after the probation term ends.

The Student Conduct Board may, at its discretion, limit or exclude certain privileges available to a student on probation. Depending on the seriousness of the violation and/or the prevalence of the behavior, the following probationary statuses may be issued:

- **Disciplinary Probation:** The lower-level probationary status, indicating that similar or more severe violations may result in College probation and/or loss of privileges.
- **College Probation:** The highest level of probationary status, indicating that similar or more severe violations may result in deferred suspension, suspension, deferred dismissal, or dismissal from the College, and/or loss of privileges. A student on College Probation is not considered in good conduct standing during the probationary period.
- **Deferred College Suspension:** Indicates that any subsequent violations will result in suspension or dismissal from the College. A student on Deferred College Suspension is not considered in good conduct standing during this period. This suspension is delayed until a specified time, but the student can be suspended immediately if they violate any College policies during this period.
- **Deferred College Dismissal:** Indicates that any subsequent violations will result in dismissal from the College. A student on Deferred College Dismissal is not considered in good conduct standing during this period.

College Suspension requires that the student no longer be present on any UVA Wise owned or leased property for a specified period. While on suspension, a student may not take courses to advance their degree. Students cannot be readmitted until after the suspension ends, nor may they register for the following semester's courses or housing. Upon return, suspended students may face additional restrictions, such as College Probation for a minimum of one semester. A notation stating "suspended for disciplinary reasons" will be indicated on the student's transcript. A student on College Suspension is not considered in good conduct standing during the suspension period. Readmission of a student at the end of their probationary period is not guaranteed and is in the sole discretion of the College.

College Dismissal requires the student to permanently sever all connections with UVA Wise, including activities, services, facilities, and all academic programs. A notation stating “dismissed for disciplinary reasons” will be indicated on the student’s transcript. A student dismissed from the College is not considered in good conduct standing. *Additionally, the student is immediately trespassed from all College property and events and is not eligible for readmission to the College.*

Educational and Restorative Sanctions:

- **Restorative Practices:** May be utilized when students take responsibility and there is a need for restoration or repair. Restorative Practices respond to harmful incidents, seeking to repair the harm and rebuild trust. Resolutions developed in these practices are reflected in a signed Resolution Agreement, which may include letters of apology, participation in educational programs, and restrictions from participation in College events. The student conduct official and/or their designee will enforce any terms and action items included in the Resolution Agreement.
- **Reflective & Research Exercises:** Address various violations, decision-making, consequences, community influence, and repair. These exercises could include written reflections, multimedia projects, action plans, guided interview reflections, etc.
- **Alcohol and Drug Education Program:** Students with a drug or alcohol violation may be sanctioned to an Alcohol and Drug Education (ADE) Program administered by the Deputy Title IX Coordinator and Compliance Specialist and/or their designee.
- **Psychological and/or Substance Abuse Evaluation and Treatment:** Requires the student to meet with a licensed mental health clinician for evaluation and compliance with subsequent treatment recommendations.
- **Revocation of Privileges:** Limitation on or ban from participating in College activities, services, and facilities for a specified period.
- **Revocation of Housing Privileges:** Limitation or loss of the ability to live in College housing.
- **Administrative Placement:** Reassignment to another room or residence hall.
- **Fines:** Monetary sanctions applied to a student's account. In lieu of fines, students may opt to convert their fines into community service hours based on the current state’s minimum wage rate.
- **Financial Restitution:** Compensation for damages and other costs.
- **Community Service:** Service is helpful to others, demonstrates social responsibility, and rebuilds trust through investment in the community. Students may be assigned to on-campus or off-campus entities, and the service supervisor must provide documentation of the service to student conduct official and/or their designee via a signed document.
- **Delay or Rescission of Degree:** The College reserves the right to delay or rescind the awarding of a degree.
- **Revocation of Degree:** The College reserves the right to revoke any degree, noted on the student’s academic transcript.
- **Failure to Complete Sanctions:** Non-compliance may result in additional actions, including progressive sanctions, account holds, and fines.

Resolution Process:

Students are responsible for checking their UVA Wise email regularly to ensure educational sanctions are completed by the assigned deadline. Failure to complete sanctions will initially result in a reminder email and an additional week to comply. Continued non-compliance may lead to a registration hold, barring class registration, and the loss of participation in student activities/events, or graduation

activities until sanctions are completed. Students will be directed to contact the student conduct official and/or their designee for resolution.

TRANSCRIPT NOTATIONS, DISCIPLINARY REPORTING, DEGREE HOLDS:

- A. Minor offenses below disciplinary probation is not reported unless a full disciplinary history is requested with the necessary permissions;
- B. Active Disciplinary Probation status may be reported until the student graduates, or if the student departs the College prior to graduation, then at the time of departure if the student has incurred no further violations;
- C. Suspension is reported permanently. Suspensions through the Student Conduct System are noted as disciplinary suspensions.
- D. Disciplinary expulsion is reported permanently. Expulsions through the Student Conduct System are noted as disciplinary expulsions and case information is kept on file in the Student Affairs office permanently.

***NOTE:** Student Athletes may contact athletics for information related to NCAA eligibility requirements the student conduct official and/or their designee has the ability to contact UVA Wise athletics about incidents and outcomes impacting athlete standing or team behaviors.*

Expectations of Students in Student Conduct Hearings

1. **Provide Truthful Testimony:** Students are expected to give honest and accurate testimony during the hearing. It is important to understand that providing false information constitutes a violation of the Code of Conduct and will be addressed accordingly.
2. **Notify Advisors and Witnesses:** Students are responsible for informing their advisor and any witnesses who will speak on their behalf about the date, time, and location of the hearing. It is the student's duty to ensure that these individuals are present at the hearing.
3. **Submit Pertinent Information:** Students must bring all relevant information to the hearing. This includes submitting any documents, names of witnesses, and the name of the student's advisor via email as specified in the Student's Rights section of this document. All information should be made available at the time of the hearing to ensure a thorough review.
4. **Attend Scheduled Proceedings:** Students are expected to appear at any proceedings for which they have received notice. It is important to note that the hearing may proceed in the student's absence if they choose not to attend, and decisions will be made based on the available information.

Hearing Procedures for the Student Conduct Board

Students scheduled for a hearing with the Student Conduct Board should plan to be present for at least one hour. The duration of the hearing may vary depending on the complexity of the allegations and the amount of information presented.

1. **Introduction and Opening Remarks:**

- The Chair will introduce themselves, the other Board members, and the Advisor.
 - The Chair will begin the recording of the hearing.
- 2. Responding Party Introduction:**
- The responding party will introduce themselves and their advisor.
- 3. Acceptance of Responsibility:**
- The responding party will be asked to accept responsibility or declare they are not responsible for each alleged violation of the Code of Conduct.
- 4. Presentation and Discussion of Information:**
- All available information related to the case will be presented and discussed.
 - The reporting party and/or College official serving as the complainant, as well as the responding party, will have the opportunity to call witnesses.
 - Both parties may ask questions of any witnesses present.
- 5. Dismissal and Deliberation:**
- Witnesses, advisors, and the responding party will be dismissed from the hearing.
 - The Board will meet in a closed session to deliberate and determine responsibility using the preponderance of the evidence standard.
 - Decision-making by the Board is conducted by a simple majority vote for both the finding of responsibility and the recommendation of any applicable sanctions.
- 6. Notification of Outcome:**
- The student may be asked to attend an in-person meeting to discuss the outcome at the discretion of the student conduct official and/or their designee
 - The responding party will be notified of the hearing outcome via email within three business days.
 - The email will specify whether the responding party has been found responsible or not responsible for the alleged violations.
 - Any sanctions that must be completed will be outlined, along with information on the appeal process.

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