27-02 CODE OF STUDENT CONDUCT

Policy Title: Code of Student Conduct Policy Type: Administrative

Policy Number: 27-02

Approved: 9 / 2 4 / 2 0 2 6

Responsible Office: Dean of Students

Responsible Executive: Vice President for Student Affairs

Applies to: Students and Student Organizations

POLICY STATEMENT

Each member of the University community shares the responsibility for their personal conduct and in some cases may assume reasonable responsibility for the behavior of others. Students and student organizations are required to engage in responsible conduct that positively reflects the University community. When members of the community violate the rules and standards below, student conduct proceedings are used to uphold the Code of Student Conduct.

The applicable standard of review is a preponderance of the evidence, i.e., "more likely than not." Any sanctions issued as a result of a violation of the Code of Student Conduct may be proportionate to the severity of the violation and the previous conduct history of the student. Students have the right to due process. This policy is in accordance with BOV Policy # 6 (2014) *Statement on Code of Student Conduct*, approved by the Norfolk State University Board of Visitors on May 9, 2014.

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DEFINITIONS

Business Day: A day when University administrative offices are open (typically Monday- Friday). The standard business day is 8:00 AM-5:00 PM.

Code of Student Conduct: The statement of rules and regulations governing student.

Complainant: A member of the University community bringing forth a complaint against a student/student

organization for violating the Code of Student Conduct.

Dean of Students: The University official who has primary responsibility for the implementation of student conduct policies. He/she serves as the appeals officer for all cases.

FERPA: The Family Educational Rights and Privacy Act of 1974 ("FERPA"), also known as the Buckley Amendment, provides students with the right to inspect and review his/her educational record and, with certain exceptions, to limit disclosure of information from that record. Student conduct proceedings are considered educational records.

Sanction: Penalty or corrective action required by the University to a student during a conduct conference or hearing in response to a violation of the Code of Student Conduct.

Student: A person who has been admitted to or has enrolled at the University but has not completed a program of study for which she/he has enrolled; or a person who has completed a program of study and has satisfied all academic requirements for the program but has not been awarded a degree at the time of the offense. Student status exists regardless of whether the University is in session (i.e. spring break and summer).

Student organization: Any University organization or group that is approved and/or registered with the Office of Student Activities. This may also include interest groups not formally recognized by the Office of Student Activities.

Student conduct officer: The University official assigned by the Dean of Students or designee to conduct proceedings to determine whether a student has violated the Code of Student Conduct and impose sanctions.

Student conduct panel: Persons authorized by the Dean of Students or designee to determine whether a student has violated the Code of Student Conduct and to recommend sanctions.

Student conduct board: A pool of students, faculty and staff who have been trained and are eligible to serve on a student conduct panel.

Respondent: A student/student organization that is reported with violating the Code of Student Conduct.

University employee: Any person employed by Norfolk State University.

CONTACTS

The Dean of Students Office within the Division of Student Affairs officially interprets this policy and is responsible for matters pertaining to this policy as it relates to students. The Dean of Students Office is located in Suite 307, Student Services Center, Norfolk State University, and 700 Park Avenue, Norfolk, Virginia 23504. Telephone number (757) 823-2152.

The Responsible Executive is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* through the appropriate governance structures. Please direct questions pertaining to this policy to the Dean of Students Office.

STAKEHOLDERS

Students, faculty, administrators, staff, and contracted employees serve as key stakeholders as the University is a community of varying individuals.

POLICY CONTENTS

The Norfolk State University Code of Student Conduct promotes an environment conducive to students

and their academic pursuits. The Dean of Students Office is committed to an educational and developmental process that balances the interests of individual students and the University community. In general, the process addressing student conduct is different from criminal and civil court proceedings and may occur concurrently. Procedures and rights in student conduct procedures are conducted with fairness to all. Due process, as defined within this policy, assures written notice and a hearing before an objective decision-maker. The procedures followed for student conduct proceedings are available online at http://www.nsu.edu/student-affairs/dean-of-students/student-complaints.

I. Jurisdiction

The Code of Student Conduct applies to all students at the University including both undergraduate and graduate students, and all University-affiliated student organizations.

The Code of Student Conduct applies to behaviors that take place on campus, at University- sponsored events and may also apply off-campus when the Dean of Students (or designee) determines the off-campus conduct legitimately affects the University's interest. Furthermore, the Code of Student Conduct may be applied to behavior conducted online or via the internet through various electronic mediums. This includes, but is not limited to, social networking websites, blogs, and electronic mail.

Violations of housing and residential hall guidelines will be referred to the Office of Housing & Residence Life. The *Community Standards and Expectations Guide for Residential Living* provides students with a document designed to enhance the Spartan Residential Experience by proactively addressing student conduct which may arise within the residential community. Housing & Residence Life's student conduct officer(s) will adjudicate such violations; however, severe or recurring infractions will be referred to the Dean of Students Office.

Students are adults and enjoy protection in alignment with the Family Educational Rights and Privacy Act (FERPA) of 1974. Parents and third parties may be provided information on behalf of the student if a disclosure of consent form has been completed by the student and on file in the Dean of Students Office. If the respondent is found responsible for an alcohol and/or drug violation, the parent(s) or legal guardian(s) of dependent students under the age of twenty-one (21) will be notified. The University reserves the right to notify parents or families, without a student's consent, in health and/or safety emergencies.

Limitations

Violations of the Code of Student Conduct should be made immediately but no later than three months after the date of discovery. The University reserves the right to investigate matters after three months of discovery in instances of extenuating circumstances; however, the longer it takes one to report a violation, the more difficult it becomes for the University to obtain information and contact witnesses.

II. Violations

The following are violations of the Code of Student Conduct:

1. **Abuse of any university student processes:** Altering, tampering, forging, or knowingly using falsified documents or records of the university; being party to falsification; giving or providing false statements, written or oral; and providing false information during any university proceeding or to any university official is prohibited.
2. **Abuse or tampering with fire safety and/or safety security equipment:** Students are prohibited from intentionally or recklessly using, altering, disabling, damaging, removing, obstructing, or otherwise tampering with fire safety or security equipment. This includes, but is not limited to, fire alarms, smoke and carbon monoxide detectors, sprinkler systems, fire extinguishers, emergency exit devices, security cameras, access control systems, emergency telephones, door security hardware, and other life safety or security devices. Unauthorized activation or interference with the normal

operation of any fire safety or security system is prohibited.

3. **Aiding and Abetting:** Assisting, facilitating, or encouraging any individual, student, or non-student in committing or attempting to violate the Student Code of Conduct. This includes actions such as helping, hiring, or persuading another person to engage in conduct that directly contravenes university policies.
4. **Acts of dishonesty:** to include but not limited to furnishing false information to University officials or forgery of any University document. For academic dishonesty, refer *to Academic Dishonesty Procedures.*
5. **Alcohol and/or Liquor Law violation:** to include the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages on Norfolk State University Campus.
6. **Computer Misuse**: *Refer to Administrative Policy #32-01 (2014) Acceptable Use of Technological Resources.*
7. **Conduct that threatens or endangers the health or safety of any person.**
8. **Gambling: illegally** for money in any form on University property.
9. **Dating Violence:** *Refer to* Refer to BOV Policy # 5 (2023) Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
10. **Domestic Violence:** *Refer to* Refer to BOV Policy # 5 (2023) Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
11. **Drug Law Violation:** The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.
12. **Disruptive behavior:** Disrupting or obstructing the normal living and work environments of other members of the university community or the functions or activities of the university (as well as activities conducted on the university's property with its permission). Examples include: blocking entrances, corridors or exits; interfering with ongoing educational activities cultural events, or recreational, extracurricular or athletic programs; unauthorized presence in a building after normal closing hours or after notice that the building is being closed; interfering with vehicular or pedestrian traffic; [creating unsanitary conditions;] and interfering with any other effort to protect the health and safety of members of the university community or larger public.
13. **Failure to comply with University Officials**: All employees of Norfolk State University are considered university officials. Students are to comply with all reasonable directions and requests of all university officials or law enforcement officers.
14. **Failure to display University-issued Student ID**: Failure, by a student, to carry a valid University Student ID card at all times when on University property. Transferring and/or duplicating University ID cards is prohibited. ID cards must be provided and/or displayed upon request to any person acting on behalf of the University in the performance of their official duties
15. **Harassment:** which is conduct so severe, pervasive, and objectively offensive that it effectively prevents the victim's access to educational opportunity or benefit. For gender-based harassment, refer to BOV Policy # 5 (2023) Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
16. **Hazing:** *Refer to Administrative Policy # 27-03 (2014) Hazing.*
17. **Lewd Behavior:** Engaging in obscene, indecent, or sexually offensive conduct that occurs in a public or semi-public space on campus, including but not limited to public sexual acts, indecent exposure, public masturbation, sexually explicit performances, or other conduct that would reasonably be considered offensive, disruptive, or inconsistent with university community standards.
    - Public is defined as areas of campus that are openly accessible to the campus community and visitors, such as parking lots, sidewalks, campus greens, and other outdoor common areas.
    - Semi-public is defined as areas that are accessible for specific university purposes or to limited groups of individuals, such as residence hall corridors, classrooms, academic buildings, and similar shared interior spaces, etc.

18. **Off-Campus Behavior:** Students have a continuing duty to promptly report to the Dean of Students any arrests for violations of federal, state, local, or international law, excluding minor traffic violations that do not result in injury to others. This duty applies regardless of where the arrest occurred (inside or outside the Commonwealth of Virginia) and regardless of whether the University is in session at the time of the arrest. An arrest includes the issuance of a written citation or summons regardless of whether the student is taken into custody by law enforcement. Charges related to driving under the influence of alcohol or other drugs are not "minor traffic violations" and must be reported.
19. **Prohibited Conduct:** Violations of federal, state, or local laws, regulations, orders, or ordinances.
20. **Retaliation:** Any adverse action, intimidation, threat, coercion, harassment, discrimination, or other conduct directed toward an individual or group because they have reported an alleged violation of the law or university policy, made a complaint, served as a witness, provided information, participated in an investigation or hearing, exercised a right under university policy, or otherwise participated in a university resolution process. Retaliation is prohibited regardless of whether the underlying complaint or allegation is ultimately substantiated.
21. **Sexual violence:** *Refer to* BOV Policy # 5 Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
22. **Stalking:** *Refer to* BOV Policy # 5 (2Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
23. **Theft:** The unauthorized taking, use, possession, concealment, removal, appropriation, or attempted theft of property belonging to the University or any student, organization, or entity. This includes possessing, using, or exercising control over property without the owner's knowledge, consent, authorization, or lawful entitlement.
24. **Unauthorized access or entry:** refers to a person gaining entry to a secured area (residential or non-residential) or perimeter without the proper credentials or authorization.
25. **Unauthorized recording and/or distribution:** includes but is not limited to pictures, imagery, text messages, audio, or videos of any person without their explicit consent.
26. **Unlawful Masking:** Consistent with Va. Code § 18.2-422, any individual who is present on University Property or attending a University Event who is wearing a 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, must present an Identification document when requested by an Authorized University Employee or otherwise establish their identity to the satisfaction of the Authorized University Employee.
27. **Weapons:** ***Refer to*** Administrative Policy #47-10 (2016) Weapons.
28. **Vandalism:** Intentionally or recklessly damaging, destroying, defacing, or tampering with university property or the property of any person is prohibited.
29. **Violence to persons:** Includes but is not limited to intentionally or recklessly causing harm to a person.
30. **Violating any published Board of Visitors or University policies or rules.**

III. Amnesty

The University encourages the reporting of violations of the Code of Student Conduct and crimes to Campus Police and the Dean of Students Office. The University realizes that students are sometimes hesitant to report such conduct. To create a culture of reporting, the University may not charge students with minor violations. Amnesty is considered on the following occasions:

- When a reporting student is a victim of misconduct.
- When a reporting student offers assistance to others in need.
- When a reporting student brings a drug/alcohol dependency issue to the attention of a University official for assistance.

The University may impose educational options as opposed to sanctions in such cases, at the discretion of the student conduct officer. Amnesty may not be offered if the infraction places the health or safety of any other person at risk or if the respondent has been found to have committed the same disciplinary infraction.

IV. Sanctions

The following lists the sanctions the University may impose as a result of a violation of the Code of Student Conduct as applicable. Any misconduct resulting in suspension or expulsion will be notated on the academic transcript. Such notation will be removed once the respondent has completed the terms of suspension and in good standing with the University. A request in writing, including the rationale, must be submitted to the Dean of Students for approval.

- **Warning**: An official written notice that the student has violated the Code of Student Conduct.
- **Disciplinary Probation**: Disciplinary probation is for a specific length of time (minimum—semester; maximum—until graduation). Mandatory conditions may be imposed and may include, but not limited to the following: loss of good standing and/or denial of the privilege to hold a position of leadership or responsibility in any University student organization or activity. If the student is found in violation of the Code of Student Conduct while on disciplinary probation, the University may impose additional sanctions.
- **Educational Project**: The requirement to attend, present or participate in a program related to the violation. It may also require writing reflective papers.
- **Community Service**: The requirement to complete University-mandated service.
- **Counseling Referral**: The requirement to visit the Counseling Center and complete a screening within five (5) business days of the respondent's conference/hearing. Upon completion of the screening, if any additional services are recommended, they must be completed within the timeframe provided by the Counseling Center.
- **Fine**: A sum imposed as a result of an offense; the sum must be reasonable and may be imposed depending on the severity of the violation.
- **Loss of Privilege**: The denial of specified privileges for a designated period of time.
- **Restitution**: The repayment for damage to University property or facilities; payment for damage to the property or person of a member of the University community, guests of the University, and/or other appropriate third parties; repayment of misappropriated or misused University funds. Restitution must be paid by cashier's check or money order. A disciplinary hold will be placed on the respondent's record until payment is made; however, if payment is not made by the end of the semester, the respondent's account will be charged.
- **University Housing Reassignment**: The reassignment to another residential hall as determined by the Office of Housing & Residence Life.
- **University Housing Visitation Restriction**: The loss of privilege to host any guests in the lobby of the student's residence hall and/or individual room.
- **University Housing Removal**: The student's privilege to live or visit any residential hall is permanently revoked.
- **Suspension**: Separation from the University for a specified amount of time (minimum— a semester; maximum—three years). The student will be required to vacate the campus within 24 hours of notification of this action. During the suspension period, the student is prohibited from enrolling in *any* courses and not permitted on University property.
- **Expulsion**: The permanent separation of a student from the University.

- **Other Sanctions**: Other or additional sanctions may be implemented as deemed appropriate to the offense.
- **Interim Actions**: The Dean of Students or designee may impose restrictions and/or separate a student from the University community pending the outcome of a hearing to protect the interests of the health, safety and welfare of the University community, or to ensure the student's safety and well-being. These actions can include but are not limited to no-contact orders, amending a student's schedule, hall relocation and/or interim suspension.
- **Interim Suspension**: Interim suspension is the temporary separation of a student from the University. If an interim suspension is imposed, the respondent may request a meeting with the dean of students or designee to discuss the interim suspension. The Dean of Students may uphold or lift the interim suspension after meeting with the respondent; however, this decision is final. If the interim suspension is upheld, the respondent will be required to vacate the campus immediately. At the discretion of the Dean of Students or designee, alternative coursework options may be provided.

V. Records

All records maintained in accordance with the Code of Student Conduct will be retained by the Dean of Students Office for seven (7) years. After this period, the record will be destroyed. Records associated with violations resulting in suspension or expulsion will be retained permanently.

If a student wishes to obtain an audio copy of the proceedings, a request must be made in writing to the Dean of Students Office located in Suite 307, Student Services Center.

EDUCATION AND COMPLIANCE

EDUCATION - All enrolled students and student organizations will be emailed Administrative Policy 27-02, Code of Student Conduct, at the beginning of the fall and spring semester via Campus Announcements.

COMPLIANCE – Students in violation will be referred to the Dean of Students Office. If found responsible, appropriate sanctions will be implemented related to the violation. This could include, but not limited to, disciplinary probation, educational project related to the violation(s); community service; educational modules related to the violation(s); counseling referral; fine; restitution; housing reassignment; housing visitation restriction; housing removal; suspension, and expulsion.

PUBLICATION:
This policy will be widely published or distributed to the University community and included in the Student Handbook for the University. To ensure timely publication and distribution thereof, the Responsible Office will make every effort to:

- Communicate the policy in writing, electronically or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the Division website and any other webpage as necessary; and
- Direct appropriate offices to educate and train all stakeholders and appropriate audiences on the policy's content, as necessary.

Failure to satisfy procedural requirements does not invalidate this policy.

REVIEW SCHEDULE

- Next Scheduled Review date: 03/01/2026
- Approval by, date: President's Cabinet 09/22/2026
- Revision History: 12/12/2006; 7/23/2015; 11/2/2015; 2/28/2018; 9/28/2020; 9/22/2026
- Supersedes: Policy No. 27.002: Student Disciplinary Policies and Procedures (2006)

RELATED DOCUMENTS

1. BOV Policy # 5 (2023) Title IX: Sexual Violence, Discrimination, Harassment, and Retaliation.
2. BOV Policy #6 (2014) Statement on Code of Student Conduct
3. Administrative Policy # 27-03 (2014) Hazing
4. Administrative Policy #32-01 (2014) Acceptable Use of Technological Resources
5. Administrative Policy #47-03 (2014) Campus and Workplace Violence Prevention
6. Administrative Policy #47-10 (2016) Weapons.
7. Student Handbook
8. Community Standards and Expectations Guide for Residential Living
9. Virginia Code §18.2-56.1

FORMS

1. NSU Incident Report