



OFFICE OF COMPLIANCE SERVICES  
UVM.EDU/POLICIES

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## POLICY

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**Title: Code of Student Conduct**

**Policy Statement**

Conduct Meeting Facilitator A professional staff member designated by the Center for Student Conduct, or a graduate student who is trained and qualified to resolve undergraduate and graduate student cases under this Code.

Educational Activities: Any act or event sponsored or organized by the University, including its administrative and academic units and recognized student organizations.

Recognized Student Organization: As outlined in the University [Group and Organization Recognition Policy](#)

Respondent: A student who is being asked to respond to an alleged violation(s) of this Code and/or other University Policies. 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- 2) Trespassing upon, forcibly entering, or otherwise proceeding into unauthorized areas of University owned or leased buildings or facilities, their roofs, or the residential space of another without permission.
  - 3) Unauthorized or inappropriate use of University services, property, or the property of others.
  - 4) Theft or other unauthorized possession of property or services.
- c. Public Order/University Order Offenses:
- 1) Creating a fire, safety, or health hazard.
  - 2) Impeding or obstructing an investigation, or failing to identify oneself or to comply with the directions of University officials, their authorized agents, or local police agencies acting in the performance and scope of their duties.
  - 3) Classroom Disruption Offenses. Students who disrupt a classroom, laboratory, or other environment in which educational or research activity takes place may be subject to action under this Code. Disruptive classroom conduct means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. For purposes of this provision, the classroom extends to any setting where a student is involved in work toward academic credit or satisfaction of program-based requirements or related activities.
  - 4) Littering.
  - 5) Conveying information that the student knows or should know to be false by actions such as lying or being dishonest, forging, altering, or causing any false information to be entered into University record or to be presented at a University proceeding or to a University official.
  - 6) Knowingly destroying evidence in connection with a matter being reviewed under this Code or any other University policy or procedure.
  - 7) Possessing, providing, distributing, selling, or manufacturing any form of false University, federal, or state-issued identification.
  - 8) Impersonating any University official.
  - 9) Gambling other than that which is allowed under Vermont law for those over the age of 21 and with proscribed industries. Gambling activities for purposes of this policy may include bookmaking or pool setting for profit, promoting or setting up a lottery for money or property, or winning or losing money or other valuables by play or hazard at any game.
- d. Other Offenses
- 1) Violation of University policies. Students, student organizations, and their respective guests are prohibited from violating University policies. Students are responsible for knowing and behaving consistently with all University policies, including any modifications thereof. University policies may be reviewed on the Policy Webpage <http://www.uvm.edu/policies/>

- 2) Violation of Law. A violation of any local, state, or federal civil or criminal law is a violation of this Code, even if the specific conduct prohibited by the law is not listed above. Violation of law conduct will be regarded as a violation of this Code regardless of whether the offense is prosecuted in a court of law. In most cases, where conduct that may constitute a violation of law is being prosecuted by state or federal authorities in a criminal process, the University will proceed with the student conduct process, even if the criminal case is not wholly resolved. Intermediate administrative actions, such as interim suspension, may be imposed pending an investigation and/or prosecution. The outcome of a criminal process does not dictate the outcome of the University student conduct process.

## B. Student Rights

The University of Vermont is an academic community where students share responsibility for both individual growth and the continued welfare of the community. As members of the University community, students have all of the constitutional and other rights protected by state and federal law and as set forth in University Policy.

By way of example, the University of Vermont considers freedom of inquiry and discussion essential to a student's educational development. Thus, the University recognizes the right of all students to engage in discussion, to exchange thought and opinion, and to speak, write, or publish freely on any subject, in accordance with the guarantees of the United States and Vermont constitutions. This broad principle is the cornerstone of education in a democracy.

## C. Reporting Violations

Any student, UVM Police Services officer, or member of the University staff, faculty, or community may report any perceived violation of this Code to the Center for Student Conduct. The Center for Student Conduct will wait for issuance of an incident and/or investigation report, such as a police report, before proceeding with the conduct process. The Center for Student Conduct retains the discretion in all instances to determine whether and how to proceed with resolving alleged violations. The Center for Student Conduct cannot adjudicate anonymous reports where there is no other source of identifiable information about the incident. However, the Center for Student Conduct will ensure appropriate campus officials are made aware of concerns raised within anonymous reports to allow for non-judicatory response.

## D. Administrative Actions

Administrative Actions are interventions imposed on a student by the Dean of Students (or designee) or Director of Residential Life (or designee) when there is a significant student behavioral or health and safety concern that requires immediate intervention to preserve and support the general welfare and academic experience of the student and/or University community. Generally, a student's status is not altered prior to a conduct meeting and subsequent appeal process.

Except in extraordinary circumstances, such as incarceration, prior to taking administrative action, the student will be invited to a meeting with the issuing official to discuss the matter. The purpose of the meeting is to provide the student with an opportunity to respond to and be informed of any administrative action being considered. Actions taken may include, but not be limited to: Administrative Notice, No Contact Order, No Trespass Order, recommendation for review of admission decision, and Interim Suspension. The Dean of Students or designee may also recommend the student have a consultation with specific offices or services.

Administrative action may be taken regardless of whether a student conducts a trespassing results from the allegation subject to administrative action. Except as may be provided in the University's [Respass Notices Procedure](#) administrative actions may not be appealed.

Interim Suspension Where preliminary information demonstrates that a student's continued presence on campus would pose a significant threat to the health or safety of other persons within the University community, the student may be suspended on an interim basis. Except in an extraordinary circumstance, the Dean of Students

policy violations and agrees to complete proposed outcomes in lieu of proceeding to a formal conduct meeting.

If the Respondent accepts responsibility for the alleged violation(s) and commits to completing the proposed outcome(s), the Respondent must sign the waiver and return it to the Conduct Meeting Facilitator who initiated the resolution. Students who accept responsibility via the Pre-Conduct Meeting Waiver process waive the right to appeal.

If a Respondent does not accept responsibility for the alleged violation(s) by signing and returning the Pre-Conduct Meeting Waiver form by the deadline stated, wishes to contest the alleged violation(s) or does not accept the proposed outcome(s), the conduct meeting will proceed as scheduled in the Notification letter.

The second possibility for pre-conduct meeting resolution is use of Restorative Approaches. Under the discretion of the Director of the Center for Student Conduct, or their designee, Restorative Approaches may be offered, in certain instances where a Respondent accepts responsibility for the alleged violation(s) and demonstrates a willingness to explore the impact of that behavior on themselves and others. In matters involving a Complainant and a Respondent, both parties must agree to participate in Restorative Approaches. Restorative Approaches may take a variety of forms, including but not limited to circles, mediation, facilitated dialogue, and/or conflict coaching. Restorative Approaches may result in a written agreement which may include follow-up actions. If the agreed-upon actions are not completed as outlined, the matter may be referred for a conduct meeting. Restorative Approaches are described in more detail on the Center for Student Conduct's [restorative approaches website](#).

G.

have a matter heard during a University vacation or more than 20 academic days after a Notification letter is sent must submit to the Center for Student Conduct no later than 24 hours after receipt of notice that a conduct meeting has been scheduled, a written request, including the reasons for the request. The Center for Student Conduct retains the discretion whether to grant the request, but the request will not be granted if (1) an extension would make a conduct meeting impractical, (2) the University's interest is deemed too great to postpone the conduct meeting, or (3) the extension would be fundamentally unfair to any other party to the proceeding. The University may, due to an administrative need, extend the conduct meeting date beyond 20 academic days or hold a conduct meeting during a vacation period. If the Respondent withdraws from the University before a case is heard, the Center for Student Conduct retains discretion to proceed with a conduct meeting to resolve the matter and the Respondent will be provided all notice and communication at the contact information provided upon withdrawal.

If the Respondent fails to attend the conduct meeting, except when there are exigent circumstances, the conduct meeting will proceed, and a finding will be reached based upon available evidence. Failure of the Respondent to appear will not be considered evidence of responsibility.

- d. Advisors. The Respondent and any Complainant may bring an Advisor to the conduct meeting. The Respondent and/or Complainant must notify the Conduct Meeting Facilitator(s) in advance of the meeting of their intent to have an Advisor and the Advisor's name.
- e. Documents to be Presented. The Respondent and any Complainant will be provided in the Notification Letter copies of any police report, incident report or other documentation that is relied on for a determination. alleged v0 [(a)7 (II)6.5 (e)ep p 9PĐža 9 2aZ&



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- i. Close of Conduct Meeting After the Complainant and Respondent have had the opportunity to present information and Witnesses and the Conduct Meeting Facilitator

## H. Outcomes

### 1. Outcome Descriptions (For more details regarding outcomes, please visit the Center for Student Conduct's [outcomes website](#))

Conduct Meeting Facilitators will determine appropriate outcomes after determining that a Respondent has violated this Code. When doing so, they may consider mitigating and aggravating circumstances.

Outcomes may include, but are not limited to, the following:

**Official Notice of Violation** An official written notification that a student's behavior is in violation of University regulations, policies, or standards, which clarifies expected behavior in the future. Further misconduct may result in more serious outcomes.

**Official Notice of Conduct** An official notice indicating that subsequent violations of University regulations, policies, or standards will result in a review for suspension or dismissal from the University.

**Educational Outcomes** The Conduct Meeting Facilitator(s) may require completion of a variety of educational outcomes.

**Fines or Fees** The Respondent must pay all fines or fees associated with the incident. Such fines/fees will be billed to a student's financial account.

**Community Restitution** The Conduct Meeting Facilitator(s) may also require performance of a specified number of community restitution hours. This outcome will be fulfilled either on or off campus, as specified. On campus service will take place in a specified department.

**Financial Restitution** The Conduct Meeting Facilitator(s) may require proof of restitution for damage done or other payment for expenses incurred as a result of the Respondent's actions. Restitution may be required to the University, a specific department, or a specific individual, as designated by the Conduct Meeting Facilitator.

**Suspension from the University** This outcome separates the student from the University for a specified period of time. This outcome prohibits attendance at any classes and participation in the University Study Abroad program during the suspension period. The terms of the suspension may restrict access to University grounds or buildings, as well as attendance at University sponsored social events, or other functions, as deemed appropriate by the Dean of Students or designee. The student may not register or enroll until the stated period of suspension is completed and any requirements for the period of suspension are fulfilled.

**Dismissal** This outcome separates the student permanently from the University of Vermont.

### 2. Factors (non-exhaustive) Considered in Determining Outcomes

#### Aggravating

- x Was this a repeat violation, and/or does the Respondent have a past student conduct history (maintained by the Center for Student Conduct or the Office of Equal Opportunity)? Did the Respondent have complete outcomes when the incident occurred?
- x Did the Respondent commit multiple policy violations during the incident?

- x Did the incident result in significant injury or harm to another person, property, or the University community? Does a continued risk of the same exist?
- x Is there indication that the conduct was premeditated?
- x Did the behavior at issue continue after ~~intention~~ (e.g. request or demand that the behavior cease) on the part of the Complainant, the University, or law enforcement?
- x Did the Respondent seek to threaten or purposefully intimidate the Complainant, witnesses, or others involved in any investigation ~~or~~ resulting conduct process? Was the incident motivated by an individual's involvement in the filing or investigation of a complaint (e.g. retaliation)?
- x Was there an active attempt to conceal or hide the incident?
- x



