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C. CODE OF CONDUCT

5-301 Preamble

A. Jurisdiction and Authority

1. The Arizona Board of Regents is charged by law to exercise control and supervision of the three state universities, their properties and activities, and is authorized to enact ordinances for the government of the institutions under its jurisdiction. The Board is further required by law to adopt rules and regulations for the maintenance of public order upon all university property under its jurisdiction. The Board has promulgated this Code of Conduct (ABOR Policy 5-301, et seq.) in order to meet its responsibilities under Arizona law.
2. The administration at each of the state universities is to assist the Board in the enforcement of the rules and regulations set forth under this Code of Conduct, but the authority of the administration is subject to the ultimate authority of the Board.

B. Philosophy

1. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change and respect for the rights of all individuals. This Code of Conduct is designed for the promotion and protection of such an environment at each of the state universities.
2. Acceptance of membership in the university community amounts to neither a surrender of those individual rights accorded to all citizens of this country nor a means for escaping the attendant fundamental responsibilities of that citizenship. Membership in the university community brings rights as well as responsibilities. This Code of Conduct shall be implemented by the adoption of sets of procedural rules appropriate for the various segments of the university community, which shall provide for the full protection of individual rights and freedoms.

C. Purpose and Intent

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1. The primary purpose for the enactment of this Code of Conduct is to set forth in a clear and concise manner the rules and regulations of conduct expected of those who join the university community, or who are present on the university campus or participating in any university-sponsored activity.
2. It is intended that the sanctions listed in this Code of Conduct be imposed and enforced for the protection of the university community and for the maintenance of order and stability, both with respect to activities occurring on the university campus and with regard to all university-sponsored activities.

D. Limitations Upon Code of Conduct Coverage

1. The adoption of this Code of Conduct does not prohibit any university or the Arizona Board of Regents from adopting or maintaining additional conditions, rules, regulations and procedures not in conflict with this Code of Conduct and which address matters not covered by this Code of Conduct. Charges brought pursuant to this Code of Conduct may be combined with charges brought pursuant to other conditions, rules or regulations, provided administrative procedures for enforcement of the Code of Conduct are used to resolve the charges.
2. Among the matters specifically excluded from coverage under this Code of Conduct are the following:
 - a. Rules and regulations that have been or will be adopted by each university which pertain to the control of vehicles on university property.
 - b. Regulations and procedures relating to student academic performance, other than academic dishonesty matters, e.g., grade appeal procedures.
 - c. Student housing regulations and contracts where sanctions are not imposed that extend beyond the student housing setting.

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3. The Code of Conduct is not intended to interfere with the internal corporate affairs of organizations such as the Associated Students, sororities, fraternities, honor societies, and similar organizations, but such organizations are otherwise subject to this Code of Conduct.

E. Violations of Law and Code of Conduct Regulations

Members of the university community may be accountable to both civil authorities (city, state or federal) and to the university for acts that constitute violations of law and of this Code of Conduct. Disciplinary action at the university may proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. There is no legal basis for any claim of double jeopardy and no right to immunity may be urged in any administrative proceeding.

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5-302 Definitions

In this Code of Conduct, unless the context otherwise provides or requires:

1. "Aggravated violation" means a violation which resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of normal university or university-sponsored activities.
2. "Board" means the Arizona Board of Regents.
3. "Cheating" means intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise.
4. "Controlled substance" means a drug or substance listed in schedules contained in A.R.S. 36-2512 through 36-2516.
5. "Distribution" means sale or exchange for personal profit.
6. "Fabrication" means intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
7. "Faculty" means all employees of the Arizona Board of Regents in teaching, research, or service, whose notice of appointment is as lecturer, instructor, assistant professor, associate professor, professor or otherwise designated as faculty on the notice of appointment. Graduate students who serve as assistants, associates or otherwise, are academic appointees as well as graduate students but are not members of the faculty.
8. "Group" means a number of persons who are associated with each other and who have not complied with university requirements for registration as an organization.
9. "Illegal drug" means any drug whose use, possession or distribution is prohibited or restricted by provisions of Title 13 of the Arizona Revised Statutes, and includes, without limitation, narcotic drugs, dangerous drugs, marijuana and peyote.

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10. "Organization" means a number of persons who are associated with each other and who have complied with university requirements for registration.
11. "Plagiarism" means intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.
12. "President" means the president of the university or a designee.
13. "Reckless" means conduct which one should reasonably be expected to know would create a substantial risk of harm to persons or property or which would otherwise be likely to result in interference with university or university-sponsored activities.
14. "Student" means any person registered or enrolled in one or more classes except a faculty member or full-time employee who takes any course as a privilege of employment. Graduate students who serve as assistants, associates or otherwise, and all other students employed part-time are classified as students rather than faculty or other university employee.
15. "University" means the appropriate university involved: The University of Arizona, Arizona State University, Northern Arizona University, and any other university governed by the Arizona Board of Regents.
16. "University campus" means all land, buildings, facilities and other property owned, used or controlled by the university.
17. "University community" means university, students, administrative and staff personnel, members of the faculty and all other university employees.
18. "University property" means all real and personal property owned by the university or owned by the Arizona Board of Regents and used by the university and includes all such property in the possession of or subject to the control of the university.
19. "University-sponsored activity" means any activity on or off campus which is initiated, aided, authorized or supervised by the university.

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20. "Weapon" means any object or substance designed to inflict a wound, cause injury, or incapacitate, including, without limitation, all firearms, pellet guns, switchblade knives, knives with blades five or more inches in length, and chemicals such as "mace" or tear-gas, but excluding normally available over-the-counter self-defense chemical repellents.

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5-303 Prohibited Conduct

The following misconduct is subject to disciplinary action:

1. All forms of student academic dishonesty, including cheating, fabrication, facilitating academic dishonesty and plagiarism.
2. Intentionally or recklessly causing physical harm to any person on the university campus or at a university-sponsored activity, or intentionally or recklessly causing reasonable apprehension of such harm.
3. Unauthorized use, possession or storage of any weapon, explosive device or fireworks on the university campus or at a university-sponsored activity except that subject to A.R.S. § 12-781 and other applicable law, a person may lawfully transport or lawfully store a firearm that is both 1) in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle, and 2) not visible from the outside of the motor vehicle or motorcycle, although the board or a university may require that vehicles transporting or storing firearms be parked in alternative parking as described in A.R.S. § 12-781..
4. Initiating or causing to be initiated any intentionally false report, warning or threat of fire, explosion or other emergency on the university campus or at a university-sponsored activity.
5. Intentionally or recklessly interfering with normal university or university-sponsored activities, including, but not limited to, studying, teaching, research, university administration, or fire, police or emergency services.
6. Knowingly violating the terms of any disciplinary sanction imposed for an earlier violation of this Code of Conduct.
7. Unauthorized use, possession or distribution or possession for purposes of distribution of any controlled substance or illegal drug on the university campus or at a university-sponsored activity.

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8. Intentionally or recklessly misusing or damaging fire safety equipment.
9. Intentionally furnishing false information, including false identification, to the university.
10. Forgery, unauthorized alteration or unauthorized use of any university document or instrument of identification.
11. Intentionally and substantially interfering with the freedom of expression of others on the university campus or at a university-sponsored activity.
12. Theft or misappropriation of property or of services on the university campus or at a university sponsored activity; known possession of stolen property on the university campus or at a university-sponsored activity.
13. Intentionally or recklessly destroying, damaging or misappropriating university property or the property of others on the university campus or at a university-sponsored activity.
14. Failure to comply with the directions of university officials, including campus police officers, acting in good faith and in the performance of their duties.
15. Failure to comply with other published rules and regulations of conduct that may from time to time be adopted by the Board or the university, including, without limitation, restrictions on the sale or possession of alcoholic beverage on the university campus or at university-sponsored activities.
16. Unauthorized presence in or use of the university campus, facilities or property.

Policy Number: 5-304	Policy Name: Sanctions
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5-304 Sanctions

- A. In addition to any other interim or final action which may be taken to enforce this Code of Conduct, any person, whether a member of the university community or not, may be ordered to leave the university campus when the president, or such other officer or employee designated by the president to maintain order on the university campus, has reasonable grounds to believe the person is committing any act which interferes with or disrupts the lawful use of university property by others or has reasonable grounds to believe any person has entered upon the university campus for the purpose of committing such an act.
- B. One or more of the following sanctions may be imposed for violation of the disciplinary regulations set forth in ABOR Policy 5-303 (Prohibited Conduct):
1. **EXPULSION:** Permanent separation of the person from the university. As applied to faculty and other university employees, expulsion may involve dismissal and termination of employment or nonrenewal of an employment contract. An indication of expulsion will appear on the student's transcript or be maintained in the permanent file of the university employee. The person will also be barred from the university campus.
 2. **SUSPENSION:** Separation of the person from the university for a specified period of time. Permanent notification may appear on the student's transcript or in the file of the university employee. Except where any administrative decision under this Code of Conduct indicates otherwise, a person suspended under this Code of Conduct shall not participate in any university-sponsored activity, may be barred from the university campus, and where such person is a faculty member or other university employee, any suspension shall be without pay or other benefits incidental to the person's employment position.
 3. **PROBATION:** This sanction shall be applicable to students only and may include forfeiture of campus privileges for a definite period of time. Additional restrictions or conditions may also be imposed. Appropriate university officials shall be notified of the imposition of such sanctions.

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4. FORFEITURE: This sanction shall only be applicable to faculty members or other university employees, and shall include forfeiture of the right or expectation to an increase in pay, sabbatical leave, or summer employment for a definite period of time.
 5. WARNING: The person is warned that further misconduct may result in more severe disciplinary action.
 6. RESTITUTION: Payment to the university or to other persons, groups, or organizations for damages incurred as a result of the violation of this Code of Conduct.
- C. Imposition of any sanctions shall take into account the following:
1. Sanctions shall be imposed pursuant to the administrative procedures referred to in ABOR Policy 5-306 (Enforcement of the Code).
 2. Mitigating factors may be considered. Factors to be considered in mitigation shall be the present demeanor and past disciplinary record of the individual charged with a Code of Conduct violation, as well as the nature of the offense and the severity of any damage, injury or harm resulting from it.
 3. Repeated violations or an aggravated violation of any section of this Code of Conduct may result in the imposition of a more severe sanction.
 4. Attempts to commit acts prohibited by this Code of Conduct shall be subject to sanctions of the Code of Conduct to the same extent as completed violations.

Policy Number: 5-305	Policy Name: Groups and Organizations
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5-305 Groups and Organizations

- A. Student, faculty and employee groups or organizations may be charged with violations of this Code of Conduct.
- B. Such a group or organization and its officers may be held collectively or individually responsible when violations of this Code of Conduct by those associated with the group or organization have received the tacit or overt consent or encouragement of the group or the organization or its leaders, officers or spokespersons.
- C. The officers or leaders or any identifiable spokesperson for such a group or an organization may be directed by the president of the university to take appropriate action designed to prevent or end violations of this Code by the group or organization or by any persons associated with the group or organization who can reasonably be said to be acting on its behalf. Failure to make reasonable efforts to comply with such a directive shall be considered a violation of ABOR Policy 5-303.14 (Prohibited Conduct) of this Code of Conduct, both by the officers, leaders or spokesperson for the group or the organization and by the group or organization itself.
- D. Sanctions for group or organization misconduct may include revocation of the use of university facilities for a definite period of time or denial of recognition or registration, as well as other appropriate sanctions, permitted under this Code of Conduct.

Policy Number: 5-306	Policy Name: Enforcement of the Code of Conduct
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5-306 Enforcement of the Code of Conduct

- A. The provisions of this Code of Conduct shall be enforced through use of the following administrative procedures:
1. Faculty shall be subject to those procedures set forth in ABOR Policy 6-201.L (Conditions of Faculty Service, Hearing Procedures for Faculty).
 2. Administrators shall be subject to those procedures set forth in ABOR Policy 6-101.H (Conditions of Administrative Service, Termination and Release).
 3. All other university employees shall be subject to the applicable grievance procedures existing at the university.
 4. Students shall be subject to ABOR Policy 5-401, et seq. (Student Disciplinary Procedures) adopted by the Board.
- B. For purpose of enforcement of this Code of Conduct, a group or organization shall be subject to the same procedures as the majority of its members would be subject to if charged on an individual basis with a violation of this Code of Conduct.

Policy Number: 5-307	Policy Name: Miscellaneous Provisions
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5-307 Miscellaneous Provisions

- A. The several sections and provisions of this Code of Conduct are hereby declared to be independent and severable and if any section, subdivision, word, sentence or clause be held void or non-enforceable such holding shall not affect the validity or enforceability of any other part or parts of this Code of Conduct which can be given effect without the invalid or non-enforceable portion.
- B. The list of prohibited misconduct set forth in ABOR Policy 5-303 (Prohibited Conduct) shall be interpreted broadly and is not designed to define misconduct in exhaustive terms.
- C. The Board reserves the right to take necessary and appropriate action to protect the safety and well-being of the university community.
- D. Any prior existing Code of Conduct is repealed except that any pending action or proceeding shall not be affected by this Code of Conduct and will be subject to the Code of Conduct provisions in effect at the time the action or proceeding was originally brought.

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5-308 Student Code of Conduct

A. Jurisdiction and Authority

1. Under Arizona law, the Arizona Board of Regents is responsible for the control and supervision of the state universities and their properties and activities. ABOR is authorized to enact ordinances for the governance of the universities and the maintenance of public order upon all property under its jurisdiction. ABOR has promulgated this Student Code of Conduct in order to meet its responsibilities under Arizona law. Enforcement of this Student Code of Conduct is subject to applicable law, including constitutional protections for speech, association and the press.
2. The Presidents are authorized to enforce the Student Code of Conduct.
3. Violators may be accountable to both civil and criminal authorities and to the university for acts of misconduct that constitute violations of the Student Code of Conduct. At the discretion of university officials, disciplinary action at the university may proceed before, during, or after other proceedings. Sanctions may be imposed for acts of misconduct that occur on university property or at any university-sponsored activity. As further prescribed in these rules, off-campus conduct may also be subject to discipline. With respect to student organizations, and their members, university jurisdiction extends to premises used or controlled by the organizations on or off campus.

B. Philosophy

1. The aim of education is the intellectual, personal, social, and ethical development of the individual. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change, and respect for the rights of all individuals. Self-discipline and a respect for the rights of others in the university community are necessary for the fulfillment of such goals. The Student Code of Conduct is designed to promote this environment at each of the state universities.
2. The Student Code of Conduct sets forth the standards of conduct expected of students who choose to join the university community.
3. Students who violate these standards will be subject to disciplinary sanctions in order to promote their own personal development, to protect the university community, and to maintain order and stability on campus.

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C. Scope

1. The adoption of the Student Code of Conduct does not prohibit any university or ABOR from adopting or maintaining additional rules to govern the conduct of students. Allegations of misconduct brought under the Student Code of Conduct may be combined with allegations arising under other university or ABOR rules.
2. Each university may adopt policies and procedures for reviewing allegations of academic dishonesty.
3. The Student Code of Conduct applies to individual students and to student organizations.
4. Students and student organizations are also subject to the following rules:
 - a. Rules adopted by each university to govern the control of vehicles and other modes of transportation on university property
 - b. Rules relating to student classroom conduct, academic dishonesty, AND academic eligibility, performance and evaluation
 - c. Rules governing student housing
 - d. Rules governing the maintenance of public order
 - e. Rules governing the conduct of student athletes
 - f. Rules governing the use of university communication and computing resources, and
 - g. Such other rules as may be adopted by the Board ABOR or universities in furtherance of university and educational goals.

D. Student Organizations

1. Student organizations may be charged with violations of the Student Code of Conduct to the same extent as students.
2. Student organizations, as well as their members and other students, may also be held collectively and/or individually responsible for violations including but not limited to misconduct that occurs: (a) on university property; (b) on

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premises used or controlled by the organization; (c) at university-sponsored activities; or (d) in violation of university hazing policies.

3. The officers or leaders of a student organization may be held collectively and/or individually responsible when such violations are committed by persons associated with the organization who have received consent or encouragement from the organization's officers or leaders or if those officers or leaders knew or should have known that such violations were being or would be committed.
4. The officers or leaders of a student organization may be directed to take action designed to prevent or end such violations by the organization or by any persons associated with the organization. Failure to comply with a directive may be considered a violation of the Student Code of Conduct, both by the officers or leaders of the organization and by the organization.

E. Definitions

Definitions provided elsewhere in this chapter are applicable to this Student Code of Conduct. Terms not expressly defined in the Student Code of Conduct will be interpreted in accordance with state and federal law. In the Student Code of Conduct, unless the context otherwise provides or requires:

1. "ABOR" means the Arizona Board of Regents.
2. "Advisor" means an individual selected by the student to advise him/her. The advisor may be a faculty or staff member, student, attorney, or other representative of the student.
3. "Complainant" means any individual who initiates the referral procedures set forth in the student disciplinary procedures, ABOR policies 5-401 through 5-404.
4. "Controlled substance" means a drug or substance whose use, possession, or distribution is controlled under state or federal law.
5. "Day" means university business day, not including Saturday, Sunday, any officially recognized university employee holiday, or any day the university is closed.
6. "Dean of Students" or "Dean" means the university administrative officer responsible for administration of student conduct bearing this or similar title and includes his/her designee.

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7. "Distribution" means sale, exchange, transfer, delivery, or gift.
8. "Endanger" means to bring into danger or peril.
9. "Explosive" refers to dynamite, nitroglycerin, black powder, or other explosive material or bomb including plastic explosives; any breakable container that contains a flammable liquid with a flash point of 150°F or less and has a wick or similar device capable of being ignited.
10. "Fabrication" means falsification or creation of false data or information.
11. "Fireworks" refers to any fireworks, fire crackers, sparklers, rockets, and any propellant-activated device whose intended purpose is primarily for illumination.
12. "Gambling" shall have the same meaning as defined by Arizona law.
13. "Hazing" means any intentional, knowing or reckless act committed by a student, whether individually, or in concert with other persons, against another student, and in which both of the following apply: (a) the act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with a university; (b) the act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation; or (c) as otherwise defined in applicable law. Hazing includes, but is not limited to, paddling in any form, physical or psychological shocks, late work sessions that interfere with scholastic activities, advocating or promoting alcohol or substance abuse, tests of endurance, submission of members or prospective members to potentially dangerous or hazardous circumstances or activities which have a foreseeable potential for resulting in personal injury, or any activity which by its nature may have a potential to cause mental distress, panic, human degradation, or embarrassment.
14. "Illegal drug" means any drug whose manufacturing, use, possession or distribution is prohibited or restricted by state or federal law.
15. "President" means the president of the university or his/her designee.
16. "Stalking" means engaging in a course of conduct that is directed toward another person if that conduct would cause a reasonable person to fear for the person's safety or the safety of that person's immediate family member or close acquaintance, and that person in fact fears for their safety or the safety of that person's immediate family member or close acquaintance.

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17. "Student" for purposes of this Student Code of Conduct means any person who is currently admitted or registered or who participates in a university function, such as orientation, in anticipation of enrollment, or who was enrolled in a previous term or who is or was registered for a future term, including a faculty member or other employee so admitted, registered, or enrolled.
18. "Student organization" means an organization or group which has been registered or has received recognition according to university policies and procedures or is affiliated with a university.
19. "University" means The University of Arizona, Arizona State University, Northern Arizona University, or any other university campus or division governed by ABOR.
20. "University community" means all university students, employees, and guests.
21. "University property" means all resources, including but not limited to real and personal property, money, and intellectual property owned, operated, leased to, contracted by, controlled, or in the possession of a university or ABOR.
22. "University-sponsored activity" means any activity on or off campus authorized, supervised, or controlled by a university.
23. "Vice President for Student Affairs" means the administrative officer bearing such title, similar title, or his/her designee.
24. "Weapon" refers to any object or substance designed to (or which could be reasonably expected to) inflict a wound, cause injury, incapacitate, or cause death, including, without limitation, all firearms (loaded and unloaded, simulated and real), devices designed to expel a projectile (such as bb guns, air guns, pellet guns, and potato guns), electronic control devices such as tasers or stun guns, swords, knives with blades of 5 inches or longer, martial arts weapons, bows and arrows, and chemicals such as mace, tear gas, or oleoresin capsicum, but excluding normally available over-the-counter self-defense chemical repellents, chemical repellents labeled "for police use only" or "for law enforcement use only" may not be possessed by the general public.

F. Prohibited conduct

1. All forms of student academic dishonesty, including but not limited to,

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cheating, fabrication, facilitating academic dishonesty, and plagiarism.

2. Endangering, threatening, or causing physical harm to any member of the university community or to oneself, causing reasonable apprehension of such harm or engaging in conduct or communications that a reasonable person would interpret as a serious expression of intent to harm.
3. Violating the terms of any disciplinary sanction imposed for an earlier violation of the Student Code of Conduct or other ABOR or university rules.
4. Violation of, or attempt to violate, other rules that may be adopted by ABOR or by the university.
5. Impersonation of another, using another person's identity, or furnishing materially false information, including manufacturing or possession of false identification.
6. Initiating, causing, or contributing to any false report, warning, or threat of fire, explosion, or other emergency.
7. Failure to comply with the directions of university officials or agents, including law enforcement or security officers, acting in the good faith performance of their duties. This section is not intended to prohibit the lawful assertion of an individual's Fifth Amendment right against self-incrimination.
8. Forgery, falsification, fabrication, unauthorized alteration, or misuse of campus documents, records, or identification, including, but not limited to, electronic software and records.
9. Unauthorized presence in or unauthorized use of university property, resources, or facilities.
10. Unauthorized access to, disclosure of, or use of any university document, record, or identification, including but not limited to, electronic software, data, and records.
11. Interfering with or disrupting university or university-sponsored activities, including but not limited to classroom related activities, studying, teaching, research, intellectual or creative endeavor, administration, service or the provision of communication, computing or emergency services.
12. Misrepresenting oneself or an organization as an agent of a university.

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13. Possession of property the student knows or has reason to believe may be stolen or misappropriated.
14. Misuse, theft, misappropriation, destruction, damage, or unauthorized use, access, or reproduction of property, data, records, equipment or services belonging to the university or belonging to another person or entity.
15. Violation of ABOR or university rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.
16. Unauthorized use, sale, possession, or distribution of any controlled substance or illegal drug or possession of drug paraphernalia that would violate the law.
17. Off-campus conduct that a reasonable person would believe may present a risk or danger to the health, safety or security of ABOR or university community or to the safety or security of ABOR or university property.
18. Gambling as prohibited by applicable law, university policy, or associated with any university event.
19. Engaging in, supporting, promoting, or sponsoring hazing or violating ABOR or university rules governing hazing.
20. Engaging in harassment or repeated contact that a reasonable person would understand to be unwanted, including, but not limited to, stalking.
21. Engaging in discriminatory activities as prohibited by applicable law or university policy.
22. Interfering with any university disciplinary process, including but not limited to tampering with physical evidence or inducing a witness to provide false information or to withhold information.
23. Engaging in any illegal sexual offense, including but not limited to, sexual assault, public sexual indecency, or indecent exposure.
24. Use, possession, display, or storage of any weapon, dangerous instrument, explosive material or device, fireworks, bomb-making materials or dangerous chemical on university property, at a university sponsored activity or in violation of law or university policy, is not permitted unless one of the following exceptions apply:

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- a. Subject to A.R.S. § 12-781 and other applicable law, a person may lawfully transport or lawfully store a firearm that is both 1) in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle, and 2) not visible from the outside of the motor vehicle or motorcycle, although the board or a university may require that vehicles transporting or storing firearms be parked in alternative parking as described in A.R.S. § 12-781, or
- b. Use, possession, display or storage is specifically authorized by an Arizona or federal statute governing law enforcement officers or in writing by university officials with the authority to grant such permission, or
- c. Universities may permit students to possess certain potentially dangerous instruments, and limited quantities of chemicals or other dangerous materials if they are used for academic and other legitimate purposes, if the presence of these items does not present an undue risk to the campus or community, and if the proposed use, possession, display or storage of these items has been expressly approved in writing by an authorized university representative.

25. Photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. This section does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized university officials.

26. Commission of any offense prohibited by state or federal law.

Any attempt to commit or conceal an act of misconduct prohibited by these rules is subject to sanctions to the same extent as completed acts.

G. Sanctions

- 1. The Dean of Students may impose one or more of the following sanctions for any violation of the Student Code of Conduct:
 - a) Expulsion: Permanent separation of the student from the university. An indication of expulsion may appear on the student's transcript. The expelled student will not participate in any university-sponsored activity

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and will be barred from university property. An expelled student will be ineligible to attend Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by ABOR unless approved according to paragraph G.2(a) AND (b).

- b) Suspension: Temporary separation of the student from the university for a specified period of time, or until specific conditions, if imposed, have been met. An indication of suspension may appear on the student's transcript. Except where prior approval has been granted by the Dean of Students, a suspended student will not participate in any university-sponsored activity and will be barred from the university campus. A suspended student will be ineligible to attend Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by ABOR until the conditions of suspension have been met.
- c) Degree Revocation: A university may revoke a degree, certificate or other academic recognition previously awarded by that university to a student. Notice of any degree revocation will appear on the student's transcript. If the university previously communicated the award of a degree, certificate or other academic recognition to a third party, it may provide notice to that entity of the revocation.
- d) Probation: Removal of the student from good disciplinary standing. Additional restrictions or conditions may also be imposed. Probation will last for a stated period of time and until specific conditions, if imposed, have been met. Any violation of these rules, the conditions of probation, or other university rules committed during the probationary period will subject the student to further discipline, including suspension or expulsion.
- e) Warning: A written statement advising the student that a violation of the Student Code of Conduct has been committed and that further misconduct may result in more severe disciplinary action.
- f) Administrative hold: A status documented in the registrar's official file which may preclude the student from registering, from receiving transcripts, or from graduating until clearance has been received from the Dean of Students in accordance with university rules.
- g) Restricted access to university property: A student's access to

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university property, including but not limited to research, communication and computing resources, may be restricted for a specified period of time or until certain conditions are met.

- h) Organizational sanctions: Sanctions for organizational misconduct may include revocation of the use of university property or privileges for a period of time, revocation or denial of recognition or registration, or suspension of social or intramural activities or events, as well as other appropriate sanctions permitted under the Student Code of Conduct or other rules of the university.
 - i) Educational Response: The Dean may require a student to complete an educational program at the student's expense, write a paper or letter of apology, engage in community service, or assign other educational responses to address the student's conduct.
 - j) Interim action: The Dean may impose restrictions on a student or suspend a student for an interim period prior to resolution of the disciplinary proceeding.
 - k) Academic Conduct: Each university may adopt procedures regarding student conduct that takes place while participating in academic activities. These procedures may outline sanctions including, but not limited to, lower-level warnings, administrative drop from a particular class, or other sanctions as appropriate.
 - l) Restitution: Payment to the university or to other persons, groups, or organizations for damage to property or costs incurred as a result of the violation of this Student Code of Conduct.
 - m) Notation on Transcript.
 - n) Other sanctions permissible under existing university rules.
2. A student who has been suspended or expelled from one university will be ineligible for admission, enrollment, re-enrollment or re-admission to Arizona State University, Northern Arizona University, or the University of Arizona or any other university campus or division governed by ABOR except as follows:
- a. Each university may adopt rules and procedures to consider a request for readmission from a student who has been previously suspended or expelled, which shall include criteria to be used in evaluating a request for readmission, and shall provide that a decision to readmit must be

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approved by the Vice President for Student Affairs at the admitting university.

- b. Except as set forth in Section G.2.a, a student who has been suspended or expelled at one university will not be eligible for admission or re-enrollment at another ABOR university until the student has met the conditions for reinstatement at the university which imposed the suspension or expulsion. The conditions for reinstatement may be waived in whole or in part at the discretion of the Vice President for Student Affairs at the admitting university.

H. Determining What Sanction to Impose

1. Mitigating and aggravating factors may be considered. Factors to be considered in mitigation or aggravation include the individual's prior disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, the payment of restitution to the university or to any victims, or any other factors deemed appropriate under the circumstances, including but not limited to the individual's participation in an approved counseling program.
2. Repeated violations of the Student Code of Conduct may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.

I. Enforcement

1. Student sanctions shall be enforced through use of the Student Disciplinary Procedures adopted by ABOR.
2. Sanctions for organizational misconduct shall be enforced through the use of the Student Disciplinary Procedures adopted by ABOR or through other procedures established by each university.

J. Miscellaneous provisions

1. The description of prohibited conduct shall be interpreted as broadly as consistent with applicable law.
2. The Presidents are authorized by ABOR to take other actions or to adopt other rules to protect university property and the safety and well-being of members of the university community and the public.

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3. The prior Student Code of Conduct no longer governs conduct by students, except that any pending action or proceeding shall not be affected by this Student Code of Conduct and will be subject to the code provisions in effect at the time the action or proceeding was brought.