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|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------------|
| <b>CATEGORY</b>                    | Student Affairs                                                                                                             | <b>EFFECTIVE</b> | 6/9/2026                       |
| <b>RESPONSIBLE UNIT</b>            | Office of Student Conduct                                                                                                   | <b>CONTACT</b>   | studentconduct@nevadastate.edu |
| <b>APPLIES TO</b>                  | Students, Academic Faculty, Administrative Faculty, Classified Employees, Other Employee Types, Contractors, and the Public |                  |                                |
| <b>HISTORY</b>                     | Revision and integration of SA 5.1 Student Code of Conduct Policy and SA 6 Academic Standards Policy                        |                  |                                |
| <b>RELATED FORMS AND RESOURCES</b> | See Section 6 under Procedure                                                                                               |                  |                                |

## **DEFINITIONS**

Key terms and phrases used in this policy are defined in Appendix A.

## **Section 1: POLICY**

Nevada State University's Student Code of Conduct establishes high standards of behavior for students. The Student Code of Conduct and its associated processes for resolving misconduct charges are intended to teach students to live and act responsibly in a community. As students participate in the campus community and its sponsored activities, they are responsible for their own actions and are subject to local, state, and federal laws and all Nevada System of Higher Education (NSHE) and Nevada State University policies, procedures, rules, and regulations.

The Student Code of Conduct functions as an aspect of the University's educational process. Nevada State University's leadership views the Student Code of Conduct as not only a disciplinary policy, but also a learning experience for the student involved. This may result in individual student growth, changes in behavior, and increased understanding of the student's responsibilities and privileges within the University community.

The goals of the Student Code of Conduct are to promote a campus environment that supports the educational mission of the University; to protect the University community from disruption and harm; to encourage appropriate standards of individual and group behavior; and to foster ethical standards and civic virtues. The aim is to keep students enrolled in classes and retained at Nevada State if possible and to give them an opportunity to learn from their decisions and behaviors.

## **Section 2: STATUTES, REGULATIONS & ORDINANCES**

- [NSHE Code Chapter 10](#)
- [NSHE Handbook Title 4, Chapter 8, Section 14](#)
- [NSHE Procedures and Guidelines Manual, Chapter 15](#)

## **Section 3: PROCEDURE**

### **1. General Student Rights**

As members of the University community, students have a number of rights, including:

- A. The right to fair and equitable processes in all issues related to the Student Code of Conduct;
- B. The right to exercise their freedoms, without fear of University interference;
- C. The right to be free from discrimination on the basis of race, color, sex, ethnicity, gender identity/gender expression, age, height, weight, religion, creed, national origin, disability, sexual orientation/identity, marital status, or veteran status, as described in NSHE policy, the Nevada Revised Statutes, and federal law;
- The right to freedom of expression, press, religion, and assembly. NS supports student activism and values freedom of expression, which includes voicing unpopular views and dissent. As members of the University community, students have the right to express their own views and engage in peaceful and orderly speech, protest, demonstration, and picketing within the public forum, but must also take responsibility for according the same right to others and to the extent such activities do not disrupt the academic and/or administrative functions of the University. The University reserves the right, in accordance with federal and state law, to approve the time, place, and manner of such activities (see the [NS Free Speech Policy](#), AD 6);
- D. The right to academic freedom, including engaging in inquiry and discussion, exchanging thought and opinion, and speaking, writing, and printing freely on any subject as protected by state and federal law;
- E. The right to participate in the development of policies that directly affect students through membership in or communication with NSSA and other recognized groups determined by the President;
- F. The right to easily access established NSU policies and procedures;
- G. The right to be free from unreasonable search and seizure.

#### **1.1 Student Rights in Conduct Processes**

When a student is alleged to have engaged in academic misconduct as defined in Section 3 Subsection 5, the Academic Misconduct section of this policy is used first to determine if academic misconduct occurred. Only if a student is found responsible for academic misconduct is the matter then considered for further action and responses. When a student or student organization is charged with an alleged violation of the Student Code of Conduct, they have:

- A. The right to receive notice of the alleged violation(s) and details regarding any meetings or hearings as indicated in this policy;
- B. The right to present their own version of events;



- C. The right to bring witnesses, with advance notice, to present information in hearings;
- D. The right to be accompanied by one advisor of their choice during conduct meetings or hearings, unless otherwise permitted by the University in advance. The role of the advisor is limited to providing support and consultation to the student and may not disrupt the conduct or resolution process. Except where required as an approved accommodation, an advisor may not directly participate in the proceeding, speak on behalf of the student, question witnesses, or address University officials involved in the conduct process. An advisor must not be an individual who is directly involved in or associated with the matter under review;
- E. The right not to participate or not to answer specific questions in a hearing;
- F. The right to question any statements, evidence, or witnesses presented in a hearing;
- G. The right to challenge the objectivity of the hearing officer or a hearing board member for cause if the student believes they may be biased or have a conflict of interest;
- H. The right to appeal the outcome of the hearing as described in this policy.

## **2. Student Expectations and Responsibilities**

Students are expected to:

- A. Attend and/or academically engage in their classes as soon as the term begins and throughout the course;
- B. Actively and meaningfully engage with all assignments and exams/quizzes following the expectations and instructions provided by the instructor;
- C. Conduct themselves in a manner that contributes to a positive learning environment for all;
- D. Familiarize themselves with all policies and procedures established by NSU and/or their school/program, including those published in the academic catalog and through the official University communications structure;
- E. Adhere to deadlines, including those for course registration, add/drop periods, course withdraws, course audits, graduation requirements, and paying tuition and fees;
- F. Contribute to maintaining a campus environment conducive to intellectual curiosity, civility, and diversity;
- G. Refrain from possessing, carrying, storing, brandishing, displaying, using, or threatening to use any weapon on University property, in University vehicles, at University-sponsored events, or in any location where the University is conducting business, except as expressly authorized by law and University policy;
- H. Keep NSU informed of any changes in address, phone number, and any circumstances that could affect financial aid awards or satisfactory progress toward a degree;
- I. Ask questions and seek guidance if any assignment, policy, or procedure is unclear;

- J. Have and display, when asked, their NSU student ID. The first ID is free of charge; if lost, there is a cost associated with replacement;
- K. Comply with all NSU policies when on University property, in University vehicles, at University-sponsored events, or in any location where the University is conducting business, except as expressly authorized by law and University policy.

### **3. Authority and Jurisdiction**

This Student Code of Conduct is established under the NS President's authority, provided in NSHE Code Chapter 10, to establish and enforce rules and regulations governing student conduct. The President has delegated responsibility for enforcing these rules and regulations and determining hearings procedures and sanctions for violations to the Vice President of Student Affairs.

The University's disciplinary authority extends to all students. Students are expected to comply with the Student Code of Conduct in all application materials, upon admission to NS, and throughout their time as a student at the University.

The Student Code of Conduct applies even if a student withdraws from classes or the University while a disciplinary case is pending. If a student leaves the University, any unresolved misconduct charges will be addressed upon the student's return. If a student is asked to leave NS for behavior that violates the Student Code of Conduct, the student will be informed by their official Nevada State email of the requirements for a successful return. The institution can provide additional notification methods in conjunction to the official NS email. If a NS graduate is found to have been involved in behavior that violates this policy prior to their date of graduation which directly affects the status of their degree and/or the University community, NS has the authority to review and possibly act to modify the student's status and record (up to and including revocation of the student's diploma).

The University's authority to address student conduct covers all students while they are present on or at any of the following:

- A. Premises owned or leased by the University;
- B. Campus housing;
- C. Off-campus buildings used by NS students through their association with a University student organization;
- D. Off-campus locations approved by NS for NS student employment placement;
- E. Off-campus sites for academic or extracurricular University-related experiences, including all exchange programs and athletic competitions;
- F. Online course synchronous and asynchronous educational spaces, including, but not limited to, class discussion boards, email messages, and live virtual meetings;
- G. Online University-hosted activities and student services.

Nevada State University may review and address student conduct that occurs off campus when, as determined by the President and Vice President of Student Affairs the behavior has a demonstrable connection to the University community, its educational mission, or the safety and well-being of its members. The review shall be limited to

circumstances in which the conduct materially affects University operations, involves University-sponsored or affiliated activities, or raises legitimate concerns regarding student fitness, safety, or professional responsibility.

When a student is subject to review under this policy for conduct that is also the subject of pending criminal or civil proceedings, the University shall not impose punitive sanctions, including suspension or expulsion, prior to the completion of the University's own conduct process. Interim measures imposed pending that process shall be limited to the least restrictive means necessary to protect the safety and well-being of the University community, and shall include, wherever reasonably practicable, adjustments that allow the student to continue making academic progress, including remote participation in coursework, alternative course arrangements, or other measures developed in consultation with the student and their instructors. The implementation of interim measures shall not be construed as a finding of responsibility.

Students may also be subject to additional standards of conduct and enforcement procedures of other University organizations, academic programs, and/or facilities.

#### **4. Students with Disabilities**

All students, regardless of disability, are responsible for adhering to the Student Code of Conduct. When registering for classes at NSU, a student must consider whether they will be able to adhere to the Code of Conduct. The Americans with Disabilities Act (ADA) does not excuse or protect a student from being held responsible under the Code of Conduct for emotional or violent outbursts. For specific guidelines on disability accommodations at NSU, contact the Disability Resource Center:

<https://nevadastate.edu/drc/>

#### **5. Academic Misconduct**

Academic integrity is a fundamental value at Nevada State University and is centered on honesty, trust, fairness, respect, and responsibility. Supporting and affirming these values is essential to promoting and maintaining a high level of academic integrity. If knowledge is to be gained and properly evaluated, it must be pursued under conditions free from dishonesty. False information, dishonesty, deceit, and misrepresentation are incompatible with the values of NS and will not be tolerated. A violation of academic integrity is harmful to students, faculty, and ultimately, the institution.

Academic misconduct includes violation of NSHE System Handbook, Title 2 (the Code), Chapter 10, Nevada State University academic standards, and/or school-specific academic and professional standards. Academic misconduct includes, but is not limited to, the actions described below.

##### **5.1 Plagiarism**

Plagiarism is failure to properly acknowledge authorities quoted, cited, or consulted in the preparation of written work. Types of plagiarism include, but are not limited to:

- A. Copying: Quoting, summarizing, or paraphrasing others' words or ideas without indicating the source and giving proper credit;
- B. Third-party: Handing in work that is not the student's own, including purchased or downloaded materials;
- C. Attribution: Copying and/or presenting the words of others (including internet sources) as a student's own writing or ideas;
- D. Re-use of Work: Submitting work from a prior course as new work without the instructor's approval;
- E. Inappropriate AI Use: Use of artificial intelligence (AI) generated content that does not comply with course policies on AI citation.

## 5.2 Artificial Intelligence (AI) Misconduct

The allowed use or prohibition of artificial intelligence tools in coursework is subject to the expectations established by the instructor. Instructors will specify permitted and prohibited uses of AI in the course syllabus or assignment instructions, and students are responsible for complying with those requirements. Use of AI in a manner inconsistent with the syllabus or assignment guidelines constitute academic misconduct.

## 5.3 Cheating and Dishonesty

Cheating and dishonesty involve deception about a student's own work or the work of someone else. Types include, but are not limited to:

- A. *Facilitating Dishonesty*: Allowing another student to submit one's work as though it were their own; completing an assignment, exam, or course activity for another student; or otherwise assisting (or attempting to assist) a student in violating academic integrity;
- B. *Facilitating Dishonesty – Third-party*: Distributing and/or selling course materials created and/or owned by an instructor or instructional assistants (including providing or selling them to unauthorized third-party academic assistance services such as online answer-sharing or solution-providing platforms) or uploading copyrighted material or material owned by anyone other than the student to an AI system without written permission from the owner. Students may not use or contribute to unauthorized third-party academic assistance services, including online answer-sharing or solution-providing platforms, to complete or assist with coursework unless explicitly permitted by the instructor. Students should consult the course syllabus and speak to the instructor to request permission in advance before sharing materials with any third-party platform;
- C. *Cheating*: Using a textbook, notes, electronic devices, digital programs, or other materials during an exam or assignment without instructor permission, looking at another student's work during an exam, or using or attempting to use a substitute to complete a course activity or assignment;
- D. *Cheating – Bribery*: Attempting to bribe an instructor, administrator, or other NS employee to affect or change the outcome of an academic action or decision;
- E. *Cheating – AI*: Use of artificial intelligence (AI) in coursework that does not comply with the course syllabus or course policies regarding AI use;
- F. *Fabrication*: Inventing or altering experimental data to get 'desired' results; creating results for experiments that were not completed; inventing or falsifying



sources, citations, or results and reporting or using them in any academic activity; or falsifying clinical hours, supervised field experience hours, student teaching hours, or internship hours.

### **5.4 Academic Sabotage**

Types of academic sabotage include, but are not limited to:

- A. *General Academic Sabotage*: Deliberately obstructing another student's academic progress; removing posted or reserved materials; stealing another student's or group's work or data; preventing another student's access to academic resources; tampering with or destroying someone else's work; or falsifying University academic records, forms, or other documents;
- B. *Academic Sabotage – Integrity*: Refusing to work constructively in a group environment or cheating/plagiarizing on a group project that affects other students' grades;
- C. *Academic Sabotage – Theft*: Stealing, tampering with, or damaging books, journals, or other University materials (including those in or from the Library); altering computer files that contain another student's data, reports, or academic work; or stealing academic materials such as a problem solution from an instructor or instructional staff;
- D. *Academic Sabotage – Disruption*: Disrupting or negatively monopolizing the classroom environment.

### **5.5 Violations of School Conduct Policies**

For courses or academic activities housed in the School of Nursing or the School of Education, the professional or academic code of the school applies to cases of alleged academic misconduct.

- 1) School of Nursing Code of Professional Conduct, found in the student handbook on the SON webpage: <https://nevadastate.edu/academics/son/>
- 2) School of Education Professional Dispositions Enhancement Process: [https://cm.maxient.com/reportingform.php?NevadaState&layout\\_id=8](https://cm.maxient.com/reportingform.php?NevadaState&layout_id=8)

### **5.6 NSHE Conduct Requirements**

In addition to the NS Student Code of Conduct, students and student organizations must follow the Rules of Conduct and Procedures for Students of the Nevada System of Higher Education (NSHE Code, Chapter 10, Section 10.2.1).

### **5.7 Resolving Academic Misconduct Charges**

Violations of the School of Nursing Code of Professional Conduct will be managed according to the "Professional Behavior Remediation" plan outlined in the SON Student Handbooks.

The sections below apply to all other alleged academic misconduct.

#### **5.7.1 Informal Process**

- A. A faculty member who suspects a student of academic misconduct must notify the student by official email (within the course LMS shell [Canvas] or at the student's NS email address) within 3 working days of becoming aware of the incident and offer an informal meeting with the student to discuss the allegation and present any relevant information before a decision is reached. The instructor should also report the incident through NSU's conduct reporting software. Faculty may initially notify students verbally (such as in the case of suspected academic misconduct during an in-person exam) but must follow up by official email to the student and document the information from the verbal notification. If the student does not reply or acknowledge the offer of a meeting, the instructor is encouraged to send a second email notice.
  - 1) If the student replies and a meeting is scheduled, the faculty member must provide the student with written confirmation of the meeting time and format (in person or remote), even if the time is agreed on verbally.
- B. The informal meeting will occur within 5 working days of notifying the student, unless there are unavoidable circumstances that require more time; in that case, the instructor will meet with their dean, determine an appropriate extension of the timeline, and notify the student by email. Meetings may be in person or remote (such as through Teams or meeting tools in Canvas); remote meetings may only be recorded if both the instructor and student agree to being recorded. The faculty member may present evidence as long as the student is allowed to respond to it.
- C. The faculty member should consult with their department chair or associate dean before the meeting and may ask them to attend.
- D. The following outcomes may occur:
  - 1) The academic faculty member dismisses the allegation and the case is closed;
  - 2) The student accepts responsibility for the violation *and* accepts the instructor's proposed academic sanction(s) from Section 3, Subsection 5.8 below;
  - 3) The student accepts responsibility but does not accept the academic sanction(s) and requests a hearing;
  - 4) The student does not accept responsibility and requests a hearing;
  - 5) The student fails to respond to faculty outreach or does not attend the meeting and the faculty member imposes an academic sanction from Chapter 3, Subsection 5.8.
- E. The faculty member updates the Academic Conduct Incident Report with information on the outcome of the informal meeting and any sanctions implemented. Any correspondence between the faculty member and the student concerning the alleged misconduct is attached to the report.
- F. The Dean's Office reviews the case, may impose/adjust sanctions, and sends official notification of the sanctions, if any, to the student and instructor by NS email within 3 working days. A student with prior academic misconduct violations may receive more severe sanctions than would be applied for a first documented incident.

### **5.7.2 Formal Process**

The following process applies if the student requests a hearing:

- A. The student must email the dean (or designee) to request a hearing within 3 working days after receiving the official notification of the incident and outcome is sent by NS email.
- B. Within 2 working days of the student emailing the request for a hearing, the dean (or designee) notifies the faculty member that a hearing will occur.
- C. The hearing is scheduled to occur no sooner than 5 working days, and no later than 10 working days, after the date the student emailed the request for a hearing.
- D. The school appoints a hearing board according to its internal appointment process, with appropriate consideration given to possible conflicts of interest. To ensure impartiality, members must be appointed from schools other than those in which the case originated and in which the student is majoring. The hearing board consists of:
  - 1) 1 student;
  - 2) 2 academic faculty members, one of whom is appointed as the chair.
- E. The dean (or designee) provides an investigative report and relevant notes to the hearing board at least 2 working days before the hearing.
- F. If the student wishes to bring an advisor, they must notify the dean (or designee) by email at least 48 hours before the hearing; the dean (or designee) then notifies the hearing board.
- G. If the hearing board wishes to hear from witnesses other than the student, faculty member, and dean (or designee), they must notify the dean by email at least 48 hours before the hearing. The dean (or designee) contacts the requested witnesses and coordinates appearances, whether in person or via an alternate method (e.g., remote testimony).
- H. To the extent consistent with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. section 1232g, the hearing, except for the hearing board's closed deliberations, is recorded. Upon the charged student's request, a written transcript will be provided at the student's expense. Personally identifiable information of other students must be redacted before the transcript is shared. The recording is the University's property and will be stored with the student's conduct records.
- I. The dean (or designee) describes the alleged academic misconduct and the specific charges.
- J. The faculty member presents evidence against the student. The hearing board chair may call other witnesses from the requested list (see G above). The student, dean (or designee), and hearing board members may cross-examine witnesses.
- K. The student may present evidence on their own behalf.
- L. The chair calls the hearing to a close and the hearing board meets in closed, unrecorded session to decide on the student's responsibility by majority vote. The chair notifies the dean (or designee) of the result.
- M. If the hearing board finds the student responsible, the dean (or designee) consults with the faculty member about their preferred academic sanction.
- N. The dean (or designee) verifies if any past record of academic misconduct exists and may apply additional academic sanctions or consequences according to this chapter and the school-level conduct policy.

- O. The dean (or designee) informs the student and instructor by NS email of the outcome, any sanctions, and the process for student appeals.

### **5.8 Academic Sanctions**

The following sanctions, or a combination of them, may be imposed if the student admits responsibility for misconduct or if the hearing board finds the student responsible. The severity of the misconduct and/or number of past incidents of misconduct are considered when assigning sanction(s).

- A. Issue a warning and/or a corrective measure such as redoing an assignment, with or without a reduced grade.
- B. Prohibit using and/or accessing certain classroom or laboratory equipment, materials, software, and/or data without appropriate supervision. The student's grade on assignments or in the course may be severely affected as a result.
- C. Assign a grade of "O" or "F" for an assignment.
- D. Assign a course grade of "F," with permission of the department chair (where applicable) and dean.
- E. Remove the student from the course without assigning a grade, with permission of the dean and provost.

### **5.9 Disciplinary Sanctions**

Disciplinary sanctions may be imposed alone or in addition to academic sanctions set forth above in subsection 5.8.

### **5.10 Appeals to the Academic Misconduct Formal Process**

- A. A student may appeal the decision and sanctions resulting from a hearing by submitting the appeal form within 5 working days of the date the dean (or designee) emailed the decision. The appeal must include supporting written arguments or documentation and must clearly state the grounds for appeal. Instructors and deans cannot appeal hearing board decisions.
- B. Sanctions do not take effect while an appeal is under review.
- C. These are the allowable grounds for an appeal:
  - 1) Failure to follow procedures established in this policy, resulting in significant prejudice against the student's case;
  - 2) The evidence presented at the hearing was not sufficient to justify the decision;
  - 3) The student did not have an adequate opportunity to prepare and present a defense;
  - 4) The sanction is not appropriate for the violation;
  - 5) New information or documentation that could change the decision, and which could not have been discovered with due diligence before the hearing, is now available and is included in the appeal.
- D. The Provost (or designee) reviews the appeal and related materials. The Provost (or designee) may uphold or change the decision (including adding or removing sanctions), refer the case back to the same hearing board, or order a new hearing before a new hearing board.



- E. The decision of the Provost (or designee) will be emailed to the student and the dean by NS email within 5 working days of the student submitting the appeal. The Provost (or designee) may extend this time limit by an email notice to both parties.

## **6. Behavioral Misconduct**

When determining whether student behavior qualifies as a form of non-academic misconduct identified in the sections below, Nevada State University applies a “reasonable person” standard. This standard considers what a hypothetical ordinary and prudent person would do or feel under similar circumstances.

All parties involved in the review of alleged misconduct are expected to give appropriate consideration to classroom experiences, instructional context, and relevant information provided by faculty and students and to evaluate such information in good faith and without dismissing or minimizing its relevance.

### **6.1 General Misconduct**

- A. Violating stated prohibitions, policies, procedures, rules, or regulations of Nevada State University or NSHE;
- B. Violating any federal, state, or local law;
- C. Dishonesty, including but not limited to:
  - 1) Knowingly giving false information to a NS official, faculty member, or office, including filing false reports;
  - 2) Forging, falsifying, altering, or misusing any non-academic University document, record (including student records), or ID card or number;
  - 3) Representing oneself as an agent of NS in discussions or negotiations with third parties without authorization;
  - 4) Sharing an instructor’s copyrighted course materials without permission;
  - 5) Attempting to bribe an instructor, administrator, or other NS employee;
- D. Disruption or obstruction:
  - 1) Disrupting or obstructing University activities, including classroom lectures or meetings, institutional public service functions on or off campus, or authorized non-University activities, when the behavior rises to a level that cannot be addressed effectively by the academic unit’s internal policies and processes;
  - 2) Obstructing the free flow of pedestrian or vehicle traffic on University premises or at NS-sponsored or -supervised functions;
  - 3) Possessing, duplicating, or using keys to any NS premises without authorization or entering or using University premises without authorization;
  - 4) Failure to comply: Not complying with the valid directions of University officials acting according to their official duties and/or failing to identify oneself to these individuals when validly requested to do so;
  - 5) Threatening health and safety:
    - a. Conduct that endangers the health or safety of any member or guest of the University community, including conduct that presents a danger to self;

- b. Physical or verbal abuse, threats to another person's physical safety, intimidation (words or conduct that would cause a reasonable person to fear bodily harm, or that is intended to coerce, pressure, or deter a person from behaving in a certain manner or participating in University processes, including through threats, aggressive physical posturing, or other menacing behavior), coercion, and/or other conduct which threatens or endangers the health or safety of any person;
  - c. Involvement in setting or causing any unauthorized fire in or on University property;
  - d. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others;
- E. Theft:
  - 1) Attempted or actual theft of NS property, on or off campus;
  - 2) Attempted or actual theft of property of a member of the NS community or other personal or public property while on campus or while off campus at a campus affiliated or sponsored event;
- F. Burglary: Unauthorized entry into a restricted or locked NS space, typically with intention of committing a further violation;
- G. Robbery:
  - 1) Attempted or actual taking of NS property unlawfully by force or threat of force, on or off campus;
  - 2) Attempted or actual taking of property of a member of the NS community or other personal or public property while on campus or while off campus at a campus affiliated or sponsored event;
- H. Property damage:
  - 1) Attempted or actual damage of NS property, on or off campus;
  - 2) Attempted or actual damage of property of a member of the NS community or other personal or public property while on campus or while off campus at a campus affiliated or sponsored event;
- I. Interfering with emergency response processes:
  - 1) Falsely reporting an emergency situation;
  - 2) Tampering with and/or accessing safety, security, or fire protection equipment or devices without authorization;
  - 3) Setting off a fire alarm for reasons other than an actual fire or emergency;
  - 4) Blocking access for emergency responders;
- J. Hazing, including apathy or acquiescence in the presence of hazing, whether it occurs on or off campus. The victim's express or implied consent is not a valid defense. See Section 6: Related Forms & Resources for a link to NS's policy on hazing;
- K. Harassing behavior directed at another person by intentionally engaging in conduct that serves no legitimate purpose and that a reasonable person would find seriously terrifying, threatening, or intimidating;

- L. The use of threats or violence against a faculty member or the faculty member's family in order to secure preferential treatment for grades, loans, employment, or other service or privilege accorded by the System;
- M. Any action or report by a group or individuals that knowingly maligns, impugns, or denigrates a NS employee or student based on false or inaccurate information;
- N. Use of any smoking or vaping products, including smoke-free tobacco, on any NS or NS Foundation owned or leased property or at any NS-sponsored or -authorized activity, in violation of NS policy;
- O. Possessing or using illicit substances on any NS or NS Foundation owned or leased property or at any NS-sponsored or -authorized activity:
  - 1) Using, possessing, manufacturing, cultivating, or distributing marijuana, heroin, narcotics, or other federally controlled substances, except as expressly permitted by federal law;
  - 2) Using, possessing, manufacturing, or distributing alcoholic beverages (except as expressly permitted by NS regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under 21 years of age;
- P. Committing private acts in public, including, but not limited to:
  - 1) Engaging in sexual acts such as masturbation or intercourse in public;
  - 2) Exposing private body parts, such as genitals, in public;
  - 3) Urinating or defecating in public.
- Q. Theft or other abuse of computer facilities and resources, including but not limited to:
  - 1) Accessing or transferring a file, computer system, or software program without authorization;
  - 2) Using another person's identification and/or password;
  - 3) Using computing facilities and resources to interfere with the work of another student or NS employee;
  - 4) Using computing facilities and resources to send obscene or abusive messages;
  - 5) Using computing facilities and resources to interfere with normal operation of the University computing system;
  - 6) Using computing facilities and resources in violation of copyright laws;
  - 7) Violating University or NSHE computer-use policies;
- R. Failing to comply with or violating any University Housing policy or regulation, whether as a resident or visitor.
- S. Abusing the student conduct system, including but not limited to:
  - 1) Falsifying, distorting, or misrepresenting information during a conduct resolution process;
  - 2) Contempt of student disciplinary proceedings, including impairing or interrupting a proceeding;
  - 3) Initiating a conduct code proceeding in bad faith;
  - 4) Attempting to discourage an individual's proper participation in, or use of, the student conduct system;
  - 5) Failing to comply with sanction(s) imposed under the Student Code of Conduct;
- T. Willfully inciting individuals to commit any acts in this section.

- U. Retaliation against another person for reporting a complaint or participating in a misconduct resolution process.

## **6.2 Discrimination, Bias-Motivated Misconduct, Sexual Harassment, and Sexual Misconduct**

- A. Unlawful discrimination based on actual or perceived race, creed, color, sex, age, sexual orientation, disability, national origin, gender identity, or genetic information, or any act of employment or educational retaliation against anyone who has made a complaint about such discrimination;
- B. Harassing another person due to their actual or perceived status as a member of a protected class in a manner that is so severe, persistent, or pervasive that it would limit or deny a reasonable person's ability to participate or benefit from the University's programs, activities, or employment;
- C. Physical violence, or threats of physical violence, against another person due to their actual or perceived status as a member of a protected class;
- D. Discriminatory behavior or harassment targeting a particular member of the University community;
- E. Sexual harassment;
- F. Sexual assault;
- G. Stalking;
- H. Dating violence;
- I. Domestic violence.

Any violation that is determined to have been motivated by bias based on actual or perceived membership in a protected class may result in enhanced sanctions above those typically assigned for the same violations when not motivated by bias. Any information related to bias will be considered only after an initial determination of responsibility.

## **6.3 Mandatory and Confidential Reporting**

Students who report to any faculty, staff, or designated student employee (e.g., resident assistants) need to know that university employees are mandatory reporters of misconduct and must report any disclosure or observation that falls under Title IX policies to the Title IX Coordinator.

Employees designated as confidential employees are confidential resources and are not mandatory reporters. Licensed clinicians offering mental health services in the Office of Student Wellness and UNLV's Care Center are not obligated to share any disclosure or observation with the Title IX Coordinator without the student's permission, except when required to do so by state statute (for example, if a student posed a threat to others).

## **6.4 Misconduct Impacting Teaching, Learning, or Research Activities**

Classroom management issues (minor classroom environment disruptions) that do not involve other forms of misconduct, are ordinarily addressed at the school level as part of the instructional and learning process. Classroom management issues are behaviors that may interrupt or detract from the orderly conduct of teaching and learning and are

typically best resolved through pedagogical strategies, faculty guidance, or academic support interventions.

Faculty are not expected to manage persistent, escalating, or disruptive behaviors on their own, particularly when such behaviors interfere with the learning environment, recur after instructional intervention, or place an unreasonable burden on the faculty member's ability to teach effectively.

When classroom management issues become repeated, resistant to instructional intervention, or extend across multiple courses, they may be referred through the NS reporting system for review and resolution under school- and/or University-level student conduct process, as outlined in this policy.

### ***6.5 Violating School Professional or Behavioral Conduct Policies***

When student behavior potentially falls under both a University-wide policy and a school or program-level behavioral policy, the school or program will ordinarily adjudicate the matter first under its applicable policy, except as provided below. School or program policies may establish additional expectations or standards of conduct specific to academic, professional, or disciplinary contexts, provided they are consistent with and do not conflict with University or NSHE policy.

#### **6.5.1 Sequencing and Coordination**

1. The school or program will adjudicate the matter under its policy as the initial forum, provided the process affords appropriate due process protections and the outcome is consistent with University standards.
2. In cases of overlap, the University-wide conduct process will ordinarily begin after the school or program process concludes, as needed to address University-wide jurisdiction, institutional status considerations, or sanctions beyond the scope of the School or program.

School-level policies may be applied concurrently only when necessary to protect academic or professional standards (e.g., placement eligibility, clinical/field participation), or when interim steps are required, provided such actions do not conflict with University procedures.

#### **6.5.2 Exceptions for Imminent Harm or Assault**

Notwithstanding the process described in Section 3, Subsection 6.5.1, when reported conduct involves imminent risk of physical harm, assault, sexual violence, credible threats, weapons, or other urgent safety concerns, the University may initiate and proceed under the University-wide conduct process immediately, including imposing interim measures or emergency actions as permitted by University policy and applicable law. The school or program process may be stayed, coordinated, or addressed after the University's initial safety and conduct determinations, as appropriate.



School-level outcomes (including removal from a program or major where permitted) must be consistent with University standards and may be considered by the University in determining any subsequent University-level resolution or sanctions.

## **6.6 Charges under Federal, State, or Local Law**

When a student is charged by federal, state, or local authorities, the University will not request or agree to special consideration due to the individual's status as a NS student. Action by the University may go forward regardless of other possible or pending administrative, civil, or criminal proceedings arising out of the same or other incidents. The person alleging misconduct may file charges against the student in one or both arenas: internally, through the NS reporting system, and/or externally, through the criminal justice or civil system.

The University may advise authorities of the Student Code of Conduct and the process for resolving a potential violation. NS will cooperate with law enforcement and other agencies in enforcing criminal law on campus. Individual students remain free to interact with governmental representatives as they deem appropriate. Any criminal proceeding is a separate process from NSU student conduct processes.

## **7. Resolving Behavioral Misconduct Allegations**

Procedures for managing general misconduct (Section 3, Subsection 6.1) and discrimination, sexual harassment, and sexual misconduct (Section 3, Subsection 6.2) are outlined below.

Classroom management issues and violations of school professional conduct policies are handled according to policies and procedures within the relevant school, as noted in Section 3, Subsections 5.5 and 5.7.

### **7.1 Procedures**

- A. *Reports:* Any member of the University community may file a report against a student for violating the Student Code of Conduct. Charges should be submitted as soon as possible after the event takes place using the NSU Student Conduct Reporting system. If the Student Conduct Officer (or the Vice President of Student Affairs' alternate designee) determines that alleged misconduct is criminal and violates federal, state, or local law, it may be referred to the appropriate law enforcement agency.
- B. *Review of Allegations:* The Student Conduct Officer will determine if the alleged behavior was a potential violation of the Student Code of Conduct. If a potential violation is found, a conduct hold is placed on the student's account. If the Student Conduct Officer's determination is that no violation of the Student Code of Conduct occurred, the case is closed with no further action. If the Student Conduct Officer determines that the allegations are a potential violation of the Student Code of Conduct, the Student Conduct Officer may determine that the

best course of action is to informally resolve the allegations through an administrative hearing.

- C. *Scheduling Administrative Hearing (Informal Resolution)*: If the Student Conduct Officer determines an administrative hearing is the best course of action, they will contact the student by email within 2 working days of receiving a report to schedule a hearing. The email will include the allegations, the time for the administrative hearing, and a copy of the Student Code of Conduct.
- D. *Administrative Hearing Process*: The hearing will include the Student Conduct Officer and the student. Administrative hearings are typically scheduled within 5 working days of receiving a report. The student can share their perspective on the allegations as well as any relevant witnesses relating to the incident. The Student Conduct Officer may follow up with witnesses after the administrative hearing to collect additional information, and may schedule additional meetings with the student as needed based on that information. The Student Conduct Officer may add charges based on information learned in the administrative hearing or from witnesses.
  - 1) The Student Conduct Officer may accommodate concerns for personal safety or well-being and/or fears of confrontation expressed by the person submitting the report, the responding student, and/or witnesses during the informal resolution process by providing an opportunity to gather relevant information and to conduct conversations related to the case without requiring parties to be present in the same place at the same time. Options include using a visual screen or participating by closed-circuit television, video-conferencing, video or audio recording, or other means approved by the Student Conduct Officer.
- E. *Determination after Informal Resolution*: After an informal resolution process, the Student Conduct Officer will notify the student at their NSU email address of any next steps, including potential disciplinary sanctions. The conduct hold is removed but will be reinstated should the student fail to comply with the sanctions.
- F. *Failure to Reach Informal Resolution*: If the Student Conduct Officer and student do not reach an informal resolution or if the student requests a hearing, the Student Conduct Officer will notify the student at their NSU email address that the matter will be addressed before a Student Conduct Board. This notification must include a list of allegations with dates and descriptions of inciting events. The hearing will be scheduled no more than 10 working days from the date of the decision to proceed with a hearing. The deadline for scheduling the hearing may be extended at the Student Conduct Officer's discretion. The hearing will proceed according to the established schedule and will not be delayed by off-campus proceedings.

G. *Hearing Board Membership*: The Student Conduct Officer will establish a Student Conduct Board, with potential biases and conflicts of interest taken into account when choosing members. The Board is made up of:

- 1) 1 student;
- 2) 2 faculty members, with a minimum of 1 being academic faculty; one of the faculty members is selected by the Board members as chair.

H. *Hearing Procedures*:

- 1) For charges involving more than one student, the Student Conduct Officer will decide, in consultation with University general counsel, whether the hearings take place separately or jointly.
- 2) The student and the Student Conduct Officer are responsible for presenting their own information, introducing witnesses, and answering questions throughout the hearing.
  - a. The student has the right to bring one advisor; at the student's request, a parent or legal guardian may serve as their advisor. The advisor serves as a supporter during the hearing and has no right to speak except to the student. The student must email the Student Conduct Officer with the name and email of the advisor, and whether the advisor is an attorney, at least 48 hours before the hearing. An advisor will not be allowed into the hearing without notice. The Student Conduct Officer has sole discretion to delay or reschedule a hearing to accommodate an advisor's schedule.
  - b. The student and Student Conduct Officer will exchange lists by email of all witnesses and provide copies of all documents each side will introduce into evidence at least 5 working days before the hearing. The Student Conduct Officer will forward this information to the Student Conduct Board chair at least 4 working days before the hearing.
- 3) Hearings are private unless the student requests an open hearing by emailing the Student Conduct Officer. The student, their advisor (if any) and parents or guardians, witnesses included on the shared lists, and the Student Conduct Officer may attend private hearings.
  - a. Attendance by anyone else at a private hearing is at the Student Conduct Board's discretion. The request will be reviewed to ensure all involved students' privacy rights under FERPA are protected.
  - b. Requests for an open hearing must be sent by email to the Student Conduct Officer at least 5 working days before the hearing. Requests for an open hearing will be vetted to ensure that privacy rights of other students are not violated; the request must be approved by general counsel. The student will be notified at least 2 working days before the hearing whether their request has been approved.
  - c. An open hearing would be accessible to the general campus community. Any disruption from the audience would be grounds for immediate removal. No participation in proceedings is allowed by observers.

- I. The Student Conduct Board chair shares the witness and document lists with the Board members before the hearing. The chair also presides over the hearing, maintains order, decides matters related to admitting evidence or testimony, and calls the hearing to a close.
- J. The Student Conduct Board hears the case presented by the Student Conduct Officer and the student in an unbiased fashion. Members review materials in advance, come prepared with relevant questions, and remain attentive throughout the hearing.
- K. Witnesses will be questioned by the Student Conduct Officer and the student. Student Conduct Board members may also question witnesses.
- L. The Student Conduct Officer may accommodate concerns for personal safety and well-being and/or fears of confrontation expressed by the person submitting charges, the student charged, and/or witnesses by providing an opportunity for the Board to hear pertinent information and conduct conversations related to the case without requiring various parties to be present in the same place at the same time. Options include using a visual screen or participating by closed-circuit television, videoconferencing, video or audio recording, or other means.
- M. The student and the Student Conduct Officer may present the previously shared documents, records, or other information to the Student Conduct Board.
- N. The Student Conduct Officer bears the burden of proof. The standard is preponderance of the evidence. The formal rules of evidence in court do not apply; however, irrelevant or unduly repetitive evidence or testimony, as determined by the Student Conduct Board, may be excluded or stopped by the Student Conduct Board chair.
- O. To the extent consistent with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. section 1232g, the hearing, except for the Board's closed deliberations, will be recorded. Upon the charged student's request, a written transcript will be provided at the student's expense. Personally identifiable information of other students must be redacted before the transcript is shared. The recording is the University's property and will be stored with the student's conduct records.
- P. If the charged student does not appear at the hearing, information in support of the charge will be presented, considered, and acted upon in the student's absence. Failure to appear is not evidence that the student is responsible for the charge of misconduct and does not impact a student's ability to appeal a decision.
- Q. As the President's designee, the Student Conduct Board deliberates in closed session after the hearing and determines by majority vote whether the student violated the Student Code of Conduct.
  - 1) If the Board determines the student violated the Student Code of Conduct, it will identify possible sanction(s) by majority vote.
- R. The Student Conduct Board chair will email the decision and any possible sanctions to the Student Conduct Officer within 2 working days of the hearing.
- S. Within two working days of receiving the Student Conduct Board's findings and recommended sanctions, the Student Conduct Officer shall review the student's full disciplinary record and issue the final decision on sanctions. The Student Conduct Officer will normally implement the sanctions recommended by the Student Conduct

Board; however, if the student's disciplinary history demonstrates repeated or similar violations, the Student Conduct Officer may impose elevated sanctions consistent with University policy. The Student Conduct Officer will notify the student and the Student Conduct Board members of the final decision by email.

## **7.2 Additional Procedures for Title IX Cases**

If behavior covered by Title IX is alleged, the case will be managed by the campus Title IX Coordinator. Refer to NS's Policy on Sexual Assault, Domestic Violence, Dating Violence, and Stalking and NSHE Handbook Title 4, Chapter 8, Section 13 for additional information.

## **7.3 Appeals to Hearing Outcomes**

- A. A student may appeal the decision and sanctions resulting from a hearing by submitting the appeal form within 7 calendar days of the date the Student Conduct Officer emailed the decision. The appeal must include supporting written arguments or documentation and must clearly state the grounds for appeal.
- B. Sanctions will not take effect while an appeal is underway.
- C. These are the allowable grounds for an appeal:
  - 1) Failure to follow procedures established in this policy, resulting in significant prejudice against the student's case;
  - 2) The evidence presented at the hearing (either administrative or with a full board) was not sufficient to justify the decision;
  - 3) The student charged did not have an adequate opportunity to prepare and present a defense;
  - 4) The sanction is not appropriate for the violation;
  - 5) New information or documentation that could change the decision, and which could not have been discovered with due diligence before the hearing, is now available and is included in the appeal.
- D. The President or Vice President of Student Affairs ("VPSA") (or designee) will review the appeal and related materials. The President or VPSA (or designee) may uphold or change the decision (including adding or removing sanctions), refer the case back to the same Student Conduct Board, or order a new hearing before a new Student Conduct Board.
- E. The appeal decision will be emailed to the student and Student Conduct Officer within 5 working days of the student submitting the appeal. The President or VPSA (or designee uninvolved in the original hearing) may extend this time limit by an email notice to both parties.

## **7.4 Disciplinary Sanctions**

It is the student's responsibility to provide the Student Conduct Officer with updates and documentation regarding their compliance with sanctions. Disciplinary sanctions become part of the student's permanent disciplinary record. Some sanctions may have associated costs (such as loss of tuition and course fees) that are the student's responsibility.



- A. The following sanctions, or a combination of them, may be imposed for violating the Student Code of Conduct. This list of sanctions is non-exhaustive.
- 1) *Warning*: A notice in writing that the student has violated the Student Code of Conduct;
  - 2) *No Contact*: No contact is allowed between the student and a specified person, including in person, through technology (such as texting, phone calls, social media), or third parties.
  - 3) *Restitution*: Compensation for loss, damage, theft, or misappropriation of property, or injuries sustained in an incident of misconduct. This may consist of appropriate monetary or material replacement;
  - 4) *Loss of Privileges*: Denial of stated privileges for a designated period of time, including, but not limited to, eligibility for student employment, participation in student organizations or clubs, or participation as a student ambassador or peer mentor;
  - 5) *Referral to Campus Resources*: A referral to ensure students receive proper mental and behavioral health and/or other support interventions;
  - 6) *Notification of Parent/Legal Guardian*: Communication with a parent or legal guardian to ensure proper support for ongoing behavioral concerns;
  - 7) *Discretionary and Educational Sanctions*: Mandatory participation in specific educational programs, such as alcohol and/or other drug intervention programs, assessments, educational activities (such as online instructional workshops), or other related discretionary assignments;
  - 8) *Community Service*: Service to the University or the community;
  - 9) *Probation*: A designated period of probation, with the possibility of more severe sanctions if the student is found to have violated any NS policies, rules, procedures, or regulations during the probationary period;
  - 10) *Deferred Suspension*: Deferred suspension from NS for a designated period in order to review the student's progress in addressing the conduct concern. If further conduct violations occur during the deferred suspension, a suspension takes effect immediately;
  - 11) *Withholding Degree*: Withholding a degree before it is awarded to the student;
  - 12) *Suspension*: Exclusion for a specific period from attending classes and participating in other University activities. The student's official transcript will be marked "DISCIPLINARY SUSPENSION EFFECTIVE \_\_\_\_ TO \_\_\_\_." The parents or legal guardians of minor students will be notified of the suspension. Students are administratively withdrawn from classes during the period of suspension and the withdrawal is noted on their official transcript.
    - a. A student may request removal of the notation from their official transcript after two academic years have passed since the suspension expired if the student 1) is enrolled in their last term before graduation, or 2) is not currently enrolled in the University and was not registered during the previous fall or spring semester, or 3) graduated at the end of the previous semester. The request must be submitted by email to the Vice President of Student Affairs

(NSHE Code, Chapter 10, Section 10.4.9(j)). If the request is denied, the student may re-submit the request once annually afterward.

- 13) *Expulsion*: Termination of student registration and status for an indefinite period. The Vice President of Student Affairs must grant permission for the student's readmission. The student's official transcript will be marked "DISCIPLINARY EXPULSION EFFECTIVE \_\_\_\_." The parents or legal guardians of minor students will be notified of the expulsion. The student is administratively withdrawn from classes and the withdrawal is noted on their official transcript.
  - 14) A student may request removal of the notation from their official transcript when four years have passed since the expulsion expired if the student 1) is enrolled in the last semester before their graduation, or 2) is not currently enrolled within NSHE and who was not registered within the System during the previous semester, or 3) graduated at the end of the previous term. The request must be submitted by email to the Vice President of Student Affairs (NSHE Code, Chapter 10, Section 10.4.9(l)). If the request is denied, the student may re-submit the request once annually afterward.
  - 15) *Revoking Admission and/or Degree*: Admission to the University or a degree awarded by NS may be revoked for fraud, misrepresentation, or other violations of University standards in gaining admission or in obtaining the degree, or for other serious academic violations committed prior to graduation.
  - 16) *Not-in-Good-Standing Status*: The student's official transcript states that the student left NS before disciplinary sanctions were completed.
- B. Other than expulsion, revoking admission or degree, withholding a degree, or adding "not in good standing" status to the student's transcript, disciplinary sanctions do not become part of the student's permanent academic record, but do become part of the student's disciplinary record.
- 1) After graduation, the student's disciplinary record may be expunged of sanctions other than suspension, expulsion, revoking admission/degree, or withholding a degree. The student must request that their records be expunged by emailing the Student Conduct Officer; the Vice President of Student Affairs decides whether to approve the request.
  - 2) All records related to disciplinary hearings and actions will be stored by NS for a minimum of seven years, as required by federal regulations.
- C. Refer to Section 3, Subsection 5.8 on academic sanctions for academic misconduct.
- D. Student organizations may be subject to the sanctions described in Chapter 3, Subsection 10.

## 8. Involuntary Emergency Removal

The President, Vice President of Student Affairs, or Student Conduct Officer may order the immediate removal of a student from campus in order to:

- A. Ensure the safety and well-being of the University community;
- B. Protect University property;
- C. Ensure the student's own physical or emotional safety and well-being;
- D. Prevent the student from posing an ongoing threat of disruption of, or interference with, the normal operations of the University; or
- E. Protect a student from discrimination, including sexual harassment, or retaliation for reporting it.

During the emergency removal period, the charged student may not come onto University property for any reason other than meeting with appropriate NS official(s), when asked to do so, regarding the emergency removal and the misconduct allegation. The notice of emergency removal will specify any other University activities, privileges, or spaces (such as online courses or online tutoring sessions) the student cannot access during the emergency removal period.

An emergency removal does not replace the disciplinary process, which proceeds following normal procedures and timelines, up to and through a student conduct hearing, if required. When emergency removal is deemed necessary, the measure shall include, wherever reasonably practicable, adjustments that allow the student to continue making academic progress, including remote participation in coursework, alternative course arrangements, or other measures developed in consultation with the student and their instructors.

### **8.1 Emergency Removal Hearing**

A student removed on an emergency basis will have an opportunity for a hearing no later than 10 working days following the date of the removal. The hearing will only address whether the emergency removal should continue pending a disciplinary hearing.

A Student Conduct Board will hold the emergency removal hearing under the hearing procedures (Section 3, Subsection 7.1(H): Hearing Procedures) and will submit a recommendation to the President, who will make a final decision. This decision is not subject to appeal.

### **9. Students Removed for Their Own Safety**

If a student is removed due to concerns that they pose a threat to their own physical and/or emotional safety, the emergency removal will be addressed through an informal meeting with the Student Conduct Officer. The goal of the meeting is to create a plan for most effectively meeting the student's personal and academic needs so they may continue as a student. The Student Conduct Officer will email the student (at their NSU email address) details of any requirements that must be met before holding the informal meeting and will serve as the primary point of contact for coordinating any academic or support-related adjustments arising from the emergency removal.

The Student Conduct Officer, in coordination with appropriate University offices and in consultation with the student's instructors or academic unit as necessary, is responsible for facilitating communication with faculty regarding academic arrangements during the emergency removal period.

## **10. Student Organizations**

Student organizations are expected to follow the Student Code of Conduct at all times. A student organization believed to be involved in misconduct may be reported by any member of the University community. A student organization is responsible for violating the Student Code of Conduct if:

- A. A member violates the Student Code of Conduct as a representative of the organization;
- B. The member's actions that violate the Student Code of Conduct result from the practices or dispositions of the organization; or
- C. The member's actions that violate the Code of Conduct have been explicitly or tacitly approved by the organization.

### ***10.1 Procedure for Student Organizations***

- A. A written allegation of misconduct is submitted by email to the Student Conduct Officer;
- B. The Student Conduct Officer investigates the complaint;
- C. The Student Conduct Officer determines whether the evidence supports the allegation, and if so, may proceed with an informal resolution, including imposing sanctions;
- D. The student organization may accept the decision or request a hearing;
- E. If the student organization requests a hearing, the procedures and timelines established in Section 3, Subsection 7.1 are followed.

### ***10.2 Sanctions for Student Organizations***

Available sanctions include all those in Section 3, Subsection 7.4, as well as any of these:

- A. Prohibition from recruiting and/or accepting new members;
- B. Prohibition from participating in University events and co-curricular activities;
- C. Restitution to reimburse the legal owners for a loss due to defacement, damage, fraud, theft, or misappropriation of property. Failure to make restitution is cause for more severe disciplinary action;
- D. Denial of use of University facilities;
- E. Loss of recognition.

## **11. Interpretation**

Any question regarding interpretation or application of the Student Code of Conduct will be reviewed by General Counsel to ensure compliance with applicable laws, NSHE policy, and due process requirements. When appropriate, the University may consult with relevant shared governance bodies, including the Academic Faculty Senate, to ensure the interpretation aligns with the educational mission and institutional practices

of the University.

## 12. Records Retention

Nevada State University follows the retention periods for disciplinary action records and complaints of prohibited discrimination or Title IX misconduct in the NSHE Procedures and Guidelines Manual Chapter 15.

### **Section 4: COMPLIANCE**

All policies and procedures are developed in alignment with our institution's mission and vision statement; NSHE policies and procedures; Accreditation requirements; and Federal, State, and local laws and regulations. Every member of the institution including students, employees, contractors, and the public, while on campus, shall comply with all policies and corresponding procedures and are subject to progressive discipline in cases of non-compliance.

For issues or to report non-compliance, contact the unit responsible for oversight of the individual:

| Non-compliance by   | Responsible for Oversight                   | Contact                                                                            |
|---------------------|---------------------------------------------|------------------------------------------------------------------------------------|
| Students            | Division of Student Affairs                 | <a href="mailto:studentaffairs@nevadastate.edu">studentaffairs@nevadastate.edu</a> |
| Employees           | Office of Human Resources                   | <a href="mailto:hr@nevadastate.edu">hr@nevadastate.edu</a>                         |
| Contractors/Vendors | Division of Finance and Business Operations | <a href="mailto:fbo@nevadastate.edu">fbo@nevadastate.edu</a>                       |
| Public              | Division of Finance and Business Operations | <a href="mailto:fbo@nevadastate.edu">fbo@nevadastate.edu</a>                       |

### **Section 5: EXCEPTIONS**

N/A

### **Section 6: RELATED FORMS & RESOURCES**

- [Appeal form](#) – For appeal of behavioral conduct outcome.
- [Family Educational Rights and Privacy Act \(FERPA\), 20 U.S.C. section 1232g](#)
- NS [Free Speech Policy](#) (AD 6)
- NS [Marijuana Use on Campus Policy](#) (PS 4)
- NS [Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy](#) (PS 8)
- NS [Substance Abuse Policy](#) (PS 5)
- NS [Standards of Conduct for the Use of Computers in NS-Related Activities](#) (IT 3)
- NS [Hazing Policy](#) (SA 7)



- NS [Hate Crimes Policy](#) (PS 1)
- NS [Sex Offender Policy](#) (PS 2)
- NS [Tobacco/Electronic Smoking Devices on University Premises](#) (PS 6.1)
- NS [Free Speech Policy](#) (AD 6)
- Course syllabus language on policy regarding use of generative artificial intelligence (AI)
- Student Responsibilities page in Canvas
- [ITS 5.2.1 Responsible Use of Technology Resources Policy](#)
- [ITS 5.2.2 Acceptable Use of E-mail Policy](#)
- School of Nursing Code of Professional Conduct, found in the student handbook on the SON webpage: <https://nevadastate.edu/academics/son/>
- School of Education (SoE) Professional Dispositions Enhancement Process – See SoE Dean’s Office for more information
- School of Liberal Arts, Sciences, and Business Student Behavioral Conduct Policy

## **APPENDIX A: DEFINITIONS**

**Advisor:** A person who supports and may counsel a student or employee during Conduct hearings. A student's advisor may be a NS employee or an attorney; they must sign a FERPA waiver. An employee's advisor may be another NS employee or an attorney.

**Artificial Intelligence (AI):** Computer-based systems or tools that generate, analyze, summarize, translate, or otherwise process content or information in ways that may simulate human reasoning or decision-making. This includes, but is not limited to, tools that produce written text, images, code, data analysis, or responses based on user prompts or automated inputs. Types of AI covered by this policy include, but are not limited to: **generative AI** (text, image, video, or audio generation, such as ChatGPT, Google Gemini, Claude, or Grammarly), **predictive AI** (forecasting, such as Azure Machine Learning AutoML forecasting), **analytical AI** (AI-assisted data analysis, such as Tableau Explain Data), and **agentic AI** (systems that plan and execute multi-step tasks using tools, such as the OpenAI Responses API or AutoGPT).

**Bad Faith:** Purposefully misleading for the intent to disrupt or delay processes

**Board of Regents:** Body legally charged with the control and management of NSHE, primarily by setting policy.

**Charges:** A claim of alleged violation that will be adjudicated through the student conduct process outlined in this document.

**Classroom:** Defines any learning environment including in person and online.

**Cyberbullying:** Using electronic communication to send intimidating or threatening messages.

**Department:** A unit with an academic school that is led by a chair or director and consists of faculty, staff, and programs within specific disciplines.

**Department chair or director:** Individual who oversees a department and its faculty.

**Email:** Official NS email address. Messages delivered to the NS email address constitute notice when sent.

**Harassing Behavior:** Unwelcome verbal, written, electronic, or physical conduct.

**Hazing:** An act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.

**Informal resolution:** A process in which a student meets with the faculty member and/or department chair/director after an incident in an attempt to resolve the situation. May result in the Dean's Office imposing any of the disciplinary sanctions described in this policy.

**Interim action:** Temporary removal of a student from class(es) and/or class-related activities or other appropriate interventions for a set amount of time determined by the Dean's Office.

**Member of the University community:** Any student, faculty member, University official, or other person employed by the University. The Student Conduct Officer determines a person's status as a member of the University community in a particular situation.

**Nevada System of Higher Education (NSHE):** System of universities, colleges, research institutions, and public service units of the University of Nevada.

**Permanent academic record:** A student's transcript and record in the Student Information System pertaining to their academic career or history.

**Respondent:** Any student accused of violating a conduct policy.

**Sanctions:** Disciplinary actions imposed through informal resolution by the Student Conduct Officer or through a formal hearing.

**Sexual assault:** Use of, or threat to use, force or violence of a sexual nature against any guest or member of the University community on NS premises or at any University-sponsored program or activity.

**Sexual harassment:** A situation in which submission to a request or demand of a sexual nature is either an explicit or implicit term or condition of employment or of academic study or grading, or where verbal or physical conduct of a sexual nature has the effect of creating an intimidating, offensive, or hostile work or educational environment. Sexual harassment includes sexual violence.

**Staff:** An employee who works for the University, whether full-time or part-time.

**Stalking:** Engaging, willfully or maliciously and without lawful authority, in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed, or fearful for the immediate safety of themselves or a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed, or fearful for the immediate safety of themselves or a family or household member.

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action,

- method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

**Student:** Anyone taking courses at Nevada State University, including on an auditing basis. People who are officially enrolled but are not taking any course(s) in a particular term are considered students. This includes individuals who have applied for admission or have been notified of their acceptance to NS. A person considered a student remains so until a conduct matter is resolved, even if they leave the University prior to a resolution.

**Student Conduct Officer:** University employee responsible for coordinating activities of the NS student disciplinary system.

**Student organization:** An organization at Nevada State University (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at NSU.

**Substantial emotional distress:** Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**University premises:** All land, buildings, facilities, and other property owned, leased, used, or controlled by the University (including adjacent streets and sidewalks).

**Working days:** Monday through Friday when Nevada State University classes are scheduled and in session; excludes federal and state holidays.