



**POLICIES AND PROCEDURES**

**Student Code of Conduct**

**ISUPP 5000**

*POLICY INFORMATION*

, , *Student Affairs*  
, *Student Code of Conduct*  
, *Vice President for Student Affairs and Enrollment Management*  
, , *Student Affairs*  
*July 27, 2015*  
*May 6, 2022 (2-20-18,11-28-16, 10-11-16, 5-25-16, 8-4-15, 9-20-14, 9-10-13)*  
*May 2025*

The Student Code of Conduct, or hereafter referred to as “the Code,” articulates behavioral standards and procedural guidelines designed to empower ISU community members to live, work, study, recreate, and pursue their goals in a safe, secure, and inclusive environment. Adherence to and enforcement of the Code promotes Student accountability, community integrity, and mission fulfillment.

This Code should be viewed as a general framework to guide Student Conduct. It cannot possibly cover all complex situations or exceptional

- A. : school-related endeavors, whether the school is Academic technical.

- B. \_\_\_\_\_ any Student accused of violating the Code. The Accused will also be referred to as a Respondent.
- C. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ a Student's ISU email address and/or the address on file with the Office of the Registrar. Notice is considered to have been received if sent to either of these addresses.
- D. \_\_\_\_\_, \_\_\_\_\_ means any person who submits a complaint alleging an ISU Student violated the Code. When an individual believes they have been victimized by another ohRh a c0 Td(A)-0.0024 (-8 (e)w

after allegedly violating the Code, who are not officially enrolled for a particular term but have a continuing relationship with the University, or who have submitted an application for admission are considered Students.

L. , , The Dean of Students serves as the University Student Conduct Administrator and oversees the implementation of the Student Conduct Code.

M. , , persons authorized by the Conduct Administrator to determine whether a S



A. Alcohol

Illegal or unauthorized procurement, consumption, use, possession, manufacture, or distribution of alcoholic beverages. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or distributed to persons under twenty-one (21) years of age.

manner that harms, threatens, or causes others to fear for their safety. The rare instances in which possession of firearms are allowed on campus is outlined in ISUPP 9000 *Possession of Firearms*.

E.

class or prevent other Students from receiving the benefits of instruction may be considered disruptive.

If an instructor informs a student that a particular behavior is disrupting the learning activity or instructional interaction, the student should promptly stop the behavior. If a Student continues the behavior, the instructor may refer the student to the Dean of Students or ask the student to leave the classroom. If a Student is asked to leave, the Student should leave the class quietly. If a Student chooses not to comply or elevates the disruption by arguing about the request, Public Safety may be called to assist. Failure to comply with an instructor's request is a violation of this policy.

J. Disruptive or Obstructive Actions or Activities, include but are not limited to:

1. Disruption or obstruction of teaching, research, administration, Conduct Proceedings, and includes speech that is manifestly unreasonable in time, place, or manner.
2. Participating or leading others to participate in an on-or-off campus demonstration, riot, or activity that disrupts the normal operations of the University and/or infringes on the rights of other Members of the University Community.
3. Obstruction of the free flow of pedestrian or vehicular traffic on University Premises or at University sponsored or supervised functions.
4. Persistent speech, expression, or action that is so objectively offensive or concerning that it interferes with others' ability to live, learn, work, or pursue educational opportunities at the University.

K. Drugs

Use, possession, manufacture, or distribution of controlled substances, as defined by the United States Department of Justice, and synthetic substances used as a substitute for controlled substances. Abusing prescription drugs is also prohibited.

L. Failure to Comply with Directions of University Officials, including but not limited to: ISU Public Safety officials, Residence Assistants or University employees acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so.

M. Harassment

Unwanted or unwelcome behavior or Conduct toward an individual because of the individual's Protected Class that is sufficiently severe, persistent, or pervasive to have the impact of unreasonably interfering with a person's ability to live, learn, work, or recreate at the University.

#### N. Hazing

An act that 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. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and are violations of this rule.

#### O. Intimidation

Behavior or Conduct intended to induce fear in others for the purpose of deterring them from acting or forcing them to act against their will. Pressure to obtain compliance may also be considered intimidation.

#### P. Invasion of Privacy

Making, using, disclosing, or distributing a recording or a photograph of a person in a location or situation in which that person has a reasonable expectation of privacy and is unaware of the recording or does not consent to it.

#### Q. Misuse of the Student Code of Conduct and Conduct Proceedings, include but are not limited to:

1. Failing to comply with a notice from a Conduct Officer, Conduct Board, or other University official to set an appointment or appear for a meeting or hearing.
2. Falsifying, distorting, or misrepresenting information before a Conduct Officer or Conduct Board.
3. Disrupting or interfering with Conduct Proceedings.
4. Submitting a complaint in bad faith.
5. Attempting to discourage others from participating in or using Conduct Proceedings.
6. Attempting to influence the impartiality of a Conduct Officer or a member of a Conduct Board prior to, and/or during the course of Conduct Proceedings.
7. Harassing or intimidating a Conduct Officer or a member of a Conduct Board prior to, during, and/or after a Conduct Proceeding.
8. Failing to comply with the sanctions imposed through a Conduct Proceeding.
9. Influencing or attempting to influence another person to commit an abuse of the Code.
10. Retaliating against any person for participating in a protected activity. The University considers the following activities protected:
  - a. Making a report that alleges misconduct



b. Speaking with University investigators about alleged misconduct

1. Taking or removing others' property (including the University's), or attempting to take it without their knowledge or permission.
2. Assuming or appropriating the identity of another person for any reason.

#### W. Threats

Making statements or engaging in non-verbal acts that communicate clear intent to commit an act of unlawful violence to a particular person, persons, or property is a violation of this code.

University Housing Rules and Regulations apply to Students residing in on-campus housing, including residence halls and apartments, and their guests.

#### A. Advertisements, Posters

Posters and notices pertaining to specific residence hall and apartment activities may be posted on the bulletin boards provided within the halls and apartments. Commercial posters approved by University Housing that advertise non-residence hall, non-apartment, or non-campus related functions may be posted on designated areas provided there is space available. All notices and posters must have approval from the University Housing Office and/or the Resident Director.

#### B. Air Conditioners for University Apartments Only

With prior approval from a Building Manager, a window air conditioner or self-contained swamp cooler, not connected to a water source, is permitted in apartments only. A housing staff member must perform all installation and removal. Inform your Building Manager before purchasing. Unauthorized air conditioners will be fined according to established University fees. Dimensions for air conditioners should not exceed 24" wide by 24" depth by 16" height, BTU Max is 12,000 BTU and Voltage max is 120.

#### C. Barbeque Grills

Individual use of barbeque grills is strictly prohibited in residence halls. Barbequing is allowed outside apartment complexes and in cases of University Housing sponsored programs. Barbeque grills must be placed at least four feet away from any structure. Due

D. Bicycles/Human Powered Vehicles

Are not allowed to be used inside any residence hall or apartment complex. They may be

group identified in an incident will be solely responsible for all damages and expenses. When no one is found responsible expenses may be divided among all residents.

1. The residents have a period of one week from the advertised posting of damage(s) to identify the person, or persons, responsible.
2. After one (1) week if the person(s), or group responsible have not been identified, the expenses may be divided equally between the floor, hall, or apartment residents and charged to their University Housing financial account.

K. Cooking

No cooking is allowed in residence hall rooms where there are no kitchens. Appliances with open heating elements are a fire hazard and therefore not allowed (i.e., toasters, toaster

N. Furniture

frame. Decorating in public areas must be pre-approved by the Residence Director or

Any person may share information with the University alleging a Student violated the Code. Information may be provided by contacting the Dean of Students Office.

B. Review of Information Alleging Misconduct

The Conduct Administrator reviews all reports and statements from concerned individuals to determine if the alleged facts, if true, would constitute a violation of the Code's provisions. At the time of the review, the Conduct Administrator assumes the claims made

provided to Students during a Student Conduct Board hearing. The Administrative Resolution Meeting provides the Student with an opportunity to resolve the allegations in a less formal setting. The Administrative Resolution Meeting may be audio recorded at the discretion of the Conduct Administrator or designated Conduct Officer or Student.

#### E. Outcomes of an Administrative Resolution Meeting

The following outcomes may result from an Administrative Resolution Meeting:

1. **Finding of No Responsibility:** The Respondent may present evidence and an alternative explanation of alleged facts and the Conduct Officer may find the Respondent not responsible based on a preponderance of evidence.
2. **Mutual Finding of Responsibility:** The Respondent may review the alleged facts and available evidence and admit responsibility for the alleged violation.
3. **Administrative Finding of Responsibility:** The Respondent may offer an alternative explanation of the alleged facts and present evidence, but totality of the evidence outweighs the Student's explanation. The Conduct Officer may find the Student responsible for the alleged violation and impose sanctions.

The Respondent may reject the administrative finding of responsibility and request the report of alleged misconduct be reviewed and adjudicated by a Student Conduct Board.

#### F. Student Conduct Board Hearings

Student Conduct Board hearings are held when the Respondent rejects an administrative finding of responsibility. The first objective of the Student Conduct Board is to determine whether the Respondent is responsible for the alleged violation based on a preponderance of the evidence. If a Student is found responsible, the Student Conduct Board will determine what sanctions are commensurate with the committed violation.

The Student Conduct Board is comprised of Faculty, staff, and Students who are trained to serve as adjudicators. Conduct Board members serve on a voluntary basis. The Student Conduct Board will be composed of no fewer than three (3) and no more than five (5) members drawn from a larger pool of trained personnel. The composition of the Student Conduct Board may be affected by the time of year at which the hearing occurs and the availability of members at times that are suitable for the Complainant and the Respondent.

#### G. Procedural Guidelines for Student Conduct Board Hearings

1. Student Conduct Board hearings are private. Only the Complainant, the Respondent, their advisors, witnesses, members of the Student Conduct Board, and the Conduct Officers may attend. At the discretion of the Administrator, other persons may be



admitted. Hearings are recorded. The recording is the property of the University and maintained according to applicable laws and policies.

2. The Complainant and Respondent may be accompanied by an advisor of their choosing. The advisor may not be a witness. Students should provide the name of their advisor to the Conduct Administrator no fewer than three (3) business days prior to the hearing. The advisor does not speak directly to the Student Conduct Board members or otherwise participate in the hearing. The advisor may confer with the Student they have accompanied. The Complainant and Respondent are responsible for presenting their own information. A Student should select an advisor whose schedule permits attendance. No delays shall be granted on the basis of an advisor's scheduling conflicts. If requested, the Conduct Administrator will recommend an advisor.
- 3.

9. The Complainant and Respondent will be invited to give opening statements. Then the

- c. Loss of Privileges: Denial of specified privileges for a designated period of time, including the privilege of representing the University in official capacities. However, decisions about eligibility to participate in NCAA intercollegiate competitions are administered by the Athletic Department.
- d. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement. Financial penalties may be added to the Student's ISU financial account.
- e. Discretionary Sanctions: Work assignments, essays, service to the University or the community, or other related discretionary assignments.
- f. University Housing Suspension: Separation of the Student from University Housing for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
- g. University Housing Expulsion: Permanent separation of the Student from University Housing.
- h. University Suspension: Separation of the Student from the University for a definite period of time, after which the Student is eligible to apply to return. Conditions for readmission may be specified and all sanctions must be completed prior to applying for re-admission. Suspension shall in no case be longer than two (2) calendar years. Suspension will be recorded on the Student's University transcripts.
- i.

- b. Loss of applicable University-related privilege during any time period that the University specifies.
  - c. Permanent loss of either University registration or any other applicable University-related privilege.
- I. Appeals
- 1. A decision reached or sanction assigned by the Student Conduct Board may be appealed by the Respondent to the Vice President for Student Affairs and Enrollment Management within five (5) business days of receipt of the decision. In cases of alleged sexual misconduct, relationship violence, or stalking, the Complainant may also appeal. Such appeals shall be in writing and shall be delivered physically or electronically to the Office of the Vice President for Student Affairs and Enrollment Management.
  - 2. Appeals may be heard by either the Vice President for Student Affairs and Enrollment Management

- b. If there was insufficient information for a finding of responsibility or non-responsibility, the appellate body may either reverse the decision or remand the case for a new hearing.
- c. If the sanctions are inappropriate for the violation, new sanctions may be imposed.
- d. If there is new information sufficient to alter a decision or other relevant facts not known to the person appealing at the time of the hearing, the case will be remanded for a new hearing.
- e. Normally sanctions issued following Student Conduct Board hearings shall not be implemented until all appeals have been exhausted, waived, or made impermissible by time. However, exceptions may be made on a case-by-



- K. Interim Suspension: In certain circumstances, the Conduct Administrator may impose an interim University or residence hall suspension prior to the initiation of Conduct Proceedings.
1. Interim suspension may be imposed only:
    - a. To ensure the safety and well-being of Members of the University Community or preservation of University property
    - b. If the Student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
  2. During the interim suspension, a Student shall be denied access to University Housing and/or to the campus and/or all other University activities or privileges for which the Student might otherwise be eligible, as the Conduct Administrator may determine to be appropriate.
  3. The interim suspension does not replace the regular Student conduct process, which shall proceed on the normal schedule, up to and through a Student Conduct Board hearing, if required.
  4. Students placed on interim suspension may appeal this action by submitting a letter to the Conduct Administrator.
  5. The Student must be notified in writing of this action and the reasons for the interim suspension.
  6. Students may request, in writing, that the Conduct Administrator reconsider the interim suspension after three (3) business days.
- A. Any question of interpretation or application of the Code shall be referred to the Conduct Administrator, or designee, for final determination.
- B. Where the provisions and procedures of the Code conflict with specific laws and provisions of the United State of America, the State of Idaho, the policies of the Idaho State Board of Education, or Idaho State University, the specific laws and policies would apply. If state or federal statutory provisions, regulatory guidance, or court interpretations or guidance provided by any authorized regulating agency change or conflict with University policy and/or procedure including but not limited to the hearing procedures set forth in the Code, the University's policy and/or procedure will be deemed amended as of the time of the decision, ruling, legislative enactment, or guidance.

- C. The Code shall be reviewed annually under the direction of the Conduct Administrator.
- D. Student conduct files and official records will be stored in the Office of the Vice President for Student Affairs and Enrollment Management. The access, storage, and destruction of these files and records will be in accordance and compliance with current law, related University policies, and the Family Educational Rights and Privacy Act.

- A. Equal Opportunity, Harassment, and Non-Discrimination ISUPP 3100
- B. Possession of Firearms ISUPP 9000
- C. Academic Dishonesty ISUPP 4000
- D. ITS Acceptable Use ISUPP 24d( )T2476(A)-2 51il(SU)4S



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