

# RULES AND DISCIPLINARY PROCEDURES FOR STUDENTS

The following conduct, being incompatible with the purpose of an academic community, is prohibited and shall constitute cause for discipline or lead to procedures and disciplinary sanctions established in Title 2, Chapter 10 of the NSHE Code.

**Relevant excerpts from the code of conduct and disciplinary procedures are included in this catalog. The entire code of conduct and disciplinary procedures are available in the NSHE Code, Title 2, Chapter 10. Should there be any inconsistencies between this catalog and the NSHE Code, Title 2, Chapter 10, the NSHE Code will govern.**

## 10.2.1 Prohibited Conduct

*The following conduct is prohibited.*

- A. Acts of dishonesty, including but not limited to the following:
  1. Cheating, plagiarism, fraudulently obtaining grades, falsifying research data or results, assisting others to do the same, or other forms of academic or research dishonesty;
  2. Furnishing false information to any institution or System official, faculty member, or office;
  3. Forgery, alteration, misuse, theft, or using without permission, any institutional document or record.
- B. Disorderly, lewd or indecent conduct, including the disruption, obstruction, or unauthorized interruption of teaching, convocations, recruiting interviews, social events, research, meetings, business and administration, disciplinary proceedings, or other institutional or System activities, including public service functions and outreach activities on or off campus, or other activities when the conduct occurs on institutional premises.
- C. Conduct that endangers the health or safety of any member or guest of the System community.
- D. Physical abuse, verbal abuse, threats, intimidation, coercion, and/or conduct that threatens or endangers the health or safety of any person.
- E. Interference by force, threat or duress with the lawful freedom of movement of persons or vehicles on institutional premises.
- F. Resisting or obstructing institutional or other public officials in the performance of their duties.
- G. Failure to comply with the directions of institutional officials acting in accordance with their duties and/or failure to identify oneself to these persons when requested to do so.
- H. Acts of physical force or disruptive acts which interfere with institutional activities, freedom of movement on the campuses, freedom for students to pursue their studies, freedom of speech, freedom to be heard, and freedom to pursue research of their own choosing.
- I. Failure of the student to present proper credentials, student identification card, driver's license, or parking registration to institutional officials upon their request.
- J. Forgery, alteration, falsification or destruction of System documents or furnishing false information in documents submitted to the System.
- K. Willful damage, destruction, defacement, theft or misappropriation of equipment or property belonging to, in the possession of, or on premises occupied by the System.
- L. Knowing possession on any premises of the System of any firearms, explosives, dangerous chemicals or other instruments of destruction, or other dangerous weapons as defined by the laws of the State of Nevada, without the written authorization of institutional president or the president's authorized agent.
- M. Continued occupation of buildings, structures, grounds or premises belonging to or occupied by the System after having been ordered to leave by the institution's president, the president's designee, or chancellor.
- N. False reporting of any emergency situation, including but not limited to, misuse of campus or System emergency notification equipment. Unauthorized tampering with, and/or accessing of, safety, security, or fire protection equipment or devices. Setting off a fire alarm for reasons other than actual fire or emergency, involvement in setting or causing any unauthorized fire in or on institution property.
- O. The unauthorized possession, loan, modification, or distribution of keys, pass cards or institutional identification cards. Unauthorized or unlawful entry or access to institutional or System facilities, including buildings and grounds. The reproduction, manufacture or duplication of any key, pass card, institutional or System identification card or unlocking device for use on institution or System facilities or locks without proper authorization.
- P. Abuse, unauthorized use, or theft of institutional or System computer facilities and resources, including but not limited to:
  1. Unauthorized entry into or transfer of a file to use, read, or change the contents or for any other purpose; and/or a violation of copyright laws;
  2. Use of another individual's identification and/or password;
  3. Interfering with the work of another student, faculty member or institution or System official, or with the normal operation of the institution or System computing system; or,
  4. Violating the institution's Standards of Conduct for the Use of Institution's Computers.
- Q. Willfully destroying, damaging, tampering, altering, stealing, misappropriating or using without permission any System program or file of the System.
- R. Violation of the institution's policies and regulations governing residence in institution owned or controlled property, and access to and use of all institutional facilities, including responsibility for the conduct of guests.
- S. Use, possession, or distribution of alcoholic beverages without authorization (except as expressly permitted by System or Institutional regulations, such as the --Alcoholic Beverage Policy), or public intoxication. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or provided to, any person under twenty-one years of age.
- T. Use, possession, manufacturing or distribution of marijuana, heroin, narcotics, or other controlled substances, use or possession of any illegal and/or unauthorized drugs, prescription drugs, and drug paraphernalia or being under the influence of illegal drugs except as expressly permitted by law.
- U. Contempt of student disciplinary proceedings including impairing or interrupting any proceeding or providing false information to institution or System officials and student hearing board members during the course of the conduct resolution process. Failure to

comply with the terms of any sanction imposed in accordance with the rules of conduct.

- V. The repeated use of obscene or abusive language in a classroom or public meeting of the System and which, if occurring in a class is not significantly related to the teaching of the subject matter.
- W. 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.
- X. Any act of unlawful discrimination based on race, creed, color, sex, age, sexual orientation, disability or national origin, gender identity, or genetic information, or any act of employment or educational retaliation against any person who has made a complaint about such discrimination.
- Y. Any act of sexual harassment when 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.
- Z. Sexual assault, which is the use of, or threat to use, force or violence of a sexual nature, defined as sexual assault, against any member or guest of the institutional community on institution-owned or institution controlled property or at any institution sponsored program.
- AA. Acts of hazing. Hazing is defined as any method of initiation into or affiliation with the university, college or community college community, a student organization, a sports team, an academic association, or other group engaged in by an individual that intentionally or recklessly endangers another individual.
- BB. Intentionally making an accusation that is false or is made with reckless disregard for the truth against any member of the System community by filing a complaint or charges under the rules of conduct or under any applicable established complaint or grievance procedures in the System.
- CC. Willful incitement of individuals to commit any of the acts herein prohibited.
- DD. Any other conduct that violates applicable stated prohibitions, policies, procedures, rules, or regulations of the institution or Board of Regents.
- EE. Any act prohibited by local, state or federal law that occurs on System premises or at a System-sponsored function on or off such premises.
- C. Restitution. Compensation for loss, damage, theft or misappropriation of property, or injuries sustained in an incident of student misconduct. This may take the form of appropriate service, monetary, or material replacement or combination of these.
- D. Probation. Probation consists of a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to have violated any institutional regulation(s) during the probationary period.
- E. Loss of Privileges. Denial of specified privileges for a designated period of time. This may include denying the student access to any campus, site, or building while permitting the student to enroll in off-campus classes such as internet or correspondence classes.
- F. Discretionary and Educational Sanctions. Participation in specific educational programs, such as alcohol or other drug educational intervention conferences, assessments, educational activities, including on-line instructional workshops, and work assignments or service to the institution or the community, and other related discretionary assignments.
- G. Residence Hall Suspension. Separation of the student from the residence halls for a period of time, after which the student is eligible to return. The minimum period of suspension is one semester and the maximum period is two semesters. Conditions for readmission may be specified in the suspension.
- H. Residence Hall Permanent License Cancellation. Permanent separation of the student from the residence halls.
  - I. Withholding of a Degree. Prior to the awarding of a degree, the institution may withhold a degree from a student.
  - J. Institutional Suspension. Exclusion for a definite period of time from attending classes and from participating in other activities of the System, as set forth in a written notice to the student. The official transcript of the student shall be marked –DISCIPLINARY SUSPENSION EFFECTIVE \_\_\_\_ TO \_\_\_\_\_. The parents or legal guardians of minor students shall be notified of the action.
 

A student who is enrolled in his or her last semester before graduation or is not currently enrolled in the System and who was not registered during the previous semester or who graduated at the end of the previous semester may request that the notation of the disciplinary suspension be removed from the official transcript when two years have elapsed since the expiration of the student's suspension. Such request must be submitted in writing to the president or his designee. If the request is not granted, the student at yearly intervals thereafter may submit a request for removal of the notation.
  - K. Deferred Institutional Suspension. Deferred separation of the student from the institution until the close of the current semester or some other time frame for review of student progress in addressing the conduct matter.
  - L. Institutional Expulsion. Termination of student registration and status for an indefinite period of time. Permission of the president shall be required for readmission. The official transcript of the student shall be marked –DISCIPLINARY EXPULSION EFFECTIVE \_\_\_\_\_. The parents or legal guardians of minor students shall be notified of the action.
 

A student who is enrolled in his or her last semester before graduation or who is not currently enrolled in the System and who was not registered during the previous semester or who graduated at the end of the previous semester may request that the notation of the disciplinary expulsion be removed from the official transcript when four years have elapsed since the expiration of the student's expulsion or termination. Such request must be submitted in writing to the president or designee. If the request is not granted, the student

## 10.2.2 Institutions may prohibit other conduct.

An institution may adopt policies which prohibit other conduct not included.

## 10.4.9 Sanctions.

The following are the disciplinary sanctions that may be imposed on a student found to have violated the rules of Conduct. More than one sanction may be imposed.

- A. Warning. A notice, oral or written, that the student has violated the rules of Conduct.
- B. Reprimand. A written reprimand for violation of specified regulations.

at yearly intervals thereafter may submit a request for removal of the notation.

## Disciplinary Procedures

Disciplinary procedures for all NSHE students are fully outlined in *Board of Regents Handbook, Title 2, Chapter 10*.

## Emergency Removal for Disciplinary Procedures

*Board of Regents Handbook, Title 2, Chapter 10, Section 10.4.10.*

The President, or the student conduct officer, may impose an immediate emergency removal (hereafter, "removal") prior to the resolution of a charge of violation of the rules of conduct on the charged student. This removal includes the immediate exclusion from the institution and all of the institution's campuses, sites, locations, and property of a student for an interim period whenever the president determines that this is required to:

- a. ensure the safety and well-being of members of the institution's community,
- b. protect institution property, or
- c. if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the institution,
- d. protect any student from sexual harassment or retaliation for the report of sexual harassment.

### 10.4.11 Conditions of Emergency Removal and Hearing

When an emergency removal is imposed, the charged student shall be denied access to the institution, including classes and all other institutional activities or privileges for which the student might otherwise be eligible, as the President or the student conduct officer may determine to be appropriate. During the time of the removal from the institution, the student may not come onto institutional property for any reason other than meeting with the appropriate official(s) regarding resolution of the emergency removal of the student conduct violation. The student conduct officer may permit the student to participate in distance learning classes that do not include entering onto institutional property and provide adequate protections to prevent any of the conditions of a, b, c, or d above, from occurring.

Any student so removed shall be afforded an opportunity to a hearing on the emergency removal no later than fourteen calendar days following the removal unless the student agrees to delay the hearing to a later time. A hearing officer shall hold the hearing under the hearing procedures of the rules of conduct where those may be applicable. The student conduct hearing officer shall make a recommendation to the President. The President's decision upon the hearing officer's recommendation shall be final. The removal does not replace the regular disciplinary process, which shall proceed under this chapter.