



Standards, Proscribed Conduct, and Sanctions

The following standards and sanctions express the University's expectations for student conduct, and are essential to the University's educational mission. Participation by students in activities that violate the standards, including the proscribed behaviors listed under each standard, may result in referral to the Office of Judicial Affairs or to another University office responsible for examining and upholding standards of conduct, in accordance with the due process guarantees and procedures defined in this Code and in Board of Trustees' Policy Bulletin 57. The maximum sanction applicable to each proscribed behavior is noted in parentheses following the description of the behavior: P = Probation; PS = Probationary Suspension; SP = Suspension; EX = Expulsion.

STANDARD 1: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS OBSERVE THE HIGHEST PRINCIPLES OF HONESTY AND INTEGRITY AND SUPPORT A CAMPUS ENVIRONMENT CONDUCTIVE TO TRUST AND SCHOLARSHIP.

Violations of this standard include but are not limited to:

- 1.A. All forms of academic misconduct, wherever committed, as defined in the Statement of Student Academic Rights and Responsibilities. Such misconduct includes cheating, plagiarism, misrepresentation or falsification of data, or collaboration with others on an academic assignment unless specifically permitted by the instructor. Under West Virginia board of Trustees Policy Bulletin No. 60, disciplinary action for academic misconduct will, in most cases, be the responsibility of the academic unit in which the misconduct occurred. Sanctions and appeal routes for academic misconduct are described in the Statement of Student Academic Rights and Responsibilities. (EX)
- 1.B. Unauthorized taking or possession of academic records, University documents, academic documents, or the academic work of others. (EX)
- 1.C. Unauthorized alteration of academic records, University documents, academic documents, or the academic work of others. (EX)
- 1.D. Furnishing false information to the University by forgery, alteration, or misuse of documents with the intent to deceive. (EX)
- 1.E. Furnishing to a University office or official a written or oral statement known to be false. (EX)
- 1.F. Falsification, distortion, or misrepresentation of information before a University judicial officer, hearing panel, or grievance board. (EX)
- 1.G. Complicity with others in violation of this standard. (EX)

STANDARD 2: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS RESPECT AND PROMOTE THE HEALTH, SAFETY, AND WELFARE OF ALL PERSONS, INCLUDING THEMSELVES.

Violations of this standard include but are not limited to:

- 2.A. Inflicting bodily harm or coercing or restraining any person. (EX)
- 2.B. Threatening to inflict bodily harm or to coerce or restrain any person. (EX)
- 2.C. Sexual assault, abuse, or misconduct, including any sexual acts committed without the legitimate consent of the victim and any other violation of University policies concerning sexual misconduct. (EX)
- 2.D. Brandishing of weapons. (EX)
- 2.E. Possession or storage of any weapon, dangerous devices or substances, including, but not limited to, any firearm, pellet gun, illegal knife, sling shot, ammunition, dangerous chemical, fireworks or explosive device, or other dangerous weapon. [See the weapons policy elsewhere in the Student Handbook] (EX)
- 2.F. Fighting. (SP)
- 2.G. Intentionally initiating or causing to be initiated any false report, warning, or threat of impending fire, explosion, or any emergency. (EX)
- 2.H. Intentionally causing the evacuation of a University building for reasons known to be false. (EX)
- 2.I. Tampering with, misusing, abusing, or altering any safety equipment or devices, including but not limited to, fire extinguishers, emergency telephones. (EX)
- 2.J. Violation of the Board of Trustees or University policies concerning hazing. Hazing is defined in the Student Handbook. (SP)
- 2.K. Intimidation: Committing, conspiring to commit, or causing to be committed any act directed toward a specific person or persons with the intent and/or effect of stigmatizing, frightening, coercing, or demeaning that person. This includes retaliation or threatened retaliation against any person who

files a complaint or testifies in a campus judicial case. (EX)

- 2.L. Stalking: engaging in an intentional course of behavior directed at a specific person or persons, which frightens, intimidates, or harasses, and which serves no legitimate purpose. (EX)
- 2.M. Operating a motor vehicle while under the influence of alcohol or other drugs. (SP)
- 2.N. Negligent Bodily Harm: Failure to exercise reasonable care, thereby causing bodily harm. (SP)
- 2.O. Throwing objects from or causing objects to fall from University buildings. (SP)
- 2.P. Interference with Emergency Services and procedures. This includes obstructing or hindering the maintenance, provision, or function of such emergency services as fire department, police department, security, first aid, or rescue; and obstructing or hindering emergency or practice evacuation or similar procedures announced for any building or facility. (EX)
- 2.Q. Violation of university policies regarding smoking and tobacco use on university property [refer to the smoking policy in the Student Handbook]. (P)
- 2.R. Complicity with others in violation of this standard. (EX)

STANDARD 3: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS RESPECT AND HONOR THE HUMAN RIGHTS AND DIGNITY OF OTHER PERSONS, GROUPS, AND ORGANIZATIONS.

Violations of this standard include but are not limited to:

- 3.A. Harassment: Committing, conspiring to commit, or causing to be committed any act directed toward a specific person or persons with the intent and/or effect of causing physical or mental harm, injury, fear, stigma, disgrace, degradation, or embarrassment. This includes but is not limited to racial, sexual, or peer harassment. (EX)
 - 3.A.1. Racial Harassment, as defined in the Student Handbook, includes acts exhibiting prejudice and/or racism and/or failure to follow University Policies concerning Acts of Intolerance.
 - 3.A.2. Sexual Harassment includes failure to follow University Policies concerning Acts of Intolerance and/or violation of University policies concerning sexual harassment as defined in Section 3 of the Marshall University Sexual Harassment Policy in the Student Handbook.
 - 3.B. Incivility or disrespect of persons. (PS)
 - 3.C. Lewd, indecent, or obscene conduct or expression. (SP)
 - 3.D. Unlawful discrimination on the basis of race, sex, color, national origin, religion, political affiliation, handicap, age, or sexual orientation. (EX)
 - 3.E. Commitment of any violation in this code for the purposes of harassing and/or discriminating on the basis of race, sex, color, national origin, religion, political affiliation, handicap, age, or sexual orientation. (EX)
 - 3.F. Complicity with others in violation of this standard. (EX)

STANDARD 4: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS UPHOLD THE MISSION OF THE UNIVERSITY BY PROTECTING AND PRESERVING A CAMPUS ENVIRONMENT CONSONANT WITH THE UNIVERSITY'S EDUCATIONAL AND ACADEMIC GOALS.

Violations of this standard include, but are not limited to:

- 4.A. Unauthorized possession or use of drugs or narcotics. This includes any drug for which the required prescription has not been validly obtained. (SP)
- 4.B. Unauthorized possession, use, or distribution of alcoholic beverages or beer, as defined by alcoholic beverage policies established by the University and its governing bodies. (SP)
- 4.C. Behavior that evinces underage consumption of alcoholic beverages or beer. (P)
- 4.D. Actual, attempted, or intended manufacture, cultivation, distribution and/or sale of drugs, narcotics or marijuana or other controlled substances. (EX)
- 4.E. Disruptive or disorderly behavior attributable to the use of alcohol or other controlled substance(s), including public intoxication. (SP)
- 4.F. Misbehavior at Sports Events, Concerts, or Social/Cultural Events. (SP) This includes, but is not limited to:
 - 4.F.1. Throwing of any article into a crowd or onto a playing field, court or stage.
 - 4.F.2. Bringing bottles, coolers or other prohibited items into the stadium, Henderson Center, track, theatre, or to any University sponsored events unless permitted by the appropriate University officials.
 - 4.F.3. Displaying at any sports or cultural event any unauthorized or obscene, offensive, or obstructive banner or sign.
 - 4.F.4. Inappropriate yelling at or harassment of performers, athletes, spectators or event staff.
 - 4.F.5. Violations of the MAC code of spectator conduct as presented in the Student Handbook.
- 4.G. Unauthorized animals on campus or other violation of the

- University's Animal Policy as presented in the Student Handbook. (P)
- 4.H. Disruptive or disorderly conduct; disturbing the peace through noise, rowdiness, or pranks. (P)
 - 4.I. Obstructing or interfering with the orderly conduct of University affairs including teaching, research, administrative and disciplinary procedures, University sponsored elections, or any University-sponsored activity. (EX)
 - 4.J. Obstructing the free flow of vehicular or pedestrian traffic on University premises. (PS)
 - 4.K. Failure to comply with the lawful direction of University or other law enforcement officers, or University officials in the proper performance of their duties. (PS)
 - 4.L. Complicity with others in violation of this standard. (SP)

STANDARD 5: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS RESPECT THE PROPERTY OF OTHERS, AND THE PROPERTY, FACILITIES, AND RESOURCES OF THE UNIVERSITY.

Violations of this standard include, but are not limited to:

- 5.A. Defacement, damage, destruction, or interference with any property, property right, or service belonging to other persons, groups, or organizations. (EX)
- 5.B. Theft or unauthorized possession of, or misuse of property belonging to other persons, groups, or organizations. This includes possessing, receiving, or storing property known to have been wrongfully taken from the University or from any person or group. (EX)
- 5.C. Theft or unauthorized use of, or misuse of, or interference with, services provided by or for other persons, groups, or organizations. This includes but is not limited to telephone services, credit services, mail services, tutoring services, photocopying services. (EX)
- 5.D. Negligent Destruction or Impairment of Property or Services: Failure to exercise reasonable care, thereby causing damage, defacement, destruction, theft or loss of property belonging to the University or any person or group. (SP)
- 5.E. Negligent Risk of Destruction or Impairment of Property or Services: Failure to exercise reasonable care, thereby creating a risk of damage, defacement, destruction, theft or loss of property belonging to the University or any person or group. (PS)
- 5.F. Misuse of University Keys: The unauthorized duplication, attempted duplication, use, loan, or possession of any key to any building, room, property, or facility owned or controlled by the University. (SP)
- 5.G. Forcibly breaking into and/or entering, or attempting to break into, any building, room, locker, vehicle, or other facility. (EX)
- 5.H. Misuse of computing networks, services, systems, or equipment, including but not limited to, unauthorized accessing of accounts, sharing of passwords, and all other provisions of the university's usage and abuse policies for its information technology environment, as approved by the student conduct and welfare committee and set forth in the student handbook. This includes using computer services to violate or aid in the violation of any other provision of this code. (EX)
- 5.I. Unauthorized presence or trespassing in or use of any University building or facility. (SP)
- 5.J. Improper or unauthorized usage of any university building or facility. (PS)
- 5.K. Misuse of University telephones, including charging or causing to be charged any long distance or other toll telephone call to a University telephone without proper authorization. (SP)
- 5.L. Misuse of any University identification material, including loaning, transferring, altering, or borrowing (SP)
- 5.M. Complicity with others in violation of this standard. (EX)

STANDARD 6: MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS UPHOLD THE MISSION OF THE UNIVERSITY BY BEING RESPONSIBLE CITIZENS. MARSHALL UNIVERSITY STUDENTS AND STUDENT GROUPS COMPLY WITH THE POLICIES, PROCEDURES, AND PROGRAMS OF THE UNIVERSITY AND THE WV UNIVERSITY SYSTEM, AND OBEY ALL FEDERAL, STATE, AND LOCAL LAWS.

Violations of this standard include but are not limited to:

- 6.A. Gambling, including but not limited to participation in chain letters, games of chance, betting pools, and unauthorized raffles or lotteries (SP)
- 6.B. Scalping: selling tickets to University functions for any price higher than the price shown on the ticket or higher than the original price of the ticket. (SP)
- 6.C. Violation of the University's Policies for Fundraising, Sales and Solicitation. (PS)
- 6.D. Violation of the policies for demonstrations and mass gatherings. (PS)
- 6.E. Violation of university policies governing the posting of

- information. (P)
 - 6.F. Violations of Residence Services policies and/or procedures as stated in University publications provided that these documents have been approved by the Student Conduct and Welfare Committee.
- STANDARD 6F addresses policies specific to the operation of campus residence halls and includes, but is not limited to, policies concerning quiet hours, visitation, unauthorized moves, guest registration, defacement, pranks, pets, hygiene, smoking, appliances, and room key usage. Policies listed under Standard 6.F. are not generally adjudicated as Code violations. In most cases, review of alleged violations of these policies will be handled by Residence Services staff and will result in residence hall contract - based sanctions. Residence Services' conduct policies are discussed elsewhere in this Handbook and are described in full in the Residence Hall Guide. (P)
- 6.G. Violations of Student Center, Facilities Scheduling, and Food Services policies and procedures approved by the Student Conduct and Welfare Committee and/or the Student Center Governing Board. (P)
 - 6.H. Passing worthless checks or failing to promptly redeem a worthless check submitted to any unit within the University. (SP)
 - 6.I. Violation of Federal, State, local, city, county, or municipal laws or ordinances. To be charged under this section the student will, in most cases, have been found guilty or declined to contest charges in a court of law. (EX)
 - 6.J. Violation of Board of Trustees' Policies not covered in this code. (EX)
 - 6.K. Repeated or Multiple Violations, Violations of Probation or Mediation Agreements. This applies to students who have demonstrated a history of violating University regulations, and/or who commit any violation of the terms of any University-imposed sanction or mediation agreement, and/or who fail to comply with the terms and conditions of sanction(s) imposed under the Student Code. (EX)
 - 6.L. Failure to report a change of address to the Registrar. (P)
 - 6.M. Failure to comply with a directive or request issued by a duly constituted campus judicial or hearing body. (PS)
 - 6.N. Failure to report to University officials a violation of university policies. (SP)
 - 6.O. Complicity with others in violation of this standard. (EX)

Student Handbook (2005 – 2007), retrieved from www.marshall.edu/student-affairs February, 2006.