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UNO-Website-UNO-Student-Code-of-Conduct 3.B

NU Board of Regents

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- a. On University premises, including all University of Nebraska locations, physical campuses and any University affiliated programs, events or activities, including those located in other states or countries.
 - b. Off University premises, if the conduct is determined by the Director of Student Conduct and Community Standards to adversely affect a substantial University interest. A substantial University interest is defined to include:
 - i. Any situation where it appears that a student's or student organization's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
 - ii. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
 - iii. Any situation that is detrimental to the educational mission and/or interests of the University.
2. The Student Code applies to student conduct which occurs from the time of enrollment through the actual awarding of a degree, even if the conduct occurs prior to the start of classes or is discovered after a degree is awarded.
 3. An RSO is responsible for a member's conduct from the time the student officially affiliates with the RSO until the student is permanently terminated from membership or is awarded a degree.
 4. All allegations of sexual misconduct, including sexual assault, sexual violence, dating violence, domestic violence, or stalking are investigated and addressed in accordance with Board of Regents Policy 2.1.8 and following the procedures set forth in the "University of Nebraska at Omaha Response to Allegations of Student Sexual Misconduct", adopted pursuant to Board of Regents Policy 5.3.3, attached to this Student Code as Appendix "A," or as Appendix "A" may be hereafter amended.

B. CONDUCT – RULES AND REGULATIONS

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of academic dishonesty, including but not limited to the following:
 - a. Cheating: Copying or attempting to copy from an academic test or examination of another student; using or attempting to use unauthorized materials, information, notes, study aids or other devices for an academic test, examination or exercise; engaging or attempting to engage the assistance of another individual in misrepresenting the academic performance of a student; or communicating information in an unauthorized manner to another person for an academic test, examination or exercise.
 - b. Fabrication or Falsification: Falsifying or fabricating any information or citation in any academic exercise, work, speech, research, test or examination. Falsification is the alteration of information, while fabrication is the invention or counterfeiting of information.
 - c. Plagiarism: Presenting the work of another as one's own (i.e., without proper acknowledgment of the source) and submitting examinations, theses, reports, speeches, drawings, laboratory notes or other academic work in whole or in part as one's own when such work has been prepared by another person or copied from another person. Materials covered by this prohibition include, but are not limited to, text, video, audio, images, photographs, websites, electronic and online materials, and other intellectual property.
 - d. Abuse of Academic Materials: Destroying, defacing, stealing, or making inaccessible library or other academic resource material.
 - e. Complicity in Academic Dishonesty: Helping or attempting to help another student to commit an act of academic dishonesty.
 - f. Falsifying Grade Reports: Changing or destroying grades, scores or markings on an examination or in a faculty member's records.

- g. Impermissible Collaboration: Collaborating on any academic exercise, work, speech, test or examination unless expressly authorized by the faculty member. It is the obligation of the student to know whether collaboration is permitted.
- h. Misrepresentation to Avoid Academic Work: Misrepresentation by fabricating an otherwise justifiable excuse such as illness, injury, accident, etc., in order to avoid or delay timely submission of academic work or to avoid or delay the taking of a test or examination.
- i. Other: Academic units and members of the faculty may prescribe and give students prior notice of additional standards of conduct for academic honesty in a particular course, and violation of any such standard of conduct shall constitute misconduct under this Student Code and the University Disciplinary Procedures.

Any student found responsible for academic dishonesty may be subject to both academic and disciplinary sanctions. Academic sanctions are issued in accordance with the Undergraduate Academic Integrity Policy or the Graduate Academic Integrity Policy.

- 2. Furnishing false information to any University official, faculty member, or office.
- 3. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
- 4. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, and other University activities on or off-campus, including its public service functions on or off-campus, or of other authorized non-University activities.
- 5. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens or unreasonably endangers the mental or physical health or safety of any person or oneself, including any such conduct achieved through means of social media or any other means of electronic communication.
- 6. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community on or off campus.
- 7. Hazing, defined as any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any student organization, sports team or other organized group. Such hazing activity shall include, but not be limited to, whipping, beating, branding, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment of the performance of any act which endangers the physical or mental health or safety of any person.
- 8. Improper initiation rituals, more specifically described as, intentionally adopting or implementing a practice of activity for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or RSO that requires exertion or deprivation or embarrassment over a sustained period of time that can reasonably be expected to interfere with a student's academic performance, whether within or outside of the University. The express or implied consent of the victim will not be a defense.
- 9. Failure to comply with directions of University officials or law enforcement officers acting in the course and scope of their University job duties and/or failure to identify oneself to these persons when requested to do so.
- 10. Unauthorized possession, duplication or use of keys and/or keycards to any University premises or unauthorized entry to or use of University premises.
- 11. Violation of any UNO or University of Nebraska policy, rule, or regulation published in hard copy or available electronically on the UNO or University of Nebraska websites. Electronic copy published on the UNO or University of Nebraska websites shall supersede hard copy.
- 12. Violation of any federal, state or local law.
- 13. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances, or drug paraphernalia, except as expressly permitted by law.
- 14. Use, possession, manufacturing, or distribution of alcoholic beverages on University premises (except as expressly permitted by the University), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under twenty-one (21) years of age in the State of Nebraska.

- a. University Student Diversion Policy (seeking emergency treatment for alcohol poisoning or drug reactions)
 - i. Students acting in the best interest of themselves or others by calling Campus Security or 911 (or similar police/emergency medical services) to assist another person experiencing adverse drug reactions, acute alcohol poisoning or other serious alcohol-related injury are eligible to participate in an alternative Student Code procedure. Students seeking to participate in this alternative must meet with a designated Conduct Officer to honestly and openly discuss the circumstances surrounding the incident and the decision to call Campus Security or 911/seek emergency medical services.
 - ii. Students who receive emergency medical assistance for acute alcohol poisoning or a serious alcohol-related injury are eligible for an alternative to the normal Student Code procedure. In lieu of discipline, the student must complete the Brief Alcohol Screening and Intervention for College Students (BASICS) program or such other similar program designated by the University.
 - iii. Students who qualify for and complete these alternative requirements will have their Student Code charges set aside and the incident will not be recorded in the behavioral conduct record of the student, provided the student commits no additional major violations of the Student Code within a twelve month period.
 - b. Procedure
 - i. In order for this policy to be in effect, emergency medical services must be summoned and must respond directly to the situation.
 - ii. Students will receive a letter from the Director of Student Conduct and Community Standards or appropriate Residence Hall Director informing them of misconduct charges. Upon meeting with the designated Conduct Officer, it will be determined if the student may be eligible for the UNO Student Diversion Policy/Program.
 - iii. If the student is deemed eligible for the UNO Student Diversion Policy/Program by the Conduct Officer, then upon the student fulfilling the requirements of the policy, the student's record will indicate no violation of the Student Code.
 - c. While the policy diverts sanctions within the Disciplinary Procedures, students may still be charged by law enforcement officials with violations of federal, state or local laws. Additionally, this policy is not a means to excuse students from egregious Student Code violations.
15. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or, the use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
 16. Participating in an on-campus demonstration, riot or activity that infringes, or incites others to infringe, on the rights of other members of the University community and impacts the educational environment or blocks access to or from educational services, including, but not limited to, the ability to legally express oneself, to attend classes or other University activities and programs, or to engage in one's University job duties.
 17. Obstruction of the free flow of pedestrian or vehicular traffic on University Premises or at University sponsored or supervised functions.
 18. Conduct that is disorderly or indecent, including public urination; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the University community.
 19. Theft or other misuse of computer facilities and resources, including but not limited to:
 - a. Unauthorized entry into a file, to copy, use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Use of another individual's identification and/or password.

- d. Use of computing facilities and resources to interfere with the work of another student, faculty member or University Official.
 - e. Use of computing facilities and resources to send obscene or abusive messages.
 - f. Use of computing facilities and resources to interfere with normal operation of the University computing system.
 - g. Any violation of the University Computer Use Policy (Executive Memorandum No. 16).
20. Smoking in any University facility or vehicle. (The Smoking Policy is found at www.unomaha.edu).
 21. Turning in false fire alarm or bomb threat or misusing fire safety equipment on University Premises, including any student-housing unit.
 22. Failing to report a fire or any other extremely dangerous condition when known or recognized on the campus.
 23. Violation of any student housing unit policy or regulation. (The Housing Handbooks are found at housing.unomaha.edu.)
 24. Sexual assault or any other uninvited behavior of a sexually explicit nature including but not limited to sexual harassment, dating or domestic violence, and stalking. All allegations of sexual misconduct, including sexual assault, sexual violence, dating violence, domestic violence, or stalking are investigated and addressed in accordance with Board of Regents Policy 2.1.8 and following the procedures set forth in the "University of Nebraska at Omaha Response to Allegations of Student Sexual Misconduct", adopted pursuant to Board of Regents Policy 5.3.3, attached to this Student Code as Appendix "A," or as Appendix "A" may be hereafter amended.
 25. Abuse of the University Disciplinary Proceedings, including but not limited to:
 - a. Failure to comply with the notice from a Conduct Board or University official to appear for a meeting or hearing as part of the Disciplinary Proceedings.
 - b. Falsification, distortion, or misrepresentation of information before a Conduct Board.
 - c. Disruption or interference with the orderly conduct of a Conduct Board proceeding.
 - d. Filing a malicious or frivolous complaint.
 - e. Attempting to discourage an individual's desire or efforts to engage in a permitted participation or use of the Disciplinary Procedures.
 - f. Attempting to influence the impartiality of a member of a Conduct Board prior to, and/or during the course of, the Conduct Board proceeding.
 - g. Harassment (verbal or physical) and/or intimidation of a member of a Conduct Board prior to, during, and/or after a disciplinary proceeding for purposes of disruption of the conduct process.
 - h. Failure to comply with the sanction(s) imposed under the Student Code.

C. VIOLATION OF LAW AND UNIVERSITY DISCIPLINE

When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code, the University may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and other members of the University community remain free to interact with governmental representatives, as they deem appropriate.