

## **CODE OF STUDENT CONDUCT**

To help maintain an effective university learning environment, students are expected to act responsibly at all times and to respect the rights of others both on and off campus. The following “Code of Student Conduct” (hereafter referred to as “the Code”) describes and delineates expectations about student behavior, as well as how the University will respond when a student’s conduct is called into question.

### **1. Statement of Community Conduct and Responsibility**

It is essential that members of the University community assume responsibility for their own conduct. When members infringe on the rights of others, the University will intervene. It is impossible to list every category or specific example of conduct that is serious enough to warrant discipline; therefore, the University reserves the right to initiate disciplinary action and seek appropriate sanctions for conduct not specifically identified in the Code whenever, in the judgment of those responsible for student conduct at the Madrid Campus, it is determined to be in the best interest of the University and its members.

### **2. Students’ Rights and Obligations as Members of the University Community**

Every student has the right to pursue and achieve academic goals. It is the University’s obligation to ensure a safe and comfortable environment on campus as well as in University housing. When others create obstacles that jeopardize, in any way, these objectives, a student has the right to inform the University so that the institution can take appropriate steps to resolve the problem. It is also the obligation of students to report to the University any infraction of University policy, as presented in Sections 3, 4 and 5 of the Code, and/or unlawful action that undermines the University’s learning and living values and norms.

### **3. Any student found participating in any of the following acts while on University property or while engaged in any University activity or function, including University-sponsored academic and non-academic trips, and host family living arranged by the University may be subject to the maximum sanction of dismissal, or to any lesser sanction authorized by this Code.**

- 3.1 Committing – intentionally or recklessly – any act, or conspiring to commit any act that injures, degrades, disgraces or tends to injure, frighten, degrade or disgrace any person, including sexual assault, sexual harassment and hazing, (this includes cyberbullying, sexting, etc.);
- 3.2 Possessing, using or distributing – on or off campus – stimulants, depressants, narcotic or hallucinogenic drugs or other agents that have potential for abuse;

- 3.3 Possessing, using or distributing alcohol on University premises, in Host Family Housing arranged through the University, or at any University activity contrary to published University alcohol policies, unless an exception from said policy has been granted by an authorized University official;
- 3.4 Using alcohol, or drugs, irresponsibly as manifested in such behaviors as showing public intoxication, disorderly conduct, vandalism or similar behaviors on or off campus;
- 3.5 Stealing of private property or of services, -from University , host family, roomates, any other member of the SLU-Madrid community or anybody off-Campus-; in connection -or not- with any University activity, whether the theft is made personally or online;
- 3.6 Borrowing any private property -without having been granted previous permission- from a University official, the host family, the roomates, or any other member of the SLU-Madrid community or anybody off-Campus-;
- 3.7 Gambling at any sport or activity on Campus or sponsored by SLU-Madrid;
- 3.8 Damaging, destroying or defacing University property or that of any person while on University premises;
- 3.9 Trespassing or entering without authorization any University property, including any building, structure or facility;
- 3.10 Possessing, duplicating or using without authorization a key, a password, etc. to any University property or resource;
- 3.11 Charging any long-distance telephone call to the University, making any unauthorized calls from a University phone or tampering with phones installed on the University premises in such a way that would make the University or another student liable for the phone charges;
- 3.12 Forging, transferring, altering or otherwise misusing any University document or record, including computing and information systems electronic data, student identification cards and meal ticket cards;
- 3.13 Failing to comply with a reasonable request of a University official or authorized agent;
- 3.14 Failing to reply honestly to questions posed by University officials concerning one's own actions or those of another in regard to violating University policy;
- 3.15 Possessing or keeping a firearm, weapon, or any explosive device of any kind on University premises or in Host Family Housing arranged through the University;
- 3.16 Disrupting an authorized University activity;

- 3.17 Misusing or abusing emergency services or procedures;
- 3.18 Violating a municipal or national law;
- 3.19 Acting in a way that represents a serious violation of the University's Mission, values, objectives and/or responsibilities;
- 3.20 Abusing and/or using without authorization any University resources: computers, printers, offices, classrooms, lounges, etc.; and/or
- 3.21 Failing to complete disciplinary sanctions assessed under the Code.

**4. Host Family Housing Norms and Regulations, The Housing Company Friendly Living Regulations and any other residence/*Colegio Mayor* disciplinary code**

- 4.1 Students and their guests in Host Family Housing arranged through the University are subject to the housing norms as they appear in the Student Life / Housing section of the Madrid Campus website, or as otherwise made available to students; as well as subject to this Code of Conduct.
- 4.2 Any SLU-Madrid students living at any residences/*Colegio Mayores* or rental agencies, will be subject to their residences/*Colegio Mayores* or rental agencies rules and their own Codes of Conduct as well as to the SLU-Madrid Student Code of Conduct.
- 4.3 If a student engages in unlawful behavior – such as theft, abuse, vandalism, sexual assault or violence of any kind – a Host Family member or University official is authorized to contact local police directly. The student may also be charged and sanctioned by University officials.

**5. Legal Proceedings**

- 5.1 Students accused of violating Spanish law may be referred to law enforcement authorities for appropriate action, including arrest.
- 5.2 In cases where there are legal proceedings and where the University judges that a student's conduct or presence in the University poses a threat to the well-being or property of others, or to University objectives and responsibilities, the University may suspend the student pending the outcome of those legal proceedings.
- 5.3 The University reserves the right to pursue disciplinary action pursuant to the Code, regardless of where the conduct occurred, and independent of any civil legal proceedings.
- 5.4 If a student is found guilty in a court of law of any offense for any reason, the student's status at the Madrid Campus will be reviewed by the Director of Student Life, and a decision regarding any sanctions to be enforced will be communicated to the student in writing.

## 6. Jurisdiction

All charges involving any violation of the Code as covered under sections 3, 4 and 5 will be heard by the Director of Student Life, unless otherwise determined by the highest-ranking administrator of the Madrid Campus.

## 7. Discipline Procedures

Any member of the University community may file a charge of misconduct against any student.

- 7.1 Charges for non-academic misconduct, including misconduct in Host Family Housing arranged through the University, are to be filed with the Director of Student Life.
- 7.2 The Director of Student Life, or his or her designee, will notify the student of the offense with which s/he is being charged, conduct interviews, determine if the Code has been violated and decide an appropriate response.

## 8. Sanctions

In determining disciplinary sanctions, the Director of Student Life is directed by, although not bound to, established sanction guidelines.

One or more of the following sanctions may be imposed upon a student found to have violated the Code:

- 8.1 Expulsion (indefinite separation of the student from the University and/or from Host Family Housing arranged through the University)
  - 8.1.1 Any student who has been expelled from the University or from Host Family Housing arranged through the University for disciplinary reasons may be readmitted only with the written approval of the highest-ranking administrator.
  - 8.1.2 A student expelled from the University and/or from Host Family Housing arranged through the University for disciplinary reasons remains responsible for the semester's full housing payment. Any tuition refund will be determined according to the timetable stated in the University's published Tuition Refund Policy.
- 8.2 Suspension (temporary separation of the student from the University and/or from Host Family Housing arranged through the University)
  - 8.2.1 A student suspended from the University loses all University privileges during the time of suspension, including the right to live in Host Family Housing arranged through the University, and has no right to any refund

or reduction of tuition and/or housing payment for the time covered by the suspension.

8.2.2 Any student who has been removed from the University and/or from Host Family Housing arranged through the University for a defined period of time will be considered eligible to return only if s/he meets all previously specified conditions for readmission.

8.3 Probation (temporary imposition of conditions allowing the student continued, unbroken University enrollment and/or presence in Host Family Housing arranged through the University subject to stated conditions)

8.3.1 A student may be placed on probation for a defined period of time, with the understanding that the student's continued enrollment and/or presence in Host Family Housing arranged through the University depends upon his or her strict adherence to conditions stated in writing at the time the probation is imposed. During the probationary period, a student may be denied some specific privileges (e.g. use of University computer labs or right to participate in the University's Work Grant Program). A student on probation will also be subject to additional and more severe sanctions if there is a violation of any University policy or procedure during the probationary period.

8.3.2 During the probationary period, follow-up may include mandated periodic meetings with the Director of Student Life or the Academic Dean's designee, as well as disciplinary status reports from other campus officials.

8.4 Written Admonition

8.5 Restitution (compensation for loss or damage)

8.6 University Service

8.6.1 A student may be required to do a number of service hours, engaged in light work tasks, such as the cleaning and maintenance of University property and/or clerical work.

8.7 Loss of University Privileges (including access to certain facilities and/or participation in certain activities or programs)

8.8 Restricted Access (interim suspension of continued presence on campus and/or in Host Family Housing arranged through the University)

8.8.1 The Director of Student Life and with the consent of the highest-ranking administrator, has the authority to restrict immediately the presence of a student on campus and/or in Host Family Housing arranged through the University if the Director of Student Life judges that the student's presence would constitute a threat to the well-being or property of a member or

members of the University community or to the orderly functioning of the University. The Restricted Access will continue until the conclusion of the usual conduct procedures, or until such time as it is lifted by mutual agreement of the Director of Student Life and the highest-ranking administrator.

8.9 Financial Penalty

8.9.1 When deemed appropriate, a student may be assessed a financial penalty (“fine”) that must be paid in full within five days of receiving written notice. Failure to comply may result in an increase in the financial penalty and/or the imposition of additional sanctions.

8.10 Loss of Work-Grant Eligibility and/or Merit Scholarship

**8. Notice, Investigation and Processing of Discipline Charges**

The following procedures will be observed when a charge has been brought against a student:

- 9.1 A student who has been charged with a violation of non-academic conduct will be given, in writing or in person, an appointment time to speak with the Director of Student Life.
- 9.2 In this meeting the Director of Student Life will inform the student of the charge(s), as well as possible sanctions associated with them. If necessary, the Director of Student Life also will inform the student about the particulars of the disciplinary process. The student will be given an opportunity to respond. If the student fails to appear at the meeting, the matter will be processed based upon the available information.
- 9.3 After the meeting, in a timely manner, the Director of Student Life will review all available information concerning the charge(s) filed against the student and will make a judgment as to whether the student has violated the Code. If the Director of Student Life concludes that there has been a violation of the Code, the student will be notified in writing of the charge(s) and of the sanctions that are to be applied.
- 9.4 Once informed by the Director of Student Life of the formal charge(s) and sanctions, the student will be deemed to have accepted without contest the charge(s) and sanctions unless within two days of the date of the written notice by the Director of Student Life, s/he requests in writing a hearing before the Madrid Campus Student Conduct Review Board (hereafter referred to as “Review Board”). Such request must be made in writing to the highest-ranking administrator within two calendar days of the student having been informed of the decision of the Director of Student Life.

- 9.4.1 The role of the Review Board is: to review, at the request of a student charged with a violation, a disciplinary situation that has been considered previously by the Director of Student Life; and, upon completion of the review, to recommend to the highest-ranking administrator a course of action, be it the affirmation, modification or reversal of the disciplinary sanctions determined earlier by the Director of Student Life.
- 9.4.2 The Review Board will be comprised of two University faculty and one staff member, all of whom will be appointed by the highest-ranking administrator, as well as those students – not exceeding two in number – who comprise the Judicial Branch of the Student Government Association – Madrid Campus (hereafter referred to as “SGAMadrid”). Should SGAMadrid be unable to fill the student positions, the highest-ranking administrator will identify two students to serve on the Review Board as needed.
- 9.4.3 The Review Board will be constituted annually, with the highest-ranking administrator filling, as needed, any vacancy among faculty and staff membership. Student members appointed through SGAMadrid will serve in accordance with the Constitution and Bylaws of SGAMadrid.
- 9.4.4 The highest-ranking administrator will appoint one member of the Review Board to serve as Chair, who will preside over all hearings and will have the authority to take all steps deemed necessary to conduct proceedings, including authority to decide all procedural issues.

## 10. Hearing Procedures

- 10.1 A hearing will be scheduled to take place no less than three and no more than ten calendar days after the student has filed a request for a hearing with the highest-ranking administrator. Notice of the hearing will be given at least two days before the hearing and will include a list of the alleged Code violations as well as the date, time and location of the hearing. For exceptional reasons, the date of the hearing may be extended at the discretion of the Review Board.
- 10.2 At the hearing, the party that brought the charge(s) against the student will be represented by the Director of Student Life.
- 10.3 Each party at the hearing may bring up to three witnesses to offer testimony about the case. It is the responsibility of each party to inform the witnesses of the time and place of the hearing. The parties and witnesses will conduct themselves at all times in a courteous and orderly manner.
- 10.4 Legal counsel is not permitted at a hearing, even as a personal advisor, except in the case that there are legal charges currently pending against the student who is being charged for the same conduct that is the subject of the disciplinary hearing; in this case the student may request that his or her legal counsel be present at the hearing. The request should be made in writing to the Chair of the Review Board at



least 24 hours before the hearing. It is the decision of the Chair whether or not to allow the presence of legal counsel. In no case during a hearing will legal counsel be permitted to advise the student being charged, other than to remain silent, nor will the counsel be permitted to speak or participate directly in the hearing.

10.4.1 In any or all stages of the hearing process as described in 10.5, the student charged with a violation may remain silent and such silence will not be used against him or her, understanding that the Review Board is able to make its determination only on the basis of the information available to it.

10.5 The hearing will normally include:

10.5.1 The reading of the charge(s) by the Chair of the Review Board.

10.5.2 Account of the incident by the party that has brought the charge(s) against the student, either personally or in writing as presented by the Director of Student Life.

10.5.3 The testimony of witnesses called by the party that has brought the charge(s), after which the student charged with the violation has the right to ask questions concerning the information presented.

10.5.4 Questions posed by the Review Board to the party that brought the charge(s) and his or her witnesses.

10.5.5 A presentation concerning the alleged incident by the student charged with the violation.

10.5.6 The testimony of witnesses called by the student charged with the violation, after which the party that has brought the charge(s) against the student and/or that person's representative (the Director of Student Life) may ask questions concerning the information presented.

10.5.7 Questions posed by the Review Board to the student charged with the violation and his or her witnesses.

10.5.8 The opportunity for concluding remarks, if desired, first by the party that brought the charge(s) or his/her representative, then by the student charged with the violation.

10.6 A record will be made of any hearing. The record will be the property of the University, but the student charged with a violation has the right to access the record and copy it at his or her expense.

10.7 After the hearing, the Review Board will determine by consensus or – if necessary – by majority vote, whether (a) the student has violated the sections of the Code with which s/he has been charged; (b) the sanctions imposed are appropriate; and/or (c)



on the basis of the testimony heard, additional charges and sanctions should be imposed.

10.7.1 The determination of the Review Board will be made on the basis of whether it is more likely than not that the student violated the Code and whether the sanctions are appropriate.

10.8 The Review Board will communicate the major points of its review, along with its recommendations, to the highest-ranking administrator within three calendar days of the hearing.

10.9 Within one calendar week of having received the report of the Review Board, the highest-ranking administrator, who is the court of final appeal, will communicate a decision to the student charged with misconduct.

## **11. Disciplinary Records**

Other than in cases of dismissal, disciplinary sanctions will not be made part of a student's permanent academic record, but they will become part of the student's confidential record kept on file on the Madrid Campus. Dismissal, however, may include the assignment of "W" (withdrawal), "AF" (failure due to absences) or "F" (failure) grades to a student's permanent academic record.

## **12. Notification of Outside Parties**

12.1 When deemed appropriate, the University reserves the right to notify a student's parents or guardians at any time during a disciplinary process.

12.2 Although Saint Louis University – Madrid Campus only has authority to apply sanctions on the Madrid Campus, with regard to Visiting Students, it reserves the right to notify the student's home campus authorities of any inappropriate conduct and of any sanctions imposed. The decision to notify the student's home campus will be communicated beforehand in writing to the student. The student involved may appeal that decision in writing to the highest-ranking administrator no later than two days after the student has received formal notification of the intent to communicate.

12.3 Upon request by another university – to which a current or former Madrid Campus student has applied – to divulge information about the student's conduct history on the Madrid Campus, Saint Louis University – Madrid Campus will do so only within the parameters of FERPA (the Family Educational Rights and Privacy Act) and Spanish data protection regulations.

*Revised December 2018*