



Policy Title: Student Code of Conduct Policy

Policy Number: PS 1901  
Replaces the previous version of PS 1901, Disciplinary/Judicial Procedures, dated December 1, 2014.

Purpose of Policy: To establish guidelines regarding student conduct both inside and outside the classroom.

Applies to: All Bellevue University students, staff, and faculty.

**Policy Statement:**

1. General Principles:

- a. Bellevue University is committed to the philosophy that people should be given an opportunity to develop their skills and knowledge, as well as an awareness of their roles and responsibilities in society.
- b. Enrollment at the University means a commitment to seriousness of purpose, academic integrity and high standards of personal and social behavior. Students are expected to be cooperative and responsible members of the University community, to comply willingly with University regulations and to abide by local, state and federal laws. Students are expected to know their responsibilities as defined by the Academic Catalog, Student Handbook, Student Code of Conduct, and any additional Bellevue University policies. It is to the above philosophy that these student conduct and discipline procedures have been developed.
- c. Proof of policy violations obtained via electronic media, including, but not limited to, video, photographs, emails, social networking sites, or other electronic means can be used as evidence and give rise to a finding that a policy has been violated.
- d. Students have the right to be free from retaliation. Threats or other forms of intimidation or retribution against a student who files a complaint, participates in an investigation, appears as a witness at an administrative hearing, or opposes an unlawful act, discriminatory practice or policy, are prohibited.

2. Definitions

- a. University: The University means Bellevue University.

- b. Student: Refers to all persons taking courses from the University: full-time and part-time; residential or online; enrolled in undergraduate, graduate, professional, special topic, and certificate of completion programs or courses.
- c. Staff: Refers to any non-faculty employee of Bellevue University.
- d. Faculty: Refers to any full-time or part-time hired by the University to conduct classroom, online, or other academic activities.
- e. University Premises: Refers to all land, buildings, facilities, online academic and support systems, and other property in the possession of or owned, used, or controlled by the University including applicable adjacent streets and sidewalks.
- f. University Community: Refers to all students, staff, faculty, and guests at the University.
- g. Dean of Students' Office (DSO): office that will investigate allegations of misconduct or assign members of the University to investigate depending upon the nature of the allegation. The DSO may refer investigation to appropriate departments if academic or Title IX complaints.
- h. Respondent: Refers to student(s), student groups, or student organizations against whom a conduct charge(s) has been brought.
- i. Complainant: Member of the University Community who has alleged a violation of code by any student(s), student group(s), or student organization(s) in violation of this code of conduct.

### 3. Academic Dishonesty Violations

- a. Bellevue University is committed to academic excellence. The University expects academic honesty from all members of the University community and believes that it is essential for academic excellence and integrity. Academic honesty includes adherence to guidelines established by the instructor in a particular course for both individual and group work. It prohibits representing the work of others to be one's own (plagiarism); receiving unauthorized aid on an assignment (cheating); and using similar papers or other work product to fulfill the obligations of different classes without the instructor's permission.
- b. When a faculty member believes that a student's conduct constitutes academic dishonesty, the faculty member will have a discussion with the student to give the student an opportunity to provide an explanation. If the student provides an adequate explanation to the satisfaction of the faculty member, the matter will be deemed resolved. If, in the opinion of the faculty member, an adequate explanation is not provided by the student, the faculty member may sanction the student in accordance with the Academic Dishonesty Penalties section below. The faculty member is responsible for documenting this decision and notifying the Dean of Students' Office. The Dean of Students' Office is responsible for notifying the student of the decision, the sanction being imposed, and the right to appeal.

4. Academic Dishonesty Penalties

- a. Penalties for academic dishonesty may include a warning, a grade of “F” on the work in question or for the course. These are the only penalties that a faculty member may unilaterally impose for an incident of academic dishonesty.
- b. In addition, any student engaged in academic dishonesty may be subject to further disciplinary action up to and including formal reprimand, short-term suspension, long-term suspension, and/or expulsion according to the policies and procedures of the University (PS 1035). These penalties can only be imposed by the appropriate administrator at the University.

5. Academic Dishonesty Grade Appeals

- a. If the student disagrees with the determination or the sanctions imposed by the instructor described in item 4.a., above, he or she may appeal the decision to the Dean of the academic college within sixty (60) days of the grade posting in BRUIN per the Grade Appeal process in the Academic Catalog.
- b. Within fifteen (15) University business days upon receipt of the request for a grade appeal, the Dean or designee will contact the student. If a determination is not reached at this time, the Dean’s contact with the student will give the timeline for review and determination of the grade appeal. A student may appeal the Dean’s decision to the Chief Academic Officer (CAO), in writing, within fifteen (15) University business days of the decision by the Dean. The appeal of the Dean’s decision will be considered only if one of the following conditions is met:
  - i. The decision was contrary to the facts.
  - ii. That there is additional information which is material.
  - iii. The proper procedures were not followed. No procedural error shall invalidate the decision unless, in the judgment of the Vice President, the error caused substantial prejudice to/against the student.
  - iv. That the sanction imposed was inappropriate.
- c. The CAO’s decision is final and not subject to further appeal.

6. Violations of the Code of Conduct

As a general matter, all members of the University community are expected to conduct themselves in a way that is conducive to an academic environment. With that in mind, Bellevue prohibits the following:

- a. Knowingly furnishing false information to the University; forgery or alteration of University documents or records or instruments of identification; use of University documents or instruments of identification with intent to mislead or defraud.
- b. Theft of property or services; or knowingly having possession of stolen property.

- c. Failure to comply with the directives of University officials or Campus Safety officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- d. Disrupting or obstructing any University-related business or activities, including disorderly or disruptive classroom conduct.
- e. Unauthorized entry into any University office or area or unauthorized accessing of University records.
- f. Threatening, harassing, or discriminating against any person based on race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation, or other protected class, that adversely affects their employment or education on University premises or in the course of University activities per PS 04. (Alleged violations of the University's Anti-Discrimination and Harassment Policy will be addressed pursuant to the Discrimination and Harassment Grievance Procedures).
- g. Stalking which is defined as: engaging in a knowing and willful course of conduct directed at a specific person which seriously terrifies, threatens, or intimidates the person and which serves no legitimate purpose.
- h. Participation in hazing. Hazing includes any activity intended to test another person's willingness or readiness to join a group (or to maintain full status in a group) by subjecting that person to humiliation, degradation, or other risks of emotional or physical harm. Willing participation in a hazing exercise by the person being hazed does not excuse hazing.
- i. Participating in or inciting a riot or disturbance, or a disorderly assembly which disrupts or obstructs any University activity or function.
- j. Seizing, holding, taking, commandeering or damaging any property or facilities of the University, or threatening to do so.
- k. Gambling or holding a raffle or lottery on campus or at any University or University-affiliated function or premises without the approval of the Vice President of Community and Student Affairs is prohibited.
- l. Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.
- m. Any action or conduct which improperly or unlawfully interferes with any person's lawful and permitted personal, academic or employment pursuits.
- n. Unauthorized possession, use or duplication of keys, key cards or passwords to University vehicles, buildings, computer system(s), or other property.
- o. Bellevue University subscribes to the Drug-Free Work Place Act of 1988 (34 CFR, Part 85, Subpart F), the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) and section 5301 of the Anti-Drug Abuse Act of 1988. Possessing, using,

or being under the influence of alcoholic beverages on University property, other than at an event where consumption of alcoholic beverages has been approved by the University in advance. Bellevue University strictly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. The University will impose disciplinary sanctions on students and employees (consistent with local, state, and federal law), up to and including dismissal from the University or termination of employment and referral for prosecution, for violation of these standards of conduct. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.

- p. Possessing on University property, or at any University or University-affiliated function or activity, any dangerous chemical or explosive element or any weapon, not required for lawful University studies, without the authorization of the President of the University. (Pocket knives are permitted as long as the blade is no longer than three inches in length)
- q. Physically detaining or restraining, however briefly, any other person against his or her will; removing any person against such person's will from any place where the person is authorized to remain; or in any way purposely obstructing the free movement of persons or vehicles on University premises or at University or University-affiliated functions or activities.
- r. Obscene or indecent behavior, which includes but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others, as well as the viewing of pornography on University computers, University networks, personal devices, or personal networks while on University property or University sanctioned events.
- s. Littering, or willfully or recklessly defacing, destroying or damaging property of the University (or property under its jurisdiction or control), or property of another person or entity, or removing or using such property without proper authorization.
- t. Violating any local, state or federal law, ordinance or regulation (a) while on University property, or (b) while in the course of any University or University-affiliated function or activity, or (c) which violation adversely affects or adversely reflects upon the University's pursuit of its educational activities or the pursuit of educational, employment or other lawful activities of any student, visitor, or employee of the University.
- u. Violating any rule or regulation not contained or referred to within the official University catalog, after notice of such rule or regulation, or after publication on University bulletin boards and online (or otherwise) of such rule or regulation.
- v. Violating campus or University parking regulations.
- w. Physical violence towards another person or group. Causing or attempting to cause or threatening to cause physical injury to a University employee, official, student, visitor, or guest.
- x. Making derogatory, offensive, inappropriate, or intimidating comments toward other campus community members. This includes comments made on social media.

- y. Bellevue University has the responsibility for securing its computing and networking systems (both academic and administrative) to a reasonable and economically feasible degree against unauthorized access, while making the systems accessible for legitimate and innovative uses. The Bellevue University data network is a private network and may only be used for authorized purposes by authorized individuals. Unauthorized use, access or modification of any information on this system may result in prosecution. All data transmitted or stored on any location within this network is the sole property of Bellevue University that will be monitored and audited at the discretion of the University. All individuals gaining access to this system are hereby notified that use of this system constitutes consent to such monitoring and auditing. It is important for the user to practice ethical behavior in computing activities. The sharing of passwords or logins is forbidden. Bellevue University authorizes user accounts solely for use in conducting course-related research and University business.
- z. Knowingly encouraging, aiding, assisting or abetting any other person(s) to commit any act of misconduct prohibited above.
- aa. Bellevue University is a tobacco-free institution. Therefore, tobacco products (including but not limited to cigarettes, pipes, hookahs, cigars, e-cigarettes, chew, snuff, snus, and other non-combustible tobacco products or devices) are prohibited in any campus building or on any campus grounds, except for inside personal vehicles (PS 80).
- bb. Any violation of the Student Code of Conduct by a student's non-University guest. "Guest" is defined as any non-student present on University premises at the invitation and/or hosting of the student. The hosting student shall be held responsible for the actions of their invited guest.
- cc. Violations related to fire safety, including but not limited to:
  - i. Failure to properly evacuate during a fire alarm.
  - ii. Intentional sounding of a fire alarm without cause.
  - iii. Illegal possession of, or removal of, damage to, or tampering with fire safety or other emergency warning equipment.
  - iv. Arson or unauthorized setting of fires on University property.
- dd. Conduct on or off campus which reflects poorly on the University, or other conduct prejudicial to the best interests of the University or other students.
- ee. Violating any policy or rule governing the conduct of students which has been adopted by the University.
- ff. Failure to cooperate in the investigation and resolution of an alleged violation of the Student Code of Conduct.

The University reserves the right to right to address other inappropriate behavior that does not clearly fall within the identified standards of conduct outlined above.

7. Determining Violations and Sanctions

- a. The Dean of Students Office is responsible for determining violations of the Student Code of Conduct.
- b. The following sanctions may be imposed for violations of the Student Code of Conduct by the Dean of Students' Office. In each case, the sanction(s) to be imposed will be determined by examining the nature and severity of the violation. The cumulative effect of a student's prior violations of the Student Code of Conduct and the student's prior disciplinary records may also be considered in determining the appropriate sanction.
  - i. Warning
    1. A verbal or written statement that the student has violated University rules, and may be subject to more severe disciplinary action if such behavior continues or is repeated.
  - ii. Restitution
    1. Required reimbursement for damage to or misappropriation of University or any other public or private property. Where this sanction is imposed, the decision shall direct that restitution be made by a certain date. The consequences of failure to make such restitution shall be stated in writing. Restitution may take the form of appropriate services or other compensation.
  - iii. Non-Academic Reflective Activity
    1. Work assignments, essays, service to the University, or other related discretionary assignments.
  - iv. Academic Sanctions
    1. Penalties may include a reduction in coursework grade(s), including, but not limited to participation, assignments, or presentations based on inappropriate classroom conduct.
  - v. Disciplinary Probation
    1. Exclusion from the privilege of using specified facilities of the University or from participating in extracurricular activities of the University, including the holding of any student or student organization office, for a specified period of time, or other terms of disciplinary probation deemed appropriate under the circumstances. The terms of any such disciplinary probation imposed will be specified in writing, and may include the withdrawal of any privileges or services otherwise provided by the University.

- vi. Interim Suspension
  - 1. Immediate exclusion from all University property, University-sponsored events, or designated courses, curriculum offerings or class sections pending a hearing.
- vii. Suspension
  - 1. Exclusion from all University property, University-sponsored events, or designated courses or curriculum offerings or class sections as a student for a definite period of time, not to exceed one year.
- viii. Expulsion
  - 1. Termination of student status and resulting exclusion from attending all University property, functions, or from attending or enrolling in designated courses, curriculum offerings, class sections, programs, or University-sponsored events for an indefinite period of time. If any conditions of readmission are established, they may be stated in the order of dismissal. The President or Board of Directors of Bellevue University may also establish, at any time, conditions upon which a dismissed student may be readmitted to the University.
- ix. Ban and Bar
  - 1. Campus Safety may issue written notices to any person who has been contacted or observed on University property while engaged in any unlawful or unauthorized activity banning and barring such person from University property. Violation of any such notice will be deemed to be trespassing on University property, and the offending party may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. § 28-520 or § 28-521. The term “unlawful or unauthorized activity” shall mean any conduct, act or omission by any person that is in violation of (i) any law, rule, regulation or order of the State of Nebraska or of the United States, or (ii) any policy, rule or regulation of Bellevue University.

8. Non-Academic Appeals

- a. The student may appeal the Dean of Students’ Office’s conduct decision to the Vice President for Strategic Partnerships. The appeal must be in writing, and must be filed with the Vice President for Strategic Partnerships not later than fifteen (15) University business days after the date of the decision. The appeal will be considered only if one of the following conditions is met:
  - i. The decision was contrary to the facts.
  - ii. That there is additional information which is material.



- iii. The proper procedures were not followed; no procedural error shall invalidate the decision unless, in the judgment of the Vice President, the error caused substantial prejudice to/against the student.
- iv. The sanction imposed was inappropriate.
- v. Postponement of any sanctions pending review by the Vice President is at the discretion of the Vice President.
- vi. Review by the Vice President will be limited to a review of the documents submitted as evidence at the meeting and a review of all relevant material. Opportunity for the student to personally discuss the matter with the Vice President shall be at the discretion of the Vice President.
- vii. The Vice President shall send the decision within fifteen (15) University business days on the appeal to the student by certified mail. In addition, the Vice President may communicate with the student by phone or email as well. The Vice President is also responsible for placing a copy of his or her appeal decision in the student's file.

b. The decision of the Vice President shall be final and not subject to further appeal.

Supporting Documentation:	Student Handbook, Student Catalog
Corresponding Publications:	Student Handbook, Student Catalog
Definitions:	See above
Keywords:	Conduct, Academic Dishonesty,
Responsible Office:	Dean of Students' Office
Contact Information:	Dean of Students' Office 402-557-7744
Approved by:	Dr. Mary Hawkins
Effective Date:	March 1, 2017
Review Cycle and Dates:	This policy statement supersedes the previous version of PS 1901, dated December 1, 2014.

APPROVED:

/signed/  
 Dr. Mary Hawkins, Bellevue University President

2/24/2017  
 Date