STUDENT CODE OF CONDUCT

Adopted by the UNM Regents April 14, 1992, Revision approved by the Regents May 12, 1995

It is important for all students to be aware of conduct that will lead to disciplinary action by the University. In order to clarify the types of conduct which shall be considered to affect adversely the University’s educational function, to disrupt community living on campus, or to interfere with the rights of others to pursue their education, to conduct their University duties and responsibilities or to participate in University activities, the Board of Regents hereby adopts the following Code of Conduct for students:

1. SCOPE

The University may take disciplinary action for an offense against the Code of Conduct when the offense occurs on University premises or at University-sponsored events, or when an offense which occurs off campus is such that in the judgment of the Dean of Students, failure to take disciplinary action is likely to interfere with the educational process or the orderly operation of the University, or endanger the health, safety or welfare of the University community. The term "student" includes both full-time and part-time students pursuing undergraduate, graduate or professional studies.

2. MATTERS SUBJECT TO DISCIPLINARY ACTION

Appropriate disciplinary procedures and sanctions shall be applied to any student who commits, or attempts to commit, any of the following acts of misconduct:
2.1. Actions which have great potential for physically harming the person or property of others, including that of the University, or which actually result in physical harm, or which cause reasonable apprehension of physical harm.
2.2. Any type of sexual assault including rape.
2.3. Making false representations to the University, including forgery and unauthorized alteration of documents; unauthorized use of any University document or instrument of identification.
2.4. Academic dishonesty, including, but not limited to, dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or without the University; and nondisclosure or misrepresentation in filling out applications or other University records.
2.5. Substantially interfering with the freedom of expression, movement or activity of others.
2.6. Initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.
2.7. Theft of property or of services. Possession of property that is known to be stolen.
2.8. Failure to comply with the lawful directions of University officials, including campus police officers and other law enforcement officials, acting in performance of their duties.
2.9. Willfully refusing or failing to leave the property of or any building or other facility owned, operated, or controlled by the University when requested to do so by a lawful custodian of the building, facility or property if the person is committing, threatens to commit or incites others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of the University.
2.10. Unauthorized presence in or use of University premises, facilities or property, in violation of posted signs, when closed, or after normal operating hours.
2.11. Illegal use, possession, or distribution of any controlled substance, illegal drug or alcohol.
2.12. Use or possession of fireworks on University premises or at University-sponsored events, unless expressly authorized in writing by the President.
2.13. Use, possession or storage of any weapon on University premises or at University-sponsored activities, unless expressly authorized in writing by the President. Weapon includes, but is not limited to, firearms, ammunition, bombs, explosives, incendiary devices, or other dangerous weapons, substances or materials.
2.14. Misusing University computing resources by intentionally making or receiving, accessing, altering, using,
providing or in any way tampering with files, disks, programs, passwords or hardware belonging to other computer users without their permission.

2.15. Violation of published or posted University regulations or policies, including but not limited to regulations prohibiting discriminatory activity.

2.16. Aid to others in committing or inciting others to commit any act mentioned above.

2.17. Action(s) or conduct which hinders, obstructs or otherwise interferes with the implementation or enforcement of the Code of Conduct including failure to appear before any of the University’s disciplinary authorities and to testify as a witness when reasonably notified to do so by an appropriate University officer.

2.18. Any other acts or omissions which affect adversely University functions or University-sponsored activities, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or otherwise affect adversely the processes of the University.

2.19. Violating the terms of any disciplinary sanction imposed in accordance with this Code.

3. RIGHTS OF STUDENTS IN DISCIPLINARY MATTERS

Students’ rights under the state and federal constitutions are specifically acknowledged and affirmed, including the rights of freedom of speech, freedom of association, freedom of religion, and due process. The provisions of this Code of Conduct shall be construed so as not to infringe upon these rights, as those rights are defined by law.

4. SANCTIONS

4.1. Any student who violates any of the rules set forth in Section 3 above, shall be subject to warning (verbal or written), disciplinary probation, suspension, expulsion, dismissal from University employment, or being barred from campus. Student sanctions imposed under this Code of Conduct shall be imposed pursuant to the Student Standards & Grievance Procedure, or its successor.

4.2. As used in this subsection:

4.2.1. "Verbal warning" means an oral reprimand.

4.2.2. "Written warning" means a written reprimand.

4.2.3. "Disciplinary probation" means the establishment of a time period during which further acts of misconduct may or will result in more severe disciplinary sanctions depending on the conditions of the probation. Conditions of probation can include community service, attendance at workshops and/or seminars including but not limited to alcohol, drug or safety workshops and/or seminars, mandatory mental health evaluation and/or counseling or other educational sanctions.

4.2.4. "Suspension" means losing student status for a period of time specified in the terms of the suspension. A suspension may commence immediately upon a finding of a violation or it may be deferred to a later time.

4.2.5. "Expulsion" means losing student status for an indefinite period of time. Readmission may not be sought before the expiration of two years from the date of expulsion, and it is not guaranteed even after that time.

4.2.6. "Dismissal" means termination of student employment, either for a stated time period or indefinitely.

4.2.7. "Barred from campus" means being barred from all or designated portions of the University property or activities.

4.3. The sanction imposed shall be set based upon numerous factors, including the severity of the offense, the amount of harm created, the student’s record, and sanctions imposed in recent years for similar offenses. In considering the harm created, there shall be taken into account whether any harm or injury was targeted against a person or group because of that person or group’s race, color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition.

5. IMPLEMENTATION

The President of the University may adopt such procedures, rules or regulations as deemed necessary to implement this Code of Conduct.

1. All references to University officers, by title, in this Code shall also include the designee(s) of that officer.