

ARTICLE II: AUTHORITY

1. **Jurisdiction of the University.** University jurisdiction and discipline shall apply to conduct which occurs on university premises or off-campus behavior that adversely affects the University Community and/or the pursuit of the University's objectives. This Code shall apply to students and recognized organizations participating in university-managed or approved study away, study abroad, and events or trips.
 - a. The university conduct system is separate and independent of any criminal or civil proceeding. If a student is undergoing civil or criminal action for the same behavior which forms the basis of alleged misconduct and disciplinary action under this Code, the University may administer the conduct process concurrently.
 - b. The University is not obligated to suspend the conduct process until the conclusion of any related criminal or civil proceedings. The Director may temporarily delay the conduct process while criminal or civil proceedings are pending; however, interim measures may be taken immediately.
 - c. To the extent possible, the University will 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.
 - d. Individual students, staff, and faculty members, acting in their personal capacities, remain free to interact with investigators, attorneys, and prosecutors, as they deem appropriate, subject to controlling law.
2. **Interpretation and Revision.** Proceedings under this Code are administrative and educational in nature and purpose, focused on growth and accountability. University proceedings foster a non-adversarial environment and do not constitute a criminal law process, nor are they intended to resemble one. Formal rules of civil procedure and technical rules of evidence do not apply to these proceedings, though principles of fairness and predictability inherent in such rules inform and provide guidance.
 - a. Typically, the Code of Conduct will be reviewed and updated annually after the end of the academic year. To assure compliance with federal, state, and local laws, orders of the court or other governmental authority, and university rules and policies, the Director may revise the Code of Conduct in consultation with the General Counsel's Office, outside of the normal review and revision periods. If such updates occur and these updates constitute substantive changes (i.e., changes that go beyond formatting edits or corrections of grammatical and spelling errors), the University will provide notice to the campus community.
3. The Director is responsible for interpreting and enforcing the Student Code of Conduct and administering the university-wide conduct system to promote fair, accurate, and prompt resolutions to alleged misconduct in a way that furthers the education, safety, and welfare of the University community. The Director is designated by the Senior Vice Provost of Student Life. In addition, the Director shall:
 - a. Develop policies and forums for the administration of the university student conduct system and procedural rules for the facilitation of hearings.
 - b. Establish sanctioning guidelines to be used by disciplinary bodies as an advisory tool when a Respondent has been found responsible for engaging in prohibited conduct that violates the Code of Conduct.
 - c. Have discretion to investigate or appoint an independent investigator to find additional facts to assist in the prompt, fair, and accurate resolution of any alleged prohibited conduct.
 - d. Consult with an independent investigator, hearing participants, and hearing or appellate body, regarding the procedures required by this Code and controlling law, including ruling on evidentiary and legal questions as needed.
 - e. Act as a neutral Hearing Chairperson, determine findings of responsibility, impose sanctions up to University Dismissal, and review appeals in the absence of a hearing or appellate body to ensure an expedient resolution.
 - f. Preserve the impartiality and fairness of the processes undertaken under this Code, respecting the interests of Complainants, Witnesses, Respondents, hearing personnel, and the importance of the conduct process to the educational mission of the University.
 - g. Support and participate in the University's response to allegations of sexual violence, sexual harassment, and related offenses as described in Article V.D and may advise the work of the independent investigator, in consultation with the university Title IX Coordinator, as needed.
 - h. Select qualified people to serve and participate on Hearing Panels. Persons selected shall receive training and ongoing education to undertake careful, fair, and objective reviews of disciplinary matters consistent with the educational and rehabilitative goals of the university's student conduct system. Every person serving in an official capacity or role under the Code shall receive annual training from the Director or other appropriate university experts appropriate to their position, including training focused on diversity, equity and inclusion, and cultural humility.