MESSAGE FROM THE UNIVERSITY PRESIDENT

Arthur C. Vailas, Ph.D.

Welcome to Idaho State University! We are glad you chose our institution.

At ISU, we offer more than just a classroom experience. As a member of our academic community, I encourage you to take advantage of every opportunity, both in and outside the classroom, to learn and prepare yourself for the future. In addition to being scholars in the classroom and laboratories, our students are making a difference both here and around the world. They volunteer at medical clinics in foreign countries and tutor children here at home. They lead academic honor societies and participate in internships both on campus and in the community, sharing their knowledge and expertise while learning new skills. With more than 250 clubs and organizations, there is truly something for everyone to discover. And if there’s an activity you are interested in that we don’t offer, we’ll help you start it.

Above all, ISU is here to assist you. Please do not hesitate to ask for help whenever you need it. This Student Handbook is a resource guide to support you and ensure that you are aware of ISU policies and our services.

I look forward to seeing you on campus. Go Bengals!

MESSAGE FROM THE VICE PRESIDENT FOR STUDENT AFFAIRS

Patricia S. Terrell, Ed.D.

A university is a special place, where people from differing backgrounds, experiences and ideologies come together to learn, explore, experiment and gain a better understanding of themselves and our world. The opportunities to elevate yourself as a person, accept and expand your responsibilities to others, and lay the foundation for a fulfilling and rewarding life are endless. Our faculty and staff are dedicated to your success, both in and out of the classroom. We stand ready to assist and support you through challenging academic and co-curricular assignments and projects.

The formula for success is tried and true: immerse yourself in your studies; attend all study sessions and complete all assignments; attend class and be engaged while you are there; participate in co-curricular programs such as leadership, service and student clubs and organizations.

You are the reason we are here. Our goal is to serve and support you through the attainment of your educational goals. Together, we make Idaho State University THE place to be. So whether you are a new or continuing student, welcome! Go Bengals!
A BRIEF HISTORY OF IDAHO STATE UNIVERSITY

Idaho State University has served the citizens of the state since 1901 when the institution was first established as the Academy of Idaho. Renamed the Idaho Technical Institute in 1914 and reorganized as the Southern Branch of the University of Idaho in 1927, it was established as Idaho State College in 1947. By action of the 37th Idaho Legislature, the institution became Idaho State University on July 1, 1963.

Idaho State University is a public research institution which serves a diverse population through its broad educational programming and basic, translational, and clinical research. Idaho State University serves and engages its communities with health care clinics and services, professional technical training, early college opportunities, and economic development activities. The University provides leadership in the health professions and related biomedical and pharmaceutical sciences, as well as serving the region and the nation through its environmental science and energy programs.

MISSION STATEMENT

The mission of Idaho State University is to advance scholarly and creative endeavors through the creation of new knowledge, cutting-edge research, innovative artistic pursuits and high-quality academic instruction; to use these qualities to enhance technical, undergraduate, graduate, and professional education, health care, and other services provided to the people of Idaho, the Nation, and the World; and to develop citizens who will learn from the past, think critically about the present, and provide leadership to enrich the future in a diverse, global society.

POLICY STATEMENT

Catalogs, bulletins, course and fee schedules, etc., are not to be considered as binding contracts between Idaho State University and students. The University and its divisions reserve the right at any time, without advance notice, to: (a) withdraw or cancel classes, courses, and programs; (b) change fee schedules; (c) change the academic calendar; (d) change admissions and registration requirements; (e) change the regulations and requirements governing instruction in, and graduation from, the University and its various divisions; and (f) change any other regulations affecting students. Changes shall go into force whenever the proper authorities so determine, and shall apply not only to prospective students but also to those who are matriculated at the time in the University. When economic and other conditions permit, the University tries to provide advance notice of such changes. In particular, when an instructional program is to be withdrawn, the University will make every reasonable effort to ensure that students who are within two (2) years of completing graduation requirements, and who are making normal progress toward completion of those requirements, will have the opportunity to complete the program which is to be withdrawn.

Students enrolled in a program that is closed, relocated, or discontinued should be given notice of the closure as soon as is practical. Notwithstanding any other provision of State Board of Education policy, University policy, or University catalog statements to the contrary, arrangements should be made for enrolled students to complete affected programs in a timely manner and with minimum interruptions. When there is a similar program within the institutions governed by the Board, an affected student will be provided with information on transferring to that program, although admission to any such program is contingent upon the availability of a position and the student’s meeting any applicable admission requirements. If there is no similar program available within the institutions governed by the Board or the student is not able to gain admission to a similar program, the University will make reasonable efforts to place the student in a related or comparable program within the University. If none is available, the University will make reasonable efforts to assist the student in locating to another program at the University or elsewhere for which he or she is qualified.

Idaho State University is committed to providing a positive education for all students. The University has a legal and ethical responsibility to ensure that all students and employees can learn and work in an environment free of harassment and discrimination. It is the ISU policy to prohibit and eliminate discrimination on the basis of race, color, national origin, religion, sex, age, or disability. This policy applies to all programs, services, and facilities, and includes, but is not limited to, recruitment, applications, admissions, access to programs and services, and employment. For additional information and specific contact information, see: http://www.isu.edu/aaction/
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STUDENT RIGHTS AND RESPONSIBILITIES

Student Substantive Rights

A) Freedom of Association
Students are free to organize and to participate in associations of their own choosing, subject only to reasonable University regulations insuring that such associations are neither illegally discriminatory in their treatment of other members of the University nor operating in a manner which substantially interferes with the rights of others. Freedom of association may not be forbidden because of the general political or philosophical orientation of any particular group. However, campus organizations have a strong obligation to avoid representation or giving the impression that their actions reflect the views of the University.

1. The membership, policies, and actions of a student organization usually will be determined by vote of only those persons who are students in the University. Such organizations, to receive recognition within the academic community, must adhere to the organizational criteria.

2. Affiliation with an extramural organization shall not in itself disqualify a student organization from institutional recognition or from the use of University facilities, although reasonable provisions may be made to safeguard the autonomy of a campus organization from domination by outside groups.

3. All student organizations wishing to be officially recognized by the Associated Students of Idaho State University (ASISU) must have an advisor who is a full-time employee of the University. The advisor’s role is to assist the organization, but not to control the activities of the organization. Freedom of association will not be denied if an association is unwilling or unable to secure an advisor.

4. As a condition of recognition, student organizations are required to submit a statement of purpose, criteria for membership, rules of procedure and a current list of officers to the Committee on Student Organizations.

5. A student organization which is found by the Committee on Student Organizations to be operating in a manner that is illegally discriminatory in its treatment of other members of the University community, may have its privileges to use University facilities withdrawn.

B) Freedom of Speech and Assembly
No rule will restrict students’ expression solely on the basis of disapproval of or fear regarding their ideas or motives. Students and student organizations are free to examine and discuss all questions of interest to them and to express opinions publicly and privately. Modes of expression will neither be controlled nor forbidden when they are neither disruptive nor in violation of applicable rules of conduct. Modes of expression or assembly that are manifestly unreasonable in terms of time, place or manner may be forbidden. (Students are also governed by applicable city, state, and federal laws.) Accordingly, defamation, public obscenity, certain incitements to crime, as well as other civil or criminal misconduct under laws applicable to a manner of speech or assembly directly damaging to the rights of others may be subject to institutional redress as specified in the Student Code of Conduct, Rights, Responsibilities and Conduct Code Governance.

1. Students and student associations will always be free to support causes by orderly and peaceful assembly which do not infringe upon the rights of others. The involved students have the responsibility to clarify to the academic and larger community that they represent views of the students or student association and not the University.

2. Student groups are allowed to invite and to hear any person of their own choosing. Routine procedures required by the University before a guest speaker is invited to appear on campus shall be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event. Institutional control of campus facilities shall not be used as a device of censorship. It shall be made clear to the academic and larger community that sponsorship of guest speakers or events does not necessarily imply approval or endorsement of the view expressed. (See University Speakers Policy, page 36.)

C) Freedom of the Press
There will be no ideological censorship in the determination of printed matter on campus; access to publications is not to be denied because of disapproval of content. Regulations of student publications that operate on the same basis as other private enterprises are subject only to the same control as those respecting reasonableness of
time, place, and manner of distribution and those rules and regulations found in the Student Media Board Statement of General Policy http://www.isu.edu/policy/fs-handbook/part6/6_6/6_6a.html.

D) Privacy and Educational Records
To safeguard student privacy, student records are not to be available to unauthorized on-campus and off-campus personnel without the express consent of the student. Students have the right to inspect the official transcripts of their own academic records. They also have the right to inspect reports and evaluations of their conduct, except letters of recommendation and similar evaluations that are prepared on a confidential basis. (See the Family Educational Rights and Privacy Act, i.e., Buckley Amendment, for further details.) However, there are limited exceptions.
Idaho State University may disclose, without consent, “directory” information such as a student’s name, address listings, telephone listings, e-mail addresses, full-time/part-time status, class level, college, major field of study, degree types and dates, enrollment status, club and athletic participation records, and dates of attendance including whether or not currently enrolled. However, a student (or a minor student’s parent) is entitled to request the University not to disclose the student’s directory information.

E) Right of Privacy
Campus authorities will not enter premises occupied by students unless appropriate authorization has been obtained. Residence hall rooms may, however, be subjected to reasonable inspections by staff and resident advisors for order, safety, or cleanliness.
In general, searches may be conducted when there is reason to believe University regulations and/or state and federal laws are being violated. If a search is conducted in the residence halls by campus authorities, application for such search must be made to the Vice President for Student Affairs or his/her designee, who may issue authorization upon reasonable belief that the act being complained of has occurred or is occurring on the premises. The application must specify the reasons for the search and the objects or information sought. The student should be present, if possible, during the search. If a search is conducted anywhere else on campus, for example lockers, desks, etc., authorization must be obtained from the Vice President for Student Affairs or his/her designee.

F) Equal Protection
The University has an obligation and shall apply its rules equally to all students who are similarly situated. This does not mean, however, that the University is required to refrain from taking action against some offenders because there are other offenders who cannot be identified or who are not presently being charged for some other valid reason. In the absence of evidence of illegal discriminatory enforcement, the University may properly take action against some offenders although it is clear that there are other offenders who are not before the student conduct system.

G) Protection from Sexual Harassment
Students have the right to protection from sexual harassment, as defined and addressed in the following policies:
1. ISU Student Conduct Code System
   a) Harassment-Article V.M (page 15) ISUPP: Student Conduct System and
   b) Gender-Based and Sexual Misconduct -Article V.N "(page 15) ISUPP: Student Conduct System
   Information can also be found in the following office.
   Office of the Vice President for Student Affairs
   Pond Student Union Building
   Hypostyle, RM. 204

Where the general enumeration of Student Substantive Rights conflicts with specific laws and provisions of the United States of America, the State of Idaho, the State Board of Education or Idaho State University, the specific laws and provisions would apply.
THE UNIVERSITY STUDENT CONDUCT SYSTEM

Idaho State University Student Conduct Code*

Preamble

ISU’s Student Conduct System is predicated on the premise that communities have the authority and the responsibility to establish standards and expectations for the behavior of its members. The late Dr. Ernest Boyer, President of the Carnegie Foundation for the Advancement of Teaching, identified six principles of community that provide the foundation for ISU’s Student Conduct Code:

Purposeful
A college is an educationally purposeful community, a place where faculty and students share academic goals and work together to strengthen teaching and learning on the campus.

Open
A college is an open community, a place where freedom of expression is uncompromisingly protected and where civility is powerfully affirmed.

Just
A college is a just community, a place where the sacredness of the person is honored and where diversity is aggressively pursued.

Disciplined
A college is a disciplined community, a place where individuals accept their obligations to the group and where well-defined governance procedures guide behavior for the common good.

Caring
A college is a caring community, a place where the well-being of each member is sensitively supported and where service to others is encouraged.

Celebrative
A college is a celebrative community, one in which the heritage of the institution is remembered and where rituals affirming both tradition and change are widely shared.


*ISU gratefully acknowledges that this Student Conduct Code is based on:

The Student Conduct Code (Code) is an expression of behavioral standards that are intended to allow students and others at Idaho State University to live, work, study, recreate, and pursue their educational goals in a safe and secure environment. The Code is crafted to reflect expectations based on values essential to such an environment and to a flourishing academic community, such as honesty, integrity, respect, civility and fairness. The standards are higher than the general law, as our expectations for ISU students, as future alumni and citizen-leaders, are considerable. That said, we strive to recognize and honor core tenets of our society and our academic legacy, such as free speech and expression.

Therefore, much expression that may be offensive or unpopular may not be actionable under this Code. Further, those who administer the Code attempt to craft both hearings and sanctions in a manner that takes into account the developmental issues and educational needs of students.

Students are not only members of the academic community, but they are also citizens of the larger society. As citizens, they retain those rights, protections and guarantees of fair treatment that are held by all citizens. In addition, students are subject to the reasonable and basic standards of the University regarding discipline and maintenance of an educational atmosphere. The enforcement of the student’s duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.
Student Conduct Code

Article I: Definitions

A. “Academic” as used in this policy is synonymous with “scholastic” and refers to school-related endeavors, whether the school is academic, professional and/or technical.

B. “Accused” means any student accused of violating this Student Conduct Code.

C. “Address of record” is the student’s ISU email address and/or the official local address on file with the Office of the Registrar. Notice is considered to have been received if sent to either of these addresses.

D. “Complainant” means any person who submits a charge alleging that a student violated this Student Conduct Code. However, when a student believes that she/he has been a victim of another student’s misconduct, that student will have the same rights under this Student Conduct Code as are provided to the complainant, even if another member of the University community submitted the charge itself.

E. “Faculty member” as used in this policy is defined as a person who is responsible for the teaching of a class or laboratory or other instruction. These terms include professors regardless of rank, instructional staff, graduate assistants, visiting lecturers, and adjunct or visiting faculty.

F. “Idaho State University premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by ISU (including adjacent streets and sidewalks).

G. “May” is used in the permissive sense.

H. “Member of the Idaho State University community” includes any person who is a student, faculty member, Idaho State University official or any other person employed by Idaho State University. A person’s status in a particular situation shall be determined by the ISU Student Conduct Administrator, in conjunction with the Vice President for Student Affairs.

I. “Policy” means the written regulations of the University as found in, but not limited to, the Student Conduct Code, Standards of Residence, the Idaho State University web page and computer use policy, and the Idaho State University Graduate/Undergraduate Catalogs.

J. “Shall” is used in the imperative sense.

K. “Student” includes all persons admitted to and/or taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, whether degree or non-degree seeking, and continuing education classes or programs. Persons who withdraw after allegedly violating the Student Conduct Code, who are not officially enrolled for a particular term but have a continuing relationship with the University or who have been notified of their acceptance for admission are considered students, as are persons who are living in University Housing, although not enrolled in this institution.

L. “Student Conduct Board” means any group of persons authorized by the University Student Conduct Administrator to determine whether a student has violated the Student Conduct Code and to recommend sanctions that may be imposed when a rules violation has been committed.

M. “Student Conduct Official” means an Idaho State University official authorized on a case-by-case basis by the University Student Conduct Administrator to impose sanctions upon any student(s) found to have violated the Student Conduct Code.

N. “Student organization” means any number of persons who have complied with the formal requirements for Idaho State University student organization recognition/registration.

O. “University” means Idaho State University including all locations and centers.

P. “University Student Conduct Administrator” is an individual designated by the Idaho State University President, through the Vice President for Student Affairs, to be responsible for the administration of the Student Conduct Code.

Article II: Student Conduct Code Authority

Students (Article I.K.) are subject to University authority. The Vice President for Student Affairs shall designate the University Student Conduct Administrator who shall identify and train other Student Conduct Officials. The Student Conduct Administrator, Student Conduct Officials and Student Conduct Board are responsible for the discipline of students and may, through the disciplinary procedures specified herein, impose sanctions for rule violations of the
Student Conduct Code. University disciplinary action may be taken in those instances where a case or cases may be pending, in process or concluded in the civil or criminal courts.

The University Student Conduct Administrator, in conjunction with the Student Conduct Board and the Vice President for Student Affairs, may develop policies for the administration of the student conduct system and procedural rules for the Student Conduct Board, including hearings that are consistent with provisions of the Student Conduct Code.

Decisions made by the Student Conduct Administrator, a Student Conduct Board and/or Student Conduct Official shall be final, pending the appeal process.

Article III: Classroom Provisions

While the Office of Student Affairs is generally responsible for addressing student conduct, classroom management and classroom behaviors in violation of behavioral norms are under the jurisdiction of the responsible faculty member. However, a student disciplined by a faculty member for violation of classroom policies may also be subject to charges under the Student Conduct Code. This section describes ISU expectations, student rights, and references to procedures related to student conduct in the classroom. Note: The policies and procedures in this Classroom Provisions section (Article III) are under the direction of Academic Affairs and generally initiated and administered by faculty, academic departments, and academic affairs administration. The Office of Student Affairs can provide assistance and consultation to the university community on these policies and procedures.

Conduct in the Classroom

Classroom conduct is under the direction of the individual faculty member. The following information is provided in order for students to have a better understanding of appropriate classroom conduct.

Freedom in Classrooms

The classroom is the center for study and understanding of the subject matter for which the faculty member has professional responsibility and institutional accountability.

Faculty members should encourage free discussion, inquiry and expression among their students in their quest for knowledge.

Faculty members should hold the best scholarly standards for their disciplines. They should conduct themselves in keeping with the dignity of their profession and should adhere closely to their proper role as intellectual guides and mentors. They should foster honest academic conduct and evaluate their students fairly and accurately. They should respect the confidential nature of the relationship between instructor and student.

Faculty members should avoid exploitation of students for private advantage and should acknowledge significant assistance from them. They should protect student rights as defined herein. Control of the order and direction of a class, as well as the scope and treatment of the subject matter, must therefore rest with the individual instructors. The rules properly reflect the obligation of each student to respect the rights of others in the maintenance of classroom order and in the observance of courtesy and civility common to every intellectual discipline.

1. Students have the right to be informed in reasonable detail at the beginning of each term of the nature of the course, the course expectations, the evaluative standards and the grading system that will be used.
2. Students have the right to take reasoned exception to the data or views offered in the classroom and to reserve judgment about matters of opinion without fear of penalty.
3. Students have the right of protection against improper disclosure of information concerning their professional relationships with faculty. (See the Family Education Rights and Privacy Act, a.k.a. Buckley Amendment, for further details.)
4. Students have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled. (See Scholastic Appeals, page 34 of the Student Handbook or http://www.isu.edu/policy/fs-handbook/part6/6_9/6_9c.html)
Disruptive Behavior in Classrooms and Laboratories
Control of the order and direction of a class or laboratory as well as the scope and treatment of the subject matter rests with the individual faculty member. Disruption of the classroom is forbidden. Each student has the obligation to respect the rights of others in the maintenance of classroom order and in the observance of courtesy and civility. The instructor has the right to impose sanctions in cases of disruptive classroom behavior. Prior to taking such action, however, it is recommended that a faculty member follow these procedural steps.

1. Inform the student that the behavior in question is disrupting the class and request that the student discontinue the behavior.

   In the case of aggressive disruptive behavior, the instructor should ask the student to leave the classroom immediately or initiate action to have the student removed by seeking assistance from ISU Public Safety or the department chair.

   Following an incident of aggressive disruptive behavior, the instructor should promptly notify the department chair and dean's office having jurisdiction over the class, who in turn may contact the Office of Student Affairs and ISU Public Safety in order to determine the appropriate action to be taken. Such action, depending upon the nature and severity of the behavior, may warrant, but not be limited to, any sanction listed in paragraph 3 below.

2. If the disruptive behavior continues (whether in the same or a subsequent class period), the instructor should again direct the student to stop the behavior and ask to meet with the student outside of class (e.g. in the instructor's office) to inform the student that the behavior is disruptive.

   At this point, the instructor should direct the student to review the section "Disruptive Behavior in Classrooms and Laboratories (Article III.C)" of the Student Conduct Code in the Student Handbook and follow up with a letter to the student.

   This letter of notice will be sent to the student's address of record. The letter should describe the specific behavior that is disruptive, reference the warnings given to the student, and state what further actions may take place if the behavior were to continue. The letter will also serve as documentation that may become necessary if the disruptive behavior continues. A copy of the letter should be sent to the chair of the department for the class, the Vice President for Student Affairs and the chair of the student's major department.

3. If the disruptive behavior continues, the instructor's options include:
   a. asking the student to leave the classroom, which may be followed up with a call to ISU Public Safety, if necessary, to have an official escort the student from the room (notify the department chair that this was done);
   b. imposing a grade reduction;
   c. assigning an "F" in the course;
   d. withdrawing the student from the course and/or;
   e. sending a second letter to the chair of the student's major department which may lead to further sanctions, including dismissal from a program or the university.

   If the instructor chooses any of the options b-e, the decision should be made in conjunction with her/his department chair, and the academic dean (or dean's representative) should be notified.

   Sanctions assigned by a professor under this policy may not be avoided by withdrawing from or dropping the class. When sanctions require action by the Registrar, the Registrar shall be notified in writing by the department chair or dean involved in the case.

4. Any student appeal of sanctions imposed due to disruptive behavior in the classroom is made to the dean (or dean's representative) of the college having jurisdiction over the course. The decision of the dean is final for that particular class. In the case of a graduate student, appeals follow the same steps as appeals of grades or
dismissal. The Graduate Council’s decision is final. In neither case is the matter appealable through the scholastic appeals process.

Students and faculty members should be aware that if the department chair or college dean (or dean’s representative) becomes involved, he/she will assess all relevant information and recognize the obligation of fairness to the instructor, the student, and the class.

**Academic Dishonesty***

*At the time of publication, the Academic Dishonesty Policy was under review; it remains subject to change.*

**General**

Academic integrity is expected of all individuals in academe. Behavior beyond reproach must be the norm. Academic dishonesty in any form is unacceptable. Academic dishonesty includes, but is not limited to, cheating and plagiarism.

**Definitions**

**“Cheating”** is using or attempting to use materials, information, or study aids that are not permitted by the instructor in examinations or other academic work. Examples of cheating include, but are not limited to:

1. Obtaining, providing, or using unauthorized materials for an examination or assignment, whether verbally, visually, electronically, or by notes, books, or other means.
2. Acquiring examinations or other course materials, possessing them, or providing them to others without permission of the instructor. This includes providing any information about an examination in advance of the examination.
3. Taking an examination for another person or arranging for someone else to take an examination in one’s place.
4. Submitting the same work or substantial portions of the same work in two different classes without prior approval of the instructor.
5. Fabricating information for any report or other academic exercise without permission of the instructor.

**“Plagiarism”** is representing another person’s words, ideas, data, or work as one’s own. Plagiarism includes, but is not limited to, the exact duplication of another’s work and the incorporation of a substantial or essential portion thereof without appropriate citation. Other examples of plagiarism are the acts of appropriating creative works or substantial portions thereof in such fields as art, music, and technology and presenting them as one’s own.

The guiding principle is that all work submitted must properly credit sources of information. In written work, direct quotations, statements that are paraphrased, summaries of the work of another, and other information that is not considered common knowledge must be cited or acknowledged. Quotation marks or a proper form of identification shall be used to indicate direct quotations.

As long as a student adequately acknowledges sources of information, plagiarism is not present. However, students should be aware that most instructors require certain forms of acknowledgment or references and may evaluate a project on the basis of form, penalizing the student in the grade assigned if citation of sources is improper.

**Penalties for Academic Dishonesty**

a. Any penalty imposed for academic dishonesty shall be in proportion to the severity of the offense.

b. Penalties that may be imposed by the instructor are:

   1. Warning: The instructor indicates to the student that further academic dishonesty will result in other sanctions being imposed.
   2. Resubmission of work: The instructor may require that the work in question be redone to conform to proper academic standards or may require that a new project be submitted. The instructor may specify additional requirements.
(3) **Grade reduction**: The instructor may lower a student’s grade or assign "F" for a test, project, or other academic work.  
(4) **Failing**: The instructor may assign "F" for the course.  
(5) **Failing with notation**: The instructor may assign "F" for the course and instruct the Registrar to place notation indicating academic dishonesty on the student’s permanent transcript.

c. **Penalties that may be imposed at the University level are:**  
   (1) **Suspension from the University**: This is the administrative withdrawal of the offending student by the University. The student is suspended for a length of time, determined by the University, which may depend upon the circumstances that led to the sanction.  
   (2) **Expulsion from the University**: This is the most severe penalty for academic dishonesty and may be imposed by the University for extreme or multiple acts of academic dishonesty. Once expelled, the student is not eligible for readmission to the University.

d. **Combinations of penalties may be imposed.**  
e. **Withdrawal from a course does not exempt a student from penalties for academic dishonesty.**

**Procedures for Determination of Academic Dishonesty and Imposition of Penalties**

The instructor of the course is responsible for initiating investigation of each suspected incident of academic dishonesty. When the instructor witnesses such an incident, has evidence of one, or is informed of one by a witness, the instructor shall proceed as follows:

a. The instructor may intervene and shall gather evidence to see whether further action is necessary.

b. If the instructor feels that a sanction of grade reduction, failing, or failing with notation is warranted, he/she shall discuss the incident with his/her department head or dean. If, after this meeting, the instructor decides not to impose sanctions, then no further action is necessary.

c. If, after the meeting, the instructor decides to proceed, he/she shall inform the student or students involved (orally and in writing) of the evidence of academic dishonesty. The instructor shall meet with the student, consider the student’s response (which should be given orally and in writing), and collect any available evidence and testimony from witnesses. In cases of suspected plagiarism, the instructor may ask the student to supply the references used, and the student must comply with such a request.

d. On the basis of this information, the instructor may decide to impose a penalty. If the penalty is only a warning or a demand that work be resubmitted, then no further action is necessary.

e. If, after those steps, the instructor concludes that academic dishonesty has occurred and decides to impose a sanction of grade reduction, failing, or failing with notation, he/she shall prepare a written incident report. The report shall include the student’s name, the date of the incident, a description of the incident and the available evidence, and the instructor’s decision regarding sanctions. The report shall state the specific sanctions imposed—grade reduction, failing, or failing with notation. The instructor shall keep a copy of the report and send copies to:
   (1) the student,  
   (2) the chairperson (or designee) of the department in which the instructor holds an appointment,  
   (3) the chairperson (or designee) of the department in which the student is a major,  
   (4) the dean (or designee) of the college in which the instructor holds an appointment,  
   (5) the dean (or designee) of the college in which the student is a major, and  
   (6) the Office of the Registrar. A copy of the incident report shall be placed in the student’s permanent file in that office.

The instructor shall also inform the student of the procedures for appeal outlined in Section 5 below.

f. When an "F" with notation is assigned, the Office of the Registrar shall also send a letter to the student informing him/her of the procedures for appeal. Notation indicating academic dishonesty shall be placed on the student’s permanent transcript if:
   (1) the student does not appeal the penalty within the first full semester following the semester in which the alleged incident occurred, or  
   (2) the penalty is upheld in the appeals process.

g. Any student who receives two "F"s with notation is subject to suspension or academic expulsion. When a student receives a second "F" with notation, the Office of the Registrar shall notify the Academic Dishonesty Board; that board will then decide whether the student should be suspended, expelled, or neither, following the procedures in Section B below.
Procedures for Students’ Appeals of Imposed Penalties

a. The student may appeal penalties for academic dishonesty to the dean (or designee) of the college in which the course was offered. This is the final level of appeal for penalties of resubmission of work, grade reduction, or failing without notation that are imposed for academic dishonesty. For a penalty of failing with notation, the final level of appeal is the Provost and Vice President for Academic Affairs.

b. The appeal to the dean (or designee) must be filed, in writing, no later than the next full semester following the semester in which the alleged incident of academic dishonesty occurred.

c. When a student files an appeal, the dean (or designee) shall set a date for a formal hearing to discuss the allegations and sanctions. He/she shall moderate the hearing and keep a written record of it. The hearing shall include the instructor, the student, the chairperson (or designee) of the department in which the instructor holds an appointment, the chairperson (or designee) of the department in which the student is a major, and the dean (or designee) of the college in which the student is a major.

d. If the formal hearing results in the student being exonerated of all charges of academic dishonesty, the dean (or designee) of the college in which the course was offered shall prepare a letter or memorandum stating that the student has been exonerated and requesting that all records about the alleged act of dishonesty be destroyed, other than the dean’s own record of the hearing. The dean (or designee) shall send copies of the letter or memorandum to:
   (1) the instructor,
   (2) the student,
   (3) the chairperson of the department in which the instructor holds an appointment,
   (4) the chairperson of the department in which the student is a major,
   (5) the dean of the college in which the student is a major, and
   (6) the Office of the Registrar. That office shall remove all records about the alleged dishonest conduct from the student’s permanent file.

e. If the student is not exonerated of all charges, then the dean (or designee) of the college in which the course was offered shall send copies of the written record of the formal hearing to parties (1)-(6) above.

f. If the penalty is reduced or rescinded as a result of the hearing, the dean (or designee) of the college in which the course was offered shall direct the Registrar to make any changes in the student’s grade.

g. Penalties for academic dishonesty may not be challenged through the scholastic appeals process.

Article IV: General Conduct Expectations

University Jurisdiction under the Student Conduct Code and its Processes

1. apply to all students (see Article I.K., pg. 7), student organizations (see Article I.N., pg. 7), or other student groups when and if the collective action of such body violates the Code and displays a lack of internal control that may be detrimental to the purposes of the University and/or maintenance of a secure and productive learning environment.

2. apply to student conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University community and/or the pursuit of its objectives.

3. apply to all University locations and centers.

The Vice President for Student Affairs shall decide whether the Student Conduct Code shall be applied to conduct occurring off campus on a case-by-case basis in his/her sole discretion.

Behavioral Expectations for Students

Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded).
The Student Conduct Code shall apply to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending.

These expectations reflect the principles and approach to decisions that we encourage, but not all behaviors that violate these principles may be actionable under this code. Some proscribed behaviors are identified in Article V below; however, this is not an exhaustive list.

1. Idaho State University expects its students to conduct themselves in fundamentally honest and civil ways that encourage trust and display basic integrity, as our very functioning and support depend upon trust placed in us and our credentials by the larger society.
2. Idaho State University values rational discourse, including civil disagreements and the marketplace of ideas. Therefore, we expect that students will engage in discourse and activities that are free and un-coerced; further, other parties will be afforded those same courtesies.
3. Idaho State University expects its students to recognize the core functions and processes of the University and to act in a manner that allows those functions (e.g., learning, teaching, research, free speech) to progress without unnecessary impediments.
4. Idaho State University expects its students to recognize the legal and other rights of each individual and to honor those in the context of interpersonal relationships. Thus, the decision-making autonomy of each person, free from threats or force, is to be respected.

Article V. Rules and Regulations

Any student or student organization found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article VI.D. (Student Conduct Process and Procedural Rights, Sanctions, pg. 24-26):

Acts of Dishonesty

Including but not limited to the following:

1. Possible violations of the ISU Academic Dishonesty Policy are administered separately through academic channels (see http://www.isu.edu/policy/fs-handbook/part6/6_9/6_9b.html, Faculty/Staff Handbook, Part 6, Section 9). Certain behaviors may violate both the Academic Dishonesty Policy and this section, or others, of the Student Conduct Code. In that case, the University Student Conduct Administrator will consult with the relevant department(s) in question and determine whether one process, or both, will be utilized. (See the Student Conduct Code, Article III. D., Classroom Provisions/Academic Dishonesty for a listing of the relevant policy and procedures, pg. 10)
2. Furnishing false information to the University. This includes filing false or intentionally exaggerated reports with Public Safety, the Vice President for Student Affairs, or other University reporting sites.
3. Forgery, alteration, or misuse of any University document, record, or instrument of identification including parking passes.
4. Unauthorized possession, duplication or use of keys or access codes to any University premises or unauthorized entry to or use of University premises.

Theft

Including but not limited to the following:

1. Attempted or actual theft of and/or damage to property of University or property of a member of the University or other personal or public property.
2. Identity theft including assuming the identity of another person for any reason.

Disruption or Obstructive Actions or Activities

Including but not limited to the following:

1. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises. This includes speech that is manifestly unreasonable in time, place or manner such as extended and loud tirades directed at University employees.
Disorderly and/or Irresponsible Conduct
Including, but not limited to the following:
1. Conduct that is disorderly, lewd, or indecent.
2. 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 its community.
3. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

Destruction, Damage, or Misuse of University or Private Property
This includes but is not limited to all University property, whether that property be buildings, library materials, computer hardware, software and network, trees and shrubbery or University files and records; violation of University or student government rules for use of campus facilities; tampering with safety equipment, including but not limited to fire alarms, fire equipment or escape mechanisms and elevators and tampering with safety equipment.

Dangerous Materials
Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on Idaho State University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.

Misuse of Technology
Theft or other abuse of computer facilities and resources, including but not limited to:
1. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
2. Unauthorized transfer of a file.
3. Use of another individual’s identification and/or password.
4. Use of computing facilities and resources to interfere with the work of another student, faculty member or University official.
5. Use of computing facilities and resources to send obscene, harassing, threatening or abusive messages.
6. Use of computing facilities and resources to interfere with normal operation of the University computing system.
7. Downloading, sharing and/or distributing copyrighted materials without the permission of the copyright holder and/or any other use of computing/network resources in violation of copyright law.
8. Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities in addition to University Conduct Code sanctions ranging from warning to expulsion.
9. Any violation of the University Computer Acceptable Use Policy. (See isu.edu/fs-handbook/part3/3_8/3_8c.html)

Libel
A written, published or broadcast malicious statement, made with intent to harm, which is knowingly false.

Slander
A verbal malicious statement, made with intent to harm, which is knowingly false.
Failure to Comply
with directions of Idaho State University officials or ISU Public Safety officials acting in performance of their
duties and/or failure to identify oneself to these persons when requested to do so.

Substantive or Repeated Violations
of any Idaho State University policy, rule, or regulation published in hard copy or available electronically on the
Idaho State University website, including Housing Regulations, may be considered a violation of this Code.

Abusive, Threatening, and/or Intimidating Actions or Activities
Including, but not limited to the following:
1. Physical Abuse,
2. Verbal Abuse,
3. Intimidation,
4. Verbal and Nonverbal Threats, (Threat means the making of statements or engaging in a non-verbal act or
acts that communicate a clear and serious expression of intent to commit an act of unlawful violence to a
particular person, persons or property or has the intent to inflict severe emotional distress.)
5. Coercion,
6. Other conduct which threatens or endangers the health or safety of any person.

Harassment
of any student is absolutely forbidden. It is inimical to the purpose of the University and violates state and federal
laws and the rules and governing policies and procedure of the University. There are several forms of
harassment, all of which are prohibited at Idaho State University. Harassment generally is (a) the malicious or
intentional act(s) of hostile, disturbing, or pestering behavior or speech (oral or written) that has the effect of
bringing physical harm or substantial emotional distress, or seriously limits an individual’s life activities. A
violation may include conduct towards another person or persons including, but not limited to, an individual’s
academic performance, or living conditions, or participation in a University activity;
1. Unwelcome comments or other behavior that creates an intimidating, hostile, or offensive environment for
that individual’s work, education, living conditions, or participation in a University activity;
2. Retaliation against any person filing a conduct complaint or against any person participating in the conduct
process; or
3. Implied or stated threats of violence.

Harassment can occur in an employment setting or in other settings and it can occur between students or from a
faculty or staff member to a student, or vice versa.

In the employment setting, federal and state law, including Title VII of the Civil Rights
Act of 1964 as amended,
The Age Discrimination in Employment Act, and the Americans with Disabilities Act, make it unlawful to harass a
person based on their race, color, national origin, sex, religion, age, or physical or mental disability. Each of these
types of harassment is also misconduct under this Student Conduct Code.

Gender-Based and Sexual Misconduct

Introduction
Members of the University community, guests and visitors have the right to be free from sexual violence. All
members of the campus community are expected to conduct themselves in a manner that does not infringe
upon the rights of others. ISU believes in a zero-tolerance policy for gender-based misconduct. When an
allegation of misconduct is brought to an appropriate administration’s attention, and a respondent is found to
have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never
repeated. This policy has been developed to reaffirm these principles and to provide recourse for those
individuals whose rights have been violated. This policy is intended to define community expectations and to
establish a mechanism for determining when those expectations have been violated.
The University’s Title IX Notice of Non-Discrimination: Sexual and Gender Based Discrimination,
Harassment and Other Sexual Misconduct can be found at the following website link
Overview of Policy Expectations
The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, **there must be clear, knowing and voluntary consent prior to and during sexual activity**. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. **When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction** (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation.

Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and “Yes” may not always mean, “Yes.” **Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "no."**

Sexual Misconduct Offenses

Include, but are not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. **Sexual Harassment is:**
   unwelcome, gender-based verbal and physical conduct that is, sufficiently severe, persistent or pervasive that it, has the effect of unreasonably interfering with, denying or limiting someone's ability to participate in or benefit from the University's educational program and/or activities, and is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

2. **Non-Consensual Sexual Contact is:**
   any intentional sexual touching, however slight, with any object, by a man or a woman upon a man or a woman, that is without consent and/or by force.

   Sexual contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

3. **Non-Consensual Sexual Intercourse is:**
   any sexual intercourse however slight, with any object, by a man or woman upon a man or woman, that is without consent and/or by force.

   Intercourse includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
4. **Sexual Exploitation**

Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include but are not limited to:

a. invasion of sexual privacy;

b. prostituting another student;

c. non-consensual video or audio-taping of sexual activity;

d. going beyond the boundaries of consent within sexual activity (such as, letting your friends hide in the closet to watch you having consensual sex, sharing sexual photos);

e. engaging in voyeurism;

f. knowingly transmitting an STI or HIV to another student:

g. exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals;

h. sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**Additional Definitions and Delineations of Gender-Based and Sexual Misconduct:**

1. **Consent** is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.

- Previous relationships or prior consent cannot imply consent to future sexual acts.

- In order to give effective consent, one must be of legal age.

- Sexual activity with someone who is known to be—or based on the circumstances should reasonably have been known to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a lack of consent and is a Gender-Based Misconduct violation.

- This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs.

**NOTE 1:** Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

2. **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes resistance or produces consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”)

**NOTE 1:** Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**NOTE 2:** There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
3. **Possession, use and/or distribution of any of these substances**, including Rohypnol, Ketamine, GHB, Scopolamine, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at [http://www.911rape.org/](http://www.911rape.org/).

4. **Use of alcohol or drugs** will never function as a defense to a Gender-Based Misconduct violation.

5. **The sexual orientation and/or gender identity** of individuals engaging in sexual activity is not relevant to allegations under this policy. Sexual misconduct can occur with any combination of genders, gender identities/expression, and sexual orientations.

   (For reference to the pertinent state statutes on sex offenses, please see [http://legislature.idaho.gov/idstat/Title18/T18CH66.htm](http://legislature.idaho.gov/idstat/Title18/T18CH66.htm)).

**Sanctions for Sexual Misconduct:**

1. Any student found responsible for violating the policy on **Non-Consensual or Forced Sexual Contact** (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

2. Any student found responsible for violating the policy on **Non-Consensual or Forced Sexual Intercourse** will likely face a recommended sanction of suspension or expulsion.

3. Any student found responsible for violating the policy on **Sexual Exploitation or Sexual Harassment** will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.

The Hearing Board reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial Student Conduct Officials nor any appeals body or university officials will deviate from the range of recommended sanctions unless compelling justification exists to do so.

**Sexual Misconduct: Rights, Reporting and Resources**

ISU encourages all members of the University community to report any and all incidents of sexual misconduct to one of the following:

- ISU Public Safety (208-282-2515)
- ISU Office of Student Affairs (208-282-2794)
- ISU Equal Opportunity/Affirmative Action/Diversity Office (208-282-3964)
- ISU Janet C. Anderson Gender Resource Center (208-282-2805)
- University Housing Department Staff Members (208-282-2120)
- Pocatello Police Department (208-234-6100)
- Family Services Alliance (208-232-0742 or 208-251-HELP)

Preservation of evidence is important. The victim/survivor should not shower or bathe until after an examination by a health care professional.

**ISU provides free counseling, mental and physical health support for complainants/victims/survivors and the accused of sexual misconduct.** In addition, **Family Services Alliance (208-232-0742 or 208-251-HELP (4357))** provides services in the local community.

The complainant/victim/survivor and the accused, if students, are entitled to the same opportunities to have others present during a Student Conduct Hearing.
The complainant/victim/survivor and the accused shall be informed of the outcome of any Student Conduct Hearing alleging a sexual assault.

The complainant/victim/survivor also has the right to have their academic and living situations altered, if requested and reasonably available.

Complainants/victims/survivors of sexual misconduct have the right and ISU encourages victims/survivors to pursue action through the University Student Conduct system (if the alleged perpetrator is a student) and/or the appropriate law enforcement authorities, and/or the courts. The University wishes to encourage victims to report incidents of sexual misconduct and, therefore, reserves the right to waive student conduct charges against victims for circumstances surrounding the incident. For example, a victim who had been an underage drinker would not typically face charges of violating alcohol policies.

**Stalking**

is a course of conduct directed at a specific person that would cause a reasonable person to feel fear. A course of conduct can be defined as a pattern of behavior composed of two or more acts over a period of time, however short, that evidence a continuity of purpose. Stalking behavior includes communicating orally, in writing, or electronically with another individual or remaining in the physical presence of the other person.

**Hazing**

defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act and are violations of this rule, as are violations of the Idaho Hazing Statute §18-917 (http://legislature.idaho.gov/idstat/Title18/T18CH9SECT18-917PrinterFriendly.htm):

1. No student or member of a fraternity, sorority or other living or social student group or organization organized or operating on or near a school or college or University campus, shall intentionally haze or conspire to haze any member, potential member or person pledged to be a member of the group or organization, as a condition or precondition of attaining membership in the group or organization or of attaining any office or status therein.

2. As used in this section, "haze" means to subject a person to bodily danger or physical harm or a likelihood of bodily danger or physical harm, or to require, encourage, authorize or permit that the person be subjected to any of the following:
   a. Total or substantial nudity on the part of the person;
   b. Compelling ingestion of any substance by the person;
   c. Wearing or carrying of any obscene or physically burdensome article by the person;
   d. Physical assaults upon or offensive physical contact with the person;
   e. Participation by the person in boxing matches, excessive number of calisthenics, or other physical contests;
   f. Transportation and abandonment of the person;
   g. Confinement of the person to unreasonably small, unventilated, unsanitary or unlighted areas;
   h. Sleep deprivation; or
   i. Assignment of pranks to be performed by the person.

3. The term "hazing," as defined in this section, does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any group or organization. The term "hazing" does not include corporal punishment administered by officials or employees of public schools when in accordance with policies adopted by local boards of education.
4. A student or member of a fraternity, sorority or other student organization, who personally violates any provision of this section, shall be guilty of a misdemeanor.

Illegal Drugs
Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law. Violation of alcohol or drug regulations may lead to notification of a student’s parents.

The University expects its students to comply with local, state, and federal laws regarding proscribed substances, in addition to institutional policies. We recognize that our society provides certain privileges to its citizens at different age-points, but adapting to these demands, even while perhaps working for their change, is a part of our obligations as free citizens.

### FEDERAL TRAFFICKING PENALTIES—ILLEGAL SUBSTANCES

<table>
<thead>
<tr>
<th>DRUGS/SCHEDULE</th>
<th>QUANTITY</th>
<th>PENALTIES</th>
<th>QUANTITY</th>
<th>PENALTIES</th>
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</thead>
<tbody>
<tr>
<td>Cocaine (Schedule II)</td>
<td>500 - 4999 gms mixture</td>
<td>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $2 million if an individual, $5 million if not an individual</td>
<td>5 kgs or more mixture</td>
<td>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $4 million if an individual, $10 million if not an individual</td>
</tr>
<tr>
<td>Cocaine Base (Schedule II)</td>
<td>5-49 gms mixture</td>
<td></td>
<td>50 gms or more mixture</td>
<td></td>
</tr>
<tr>
<td>Fentanyl (Schedule II)</td>
<td>40 - 399 gms mixture</td>
<td>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $4 million if an individual, $10 million if not an individual</td>
<td>400 gms or more mixture</td>
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</tr>
<tr>
<td>Fentanyl Analogue (Schedule I)</td>
<td>10 - 99 gms mixture</td>
<td></td>
<td>100 gms or more mixture</td>
<td></td>
</tr>
<tr>
<td>Heroin (Schedule I)</td>
<td>100 - 999 gms mixture</td>
<td>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $4 million if an individual, $10 million if not an individual</td>
<td>1 kg or more mixture</td>
<td>Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual, $20 million if not an individual</td>
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<tr>
<td>LSD (Schedule I)</td>
<td>1 - 9 gms mixture</td>
<td></td>
<td>10 gms or more mixture</td>
<td></td>
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<tr>
<td>Methamphetamine (Schedule II)</td>
<td>5 - 49 gms pure or 50 - 499 gms mixture</td>
<td></td>
<td>50 gms or more pure or 500 gms or more mixture</td>
<td></td>
</tr>
<tr>
<td>PCP (Schedule II)</td>
<td>10 - 99 gms pure or 100 - 999 gms mixture</td>
<td></td>
<td>100 gm or more pure or 1 kg or more mixture</td>
<td>2 or More Prior Offenses: Life imprisonment</td>
</tr>
</tbody>
</table>
## PENALTIES

<table>
<thead>
<tr>
<th>Drug Description</th>
<th>Quantity</th>
<th>First Offense</th>
<th>Second Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Schedule I &amp; II drugs (and any drug product containing Gamma Hydroxybutyric Acid)</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine $1 million if an individual, $5 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 30 yrs. If death or serious injury, not less than life. Fine $2 million if an individual, $10 million if not an individual</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>1 gm or more</td>
<td><strong>First Offense:</strong> Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
</tr>
<tr>
<td>Other Schedule III drugs</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>30 to 999 mgs</td>
<td><strong>First Offense:</strong> Not more than 3 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 6 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
</tr>
<tr>
<td>All other Schedule IV drugs</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>Less than 30 mgs</td>
<td><strong>First Offense:</strong> Not more than 3 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 6 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
</tr>
<tr>
<td>All Schedule V drugs</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 2 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.</td>
</tr>
</tbody>
</table>

## FEDERAL TRAFFICKING PENALTIES—MARIJUANA

<table>
<thead>
<tr>
<th>Drug Description</th>
<th>QNT.</th>
<th>1ST OFFENSE</th>
<th>2ND OFFENSE</th>
</tr>
</thead>
</table>
| Marijuana | 1,000 kg or more mixture; or 1,000 or more plants | • Not less than 10 years, not more than life  
• If death or serious injury, not less than 20 years, not more than life  
• Fine not more than $4 million if an individual, $10 million if other than an individual | • Not less than 10 years, not more than life  
• If death or serious injury, mandatory life  
• Fine not more than $8 million if an individual, $20 million if other than an individual |
| Marijuana | 100 kg to 999 kg mixture; or 100 to 999 plants | • Not less than 5 years, not more than 40 years  
• If death or serious injury, not less than 20 years, not more than life  
• Fine not more than $2 million if an individual, $5 million if other than an individual | • Not less than 10 years, not more than life  
• If death or serious injury, mandatory life  
• Fine not more than $4 million if an individual, $10 million if other than an individual |
| Marijuana | more than 10 kgs hashish; 50 to 99 kg mixture  
more than 1 kg of hashish oil; 50 to 99 plants | • Not more than 20 years  
• If death or serious injury, not less than 20 years, not more than life  
• Fine $1 million if an individual, $5 million if other than an individual | • Not more than 30 years  
• If death or serious injury, mandatory life  
• Fine $2 million if an individual, $10 million if other than an individual |
| Marijuana | 1 to 49 plants; less than 50 kg mixture | • Not more than 5 years  
• Fine not more than $250,000, $1 million other than individual | • Not more than 10 years  
• Fine $500,000 if an individual, $2 million if other than individual |
| Hashish | 10 kg or less | • Not more than 5 years  
• Fine not more than $250,000, $1 million other than individual | • Not more than 10 years  
• Fine $500,000 if an individual, $2 million if other than individual |
| Hashish Oil | 1 kg or less | • Not more than 5 years  
• Fine not more than $250,000, $1 million other than individual | • Not more than 10 years  
• Fine $500,000 if an individual, $2 million if other than individual |
Alcohol
Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by Idaho State University regulations). Violation of alcohol or drug regulations may lead to notification of a student’s parents. Alcoholic beverages may not-in any circumstances-be used by, possessed by or distributed to any person under twenty-one (21) years of age.

Alcohol Violations and Policy

1. Regulations
   a. Consumption and possession of alcohol is prohibited in general use areas and University Housing and is permitted only in the living quarters of persons of legal age; e.g., student apartments, and other areas designated by the President with the approval of the State Board of Education. General use areas shall include all University owned, leased or operated facilities, and on-campus grounds. Distribution of alcohol to a minor is prohibited.
   b. Possession and consumption of alcohol by a minor is prohibited.
   c. Possession or consumption of alcohol in areas that are designated as "alcohol free" is prohibited.
   d. If a student violates the Student Conduct Code while under the influence of alcohol, this policy will also apply.
   e. Sale of alcohol, unless authorized by the State Board of Education and with the appropriate licenses and permits, is prohibited.

2. Enforcement
   a. All incidents of alcohol violations shall be reported to the Public Safety Office.
   b. All reports of incidents involving alcohol will be forwarded to the University Student Conduct Administrator.
   c. The University Student Conduct Administrator or his/her designee will be responsible for the following:
      (1) Determining if an incident reported constitutes a violation of the University alcohol policy.
      (2) Recording and tracking all students involved with alcohol violations.
      (3) Notification of the criminal justice system, when warranted, of the behavior of an individual involved in an incident.
      (4) Enforcing sanctions described.

3. Sanctions
   a. Minimum Sanctions
      The sanctions described are minimum sanctions and do not limit the disciplinary power of the University in any matter involving Student Conduct Code violations.
   b. Infractions and Mandatory Sanctions
      (1) First infraction of the Academic Year – The student must attend an alcohol education class and will be placed on University conduct probation.
      (2) Second infraction in the Academic Year without injury or conduct likely to lead to injury – The student is placed on disciplinary probation and, at the student’s expense, must submit to a substance abuse evaluation administered by a qualified authority. The student will provide the evaluation results or authorize the release of the evaluation results to the Vice President for Student Affairs Office.
      (3) Second infraction in the Academic Year with injury or conduct likely to lead to injury – The student is placed on disciplinary probation, and, at the student’s expense, must submit to a substance abuse evaluation performed by a recognized authority. The student will provide the evaluation results or authorize the release of the evaluation results to the Vice President for Student Affairs Office. The University Student Conduct Administrator or designee may share all records of the incident with the Pocatello Police Department or other appropriate law enforcement agencies as deemed necessary.
      (4) Third infraction in the Academic Year without injury or conduct likely to lead to injury – The student is suspended from the University for one academic semester.
(5) Third infraction in the Academic Year with injury or conduct likely to lead to injury – The student is suspended from the University for at least one academic year and all records involving the incident may be shared with the Pocatello Police Department or other appropriate law enforcement agencies as deemed necessary by the University Student Conduct Administrator or designee.

c. Recording Cycle for Violations is One Academic Year
The academic year begins the first day University Housing opens for the fall semester and will continue through the day prior to University Housing opening for the next academic year.

d. Right of Appeal
The student may appeal to the Vice President for Student Affairs. The procedure described in the Student Handbook will apply for all appeals. On-campus residents who live in University Housing and who violate the alcohol policy in on-campus housing will be governed by the policy and appeals process described in the University Housing Standards of Residence Life Handbook.

4. Additional Information – Alcohol Violations
Students who violate the Student Conduct Code alcohol and/or Illegal Drug rules and regulations are subject to disciplinary action through University Housing [http://www.isu.edu/housing/manual.shtml] and/or the University Student Conduct system.

Students may also be subject to arrest and prosecution in cases where state laws have been violated. Sanctions up to and including expulsion may be imposed for drug or alcohol violations. A conviction for violation of state or federal drug laws may jeopardize federal financial aid.

The University will attempt to help students who have an alcohol and/or drug problem and wish to receive assistance in dealing with that problem. The University will not, however, condone illegal activity; continued violation of drug or alcohol policies may result in expulsion.

Misconduct Abroad
Any student, who in any foreign country undertakes study or represents the University otherwise, remains subject to the Student Conduct Code. The University retains discretion, as it considers appropriate, to apply disciplinary action under the Code if the student violates any law, rule or regulation in that country or any institution where that student undertakes study.

Abuse of the Student Conduct System
Including but not limited to:

1. Failure to obey the notice from a Student Conduct Board or University official to set an appointment or appear for a meeting or hearing as part of the Student Conduct System.
2. Falsification, distortion, or misrepresentation of information before a Student Conduct Board.
3. Disruption or interference with the orderly conduct of a Student Conduct Board proceeding.
4. Institution of a Student Conduct Code proceeding in bad faith.
5. Attempting to discourage an individual’s proper participating in, or use of, the student conduct system.
6. Attempting to influence the impartiality of a member of a Student Conduct Board prior to, and/or during the course of, the Student Conduct Board proceeding.
7. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Board prior to, during, and/or after a Student Conduct Code proceeding.
8. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
9. Influencing or attempting to influence another person to commit an abuse of the Student Conduct Code system.

Violation of Law and Idaho State University Discipline
Idaho State University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Conduct Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution.
Proceedings under this *Student Conduct Code* may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the University Student Conduct Administrator in consultation with the Vice President for Student Affairs and General Counsel.

Determinations made or sanctions imposed under this *Student Conduct Code* shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

**Other Acts of Misconduct**

Violations of any local, state, or federal laws and/or any published University policies may be actionable under the *Student Conduct Code*.

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**Article VI: Student Conduct Process and Procedural Rights**

Any member of the Idaho State University community may file a complaint against a student for violations of the *Student Conduct Code*. Most often, the initial report is made to ISU Public Safety. ISU Public Safety will create a standard report and forward it to the Student Conduct Administrator for consideration of a possible *Student Conduct Code* violation. Alternatively, a complaint may be prepared in writing and directed to the Student Conduct Administrator in the Student Affairs Office. Any charge should be submitted as soon as possible after the event takes place. However, there is no statute of limitations on when an alleged violation must be brought to the attention of the ISU Public Safety or Student Conduct Administrator.

The Student Conduct Administrator or Student Conduct Official may conduct an investigation to determine if allegations have merit. If it is determined that an alleged violation has occurred, notice and a request for a meeting will be sent to the student’s address of record (ISU email address and/or the official local address on file with the Registrar’s Office.) Allegations involving more than one accused student may be investigated and adjudicated separately or together, in the sole discretion of the Student Conduct Administrator. If the Student Conduct Administrator determines that the allegations have no merit, no action is taken.

**Administrative Hearing**

If, after investigation of a reported complaint or incident, it is determined that the *Code* violation(s) have merit and subsequently the accused student admits responsibility, the Student Conduct Administrator/Official may offer the accused the option of an expedited administrative hearing. This will be at the discretion of the Student Conduct Administrator and only when a student admits responsibility.

The purpose of the Administrative Hearing is solely to determine the appropriate sanctions. If the accused student does not agree with the sanctions imposed by the Student Conduct Official, then a Student Conduct Board Hearing shall be held. A record of the outcome will be maintained for seven years.

**Student Conduct Board Hearing**

The University Student Conduct Administrator shall strive to a) make the composition of the Student Conduct Board and Appellate Boards represent the University community and b) make the appointments follow the criteria set forth in this document or other official University documents. The University Student Conduct Administrator shall also determine, within the parameters of the *Code*, which Student Conduct Officials shall be authorized to hear each case.

When an accused student disputes the allegations, the Student Conduct Administrator will schedule a Student Conduct Board Hearing. The purpose of the hearing is to determine responsibility and, if found responsible, the appropriate sanctions. Appeals of decisions of the Student Conduct Board are described in Article VI, Section E.

Members of the Student Conduct Board are from the faculty, staff and student body who have volunteered and received training on ISU Student Conduct and due process issues. A Student Conduct Hearing Board is composed...
of no less than three and no more than five members drawn from the Student Conduct Board. The Student Conduct Administrator will make every effort to convene a diverse Board and one that includes students. However, during recess and holiday periods, this may not be possible.

**Student Conduct Board Hearings are held according to the following guidelines:**

1. Student Conduct Board Hearings are private. Only the complainant, accused, their advisors, members of the Hearing Board and Student Conduct Officials may attend. However, at the discretion of the Student Conduct Administrator, other persons may be admitted. Board Hearings are recorded. The recording is the property of the University and maintained according to the University’s record retention policy.

2. The complainant and accused may be accompanied by an advisor. The advisor does not speak directly to that they have accompanied. The complainant and accused are responsible for presenting his or her own information. A student should select an advisor whose schedule permits attendance. No delays shall be granted on the basis of an advisor’s scheduling conflicts. If requested, an advisor will be provided.

3. The complainant and accused may call and question witnesses. All questions asked of witnesses must be directed to the Hearing Board Chair. The names of witnesses who will be called to testify at the hearing and advisor must be provided to the Student Conduct Administrator no less than 48 business hours prior to the hearing. The University cannot compel witnesses to testify. It is the responsibility of the complainant and the accused to persuade their witnesses to attend. In general, character witnesses are inappropriate and do not contribute to fact-finding. Rather the Board’s focus is on witnesses who may have information about the incident(s) in question.

4. The complainant and accused may present evidence (records, exhibits, written statements) of their choosing at the hearing. Whether the evidence is relevant or accepted as information for consideration by the Board is at the sole discretion of the Board Chair.

5. Formal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in *Student Conduct Code* proceedings.

6. All procedural questions and/or exceptions are subject to the final decision of the Board Chair.

7. The complainant and accused will be invited to give opening statements. Then the complainant presents his/her case followed by the accused student’s presentation. The complainant and the accused will have the opportunity to question witnesses through the Board Chair. Lastly, the complainant is invited to give a closing statement followed by the accused.

8. The Board shall go into closed session following the hearing with only hearing board members present. Deliberations are not audio recorded. The Board’s decision shall be based on a *preponderance of the evidence*, whether “it is more likely than not,” that the accused is responsible for the alleged *Code* violation(s). The Board’s decision may be rendered with or without statements of fact or comments.

9. If an accused student or complainant chooses not to attend the hearing, the hearing may commence without his or her presence. However, no assumptions shall be made about the accused student’s responsibility due to his or her absence.

10. The Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused, and/or witnesses during the hearing by providing accommodations not limited to separate facilities, using a visual screen and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the University Student Conduct Administrator as appropriate.
The complainant and accused will be verbally notified by the Student Conduct Administrator of the outcome of the hearing within 24 hours after the Board has reached a decision. Written notification will be sent within three (3) business days.

**Procedural Rights**
The University affords students the following rights in the adjudication of alleged violations of the *Student Conduct Code*.

<table>
<thead>
<tr>
<th>Rights of the Complainant</th>
<th>Administrative Hearing</th>
<th>Conduct Board Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair &amp; Impartial Hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Expeditions Hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Written notification of date/time/place of hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Present evidence; call witnesses; question witnesses</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Be accompanied by an advisor</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Decide not to attend hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Attend hearing but refuse to answer questions</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Receive verbal notification within 24 hours following decision</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Receive written notification of decision within 3 business days</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Right to Appeal Decision</td>
<td>Only for sexual misconduct/sexual harassment</td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rights of the Accused</th>
<th>Administrative Hearing</th>
<th>Conduct Board Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair &amp; Impartial Hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Expeditions Hearing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Written notification of date/time/place of hearing</td>
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<td>Present evidence; call witnesses; question witnesses</td>
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<td>Be accompanied by an advisor</td>
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<td>Yes</td>
</tr>
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<td>Decide not to attend hearing</td>
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<td>Receive written notification of decision within 3 business days</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Right to Appeal Decision</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Sanctions**
1. In keeping with the University’s focus, sanctions may include educational and learning based outcomes as appropriate. The following sanctions may be imposed, singly or in combination, upon any student found to have violated the *Student Conduct Code*:
   a. Verbal Warning – A verbally-delivered notice that the behavior in question failed to meet the core standards of the *Student Conduct Code*.
   b. Written Warning – A written notice to the student that the student is violating or has violated institutional regulations. A record of the warning is kept in the student’s file.
   c. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time. Sanctions may include loss of privileges or benefits. Additional sanctions up to and including suspension or expulsion may occur for a repeat offense.
   d. Loss of Privileges – Denial of specified privileges for a designated period of time, including the privilege of representing the University in official capacities. However, decisions about eligibility to participate in NCAA intercollegiate competitions are reserved to the Department of Athletics.
e. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement. Financial penalties may be added to the student’s ISU financial account.

f. Discretionary Sanctions – Work assignments, essays, service to Idaho State University, or other related discretionary assignments.

g. University Housing Suspension – Separation of the student from ISU University Housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

h. University Housing Expulsion – Permanent separation of the student from University Housing.

i. University Suspension – Separation of the student from Idaho State University for a definite period of time, after which the student is eligible to apply to return. Conditions for readmission may be specified and all sanctions must be completed prior to applying for re-admission. Suspension shall in no case be longer than two calendar years.

j. University Expulsion – Permanent separation of the student from Idaho State University. Expulsion carries with it an automatic appeal to the Vice President for Student Affairs or designee.

k. Alcohol Sanctions – Sanctions have been established for alcohol violations at the University. See Article V.R.3 (Student Conduct Code pg. 18).

l. Revocation of Admission and/or Degree – Admission to or a degree awarded from the Idaho State University may be revoked for fraud, misrepresentation, or other violation of Idaho State University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

m. Withholding Degree – The Idaho State University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

2. A disciplinary sanction becomes part of the student's permanent academic record only as set forth in this paragraph. A student’s permanent academic record includes any disciplinary sanction that comprises:
   a. expulsion, which the University automatically records onto the student’s academic transcript, or
   b. any revocation or withholding of the student’s degree.

3. Each University-related group or organization is offered the privilege to conduct its activities at the University, subject to its compliance with the Code. Accordingly, the University has discretion to impose upon any University-related student group or organization any one or more of the following sanctions:
   a. each sanction described in Article VLD.
   b. loss of any applicable University-related privilege during any time period that the University specifies; and
   c. permanent loss of either University recognition or any other applicable University-related privilege.

Appeals

1. A decision reached or sanction assigned by the Student Conduct Board or by a Student Conduct Official (except in an administrative hearing) may be appealed by the accused student to the Vice President for Student Affairs within five (5) business days of receipt of the decision. Such appeals shall be in writing and shall be delivered to the Office of the Vice President for Student Affairs.

2. Appeals may be heard by either the Vice President for Student Affairs or a three-person board at the discretion of the Vice President for Student Affairs.

3. The appeal shall consist of a conversation with the appellant and a review of the verbatim record of the Student Conduct Board hearing and supporting documents for one or more of the following purposes:
   a. To determine whether the Student Conduct Board hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Conduct Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response
to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

b. To determine whether the decision reached regarding the accused student was based on substantial information for a finding of responsibility.

c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code that the student was found to have committed.

d. To consider new information, sufficient to alter a decision or other relevant facts, not known to the person appealing at the time of the original Student Conduct Board hearing.

4. If the appellate body grants the appeal based on any of the above grounds for appeal, then the following will occur:

a. If there were significant prejudice results from procedural irregularities, the case will be remanded for a new hearing.

b. If there was insufficient information for a finding of responsibility, the Appellate body may either reverse the decision or remand the case for a new hearing.

c. If the sanctions are inappropriate for the violation, either new sanctions may be imposed or the case remanded for a new hearing.

d. If there is new information sufficient to alter a decision or other relevant facts not known to the person appealing at the time of the original hearing, the case will be remanded for a new hearing.

e. A review of the Appellate Board’s decision is available by the President of ISU in cases involving sanctions of suspension or expulsion. A letter requesting such a review shall be submitted to the University Student Conduct Administrator within five (5) business days of receipt of the appellate decision.

f. Sanctions issued following Student Conduct Board hearings shall not be implemented until all appeals have been either exhausted or voluntarily waived.

Disclosure of the Outcome of Student Conduct Hearings to Victims and/or Others
When an alleged Student Conduct Code violation would constitute a crime of violence (e.g., battery, sexual assault), and the alleged violator is found responsible by the Student Conduct Administrator or Board, the University shall disclose the outcome of the Conduct Hearing and the sanction to the victim.

In addition, when the alleged Code violation would constitute a crime of violence and the alleged violator is found responsible, the University, again under applicable Federal Law, retains the right to disclose the name of the violator, the portion of the Student Conduct Code that was violated and the sanctions, to anyone to which that information may be re-disclosed. For a legal reference, see the Family Educational Rights and Privacy Act, §99.31(a)(13), and 20 U.S.C. 1232g.

Interim Suspension
In certain circumstances, the University Student Conduct Administrator, may impose an Idaho State University or residence hall suspension prior to the Student Conduct Board Hearing.

1. Interim suspension may be imposed only:

a. to ensure the safety and well-being of members of the Idaho State University community or preservation of Idaho State University property;

b. to ensure the student’s own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of Idaho State University.

2. During the interim suspension, a student shall be denied access to University Housing and/or to the campus (including classes) and/or all other Idaho State University activities or privileges for which the student might otherwise be eligible, as the University Student Conduct Administrator may determine to be appropriate.

3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.
The student should be notified in writing of this action and the reasons for the suspension. The notice should include the time, date, and place of a subsequent hearing at which the student may show cause why his/her continued presence on the campus does not constitute a threat (and at which they may contest whether a campus rule was violated).

Article VII: Interpretation and Revision

A. Any question of interpretation or application of the Student Conduct Code shall be referred to the University Student Conduct Administrator or his/her designee for final determination.

B. Where the provisions and procedures of the Student Conduct System conflict with specific laws and provisions of the United States of America, the State of Idaho, the policies of the Idaho State Board of Education or Idaho State University the specific laws and provisions would apply.

C. The Student Code shall be reviewed annually under the direction of the Student Conduct Administrator.

D. Student Conduct System case files and official records will be stored in the Office of the Vice President for Student Affairs. The access, storage and destruction of these files and records will be in accordance and compliance with current law, related University policies and the Family Educational Rights & Privacy Act (FERPA).

HOW TO BE A SUCCESSFUL STUDENT AT ISU

ISU has people, facilities, programs, services, and other resources to help students to succeed in college and in life, but it is up to YOU, the student, to seek out these support systems in your pursuit of success. If you have questions or are having problems in your academic or personal life, it is important to ask for help as soon as possible. (While our Pocatello campus has the most to offer, students at our outreach centers can access much support at those sites, or from the Pocatello offices through the web, or by phone. Link to “Other ISU Centers” at www.isu.edu/other.shtml)

Academic Success
Research shows that attending class is the number one factor that contributes to academic success. It also shows that during college, successful students can develop competence, purpose, integrity, and mature interpersonal relationships; manage emotions; establish identity; and move through autonomy toward interdependence (Chickering & Reisser, 1993).

Successful college students also strive to increase their ability to communicate, think critically, reason morally, prepare to function as citizens, live and work effectively with other people in a more global and diverse society, explore a breadth of interests, and prepare for their career (Bok, 2006). To work toward these learning outcomes, be intentional in your approach to learning, and take advantage of the many ISU offices that provide support systems for your academic success.

Healthy Lifestyles
There's more to health and wellness than eating right, getting some exercise and enough sleep, and practicing good hygiene, health and safety habits (although these are solid foundations). To stay at the top of your game, use ISU resources to help you stay active, productive, and feeling good.

Campus Life
Get involved with campus activities to interact with people who share similar interests. Gain valuable experience through hands-on learning by participating in or helping to organize campus activities, or just relax and enjoy some of the many events that ISU has to offer. Check your Bengal e-mail for weekly information updates on the student electronic bulletin board, and pay attention to posters on campus.
ACADEMIC INFORMATION

Attendance Policy
Students are expected to attend all meetings or classes in which they are registered. Each instructor may, consistent with departmental policy, establish such specific regulations governing attendance as may seem suited to a particular course. No one is authorized to excuse a student from class meeting except the instructor in charge of the class. Students who must be absent from class for serious illness, severe weather, religious holidays or approved university activities (e.g., extracurricular athletics, performance groups, student government) should consult with their instructors. Faculty may make reasonable exceptions to their attendance policies as appropriate for the specific class. The student is responsible for any course work missed. Some programs may have requirements that effectively limit absences. Students retain the right to the Scholastic Appeals process (page 34) if they believe they have been unfairly penalized for absence from class.

Withdrawal Procedures
Before the last day to add or drop courses in a semester or session, students may drop and add classes freely. No entry will be made on a student’s transcript for classes dropped during this period. After the last day to add or drop courses, students may withdraw from a class or from all classes until the last day to withdraw from the semester or session. Check the Academic Calendar for the withdrawal date for each semester or session. The time in which withdrawals are allowed is called the Withdrawal Period. A grade of W is recorded on the student’s transcript for each course from which he or she withdraws.

Before Withdrawal Deadline (see Class Schedule for dates):
To initiate a withdrawal from a class prior to the deadline, a student may use BengalWeb. In extreme cases where the student does not have the ability to access BengalWeb, the Office of the Registrar will accept a fully completed Schedule Change card. To withdraw from the University (withdraw from all classes) prior to the deadline, the student may use BengalWeb and withdraw from all classes. In extreme cases where the student does not have the ability to access BengalWeb, the Office of the Registrar will accept a Complete Withdrawal Permit. Students are encouraged to meet with an advisor before withdrawing completely.

After Withdrawal Deadline (see Class Schedule for dates):
After the deadline, all withdrawals are handled by petition to the dean of the college in which the student is enrolled. (College of Technology students should contact the Student Services Office.) The dean will follow the same procedure used in the petitioning process for considering extraordinary academic issues.

Medical Withdrawal Policy*
*At the time of publication, the withdrawal policy was under review; it remains subject to change.

Voluntary (Student-Initiated) Medical Withdrawal
A medical withdrawal request must involve the student being ill or disabled from an illness, not the effects of another person’s illness. It is initiated in the same manner as other withdrawals, as noted above. Only complete withdrawals from the University are eligible to be considered for a medical withdrawal. To initiate a medical withdrawal before the complete withdrawal deadline (consult the Academic Calendar), a student first needs to completely withdraw from all classes through the Office of the Registrar (via a paper form or BengalWeb). When that is done, the student may then apply for a medical withdrawal through the Student Health Center by completing a Medical Withdrawal Application form. This form may be obtained from the Student Health Center, the Office of the Registrar, the Counseling and Testing Center, the Student Services Office in the College of Technology, and the outreach offices of Idaho Falls, Twin Falls, and Meridian. It is also available on ISU’s website. Completed forms should be submitted to the Student Health Center within two weeks (10 working days) of the date of complete withdrawal. The application must include a narrative summary written by the student requesting the medical withdrawal as well as medical documentation from a physician or counselor describing
the problem and their recommendations that withdrawal due to illness is necessary. The Medical Withdrawal Committee then reviews the completed application and determines medical withdrawal eligibility. 

Note: for refund information, see ISU’s Refund Policy and Refunds for Exceptional Circumstances Policy in the ISU Undergraduate Catalog. If you wish to initiate an appeal for refund of fees, please contact Financial Services at 282-2287.

If the complete withdrawal deadline (consult Class Schedule) has passed, a student can still seek a medical withdrawal designation. First, the student fills out a petition for hardship withdrawal through the dean’s office of the college in which the student is enrolled (Arts and Letters for those students not yet affiliated with any college). If the dean (or designee) grants the student a hardship withdrawal, the student may then pursue a medical withdrawal designation as outlined in the above paragraph. The dean (or designee) may choose instead to sign a referral allowing the Student Health Center to examine the evidence (always medically related) and determine whether a withdrawal is warranted. Only if a hardship withdrawal is granted, or a referral is signed by the dean’s office, will the Medical Withdrawal Committee consider a request for a medical withdrawal.

The Medical Withdrawal Committee
The Medical Withdrawal Committee may include the director of the Student Health Center (or designee), the director of the Counseling and Testing Center (or designee), the university controller (or designee), the associate dean of Student Affairs (or designee), and/or the director of the ADA and Disabilities Resource Center (or designee).

Appeal of Denial of Medical Withdrawal
If the medical withdrawal is denied, the student may appeal the decision by written request to the Vice President for Student Affairs. The appeal must be received within one month of the date of denial. The Vice President’s (or designee’s) decision is final.

Medical Readmission
Students who have withdrawn for medical reasons may be required to petition the University Medical Withdrawal Committee for readmission. The decision to require a petition for readmission is based on need for further documentation that the medical condition has been adequately treated and that any necessary accommodations have been prepared to enhance the future academic success of the student. The decision is made at the time that the medical withdrawal is granted. This decision will be included in the letter of notification to the student that the medical withdrawal has been granted.

Students may forward their written petition for readmission to the Medical Withdrawal Committee via the Student Health Center staff. The granting readmission decision is based upon consideration of (1) reports of treatment, (2) letters of recommendation, and in some instances, (3) a personal interview with the medical director.

Appeal of Denial of Readmission
In the event of denial of readmission, the student may appeal to the Vice President for Student Affairs. A written appeal (a letter from the student explaining the circumstances) must be received in the Vice President for Student Affairs’ Office within two weeks (10 working days) of receipt of notification of denial of readmission. The Vice President’s (or designee’s) decision is final.

Mandatory Medical/Psychiatric Withdrawal
The directors of the University Counseling and Testing Services and the Student Health Center are authorized to order a mandatory medical or psychiatric withdrawal in those situations where there is reason to believe that a student is a substantial threat to him/herself or interferes with the welfare of other members of the University or the education process of the institution. These directors may require immediate withdrawal if there appears to be a substantial imminent threat. Either director may request that the student be professionally evaluated by a physician, psychologist, or psychiatrist. The student shall be notified in writing of initiation of the withdrawal process.

If a psychological/psychiatric evaluation is required and the student does not comply within a reasonable time or refuses to comply, mandatory withdrawal may be ordered by either director. The responsible director shall submit a written report to the Medical Withdrawal Committee and the Vice President for Student Affairs summarizing the need for mandatory withdrawal and the reasons for the action. The student and the director will...
have the opportunity to present information to the Medical Withdrawal Committee. The Medical Withdrawal Committee shall convene at the earliest reasonable time for final determination of disposition. If the physician ordering the withdrawal is also on the Medical Withdrawal Committee, another physician from the Student Health Center or the Center director will be appointed to sit on the committee for that case. In the event that mandatory withdrawal is ordered, the student may appeal to the Vice President for Student Affairs. A request for an appeal must be filed in writing to the Vice President for Student Affairs within two weeks of receipt of notification of mandatory withdrawal.

Academic Dishonesty Board Policy

1. Charge and Scope of Academic Dishonesty Board

The Academic Dishonesty Board considers significant infractions of academic honesty. It is the sole body with authority to assign the University-level penalties of suspension or expulsion for academic dishonesty. Cases coming before the Board must be fully documented by evidence. The Board shall not hear matters subject to the jurisdiction of the Judicial Board or general academic complaints that should be referred to a dean or the Provost and Vice President for Academic Affairs. Its decisions are final and may not be challenged through the scholastic appeals process.

2. Procedures

a. Notice from the Registrar that a student has received two "F"s with notation activates the Board. An instructor may also ask the Board to consider suspension or expulsion on the basis of an extreme incident of academic dishonesty. Such a request shall be in writing and shall include complete documentation, including all documents presented at any formal hearing before the dean. Finally, an instructor or administrator may ask the Board to consider suspension or expulsion of a student with multiple penalties for academic dishonesty. Such a request shall again be in writing; it must include the reasons for recommending suspension or expulsion and may include supporting documents.

b. The Academic Dishonesty Board will consist of six voting members:

   (1) a faculty member selected by the chairperson of the Academic Standards Council to serve as chair,

   (2) the ASISU Vice President, who serves as vice chair,

   (3) two members chosen by the Academic Dishonesty Board chair from a pool of faculty members selected by the Academic Standards Council, and

   (4) two members chosen by the Academic Dishonesty Board vice chair from a pool of students selected by the ASISU Senate.

There shall also be a non-voting member from the Office of Student Affairs.

c. Once the Board is constituted, the chair of the Board will supply the names of its members to the Office of Student Affairs and give that office a copy of the notice from the Registrar or the request from an instructor or administrator, along with any supporting documents. The chair will also notify the student, outlining the procedure to come, informing the student that he/she may review the materials in the Office of Student Affairs, and allowing the student a reasonable amount of time to give that office documents in his/her defense.
d. The chair of the Board shall then set a date for a formal hearing, one that allows the student sufficient time to prepare a defense and allows Board members sufficient time to review all the materials held in the Office of Student Affairs, including any submitted by the student. In addition to Board members, the student and the person who initiated the Board review (Registrar, instructor, or administrator) shall be invited and told that, while not entitled to legal counsel, they may choose one ISU student or faculty member to accompany them at the meeting.

e. All members of the Board must be present at the hearing. Neither the student nor the person who initiated the review need be present, however, for the Board to act.

f. After the formal hearing, the Board will vote on whether to suspend or expel the student, or neither. A majority of the voting members must vote for suspension or expulsion for such an action to occur. The length of any suspension shall also be determined by majority vote.

g. The chair of the Board will send a written record of the Board's decision to the Vice President for Student Affairs, who will be responsible for relaying the decision to the student, the Registrar, and the Provost and Vice President for Academic Affairs. The Office of Student Affairs will hold all materials related to the case for at least five years.

h. The Board's decision shall be implemented by the Provost and Vice President for Academic Affairs.

i. When the Board imposes suspension, the Office of the Registrar shall record "Suspension for Academic Dishonesty" on the student's permanent transcript. When the Board imposes expulsion, "Expulsion for Academic Dishonesty" shall be recorded on the student's permanent transcript.

Probation Policies

Scholastic Probation
Note: Graduation, progression, and probation information for students in the College of Technology may be found in the College of Technology section of the Idaho State University Undergraduate Catalog.

Note: Graduate students should consult the current Idaho State University Graduate Catalog for policies and procedures related to probation, program dismissal, related appeals, and associated issues.

At the end of any fall or spring semester, undergraduate students may be placed on probation if the accumulative Idaho State University grade point average does not meet minimum requirements. To maintain "academic satisfactory progress" and avoid probation and/or academic dismissal, a student who has completed up to 25 credits (including transfer credits) must maintain a minimum Idaho State University GPA of 1.75 and a student with 26 or more credits must maintain an Idaho State University GPA of 2.0.

<table>
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<tr>
<th>Credits Attempted (Including Transfer Credits)</th>
<th>Minimum ISU GPA</th>
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<tbody>
<tr>
<td>1-25</td>
<td>1.75</td>
</tr>
<tr>
<td>26+</td>
<td>2.00</td>
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Students on scholastic probation who attain a GPA of 2.0 or higher during the next or subsequent semester after being placed on probation, but whose accumulative GPA is still below the minimum required for their class level, will be on "continued probation."
Students on scholastic probation who attain an accumulative GPA higher than the minimum required on the
scholastic probation scale are automatically removed from probation.

A student on probation will be dismissed at the end of any probationary semester in which the student obtains a
GPA of less than 2.0 unless the student is a freshman and has not attempted 12 or more Idaho State University
credits (not including withdrawals). Students will be notified at mid-semester as to whether they are doing D or F
work in any class. The students’ advisors will also receive this information so they may work with the students to
try to prevent probationary status.
A student on probation who attends summer session, but does not earn a 2.00 semester GPA and does not achieve
the appropriate ISU GPA, will be on continued probation.
A student who has been academically dismissed under scholastic probation rules may take courses for credit at
Idaho State University only during a summer session. If the grades earned during the summer session are
sufficient to bring the ISU GPA above a 2.00 the student will be allowed to attend fall semester.
If a student on dismissal attends during summer and does not earn a 2.00 semester GPA and does not achieve the
appropriate ISU GPA, that student will be placed on "continued dismissal" and must fulfill the previously assigned
layout period during the fall and/or spring semester(s).
A student may petition to audit courses with approval of the instructor and academic dean, or petition the
Readmission Review Board for fall or spring enrollment.
Students will be notified at mid-semester as to whether they are doing “D” or “F” work in any class. The students’
advisors will also receive this information so they may work with the students to try to prevent probationary
status. (Refer to Academic Dismissal and Reinstatement under Petitions in the Idaho State University
Undergraduate Catalog.

Academic Probation

Academic standing is calculated once at the end of the semester. At that time, undergraduate students whose
cumulative Idaho State University GPA does not meet a minimum of 2.0 will be placed on Academic Warning.
Students on Academic Warning are limited to attempting 13 credits for the next semester of attendance, are
required to complete the Online Probation Workshop, and are expected to meet with their academic advisor of
record prior to registering for classes.
Undergraduate students on Academic Warning who do not earn a 2.0 semester GPA (and whose cumulative ISU
GPA is less than 2.0) will be placed on Probation One. Students on Probation One are limited to attempting 9
credits for the next semester of attendance, are required to complete the Online Probation Workshop, and are expected to meet with their academic advisor of record prior to registering for classes.
Undergraduate students on Probation One who do not earn a 2.0 semester GPA (and whose cumulative ISU GPA is
less than 2.0) will be placed on Probation Two. Students on Probation Two are limited to attempting 6 credits for
the next semester of attendance, are required to complete the Online Probation Workshop, and are expected to meet with their academic advisor of record prior to registering for classes.
Undergraduate students on Academic Warning, Probation One, or Probation Two who attain a semester GPA of
2.0 or higher, but whose cumulative ISU GPA is still below 2.0, will remain at their current level of academic
probation (Academic Warning, Probation One, or Probation Two) with the corresponding credit limitation of 13,
9, or 6, as specified above.
Undergraduate students on Academic Warning, Probation One, or Probation Two who attain a cumulative ISU
GPA of 2.0 or higher are automatically removed from warning or probation.
Undergraduate students are notified at mid-semester as to whether they are earning below satisfactory grades in any class. The undergraduate students' advisors will also receive this information so they may work with the undergraduate students to try to prevent probationary status.

**Academic Dismissal**

Undergraduate students on **Probation Two will be dismissed** from the university if they obtain a semester GPA of less than 2.0 (and their cumulative ISU GPA does not meet minimum requirements) unless the undergraduate student is a freshman and has not attempted 12 or more Idaho State University credits (not including withdrawals).

Information on readmission after academic dismissal can be found in the Undergraduate catalog.

**Petition Policies**

An undergraduate student may petition the appropriate college dean or committee for consideration of problems of curricula or admission which are not covered by stated procedures. Curricular petitions must: 1) include a recommendation from the undergraduate student's advisor, 2) a recommendation by the chair of the department offering courses in the subject field or by a special committee overseeing the requirement, and 3) catalog copy of descriptions of courses transferred from other institutions if the course is to be considered in a test of course equivalency. All copies of the petition are to be advanced to the Registrar's Office for action after all signatures are affixed. Decisions may require several weeks, and notice of the result will be mailed to the undergraduate student.

Undergraduate students with extenuating circumstances that warrant a review of the dismissal status may petition the Readmission Review Board (RRB) located in the Academic Advising Center. Petitions must be accompanied by relevant documentation from appropriate sources and a thoughtfully prepared Readmission Statement. The RRB will be guided in its decision by evidence of academic potential and readiness to handle the curriculum in a satisfactory manner; evidence of motivation to pursue an educational goal; evidence of corrective measures undertaken by the undergraduate student. Readmitted undergraduate students will have stipulations placed upon their readmission which may include: repeating courses previously taken, limiting the number of credits attempted, enrolling in specific courses, having regular follow-up with an advisor or faculty member, receiving specific assistance from the Career Center, ADA, or other ISU resources, and/or participating in specified study labs or help groups. The deadline for petitions is August 1st for fall semester and December 1st for spring semester. Decisions reached by the RRB are final.

**Scholastic Appeals**

1. **The scope of scholastic appeals.**

Scholastic appeals apply only to cases of significant infractions of undergraduate or professional student rights as defined by the student code. Only those alleged infractions that lead to a student's dismissal or that adversely affect a student's final grade will be heard. They do not cover matters subject to the jurisdiction of the Student Conduct Board or general academic complaints that should be referred directly to the Chair of the Department, the Dean of the College, and/or the Provost and Vice President for Academic Affairs. It is not a process to evaluate general teaching effectiveness. The scope of a scholastic appeal shall be limited to those cases that are fully documented by evidence. Such evidence includes, but is not limited to, the instructor's course records, course syllabi, examinations, homework, term papers, or letters of affidavit. A scholastic appeal is applicable only for only cases in which the student has already exhausted the normal channels of redress, defined below. The student shall pursue these channels in a timely manner, beginning no later than the next full semester following the semester in which the alleged infraction occurred.
2. The normal channels of redress.
   An aggrieved student should:
   a) Meet with the person or persons most directly involved (normally the faculty member) in an effort to resolve the issues in question, fully disclosing the specific complaint and the relief sought by the student. In some circumstances the Department Chair may decide to hear a complaint without such a meeting.
   b) Present any unresolved issues to the Department Chairperson, if any. For issues pertaining to the College of Pharmacy, the Associate Dean of Pharmacy shall substitute for the Department Chairperson. If the Department Chairperson or Associate Dean of Pharmacy is one of the Faculty named in the complaint, the Dean of the College where the alleged infraction occurred shall appoint another member of the college to act in the Chairperson role for the appeals process.
   c) Present any unresolved issues in a formal hearing before the Dean of the College involved. In the case of dismissal from a program, that is the college in which the program resides; for an appeal of a course grade, it is the college in which the course was offered. At this hearing, parties shall submit written charges, answers, and arguments to the Dean. The Dean shall preserve these documents for use in later appeals to a Scholastic Appeals Board, if such an appeal becomes necessary. Only written charges, answers and arguments presented at the Dean's formal hearing will be subject to review by a Scholastic Appeals Board. The Deans shall be charged with preserving all tangible evidence and all written charges, answers, and arguments submitted at hearings before them. The student must have specifically demonstrated at the formal hearing before the Dean how the alleged infraction led to his or her dismissal from the program or adversely affected his or her final grade in order to pursue an appeal to a Scholastic Appeals Board. The Dean must notify, in writing, the student and faculty member of his or her decision within one week following the formal hearing. The Dean shall have the authority to direct the Registrar to change a student's grade.

Any Department Chairperson or College Dean may elect to utilize an internal committee to assist in making a decision on academic appeals at the departmental and/or college levels. Department Chairs and Deans may interview the student and/or instructor, or conduct any additional investigation deemed appropriate to help in the decision-making process. Nothing contained in these procedures shall act to enlarge or restrict the existing authority, if any, of any Dean or the Provost and Vice President for Academic Affairs to take any action, including the changing of student grades or reinstating a student, outside of the appeals process described herein.

3. The Procedure for an Appeal to a Scholastic Appeals Board.
   a) If the student wants to appeal the decision reached in the formal hearing, he/she must obtain a scholastic appeal petition form from the Office of Dean of Students, and return it there when completed. The completed petition shall include a concise description of the complaint, the signature of the student instituting the petition, and the signatures and comments of the faculty member, Department Chairperson, if any, and the Dean involved, if said persons are still available.
   b) Copies of all written charges, answers, and arguments and all tangible evidence presented at the Dean’s formal hearing shall be made available to the student to attach to the original petition submitted to the Office of Dean of Students. The petition and additional materials will be secured in the Office.
   c) A scholastic appeal petition must be initiated before the end of the semester following the formal hearing. The petition is initiated when the student formally presents his or her complaint to the Office of Dean of Students and requests a scholastic appeals petition.
   d) The Dean of Students will then notify the Chairperson of the Academic Standards Council of the need to consider the petition. The Chairperson will then choose a Chair for the Scholastic Appeals Board, and the rest of the Board will be constituted as described below.

4. Composition of a Scholastic Appeals Board
   A Scholastic Appeals Board will consist of six voting members selected as follows:
   • The Chairperson, a faculty member selected by the Chairperson of the Academic Standards Council.
• The ASISU Vice President, who serves as the Vice Chair of the Scholastic Appeals Board.
• Two members chosen by the Scholastic Appeals Board Chair from a pool of faculty members selected by the Academic Standards Council. The board shall not contain members of the College in which the alleged infraction occurred.
• Two members chosen by the Scholastic Appeals Board Vice Chair from a pool of students selected by the ASISU Senate. The board shall not contain students from the College in which the alleged infraction occurred.
• There shall also be a non-voting member from the Office of Student Affairs.

5. Operating Procedures of a Scholastic Appeals Board.
   a) Once a Scholastic Appeals Board is constituted, the Chair of the Board will supply the names of its members to the Office of Student Affairs. Each member of the Board will be required to review, in a timely manner, the petition and supporting materials held in that Office.

   b) Once all members have informed the Chair that they have reviewed the petition and supporting materials, the Chair will call a meeting of the Scholastic Appeals Board. The appeal petition shall be reviewed at this initial meeting, and a vote shall be taken to determine whether the petitioner should be granted a formal hearing. All members of the Board must be present for a vote to occur, and a majority of the voting members must vote in favor of a formal hearing for one to occur.

   c) If there is no decision to grant a formal hearing, the student’s petition is denied.

   d) If the Scholastic Appeals Board decides to grant a formal hearing, a date for the formal hearing shall be set. Notice of the formal hearing shall be sent to the parties involved in a manner that verifies receipt of notice (tracked US mail, hand delivery w/signature, return-receipt ISU email without confidential specifics, etc.) at least two weeks prior to the hearing. This notice must also inform the involved persons that, while not entitled to legal counsel, each person may choose a single ISU student or faculty member to accompany him or her at the meeting. All members of the Scholastic Appeals Board must be present at the hearing.

   e) After holding the formal hearing, the Scholastic Appeals Board will vote on the issue. A majority vote of the voting members is necessary to uphold the appeal.

   f) Any decision of a Scholastic Appeals Board is final. There is no further appeal.

   g) The Scholastic Appeals Board’s decision shall be implemented by the Provost and Vice President for Academic Affairs.

6. Record Keeping and Notification Requirements.
The Chair of the Scholastic Appeals Board will make a written record of the Board’s decision, and send it to the Dean of Students. The Vice President will be responsible for relaying that decision to the student, the faculty member, the Department Chair, if any, the Dean, the Provost, and the Registrar. The petition and related materials will continue to be securely held in the Office of Student Affairs for at least five years after the issue is decided.

UNIVERSITY POLICIES AND PROCEDURES
Student Representation on University Committees

Student representation on university committees, councils, and boards is among the purest and most important ways for students to participate in the shared governance of the institution. It is one of the most significant ways that a student can make a direct impact on the workings of ISU. Idaho State University has many institutional committees, councils, and boards which invite student participation in a consultative or voting capacity. These groups may be engaged in the business of considering, developing, revising,
and applying university policies, procedures, regulations, and fiscal matters. Prudent stewardship of financial and human resources requires student participation, and the integration of administrative and student input.

In the absence of student representation, sometimes decisions are made and policies are crafted without considering the unique perspective of students, and how they may be affected. This can be, in some cases, a real disservice to students and the institution.

With student representation there is more likely to be a “win-win” outcome of the work done by the committee. When students have a seat at the table where decisions are made, they gain a better understanding of the process of administrative decision-making, and the roles and responsibilities of students in this process. Inclusion of students in this process provides an educational experience that fosters a student’s growth and preparation for citizenship. This participation also gives them useful hands-on experience that can be an impressive addition to their resume.

Students will typically be appointed to a committee assignment by an officer of the student government (ASISU) or invited directly by a specific organization. Contact the Associated Students of Idaho State University (ASISU) student government office to learn about current opportunities for student representation on university committees (at 282-3435 or www.isu.edu/asisu).

University Speakers Policy

Students and student organizations should be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They should always be free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

Students should be allowed to invite and to hear any person of their own choosing. Those routine procedures required by an institution before a guest speaker is invited to appear on campus should be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities should not be used as a device of censorship. It should be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, whether by the sponsoring group or the institution.

Guest speakers, not otherwise associated with the University, are nevertheless accountable for their conduct under valid general laws, and the University may seek the assistance of those laws under appropriate circumstances. While a student organization ought not to be held responsible for unforeseeable illegal actions by a speaker on campus at their invitation, sponsorship with knowledge of the speaker's intent of probable violation may appropriately result in disciplinary action against the sponsoring students, if in fact a violation does occur in connection with that sponsorship. The University is authorized to develop a set of procedures for scheduling and conducting campus events involving guest speakers and/or expressions of student opinion and concern. Such procedures shall be consistent with the intent of this policy and shall be regularly published and made available for the guidance of individual students and members of the institution’s faculty and staff.

No rule should restrict any student expression solely on the basis of disapproval or fear of his/her ideas or motives. At the same time, the fact that students may pursue interests in political action through speech and assembly on campus does not abrogate their accountability as citizens to the constitutional laws of the larger society and the University is entitled to reflect these constraints in its own regulations. Accordingly, willful defamation, public obscenity, certain incitements to crime, as well as other civil or criminal misconduct under the laws applicable to the manner of speech or assembly directly damaging to the rights of others may be subject to institutional redress.
Student Organizations Policy

Various academic, cultural, honorary, professional, religious, service, special interest, and sport clubs exist on campus, as well as national social fraternities and sororities. Contact the Student Organizations Office located in the Student Activities Center in the Student Union for further information. All Student organizations must abide by federal, state, and local laws as well as all University regulations. It is expected that organizations will comply with their own constitution and by-laws. Conduct at social functions and meetings should comply the standards set forth in the Student Code of Conduct.

A. Membership
Only currently employed faculty, staff, and registered students shall be eligible for active membership status in student organizations. Only officially registered students shall be eligible to serve as appointed or elected officers in recognized student organizations. Other persons may be admitted to associate membership if the organization’s constitution or by-laws permit. Associate members may not hold office, preside, officiate, vote, officially represent, or solicit funds on campus on behalf of the organization.

To maintain recognized status, all organizations are required to complete a registration form each fall. This form lists officers, advisors, and club members and is kept on file in the Student Organization Office.

B. Student Organization Recognition Procedures
1. Obtain the “Steps for Establishment of A Recognized Student Organization” from the Student Organizations Office.
2. Meet with the chair of the Committee on Student Organizations regarding any questions or concerns.
3. Submit a proposed constitution to the chair of the Committee on Student Organizations. Provide the appropriate number of copies so that all members of the committee will have a copy.
4. A representative of the organization is required to attend the meeting of the committee when the constitution is reviewed. The committee is charged with assuring that organization constitutions are compatible with the general goals and mission of the ASISU and the University.
5. Upon approval from the committee, a member of the committee will submit the constitution to the ASISU Senate for final approval. Approval by ASISU completes the recognition process.

C. Privileges
Recognized organizations enjoy the privileges of using University facilities for meetings and approved activities, inclusion in University publications, requesting funding from ASISU subject to regulations, co-sponsoring with the Program Board, using the services of the Student Activities Center, conducting fund-raising activities on campus, using the name of the University in their official title, etc.

D. Recognition
Recognition of student organizations shall not be construed as agreement, support, or approval by the University, but only as recognition of the rights of the organization to exist at the University subject to conditions of the by-laws set forth by ASISU.

Sexual Harassment Policy

This policy applies to all students, faculty, and staff.

Harassment on the basis of sex is a violation of Section 703 or Title VII of the Civil Rights Act of 1964 as amended (interim amendment of Guidelines 1604.11 on discrimination because of sex).

Title IX prohibits discrimination in federally assisted education programs against students and employees on the basis of sex. The key provision of Title IX reads: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
A. **Policy**

The sexual harassment of any student, employee or recipient of the services of this University is absolutely forbidden. Idaho State University has designated the University Counseling and Testing Services, the Office of Student Affairs, and the EEO/Affirmative Action Office for receiving complaints of sexual harassment. The investigation of these complaints will be handled by the EEO/Affirmative Action Officer or in his/her absence, an appointed hearing officer designated by the Grievance Committee. Any employee, dean, supervisor, department chairperson, or faculty member who is made aware of an alleged incident of sexual harassment will take immediate action to bring the matter to the attention of the most appropriate University authority who will take immediate action pursuant to this policy.

Sexual harassment of a student is defined as the use of an employee's authority to emphasize the sexuality or sexual identity of a student in a manner which prevents or impairs that student's full employment of educational benefits, climate, or opportunities. It includes faculty behavior that covertly or overtly uses the power inherent in the status of a professor to affect negatively a student's educational experiences or career opportunities on the basis of sexual identity and/or to threaten, coerce or intimidate a student to accept sexual advances or risk reprisal in terms of a grade, a recommendation, a professional growth opportunity or a job.

Sexual harassment of an employee or of an applicant for employment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (1) when a qualified person is denied employment because of another's submission to such conduct, (2) when submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment, (3) when submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, (4) when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment. Additionally, a person who is qualified for but denied an employment benefit because of another's submission to sexual harassment is protected by this policy.

Sexual harassment of a recipient of the services of this University is defined as overt or covert behavior on the part of an employee that has the effect of limiting the individual's opportunity for receiving services by focusing on that individual's sexual identity or sexuality in a way that either threatens, coerces, intimidates the individual or impairs the individual's use of services.

B. **Distribution**

This policy will be disseminated to all students and employees of Idaho State University. Deans, supervisors, and department chairpersons are expected to announce the policy at staff and faculty meetings and make all departmental employees aware of it.

C. **Investigation and Resolution**

1. **Filing**

Employees and students are encouraged to file complaints on the subject through the University's grievance procedure. Due to the sensitive nature of this subject any person or step normally part of the grievance procedure may be bypassed if the complainant feels it is necessary to do so. The offices that are designed for students to file complaints with are: University Counseling and Testing Service, Office of Student Affairs, and EEO/Affirmative Action Office.

If an employee or student so chooses to bypass the grievance procedure, he/she should contact the EEO/Affirmative Action Officer for additional advice on other procedures.

2. **Confidentiality**

Due to damage that could result to the career and reputation of any person falsely or in poor faith accused of sexual harassment, all investigations and hearings surrounding such matters will be designed to the maximum extent possible to protect the privacy of, and minimize suspicion toward, the accused as
well as the complainant. Only those persons responsible for investigating and enforcing civil rights matters will have access to confidential communications.

3. Investigation Procedure
When an employee or student makes an allegation of sexual harassment, the Grievance Committee, its appointee, or the EEO/Affirmative Action Officer will take immediate steps to:

a. Obtain a statement of grievance from the complainant regarding the time, dates, places, and circumstances surrounding the allegations.
b. Discuss the matter with the accused.
c. Obtain statements of witnesses or possible witnesses if any.
d. The EEO/Affirmative Action Officer or in his/her absence an appointed hearing officer designated by the Grievance Committee, shall prepare a report of the investigation and submit it to the highest administrative authority in the University.

4. Action and Resolution
Based on the report, the designated authority shall take immediate and appropriate corrective action. In determining whether alleged conduct constitutes sexual harassment, the designated authority will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts on a case-by-case basis. If there appears to be no foundation to the allegation other than the complaint:

a. No record shall be made of the allegation in either the accused or accuser’s personnel records.
b. A reiteration of the policy against sexual harassment may be appropriate.
c. Bad faith allegations or use of this policy for unintended purposes may result in disciplinary action against the accuser.

If a foundation for the allegation exists, disciplinary action against the offending employee will follow. The disciplinary action will be commensurate with the scope and severity of the occurrence, and may include, but is not limited to, demotion, suspension, dismissal, warnings or reprimands. Additionally, every effort shall be made to provide appropriate relief for the victim.

Statement on Communicable Diseases
This statement applies to cases of any communicable disease occurring on campus such as cases of the more serious communicable diseases including HIV, tuberculosis, hepatitis, SARS, and salmonella carriers.

- It is strongly recommended that the University Medical Director be informed of any newly diagnosed communicable disease. Each reported incident will be handled on a case by case basis, with respect for the person’s right to privacy, and with consideration for protecting his/her own welfare as well as the welfare of others.
- Any Idaho State University student or employee with a positive antibody test for AIDS exposure, or with the actual disease itself, shall not be discriminated against or denied access to the university experience. Every effort also must be made to protect the privacy of the individual. The individual shall be treated as any other student or employee on campus with guidance from the Idaho Administrative Practices Act (IDAPA 16, TITLE 02, chapter 10).
- Each campus department involved in contacting or handling blood or certain risk body fluid, or in which there is a potential for exchange of certain risk body fluids, shall develop individual policies and procedures concerning potential contact with communicable diseases. (There will be a central file of all departmental policies and procedures maintained in the Student Health Center).
- It is the responsibility of each campus department head to ensure annually that all employees are aware of the University statement on communicable diseases and any departmental policies and procedures concerned with communicable diseases. Student Affairs shall disseminate information regarding the University Statement on Communicable Diseases to students. Students participating in course work or activities in academic departments where there exists a reasonable potential for the exchange of certain risk body fluids shall be
made aware of any departmental policies and procedures concerned with communicable diseases by the responsible faculty or staff member.

- The ISU Student Health Center and the University Counseling and Testing Services shall provide counseling to assist students who have a communicable disease or who have concerns regarding communicable diseases.
- The Campus Health Education Committee, as part of its mission, shall coordinate and implement education programs to inform all campus constituencies about AIDS and its transmission, as well as other communicable diseases.
- This statement and associated guidelines will be reviewed and revised on a regular basis according to new information. The responsibility will be assumed by the Campus Health Education Committee.

**Accommodation of Students with Disabilities**

**A. Compliance and Services**
The Americans with Disabilities Act (ADA) is the civil rights guarantee for persons with disabilities in the United States. It provides protection for individuals from discrimination on the basis of disability. The ADA extends civil rights protection for people with disabilities in matters that include transportation, public accommodations, accessibility, services provided by state and local government, telecommunication relay services, and employment in the private sector.

Idaho State University, in the spirit and letter of the law, will make every effort to make reasonable accommodations, according to section 504 of the Rehabilitation Act of 1973 and the ADA. ISU will not discriminate in the recruitment, admission, or treatment of students or employees with disabilities. Students with disability related needs should contact the Director of the ADA & Disabilities Resource Center, Dennis Toney, Mail Stop 8121, (208) 282-3599. TTY 1-800-377-3529

**B. Grievance Procedures**
Students who feel they have been discriminated against based upon a disability and wish to file a grievance shall file such complaints with the EEO/Affirmative Action Office. The investigation and grievance procedures established for acts of illegal discrimination shall apply.

**EEO/Affirmative Action/Discrimination Grievance Procedure**

**A. EEO/Affirmative Action Grievance Committee**
The EEO/Affirmative Action Grievance Committee will review complaints of discrimination by all University personnel. Students and/or employees who complain of harassment or discrimination, or provide information related to such complaints, or oppose harassing and/or discriminating behavior, shall be protected against retaliation. Retaliation is considered as serious and prohibited harassment, and immediate and appropriate disciplinary action, up to and including expulsion, shall be instituted. During the complaint investigation, all parties shall be reminded that retaliation is prohibited.

**B. Grievance Procedures**
1. A grievance procedure is meaningless unless the right to bring complaints before a grievance committee is securely protected before, during, and after formal grievance proceedings.

2. All reasonable steps will be taken by the EEO/Affirmative Action Policy Committee, the EEO/Affirmative Action Grievance Committee, and the University Administration to ensure that no person intimidates, threatens, coerces or discriminates against any individual for the purpose of interfering with, preventing, or retaliating for the intended or actual filing of a complaint, furnishing information, or assisting or
participating in any manner in an investigation, compliance review, hearing, or any other activity related
to the work of the EEO/Affirmative Action Grievance Committee.

Students and/or employees who complain of harassment or discrimination, or provide information
related to such complaints, or oppose harassing and/or discriminating behavior, shall be protected
against retaliation. Retaliation is considered as serious and prohibited harassment and immediate and
appropriate disciplinary action, up to and including expulsion, shall be instituted. During the complaint
investigation, all parties shall be reminded that retaliation is prohibited.

3. Any student or other member of the University community, as well as any individual seeking
employment at Idaho State University who believes that she/he has been subjected to discriminatory
practices or procedures, may informally or formally register a complaint with the EEO/Affirmative Action
Officer. The formal complaint should be a written statement alleging the incident, the person and/or
office perpetrating the discriminatory act, and listing witnesses, if any.

The complaint must be filed no later than 300 days from the date of the last alleged discriminatory
incident. Time limits for filing certain complaints with federal or state agencies may be different than the
filing requirement stated herein. Accordingly, an individual wishing to file with such agencies should
communicate with them to determine applicable filing deadlines.

C. Action by EEO/Affirmative Action Officer
   1. Informal Hearing
      Upon receipt of a formal complaint, the EEO/Affirmative Action Officer will hold an informal hearing
      within ten (10) working days with all parties concerned in an endeavor to resolve the matter.

   2. Forward Complaint to the EEO/Affirmative Action Grievance Committee
      Should the complainant so desire, the EEO/Affirmative Action Officer will forward the formal complaint
      to the chairperson of the EEO/Affirmative Action Grievance Committee. A copy of the letter and the
      formal complaint will be furnished to the person (or office) against whom the complaint is being made.

D. Action by EEO/Affirmative Action Grievance Committee
   1. Review
      Within ten (10) working days of receipt of a complaint the EEO/Affirmative Action Grievance Committee
      will meet to review the case in order to determine, on the basis of jurisdiction, whether to proceed to a
      formal hearing.

   2. Formal Hearing
      a. Should the Committee determine to hold a formal hearing of the case; the following steps will be taken:
         (1) The Chairperson will advise each party of the date, time, and place of the hearing.
         (2) The Committee has the authority to request the appearance before it of any persons who
             may have information pertaining to the case.
         (3) The Committee may request additional written statements and documents from each
             party.
         (4) The Committee will request the names of witnesses to be brought by each party and will
             request the witnesses to appear at the date, time, and place of the hearing.

      b. The Committee will meet and hear relevant testimony and review documents related to the
         allegation. The objective of the hearing will be to ascertain the facts to enable the Committee to make
         reasoned recommendations. To that end, the hearing will be conducted in an orderly fashion,
         allowing the parties a fair opportunity to be heard. The hearing is not a trial and formal rules of
         evidence will not apply. However, the chairperson may limit evidence that is not relevant or
         germane to the issues before the Committee. Generally, the following procedures will be followed:
         (1) All parties are entitled to copies of any documents or other written statements that are
             submitted to the Committee.
(2) All parties are entitled to timely notice of Committee hearings related to the complaint and are ensured sufficient time for preparation for such hearings.

(3) The complainant(s) and the respondent(s) will be present during all testimony.

(4) All parties will ordinarily present their side of the matter, but may be assisted by peer counsel (non-attorney’s) of their choice. Attorneys may not represent any party during the hearing; although the hearing committee may be advised by counsel.

(5) All parties shall have the right of confrontation of witnesses and the right to cross-examine such witnesses.

(6) Hearings will be recorded on audiotape and all written evidence shall be marked for identification and made part of the record. If either party requires transcriptions, the requesting party will pay the cost of the transcript.

(7) Parties have the right to call witnesses and present any evidence they desire, subject to the decision of the Committee on its relevance.

(8) The Committee shall have the right to call witnesses at its discretion.

(9) Parties have the right to be informed in writing of the findings and recommendations of the Committee.

(10) At any time during the hearing the complainant may withdraw his/her complaint. In that event the proceedings will be terminated.

E. Findings
1. Within ten (10) working days of the hearing, the Committee will meet in closed session to discuss and vote upon findings and recommended action.
2. In open session, the Committee will advise all participants of the vote and recommended action(s).
3. The findings and recommendations of the Committee will be made and forwarded to the President of the University through the EEO/Affirmative Action Officer.

F. Outside Agencies
Individuals, including those seeking employment at Idaho State University, may also register complaints with appropriate local, state, or federal agencies.

Student Complaints and Grievances

For a grade appeal, please refer to the Scholastic Appeals Policy.

For an Equal Opportunity/Affirmative Action complaint or grievance, please contact the ISU Equal Opportunity/Affirmative Action and Diversity Office.

For all other complaints/grievances:

A student should first attempt to resolve the complaint informally by meeting with the University instructor and/or official responsible for the rule, policy, procedure, or decision that results in the student’s complaint or grievance. Students seeking advocacy or guidance on this process may consult with the Director of Student Life or delegate

Academic Complaints/Grievances
Students with academic complaints/grievances should first meet with the instructor responsible for the policy, procedure or decision that resulted in the student’s initial complaint/grievance. If the student is still dissatisfied after that meeting, the student should next meet with the instructor’s department head and then with the dean of the college in which the course is offered.

If the complaint/grievance involves an academic policy, the student should first meet with the official responsible for the policy, procedure, implementation or decision. If the student is still dissatisfied after that meeting, the student should next meet with the official’s supervisor.
If, after that meeting, the student is still dissatisfied, the student may appeal the decision, in writing, to the Provost/Vice President for Academic Affairs who shall have ten (10) business days to investigate and render a decision on the student's complaint/grievance. The Provost/Vice President for Academic Affairs may elect to meet with the student or may decide the merits of the case based upon the written appeal. This is the final appeal at the University level.

Non-Academic Complaints/Grievances
Students with non-academic complaints/grievances should first meet with the University official responsible for the policy, procedure or decision that resulted in the student's initial complaint/grievance. If the student is still dissatisfied after that meeting, the student should next meet with the University official's supervisor.

If, after that meeting, the student is still dissatisfied, the student may appeal the decision, in writing, to the Vice President for Student Affairs who shall have ten (10) business days to investigate and render a decision on the student’s complaint/grievance. The Vice President for Student Affairs may elect to meet with the student or may decide the merits of the case based upon the written appeal. This is the final appeal at the University level.

Further Review
A student who is dissatisfied with the institution’s response to their complaint/grievance has one further level of review by the Idaho State Board of Education.

The Idaho State Board of Education Policy (Section III. 19.) states that:

Institution decisions regarding student complaints/grievances shall be reviewed as follows:

a. The Board designates its Executive Director as the Board’s representative for reviewing student complaints/grievances, and authorizes the Executive Director, after such review, to issue the decision of the Board based on such review. The Executive Director may, in his/her discretion, refer any matter to the Board for final action/decision.

b. A current or former student at a postsecondary educational institution under the governance of the Board may request that the Executive Director review any final institutional decision relating to a complaint or grievance instituted by such student related to such individual's attendance at the institution. The student must have exhausted the complaint/grievance resolution procedures that have been established at the institution level. The Executive Director will not review complaints/grievances that have not been reported to the institution, or processed in accordance with the institution’s complaint/grievance resolution procedures.

c. A request for review must be submitted in writing to the Board office to the attention of the Chief Academic officer, and must contain a clear and concise statement of the reason(s) for Board review. Such request must be received in the Board office no later than thirty (30) calendar days after the student receives the institution’s final decision on such matter. The student has the burden of establishing that the final decision made by the institution on the grievance/complaint was made in error. A request for review must include a copy of the original grievance and all proposed resolutions and recommended decisions issued by the institution, as well as all other documentation necessary to demonstrate that the student has strictly followed the complaint/grievance resolution procedures of the institution. The institution may be asked to provide information to the Board office related to the student complaint/grievance.

d. The Chief Academic Office will review the materials submitted by all parties and make a determination of recommended action, which will be forwarded to the Executive Director for a full determination. A review of a student complaint/grievance will occur as expeditiously as possible.

e. The Board office may request that the student and/or institution provide additional information in connection with such review. In such event, the student and/or institution must provide such additional information promptly.

f. The Board’s Executive Director will issue a written decision as to whether the institution’s decision with regard to the student’s complaint/grievance was proper or was made in error. The Executive Director may uphold the institution’s decision, overturn the institution’s decision, or the Executive Director may remand
the matter back to the institution with instructions for additional review. Unless referred by the Executive Director to the Board for final action/decision, the decision of the Executive Director is final.

The Board staff members do not act as negotiators, mediators, or advocates concerning student complaints/grievances.

**Statement of Rights for Victims of Sexual Assault**

The administration of Idaho State University recognizes and supports recent efforts in the legal system and among other institutions to make victims of sexual assault fully aware of their rights and prerogatives. In keeping with this concern, Idaho State University hereby affirms that students who are victims of sexual assault shall be accorded certain rights by the staff of the University Student Affairs Office. For a full enumeration of those rights, contact the University Student Affairs Office, located in the PSUB Hypostyle 204, ext. 2794.

**Sexual Orientation and Gender Identity Policy**

Idaho State University strives to maintain a campus environment where all decisions affecting an individual's education, employment, or access to programs, facilities, or services are based on bona fide occupational or educational criteria such as merit or performance. Factors or personal characteristics that have no connection with such bona fide criteria have no place in the University's decision making. Accordingly, to the extent that it does not conflict with a contractual obligation, federal, state or local law or regulation, it is the policy of ISU that an individual's sexual orientation and gender identity shall not be a basis for institutional decisions relating to education, employment, or access to programs, facilities or services.

This policy is not intended to nor shall in any way be interpreted to infringe upon individual rights guaranteed by state and federal law, or the policies that implement them.

**Substance Abuse Policy**

The purpose of this policy, and the programs listed, is to work toward the prevention of substance abuse in the University community. Goals are to (1) present factual and accurate information regarding the dangers and hazards of drug and alcohol use, misuse and abuse; (2) offer recommendations for alternative behaviors; and (3) provide leadership in the dissemination of information. Through efforts in this area, the University wishes to encourage the creation of an educational environment for its students conducive to making conscientious and healthy decisions when they are faced with the difficult choices associated with the use of legal and illegal drugs and alcohol and to provide a better working environment for the faculty and staff. Education efforts will be directed to all members of the University community: students, faculty and staff. It is the intention of the University to make drug and alcohol awareness and education an important part of the social and academic aspects of campus life.

In addition to the academic development of students, the University recognizes the importance of the health and safety of its students. To further enhance and improve opportunities for students in these areas, the University has developed the following policy and programs specifically related to substance abuse.

The University regards students as adults and as such expects them to take responsibility for their own actions. Many students are in an awkward position in that, for the most part, they are legally adults and have all of the rights and responsibilities thereof, except pertaining to the use of alcohol. The University is obligated to comply with State and Federal laws and to enforce rules and regulations adopted by the State Board of Education.

This policy is implemented for the purposes of enforcement and monitoring of the State Board of Education alcohol rule. The University cannot be responsible for the personal lives and decisions of students; however, if the use or
abuse of alcohol threatens to cause disorder or danger to the members of the University community, others, or campus property, appropriate action will be taken. Enforcement and discipline shall be consistent and due process appropriate for the offense shall be applied in accordance with established University policies and procedures.

A. Rules and Regulations
Rules and regulations regarding drugs and alcohol are enumerated in the Student Code of Conduct; the section pertaining to drugs and alcohol is as follows:

1. Violations
a. Possession or consumption of alcohol is prohibited on University property except as permitted in specified living quarters of persons of legal age (e.g., student apartments, but not individual residence hall rooms), and other areas designated by the President with the approval of the State Board of Education.
b. Distribution of alcohol to a minor is prohibited.
c. Possession of alcohol by a minor is prohibited.
d. Possession or consumption of alcohol in areas that are designated as "alcohol free" is prohibited.
e. If a student violates the Student Code of Conduct while under the influence of alcohol, this policy will also apply.
f. Sale of alcohol, unless authorized by the State Board of Education and with the appropriate licenses and permits, is prohibited.

2. Enforcement
a. All incidents of alcohol violations shall be reported to the Public Safety Office.
b. All reports of incidents involving alcohol will be forwarded to the Dean of Students.
c. The Dean of Students or his/her designee will be responsible for the following:
   (1) Determining if an incident reported constitutes a violation of the University alcohol policy.
   (2) Recording and tracking all students involved with alcohol violations.
   (3) Notification of the criminal justice system, when warranted, of the behavior of an individual involved in an incident.
   (4) Enforcing sanctions described.

3. Sanctions
   a. Minimum sanctions
      The sanctions described are minimum sanctions and do not limit the disciplinary power of the University in any matter involving Code of Conduct violations.
   b. Infractions and Mandatory Sanctions
      (1) **First infraction of the Academic Year.**
      Student must attend an alcohol education class and will be placed on University conduct probation.
      (2) **Second infraction in the Academic Year without injury or conduct likely to lead to injury.**
      Student is placed on disciplinary probation and, at the student’s expense, must submit to a substance abuse evaluation administered by a qualified authority. The student will provide the evaluation results or authorize the release of the evaluation results to the Student Affairs Office.
      (3) **Second infraction in the Academic Year with injury or conduct likely to lead to injury.**
      Student is placed on disciplinary probation, and, at the student’s expense, must submit to a substance abuse evaluation performed by a recognized authority. The student will provide the evaluation results or authorize the release of the evaluation results to the Student Affairs Office. The Dean of Students or his/her designee may share all records of the incident with the Pocatello Police Department or other appropriate law enforcement agencies as deemed necessary.
      (4) **Third infraction in the Academic Year without injury or conduct likely to lead to injury.**
      Student is suspended from the University for one academic semester.
      (5) **Third infraction in the Academic Year with injury or conduct likely to lead to injury.**
Student is suspended from the University for at least one academic year and all records involving the incident may be shared with the Pocatello Police Department or other appropriate law enforcement agencies as deemed necessary by the Dean of Students or his/her designee.

c. Recording Cycle for Violations is One Academic Year. The academic year begins the first day the residence halls open for the fall semester and will continue through the day prior to the residence halls opening for the next academic year.

d. Right of Appeal. The student may appeal to the Dean of Students or to the University Student Conduct Board. The procedure described in the Student Handbook will apply. On-campus residents who live in residence halls and who violate the alcohol policy in on-campus housing will be governed by the policy and appeals process described in the Standards of Residence.

Students who violate the Student Code of Conduct are subject to disciplinary action through the Residence Hall and/or the University Student Conduct system. Students may also be subject to arrest and prosecution in cases where state laws have been violated. Sanctions up to and including expulsion may be imposed for drug or alcohol violations. A conviction for violation of state or federal drug laws may jeopardize federal financial aid.

The University will attempt to help students who have a problem and wish to receive assistance in dealing with that problem. The University will not, however, condone illegal activity; continued violation of drug or alcohol policies may result in expulsion.

The University Counseling and Testing Services shall serve as the department for referral for treatment of substance abuse problems. Upon referral or voluntary contact, the Center will evaluate each situation and either provide counseling and treatment or refer students to other appropriate agencies.

B. Intervention

Students with substance abuse problems usually come to the attention of the University through exhibiting behavior that is not socially acceptable. These people may be referred to the Counseling Center or be dealt with through the student conduct process. Public Safety officers and Student Affairs staff people are trained to identify behavior which is likely to be associated with drug use or abuse. If drugs or alcohol are involved, evaluation and treatment may be required in addition to other appropriate disciplinary action. If evaluation indicates a drug or alcohol problem, treatment may be required for the individual to remain in University residence or continue in attendance at the University.

C. Evaluation and Treatment

The University is here to provide educational service and to this end shall make all reasonable efforts to assist students who seek help.

Confidentiality is assured to anyone who requests help and no disciplinary action will be taken as a result of a student's request for help.

Referrals to the University Counseling and Testing Services may be made in any of the following three ways:

1. Self-Referrals – This is the preferred method. Students may call and make an appointment to meet with a counselor.

2. Voluntary Referrals - This type of referral involves a person identifying a problem in another person and assisting that individual in making an appointment with a counselor or referral agency.

3. Mandatory Referrals - In cases where individuals have demonstrated continued inappropriate behavior due to drugs or alcohol, mandatory evaluation and treatment may be required as a condition of continuing to live in a residence hall or remaining enrolled in the University.

D. Programs for Education and Prevention

The University has established a committee on substance abuse that coordinates campus wide efforts to provide educational programs and services to assist students in solving drug and alcohol related problems. In addition, various groups and living units provide educational programs to students with the goal of presenting factual and accurate information regarding drug and alcohol use, misuse, and abuse.
Recommended guidelines regarding responsible alcohol consumption at off campus locations will be provided to campus organizations. Events that have alcohol consumption as a primary focus shall not be advertised on campus.

**Smoking Policy**

Smoking is prohibited on all property owned, leased or operated by Idaho State University ("University"). This consists of all buildings, including residence halls, all grounds, including exterior open spaces, parking lots, on-campus sidewalks, University-owned streets, driveways, athletic and practice facilities and recreational spaces; and in all University-owned or leased vehicles.

Idaho State University is committed to promoting a healthy and safe environment for students, faculty, staff and visitors. This policy is intended to reduce the health risks related to smoking and secondhand smoke for the campus community. Smoke and tobacco-free policies are becoming a national standard in order to foster a healthy environment in all communities.

Smoking is hereby defined as the burning of tobacco or any other material in any type of smoking equipment, including but not restricted to cigarettes, cigars or pipes. This policy also prohibits e-cigarettes.

Violators of this policy may receive a written violation and warning for a first offense. A second violation will receive a $35 fine and a third violation will receive a $100 fine. Violators may be offered the option of community service in lieu of a fine, at the discretion of Public Safety. In addition, repeat offenders who are visitors may also receive a trespass citation; faculty and staff may be referred to their supervisor and students may be referred to Student Affairs for appropriate actions under this policy.

**Solicitation Policy**

Any student, solicitor, agent, or salesperson operating for his/her own benefit and for interests not directly connected with the University’s interests is not permitted to solicit, advertise on campus, or participate in any University function without the approval of the Executive Director of ISU Student Unions, who serves as the campus Facility Use Coordinator.

Canvassing of the Residence Halls, University Apartments, the Student Union, or other University-owned property is not permitted. This includes door-to-door or person-to-person selling. An agent may visit or conduct business with a student only if invited or requested to do so by that student. Individuals wanting to purchase advertising through established formats should contact the person responsible for the respective advertising medium; (e.g., The Bengal newspaper, Holt Arena, Athletic Program, telephone book, event sponsorship, etc.).

The University reserves the right to deny solicitation rights to any program not in harmony with its role and mission, philosophy, policies, or applicable federal, state, and local laws. Permission to solicit on the ISU campus in no way reflects University endorsement, opinion, or policy.

**Student Unions**

Solicitation for whatever purpose is expressly forbidden unless the Executive Director of ISU Student Unions has granted prior written approval. Solicitations or displays that receive prior approval of the Executive Director are restricted to specific areas so as not to disrupt the flow of traffic. All arrangements must be made through the Pond Student Union Scheduling and Events Services Office or the Bennion Student Union administrative office.
Pond Student Union Vendor Space
Rental space is available for vendors to reserve in the Post Office/Bookstore hallway. Consideration for this space is given to Bookstore promotions first. There will not be space available for vendor use during Bookstore promotions. Arrangements must be made and approved in advance with the Scheduling and Event Services Office.

Food Service
Chartwells has a contract with Idaho State University and is therefore the sole provider of catered food and beverage service for events scheduled in the Pond or Bennion Student Unions and all other facilities on the campus, with the exception of Holt Arena. Due to contractual and Health Department regulations, all sponsors must use the official University Food Service (Chartwells) as the caterer or request in writing to get the food service contractor’s written permission for any exceptions.

The College of Technology Culinary Arts Program is a department within the University and provides some food services for the campus as part of its educational role. It is not the “contract” food service provider.

Publications
Distribution of any publication on the campus must be approved by the Executive Director of ISU Student Unions and may be referred to the Communications Board. The Board reserves the right to regulate the location, manner, duration, and quantity available for distribution.

Posters and Banners
All buildings on campus have specific policies concerning the location of posters and banners. Facility managers should be contacted for approval prior to the posting of any materials.

Campus Recreation Facilities
Solicitation and advertising in Campus Recreation facilities must be in accordance with University policy and must be in the best interests of faculty/staff/students of the University. Prior authorization must be obtained from the office of the Director of Campus Recreation (Room 242, Reed Gymnasium). This includes students, organizational representatives, and salespersons of any kind.

Holt Arena
Solicitation and advertising in Holt Arena must be in accordance with University policy and be in the best interests of the students of the University. The Holt Arena Manager will evaluate each request on this basis prior to the event.

Food service in Holt Arena operates on an in-house basis. Permission for food/beverage sales by student organizations must be obtained from the Holt Arena Manager.

Housing
Business, Sales, and Non-Commercial
A. Door-to-door solicitation for sales, business, or non-commercial organizations is prohibited in the residence halls and apartment complexes. Agents may visit or conduct business with residents in the privacy of an assigned room or apartment of such facilities upon invitation of the resident.

B. A business, sales, or non-commercial organization, at the discretion of the Director of University Housing, may rent space in a public area in a residence hall or apartment complex.

Political Campaigning
A. Door-to-door campaigning for ASISU, local, state and national office is not allowed in the residence halls. The hours for door-to-door campaigning at apartment complexes are from 10:00 a.m. to 9:00 p.m.
B. Residents are allowed to post campaign posters on their doors and windows as long as they are not permanently affixed and do no damage to such facilities. Candidates cannot post campaign materials on a resident's door or window without the resident's permission.

C. Candidates may campaign in the Towers Dining Commons during dining hours. To reserve an information table, contact the Towers Dining Commons Manager at 282-4319.

D. Campaign posters, fliers, or other literature may be posted on designated bulletin boards in residence halls and apartments.

E. Public areas may be reserved for informational tables and individual candidate forums through the Director of University Housing. Residence Hall floor lounges and TV lounges may not be used for these purposes.

F. Harassment of residents, trespassing, or violation of any law, ordinance, or other University regulation is prohibited.

Student Organization Recruitment
- A. Recognized ISU student organizations are allowed to recruit members in the residence halls and apartment complexes with written permission from the Director of University Housing, 48 hours in advance.

- B. Student organizations, at the discretion of the Director of University Housing, may reserve space in a public area in the residence halls or apartment complexes.

Parking

All parking on campus requires a purchased permit. The Parking Office provides permits, visitor passes, and various other parking services. If you do not regularly drive to campus, but find it necessary on occasion, one day parking permits are available. If you don't obtain a permit, you will be cited. If you ever believe you unjustly received a ticket, you may make an appeal within seven school days. The Student Traffic Appeals Board consists entirely of students; they will review your appeal and recommend appropriate action to the Parking Office. For more information, call the Parking Office at 282-2625.

The mission of the ISU Parking Office is to provide sufficient parking to meet the needs of the campus community, ensure a safe parking environment, and to regulate the use of university parking facilities by enacting rules and procedures that will establish the fair and orderly administration of campus parking. NOTE: ISU parking permits are not valid in posted residential areas.

Vehicle Towing Policy

Motor vehicles may be towed from any campus area if allowed to stand in violation of local or state codes, or left in any position which constitutes a hazard (e.g., blocking a fire lane or fire hydrant; blocking or obstructing traffic flow; in a driveway, loading zone, service road; or otherwise tending to cause injury or danger to the public.

Parking privileges may be revoked and vehicles towed for violation of University parking rules and regulations. Cause for revocation may include non-payment of fines, the unauthorized use and/or altering of parking permits, acts of vandalism to parking control facilities or equipment, abuse of parking control staff, or being an habitual violator. A habitual violator is defined as anyone who repeatedly violates the ISU parking regulations.
When a vehicle has incurred parking citations of at least $50, a notification letter will be sent to the driver or to the registered owner of the vehicle. The letter will identify the amount owed and advise that all campus parking privileges have been revoked, that the vehicle will be removed from University property at the owner’s expense, that a hold will be placed on records until all fines are paid in full, and that the account will be turned over to collection. In addition, the matter may be referred to the appropriate authorities for consideration of disciplinary action.

If the car is found on campus, a bright orange tow warning will be affixed to the driver’s side window indicating a three-day grace period in which to make arrangements with the Parking Office to either pay the fines in full or enter into a repayment agreement. If the car is found on campus after the three-day grace period and no arrangements have been made with the Parking Office, the vehicle will be towed from campus by an authorized towing service at the owner’s expense.

*ISU Administration Encourages Parking at Holt Arena with the Appropriate Permit and Utilizing Transit.*