

# Conduct Guidelines and Grievance Procedures for Students - Code of Student Conduct

<b>Subject</b>	Student Success
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## 100.00 Introduction and Purpose

Montana State University (“MSU” or “University”) is a learning-centered community committed to excellence, integrity, inclusion, collaboration, curiosity, and stewardship. Students are essential partners in advancing the University’s educational mission through responsible decision-making, respectful engagement, and active participation in campus life.

The Code of Student Conduct (Code) establishes community standards and procedures that support a safe, respectful environment conducive to learning, research, and service. The Code is intended to be educational in nature and is designed to help students understand community expectations, their rights and responsibilities, and the processes the University uses to address concerns.

This Code sets clear standards and expectations for student members of the academic community and explains how the University responds when those expectations are not met, with the goal of supporting learning, accountability, and a safe and respectful educational environment for all.

## 110.00 Definitions

For the purposes of the Code, the following definitions apply:

**Advisor** means a person selected by a student to provide support and advice during a student conduct process. Advisors may consult privately with the student but may not speak on the student’s behalf unless otherwise required by law or as approved as a reasonable accommodation. Typically, advisors are members of the campus community, but students may select whomever they wish to serve as their advisor, including attorneys, at the student’s own expense. The availability of an advisor shall not delay proceedings.

**Complainant** means the University or the individual who makes a complaint alleging a violation of the Code of Student Conduct.

**Conduct Hearing Board** means a group of five individuals authorized by the Dean of Students to conduct a student conduct hearing and determine responsibility. The hearing board will be comprised of:

1. One professional staff member selected by the Dean of Students;
2. Two faculty members selected by the Dean of Students; and
3. Two student members selected by the Dean of Students, after consultation with the President of [Associated Students of Montana State University](#), unless there is a potential conflict.

The Dean of Students will select one hearing board member to serve as the presiding officer.

**Conduct Officer** means a person authorized by the Dean of Students to manage conduct cases.

**Days** mean business days unless stated otherwise. The University may extend or waive any deadline herein upon a determination of good cause. Good cause will include circumstances such as the impact of academic calendar breaks or holidays, other causes beyond the party's control (e.g., illness, death in the family), or other circumstances that support a determination of good cause.

**Hearing Officer** means the individual authorized by the Dean of Students to preside over a Student Conduct Hearing and determine an outcome.

**Notice** means official communication sent to a student's University-issued email address. Students are responsible for regularly monitoring their University email.

**Respondent** means any Student or Student Organization alleged to have violated the Code.

**Student** means any person admitted, registered, or enrolled in any University course or University program, whether full-time or part-time, including those pursuing an undergraduate, graduate, professional degree, or certificate program, as well as non-degree seeking students and those auditing courses. Individuals solely enrolled in University extension courses or outreach programs shall not be considered students under the Code. Student status shall end two calendar years after the conclusion of the Student's last registered University course unless the Student has formally withdrawn, graduated, or been expelled from the University, in which case the Student status shall end on the date of withdrawal, graduation, or expulsion.

**Student Organization** means any group of university students meeting the University's criteria for organizational recognition or registration established by the University or its units, colleges, or departments. Jurisdiction is retained for behavior that occurred when the Student Organization was recognized or registered, regardless of current status.

**Substantial University Interest** refers to:

1. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of self or others, to University property, or to those within the University community;
2. Any conduct that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder, on University property or to those within the University community.

**University** means Montana State University and Gallatin College, including any programs regardless of location.

**University Community** is made up of the students, faculty, and staff of Montana State University, along with their guests and campus visitors.

**University Official** means a University employee or other authorized individual having assigned University responsibilities who is performing their University duties. For any role within the Code where a specific University Official is listed, another University employee may be delegated authority to perform certain parts of their responsibilities when necessary due to conflict of interest, unavailability, administrative necessity, or other good cause.

## 200.00 Students Rights and Responsibilities

Students are members of a shared academic community and are expected to conduct themselves in ways that support learning, safety, mutual respect, and personal responsibility. This section outlines both the rights students are afforded and the responsibilities they share in contributing to a positive, inclusive, and productive University environment. These expectations apply in classrooms, residence halls, online environments, and other settings connected to University sponsored programs and activities.

### 200.10 Student Responsibilities

Students are responsible for engaging constructively in their academic and campus experiences and for meeting reasonable expectations that support teaching, learning, and the effective functioning of the University. Student responsibilities include, but are not limited to, the following:

1. Engage responsibly in academic activities, including attending classes, preparing for coursework, completing assignments, and participating in required academic assessments consistent with course and academic requirements;
2. Conduct themselves in a manner that supports a productive learning environment, including refraining from disruptive behavior in classrooms, online courses, laboratories, and other learning settings;
3. Uphold standards of academic integrity, including the honest representation of their work, appropriate citation of sources, and respect for the academic contributions of others;

4. Comply with course-specific and University-wide expectations, including standards communicated by instructors, in course syllabi, by departments, and applicable University policies;
5. Communicate and cooperate appropriately with instructors and University officials, including responding to official communications and making reasonable efforts to meet when requested;
6. Use [University Student Email](#) as the primary means of University communication and remain responsible for information delivered to their designated University email address.

## 200.10 Student Bill of Rights

All University students, as diverse and valued members of the University, are members of an academic community of scholars and learners and are guaranteed certain freedoms and rights under, and subject to, University and Montana University System policies, as well as applicable Federal and State laws.

1. All students have the right to a safe living and learning environment that emphasizes the dignity and worth of every member of the community.
2. Students have the right to assemble, petition for redress, and peacefully protest.
3. Students have the right to free inquiry, to engage in an exchange of ideas, and to express opinions on campus.
4. Students have the right to the privacy of their education records.
5. Students have the right to a fair, prompt, and clearly defined process for addressing allegations of academic and conduct violations.
6. Students have the right to participate in institutional governance, including fee and policy matters, through the Associated Students of Montana State University (ASMSU).
7. Students have the right to expect faculty and staff to perform their duties in accordance with University policies and expectations.
8. Students have the right to pursue a curriculum in their approved program of study that enables timely graduation.
9. Students have the right to report policy violations to the University administration.

10. Students have the right to express ideas and share concerns with the University administration and ASMSU, which must be heard and considered.

ASMSU and the Office of the Dean of Students are available to provide information and guidance to students who believe that the rights described above have been violated.

## 200.20 Students Representing the University in Recognized Events

A student officially representing the University in athletic events, government, performance, research presentation, or in similar official capacities, is entitled to the rescheduling of exams or important assignments due to required absences. Students are expected to provide course instructors with official notification of scheduled activity(ies) from the sponsoring department (such as [Athletics](#), [academic department](#), [Office of Student Engagement](#), etc.) as early as possible, preferably at least ten days in advance of the event.

Students participating in official University activities should not expect any special accommodation for attendance at regularly scheduled practice sessions or meetings (i.e., the routine activities required for performance, athletic pursuits, etc.). Students and instructors are encouraged to work with [Testing Services](#) to arrange accommodations if alternate testing options cannot be arranged readily within the program or department.

## 300.00 Student Conduct Framework

The student conduct process is an administrative process that is educational in nature. It is different from criminal and civil court proceedings. The University's goal is to promote accountability, learning, and personal development while addressing conduct that may affect the campus community.

Student organizations are held to the same expectations as individual students. Student organizations are expected to abide by the same expectations as individual students, including expectations of prohibited conduct ([330.00](#)).

## 310.00 Student Conduct Authority and Jurisdiction

1. The Code applies when the respondent is a student, and the alleged conduct occurs:
  - A. On University property;
  - B. At University-affiliated or sponsored events or programs, including at events and programs hosted by recognized student organizations;

- C. Off-campus that affects a substantial University interest.
- D. The Code may be applied to behavior conducted online, via email, or another electronic medium. Students should also be aware that online postings, such as blogs, web postings, chats, and social networking sites, are in the public sphere and not private. These postings can subject a student to allegations of conduct violations. The University shall not regularly search for this information, but may take action if and when such information is brought to the attention of University officials. No violation of the Code can occur when the speech that is subject to the complaint is protected by the student's free expression rights under the First Amendment.

## 320.00 Student Conduct Programs

The University administers the student conduct process through a coordinated system designed to ensure fairness, consistency, and alignment with the educational mission of the institution. While the Office of the Dean of Students provides overall oversight of the Student Conduct Program, certain University units have specific responsibilities related to student conduct based on their functional roles.

In evaluating alleged violations, the University considers the nature and context of the behavior, its impact on individuals and the community, and any relevant circumstances. The University may also consider a student's prior conduct history when determining an appropriate response. Not all violations result in the same outcomes, and responses are designed to be educational, proportionate, and aligned with the University's responsibility to maintain a safe and supportive learning environment.

Any student alleged to have violated the Code will have the allegation adjudicated through the appropriate student conduct process outlined in section [400.00](#). Any student found to have violated the Code is subject to sanctions outlined in Section [470.00](#).

### 320.10 Office of the Dean of Students

1. The Dean of Students is responsible for administering the University's Student Conduct Program, including the investigation, adjudication, and sanctioning of cases involving alleged violations of the Code. In cases where a University policy or process, e.g., Equal Opportunity, Non-Discrimination, and Harassment Policy, Research Misconduct, University Extension Programs, etc., has its own investigation and adjudication process, such matters shall be referred to the Dean of Students for sanctioning (see section [470.00](#)).

2. The Dean of Students may appoint either a Conduct Officer, Hearing Officer, or Hearing Board to adjudicate violations of the Code.

### 320.20 University Student Housing

1. Students residing in University Student housing are subject to this Code and the [University Student Housing Community Standards](#). [University Student Housing](#) staff may investigate, adjudicate, and resolve housing-related conduct matters and impose sanctions related to a student's use of the residence halls & apartments.
2. All allegations of violations of the University's Code reported to University Student Housing staff will be promptly referred to the Dean of Students. In such cases, the Dean of Students may delegate the investigation and adjudication to the University Student Housing staff. When such matters are delegated, the investigation and adjudication shall be conducted in accordance with the procedures in the Code.
3. The Director of University Student Housing will coordinate the delegated University Student Housing Conduct Program and will work closely with the Dean of Students to ensure consistency.

### 320.30 Department of Athletics

1. Student-athletes are subject to this Code and to the additional conduct expectations established by the Department of Athletics, including team rules, the [Student-Athlete Code of Conduct](#), and applicable NCAA policies and requirements. Alleged violations of this Code by student-athletes may result in University sanctions in addition to athletics-related consequences. The Director of Athletics will manage the departmental response to alleged violations of the Student-Athlete Code of Conduct and may impose sanctions related to a student's participation in intercollegiate athletics.
2. The Director of Athletics will refer allegations of violations of the University's Code to the Dean of Students for processing under the Code. Additional University sanctions by the Dean of Students may be in addition to, or instead of, the process outlined in the Student-Athlete Code of Conduct.

### 330.00 Prohibited Conduct

The University expects students and student organizations to conduct themselves in ways that support a safe, respectful, and productive educational environment. Prohibited conduct includes behaviors that undermine the University's academic mission, disrupt the

campus community, interfere with the rights of others, or pose risks to individual or community safety.

Conduct that violates federal, state, or local law may also constitute a violation of this Code when the conduct adversely affects a substantial University interest, including the safety, security, reputation, or well-being of the University community. University conduct proceedings are administrative in nature and are independent of any criminal or civil proceedings.

The behaviors described in this section are intended to provide clear guidance about conduct that may result in University action. This list is illustrative and not exhaustive; conduct not expressly listed may still constitute a violation of the Code if it is inconsistent with the standards and expectations described herein. Nothing in this section shall be interpreted or applied to restrict speech or expression protected by the First Amendment or other applicable law.

### 330.01 Abuse of University Process

University processes exist to support fairness, accountability, and the effective resolution of concerns within the campus community. Students are expected to engage honestly, respectfully, and in good faith when participating in or using University policies, procedures, and adjudicatory processes.

Abuse of University processes includes the use of any University policy, procedure, or process—including the [Equal Opportunity, Non-Discrimination and Harassment Policy](#)—for an improper purpose, as well as interference with, obstruction of, or failure to comply with University processes or misconduct proceedings. Abuse of University processes includes, but is not limited to:

1. Falsification, distortion, or misrepresentation of information during a report, investigation, hearing, or appeal;
2. Destroying, concealing, altering, or failing to provide information requested during an investigation or proceeding;
3. Attempting to discourage, interfere with, or prevent an individual's proper participation in, or use of, a University process, policy, investigation, or hearing;
4. Harassment (verbal or physical), intimidation, or retaliation towards participants in the conduct process (e.g., witnesses, complainant, conduct officer, hearing officer, conduct hearing board member) before, during, or following a proceeding;

5. Failure to comply with the sanction(s), conditions, or directives imposed by the conduct program or other adjudicatory process or policy;
6. Influencing, or attempting to influence, another person to commit an abuse of the Code, University policy, or other University adjudicatory process;
7. Use of the conduct process, University policy, or other official University process or investigation, in an effort to intimidate or improperly influence another person.

Good faith reporting of concerns, participation in University processes, or exercise of rights under University policy—even when allegations are not substantiated—does not constitute abuse of University process.

### 330.02 Academic Misconduct

Academic honesty and integrity are fundamental to the University's educational mission and to the trust that underpins teaching, learning, research, and scholarship. Academic misconduct includes behaviors that misrepresent a student's own work, provide an unfair academic advantage, or otherwise undermine the integrity of academic evaluation and the learning environment.

The examples below are intended to illustrate common forms of academic misconduct and are not exhaustive. Expectations for academic work, including permissible collaboration, use of resources, and the use of technology or artificial intelligence tools, may vary by course, discipline, or instructor and are typically communicated through course syllabi, assignment instructions, or other official course materials. A lack of intent to violate these standards does not relieve a student of responsibility, though intent and circumstances may be considered when determining outcomes.

Academic misconduct includes, but is not limited to, the following:

1. **Artificial Intelligence (AI)** - Using artificial intelligence tools, automated systems, or similar technologies in a manner that violates course or assignment requirements, misrepresents authorship, substitutes for a student's own work, or undermines the assessment of learning. This includes failure to disclose AI use when disclosure is required or using AI tools where such use is prohibited.
2. **Cheating** - Giving, using, or attempting to use unauthorized materials, information, notes, study aids, or other devices in any academic exercise, including unauthorized communication of information. Examples include:
  - Copying from another student's work;

- Receiving or providing unauthorized assistance during a quiz, test, or examination;
  - Using books, notes, electronic devices, or other aids without authorization;
  - Acquiring or distributing copies of examinations or assessment materials without authorization;
  - Submitting work that is not one's own.
3. **Falsification/Fabrication**- The invention, alteration, or misrepresentation of any information, data, citations, or academic records. Examples include:
- Inventing or falsifying data or research results;
  - Misrepresenting practicum, clinical, fieldwork, or internship work or experiences;
  - Altering grade reports, academic records, or assessment materials;
  - Submitting false excuses for absences, extensions or academic consideration.
4. **Tampering**- Interfering with, altering, or attempting to alter academic materials or University records without authorization. Examples include:
- Unauthorized access to or modification of academic records, documents, or files;
  - Forging the signature of a University official;
  - Altering a graded assignment or examination and seeking re-evaluation;
  - Unauthorized entry into offices, systems, or files to obtain academic information.
5. **Plagiarism**- Presenting the work, ideas, words, images, or data of another as one's own without proper acknowledgment. Plagiarism may occur intentionally or unintentionally and may include:
- Submitting another student's work or work obtained from commercial services as one's own;
  - Quoting, paraphrasing, or summarizing sources without appropriate citation;
  - Using facts, figures, charts, graphs, computer code, research designs, or media without attribution;
  - Unauthorized collaboration when individual work is required.
6. **Facilitating academic misconduct**- Assisting, encouraging, or attempting to assist another in the commitment of academic misconduct. This includes allowing one's work to be copied or providing unauthorized materials or information.

7. **Multiple submission-** Submitting the same or substantially similar academic work for credit in more than one course or academic requirement without prior permission from the instructor, including work completed at another institution.
8. **Improper recording or dissemination of instructional content** – Recording, reproducing, selling, sharing, or posting instructional content without prior permission of the instructor or under an accommodation approved by the [Office of Disability Services](#).
9. **Improper use of copyrighted material** – Unlawful copying, distribution, uploading, or sharing of copyrighted academic materials, including course content or examinations, regardless of format, including through online platforms. Lawful uses such as fair use do not constitute improper use under this section.
10. **Other Academic Misconduct-** Any other conduct that undermines academic integrity or the fair evaluation of student learning, including but not limited to:
  - Taking an examination or completing an assignment for another student;
  - Having another person complete an examination or assignment on one's behalf;
  - Distributing assessment content prior to a scheduled examination;
  - Signing a false name or providing false identification in connection with course attendance, academic participation, or other academic work.

The procedures for allegations of academic misconduct can be found in section [410.00](#) of the Code.

### [330.03 Acts of Dishonesty](#)

Acts of dishonesty include conduct involving deception, misrepresentation, or fraud that undermines the integrity of University processes, records, or operations and is not otherwise addressed as academic misconduct under section 330.10. Acts of dishonesty include, but are not limited to:

1. Knowingly providing false, misleading, or incomplete information to any University official, office, or committee acting in the performance of their duties.
2. Forgery, alteration, or misuse of University documents, records, instruments of identification, computer programs, systems, files, or accounts.
3. Falsification or misrepresentation in non-academic contexts, including research participation, applications, certifications, practicum, or internship documentation, or other University-related processes not governed by academic evaluation.

4. Use of personal, professional, or financial relationships to obtain unauthorized benefits or privileges within the University.

### 330.04 Alcohol, Drug, and Tobacco Offenses

Alcohol, drug, and tobacco offenses include, but are not limited to:

1. Use, possession, manufacture, distribution, or sale of intoxicants, including alcohol, as defined by the city, state, or federal laws, except as expressly permitted by University policy.
2. Use, possession, manufacture, distribution, or sale of narcotics or dangerous drugs as defined by University policy or city, state, or federal laws. This includes mind-altering drugs, designer drugs, or synthetic substances used as a substitute for a controlled substance, except as expressly permitted by law or University policy, as well as cannabis/marijuana and medical cannabis/marijuana-related products. This also includes the abuse, distribution, or improper use of prescription drugs.
3. Operating a motor vehicle under the influence in violation of federal, state, or local law.
4. The use of alcohol, drugs, or tobacco, including smoking, vaping, or chewing tobacco, on University property, including University Student Housing, in violation of the University's [Alcohol, Drugs, and Tobacco Policy](#).

[https://www.montana.edu/policy/smoking\\_facilities/](https://www.montana.edu/policy/smoking_facilities/)[https://www.montana.edu/policy/campus\\_alcohol\\_drug/](https://www.montana.edu/policy/campus_alcohol_drug/)In situations where medical amnesty applies, refer to the University's [Medical Amnesty Policy](#).

### 330.05 Arrests, Convictions, and Registries

Failure of any student to accurately report the student's conviction of a felony crime or arrest for crimes related to the distribution of drugs, violence, or sexual offenses as defined in the [Equal Opportunity, Non-Discrimination and Harassment Policy](#) to the Office of the Dean of Students within three calendar days of any such arrest or conviction. Students who are required to register as sexual or violent offenders must notify the in writing in addition to meeting the registration requirements established by the State of Montana.

### 330.06 Bystanding

Bystanding includes, but is not limited to, the conduct of a student who is present when a serious violation of the Code occurs and who encourages, assists, or fails to take

reasonable actions to prevent or stop conduct that could result in serious injury or harm to persons or property, including sexual misconduct and hazing.

### 330.07 Harmful or Abusive Conduct

Harmful or abusive conduct includes conduct directed toward another person that is objectively unreasonable, and that:

- Causes physical or emotional harm;
- Places a reasonable person in fear of physical harm;
- Is severe, persistent, or pervasive and interferes with a person's ability to participate in or benefit from University programs or activities;
- Involves behaviors that intimidate, threaten, or seriously degrade another individual; or
- Causes harm to the property of another.

### 330.08 Disruptive Student Behavior

Disruptive behavior is conduct that a University official or instructor reasonably determines substantially interferes with teaching, learning, the rights of others, other University activities, or the orderly operations and functions of the University.

Disruptive behavior may occur in classrooms or other instructional settings, academic buildings, residence halls, online or virtual environments, University offices, laboratories, field placements, internships, University-sponsored activities, or other settings when the conduct interferes with instruction, study, research, or the normal operations of the University, whether on or off campus.

Disruptive behavior includes conduct that continues after a reasonable request to stop, as well as conduct that is so serious that it substantially disrupts University activities regardless of whether a prior warning was given.

Examples of disruptive behavior include, but are not limited to:

1. Interferes with teaching, learning, or academic activities, including conduct that substantially disrupts classes, online courses, laboratories, research activities, or instructional settings;
2. Behavior that disrupts the learning, living, or working environment of others outside the classroom, such as engaging in disorderly conduct in academic buildings, hallways, libraries, residence halls, or other University spaces;

3. Obstruction of University operations, including interference with research, administration, conduct processes, events, or other authorized University activities;
4. Interference with the rights of others to enter, use, or leave University facilities, services, activities, or roadways;
5. Verbal abuse, intimidation, or threats directed towards instructors, students, staff, or University officials;
6. Damaging, misusing, or interfering with University property or instructional equipment;
7. Refusing to comply with University policies or instructor or University official's direction;
8. Unauthorized or inappropriate use of electronic devices or technology in a manner that interferes with learning or University operations;
9. Being under the influence or consumption of alcohol, drugs, tobacco, vaping, or similar products in academic or instructional settings in violation of University policy or law.

Disruptive conduct is not merely classroom dissent. The expression of disagreement with the instructor or classmates is not in itself disruptive behavior. Disruptive behavior also does not include appropriate expression of disagreements or differences of opinion, cultural differences, differing values or beliefs, or the need for extra time or attention based on a reasonable accommodation for disabilities.

If the disruptive behavior occurs in a classroom or instructional setting and involves conduct that interferes with teaching or learning, the matter will be addressed in accordance with the Disruptive Student Behavior in the Classroom procedures in Section [420.00](#).

Disruptive behavior that occurs outside of the classroom or instructional setting, or conduct that warrants additional disciplinary review, may be addressed through the student conduct process outlined in Section [450.00](#) of the Code.

### [330.09 Equal Opportunity, Non-Discrimination and Harassment Policy Offenses](#)

The University prohibits discrimination, harassment, and retaliation based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, gender, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation (taken together, generally, as "protected-class harm").

Protected-class harm includes, but is not limited to, sexual harassment, sexual assault, domestic violence, dating violence, stalking, sexual exploitation, quid pro quo conduct, or hostile environment harassment. Definitions for these types of harm can be found in the [Equal Opportunity, Non-Discrimination and Harassment Policy](#). These definitions are in accordance with applicable state and federal laws, including but not limited to Title IX of the Educational Amendments of 1972.

The University takes reports of protected-class harm seriously. [Campus Civil Rights](#) is tasked with investigating and adjudicating any allegations of protected-class harm in accordance with the University's [Equal Opportunity, Non-Discrimination and Harassment Policy](#). The procedures for allegations of violations of the University's [Equal Opportunity, Non-Discrimination and Harassment Policy](#) can be found in section [440.00](#) of the Code.

Allegations of prohibited conduct defined in the [Equal Opportunity, Non-Discrimination and Harassment Policy](#) that are outside of the jurisdiction of that policy may still be adjudicated under the Code. The procedures for allegations of [Equal Opportunity, Non-Discrimination and Harassment Policy](#) which will be adjudicated under the Code can be found starting in section [450.00](#) of the Code.

### 330.10 Failure to Comply

Failure to comply is the refusal or failure to follow reasonable and lawful directives of the University or University officials within the scope of their duties.

Failure to comply includes, but is not limited to:

1. Failure to comply with University policies;
2. Failure to comply with lawful directions of law enforcement officers and University officials acting in the performance of their duties, including failure to identify oneself to those persons when requested in a timely manner;
3. Failure to comply with any condition, restriction, or sanction imposed under the Code or another applicable University process; and
4. Unauthorized entry, presence, or use of University property or facilities, including violating any Trespass order.

### 330.11 Firearms, Explosives, and Weapons Offenses

Violation of the [Weapons Policy](#) is a violation of this Code.

### 330.12 Fire Safety

Fire safety is essential to protecting the health, safety, and well-being of the University community. Students are expected to comply with all applicable local, state, federal, and University fire safety laws, regulations, and policies.

Fire safety violations include, but are not limited to:

1. Intentionally or recklessly causing or attempting to cause a fire, explosion, or other fire-related hazard without prior approval;
2. Failure to evacuate a University building during a fire alarm or follow directives from University officials or emergency personnel;
3. Improper, careless, or unauthorized use of University fire safety equipment, including extinguishers, hoses, alarms, or suppression systems;
4. Tampering with, disabling, or improperly activating fire alarms, smoke detectors, sprinkler systems, or other fire detection/control equipment; and
5. Creating fire hazards, including blocking exits, propping fire doors, or improperly storing flammable materials.

Individuals may also be subject to fines, citations, or other actions by local, state, or federal authorities in addition to any University action under this Code.

### 330.13 Harassment

Harassment includes but is not limited to verbal, psychological, graphic, and/or written abuse directed at another, beyond a reasonable expression of opinion, which:

1. Is threatening or carries with it the intention to do bodily harm; or
2. Disrupts or undermines a person's exercise of their responsibilities as a student, faculty, or staff member, including unreasonably interfering with a person's educational or work performance.

Harassment based on a protected class which, falls under the University's [Equal Opportunity, Non-Discrimination and Harassment Policy](#), is addressed in that policy.

### 330.14 Harmful or Abusive Conduct

The University prohibits conduct directed toward another person that threatens safety, causes harm, or unreasonably interferes with an individual's ability to participate in or benefit from University programs or activities.

Harmful or abusive conduct includes, but is not limited to, behavior that is objectively unreasonable and that:

- Causes or attempts to cause physical harm to another person;
- Places a reasonable person in fear of imminent physical harm;
- Involves threats, intimidation, coercion, or aggressive conduct directed at another person;
- Is severe, persistent, or pervasive and interferes with a person's ability to participate in or benefit from University programs or activities; or
- Involves repeated or severe behavior that intimidates, degrades, or causes severe emotional distress to another individual.

Examples of conduct that may violate this section include, but are not limited to:

- Physical assault or unwanted physical contact
- Threats of violence; or
- Intimidation or coercive behavior.

This section does not apply to conduct that falls under the [Equal Opportunity, Non-Discrimination and Harassment Policy](#).

### 330.15 Hazing

Hazing poses serious risks to individual safety, well-being, and academic success and erodes the trust and mutual respect essential to a health and safe campus community. Practices that pressure, harm, humiliate, or degrade individuals—whether framed as tradition, bonding, or initiation, and regardless of perceived consent—are inconsistent with the values of the University community and violate this Code. A person's consent, acquiescence, or participation in hazing activities does not excuse or mitigate responsibility for hazing under this Code.

Hazing is any intentional, knowing, or reckless act committed by an individual or group, whether acting alone or in concert with others, against a student or other individual, regardless of that individual's willingness to participate, that:

1. Is committed in connection with initiation into, affiliation with, continued membership in, or status within an organization (such as a club, society, association, athletic team, fraternity, sorority, or student government); and
2. Causes or is likely to contribute to a substantial risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical training necessary for participation in an athletic team), of physical injury, mental or emotional harm, or degradation.

Hazing may include, but is not limited to, conduct that:

- Subjects another to a situation, activity, condition, or action that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, humiliation, injury, or ridicule, or which may demean, disgrace, or degrade any person;
- Endangers the physical or mental health or safety of any person, including but not limited to: extended deprivation of sleep, rest, or adequate nutrition; forced or coerced consumption of food, alcohol, beverage, or drugs; beating, branding, physical restraint, or involuntary confinement or imprisonment; or personal servitude or activities that demean or degrade;
- Unreasonably interfere with a student's academic performance or the ability of a student to participate in an educational program, activity, or event;
- Encourages, requires, or otherwise prompt others to destroy, vandalize, or remove public or private property; or
- Constitutes a violation of any laws or University policies.

### 330.16 Misuse of Property

The misuse of property is the intentional or reckless vandalizing, defacing, tampering with, damaging, destroying, or improper use of University property, services or facilities, or the property of any member of the University community.

Misuse of property includes, but is not limited to:

- Damage to or defacement of buildings, furnishings, equipment, grounds, or other physical property;
- Tampering with safety, security, or utility equipment or systems;
- Unauthorized or improper use of University services, facilities, or resources in a manner that results in damage, disruption, or loss;
- Causing damage to property through reckless or negligent behavior; and
- Attempting to engage in any of the above conduct.

### 330.17 Sexual Misconduct

Sexual Misconduct, including sexual assault, sexual harassment, domestic violence, dating violence, stalking, and sexual exploitation, as defined by the [Equal Opportunity, Non-Discrimination and Harassment Policy](#), is prohibited by the Code (Refer to Equal Opportunity, Non-Discrimination and Harassment Policy Offenses).

### 330.18 Theft

Theft, attempted theft, unauthorized possession, use, or removal of University property, the property of any member of the University community, or that occurred on University property.

## 400.00 Student Conduct Procedures

The section outlines the procedures the University uses to address alleged violations of the Code, including academic misconduct, disruptive student behavior, and other student misconduct. These procedures are designed to be fair, timely, and educational in nature, while supporting the safety and orderly operation of the University community.

During the conduct process, the Office of the Dean of Students may place an administrative hold on a student's account, which can restrict registering for classes, issuance of transcripts, and conferral of a degree, to ensure participation, adjudication, and successful completion of the conduct process and any imposed sanctions.

### 410.00 Academic Misconduct Procedures

Academic misconduct is primarily addressed at the instructional level, with oversight and additional review by the Office of the Dean of Students when appropriate.

#### 410.10 Notice and Informal Meeting

When an instructor reasonably believes a student has engaged in academic misconduct, the instructor shall: i) provide the student with written notice describing the alleged conduct and ii) make a reasonable effort to privately meet with the student to discuss the concern. During this informal meeting, the student will have an opportunity to respond or explain the circumstances. Refusal by the student to meet with the instructor may result in a referral of the matter to the Dean of Students.

If, after considering the student's response (if any is provided), the instructor determines that academic misconduct occurred, the instructor may impose appropriate academic sanctions and must submit the [Academic Misconduct Notification](#) form to the Office of the Dean of Students website. The Office of the Dean of Students will forward a copy of that form to the student and the appropriate Academic Dean and/or the Dean of the Graduate School.

The instructor has the right to refuse to sign a drop form for the class.

#### 410.20 Academic Misconduct Sanctions

Instructors may impose academic sanctions when academic misconduct is found, including but not limited to:

- Oral reprimand;
- Written reprimand;
- An assignment to repeat the work or an alternate assignment; and/or
- A lower or failing grade on an assignment, examination, or course.

Any instructor-imposed sanctions must be identified on the Academic Misconduct Notification form and submitted to the Office of the Dean of Students. The Office of the Dean of Students will forward a copy of that form to the student and the appropriate Academic Dean and/or the Dean of the Graduate School.

In cases involving serious academic misconduct, repeated violations, or misconduct that calls into question a student's academic fitness or integrity, the Academic Dean may, in consultation with the instructor, Department Head, and the Dean of Students, impose additional academic sanctions. Such sanctions may include, but are not limited to, removal of the student from a college, major or academic program; withdrawal of academic credit or a degree previously awarded; or other academic action deemed appropriate under University policy.

When conduct also constitutes a violation of this Code, the matter may be referred to the Office of the Dean of Students for review and possible imposition of additional conduct sanctions.

#### 410.30 Academic Misconduct Appeals

All academic misconduct appeals, including those issued by instructors, follow the academic misconduct appeal process found in section [510.00](#).

#### 410.40 Grade Pending Resolution

If the student's appeal (per section [510.00](#)) of the instructor's academic misconduct determination has not been resolved before the instructor submits the final grades in the course, the grade earned will be assigned until the matter is concluded. A grade assigned before the instructor's knowledge of academic misconduct may be changed after it was assigned if the grade was obtained through academic misconduct or by fraud.

#### 420.00 Disruptive Student Behavior

This section outlines the process for addressing disruptive student behavior in classrooms and other learning environments, consistent with section [330.08](#). These procedures are intended to support a safe, respectful, and effective learning environment while providing students with notice and an opportunity to respond.

#### 420.10 Temporary Dismissal from a Learning Environment

When a student engages in disruptive behavior, instructors are encouraged to address the behavior promptly and directly when feasible. If the behavior continues after a warning, or if immediate action is necessary to protect the learning environment or safety of others, the instructor may require the student to leave the class or learning environment for the remainder of the class period.

A student directed to leave must comply immediately. The instructor will notify the Department Head and the Office of the Dean of Students of the temporary dismissal and should document the incident.

Following a temporary dismissal, the instructor should make a reasonable effort to meet with the student to discuss the behavior and expectations moving forward. Another University official may be included in this meeting when appropriate.

#### 420.20 Permanent Dismissal from a Learning Environment

If a student's disruptive behavior is severe, persistent, or significantly interferes with the learning environment, an instructor may seek to remove the student from the course or learning environment for the remainder of the term.

The procedure for permanent dismissal from a learning environment is as follows:

1. Statement of Facts (SOF)

The instructor must prepare a SOF describing the disruptive conduct that forms the basis of the proposed dismissal. The SOF must include:

- A. The name of the student;
  - B. A factual description of the disruptive behavior or incident(s);
  - C. Relevant dates, times, and location; and
  - D. Any prior warnings, directions, or informal meetings related to the behavior.
2. Notice to Student and Department Head

Within one day following the disruptive incident, the instructor shall provide the SOF to the instructor's Department Head. The Instructor's Department Head shall provide a copy of the SOF to the student.

3. Student Response

The student will have two days, from the date the SOF was received, to respond to the SOF in writing to the Department Head to explain the student's position regarding the proposed dismissal and disruptive behavior.

4. Department Head Review and Decision

The Department Head shall review the SOF, the student's response, and any other relevant evidence provided by the student and the instructor, and may consult with the Office of the Dean of Students or other appropriate University officials. The Department Head may approve or deny the permanent dismissal and shall issue a written decision within two days of receiving the student's written response. The Department Head shall provide the decision in writing to the student, the instructor, and the Office of the Dean of Students.

5. Status Pending Decision or Appeal

A student subject to proposed dismissal may be restricted from attending the course while the matter is under review. When practicable and appropriate, the student may be permitted to submit assignments, exams, or other academic work, provided the student does not further disrupt the learning environment. The instructor will facilitate access to necessary materials for homework and tests.

#### 420.30 Repeated or Ongoing Disruptions

A pattern of disruptive behavior or multiple temporary dismissals may result in referral to the Office of the Dean of Students for review under this Code. Additional conduct sanctions may be imposed if a violation is found.

#### 420.40 Retaliation Prohibited

Retaliation against any individual for reporting disruptive behavior, participating in this process, or exercising rights under this Code is prohibited. Concerns of retaliation should be reported to the Department Head, Academic Dean, or the Dean of the Graduate School. If the Department Head, Academic Dean, or the Dean of the Graduate School is alleged to have engaged in retaliatory conduct, the matter should be reported to the Provost.

#### 420.50 Disruptive Student Appeals

The appeal process for disruptive behavior can be found in section [510.00](#).

## 430.00 Academic Grievance

An academic grievance is a process by which a student may seek review of an academic decision that the student believes was unfair, inconsistent with published standards, or otherwise improper. This process is intended to provide a fair and timely resolution of academic concerns while respecting academic judgment and faculty authority.

Students are encouraged to address concerns as early as possible and to use informal resolution whenever feasible.

### 430.10 Informal Resolution

A student who wishes to grieve an academic decision should first attempt to resolve the matter directly with the instructor or appropriate administrator through a personal conference. This informal discussion should occur as soon as possible after the academic decision is known and is intended to promote understanding and resolution without the need for a formal grievance.

### 430.20 Department Head/Director Review

If the matter cannot be resolved through an informal meeting, the student may file a formal written grievance with the instructor's Department Head/Director. The written grievance must be submitted no later than the fifteenth day of University instruction of the following academic term (excluding summer terms and must include:

1. A description of the facts or circumstances giving rise to the grievance;
2. The relevant date(s) of the academic decision or occurrence;
3. An explanation of why the student believes the decision was unfair or improper;
4. A description of the student's efforts to resolve the grievance informally; and
5. The specific remedy or relief sought by the student.

The student may attach any relevant documentation in support of the grievance.

Upon receipt of the grievance, the Department Head/Director shall send a copy to the instructor, who will have five days to provide a written response to the Department Head/Director.

The Department Head/Director may request additional information from the student, instructor, or other University officials as appropriate and shall issue a written decision, including any recommendation for resolution, within five days of receipt of the instructor's response.

Once a formal grievance is filed, the student will be assigned the grade earned. A grade assigned before the filing of the grievance may be changed by the Academic Dean or the Dean of the Graduate School, if, after the grievance procedures have been completed, the academic decision is found to be unfair or otherwise improper.

#### 430.30 Appeal Process for an Academic Grievance

The appeal process for an academic grievance can be found in section [510.00](#).

#### 440.00 Investigation and Adjudication of Allegations of Equal Opportunity, Non-Discrimination and Harassment Policy Violations

Complaints against a student(s) accused of violating the University's [Equal Opportunity, Non-Discrimination and Harassment Policy](#) will be referred to [Campus Civil Rights](#), which will follow the procedures for reports and complaints in accordance with the University's Equal Opportunity, Non-Discrimination and Harassment Procedures. The Student Conduct Adjudication Procedures (section [450.00](#)), Interim Restrictions (section [460.00](#)), and Appeals (section [520.00](#)) shall not apply to allegations that fall under the Equal Opportunity, Non-Discrimination and Harassment Policy and shall be replaced by Equal Opportunity, Non-Discrimination and Harassment Procedures. Conduct that is outside the jurisdiction of the Equal Opportunity, Non-Discrimination and Harassment Policy shall be referred to the Office of the Dean of Students for adjudication under the Code.

When a student is found to have violated the [Equal Opportunity, Non-Discrimination and Harassment Policy](#), the student will be referred to the Dean of Students for sanctioning, along with any recommended sanctions, as outlined in the [Discrimination Grievance Procedures Accompanying the Equal Opportunity, Non-Discrimination and Harassment Policy](#). The Dean of Students shall consider the recommended sanction and impose any sanctions determined to be appropriate in the case when considering all relevant information. The potential sanctions that may be imposed are listed in section [470.00](#).

#### 450.00 Other Violations of the Code of Student Conduct

This section applies to alleged violations of the Code not addressed through academic misconduct, disruptive behavior, or another University policy with its own adjudication process.

Student organizations may be held responsible for violations of this Code and are afforded the same process and subject to the same sanctions as individual students.

When a student has been found responsible under another University process that provides due process (such as the [Equal Opportunity, Non-Discrimination and Harassment Policy or Research Misconduct](#) procedures) the matter will not be re-adjudicated under this Code. However, such matters may be referred to the Dean of Students for the imposition of sanctions under Section [470.00](#) when appropriate.

#### 450.10 Report of Violation and Investigation

On its own initiative or upon receiving a complaint, the Office of the Dean of Students may investigate allegations of violations of the Code.

A designated Conduct Officer will gather relevant information, provide the student with notice of the alleged conduct, offer the student an opportunity to respond, and determine whether there is reasonable cause to believe a violation of the Code occurred. If reasonable cause is not found, the matter may be dismissed.

#### 450.20 Administrative Agreements

At any point prior to a hearing, the Conduct Officer may offer an Administrative Agreement. An Administrative Agreement is a voluntary resolution in which the student accepts responsibility and agrees to sanctions. By accepting an Administrative Agreement, the student waives the right to a hearing and appeal. If the agreement is not accepted, the matter may proceed to a hearing.

#### 450.30 Hearings

When a matter is not resolved through an Administrative Agreement and reasonable cause exists, the office of the Dean of Students may refer the case for a hearing before a Hearing Officer or Board.

The student will receive written notice of the hearing, including:

- A summary of the information supporting the charges;
- The alleged violations;
- The date, time, and location of the hearing; and
- Information regarding the student's rights, the hearing process, and the role of an advisor.

Hearings are conducted in accordance with University procedures designed to ensure fairness, impartiality, and an opportunity to be heard. Detailed Student Conduct Hearing Procedures are maintained in a separate University guidance document.

If a student withdraws from the University after student conduct charges have been filed, or withdraws while an investigation is pending, the University may place a hold on the student's academic record and require resolution of the conduct matter prior to re-enrollment. Alternatively, upon notice to the student, the University may proceed with the conduct process and determine appropriate sanctions to be imposed if the student seeks readmission.

To ensure participation in the student conduct process and completion of any imposed outcomes, the Dean of Students may place an administrative hold on a student's account. An administrative hold may restrict access to University services, including but not limited to registration, transcripts, grades, course drop/adds, refunds, withdrawals, or degree conferral, until the matter is resolved.

#### 450.70 Hearing Appeals

The appeal process for hearings can be found in section [520.00](#).

#### 460.00 Interim Restrictions

Interim restrictions are temporary measures that may be imposed to protect the safety, well-being, or orderly operation of the University community while a student conduct matter is pending. Interim restrictions are administrative in nature and are not a determination of responsibility.

The Dean of Students may impose interim restrictions when there is a reasonable basis to believe that a student's alleged conduct:

- Poses a threat to the health or safety of the student or others;
- Presents a risk of significant disruption to University operations or activities;
- May result in harm to University property or the property of others; or
- Otherwise implicates a substantial University interest.

Interim restrictions may include, but are not limited to:

- Temporary suspension from the University and/or University Student Housing ;
- Assignment to alternative housing;
- Limitation on access to University facilities, programs, services, or activities;
- Restrictions on communication with specified individuals or groups;
- Conditions requiring advance approval to participate in specified activities; and
- Temporary restrictions on student organization activities or participation.

Restrictions will be tailored to the circumstances and imposed only to the extent reasonably necessary.

When interim restrictions are imposed, the student will receive written notice describing: i) the interim restrictions imposed; ii) the basis for the restrictions; and iii) next steps in the conduct process. The Dean of Students or designee will offer the student an opportunity to meet to discuss the interim restrictions within three days of the imposition, unless the student is unavailable for good cause.

At the meeting, the student may present information regarding the necessity, scope, or impact of the interim restrictions. Following the meeting, the interim restrictions may be maintained, modified, or removed.

In cases where interim restrictions have been imposed, a conduct hearing shall be held as soon as possible, but no later than ten days from the date of the imposition of interim restrictions, unless extended for good cause.

#### [460.10 Interim Restriction Appeals](#)

The appeal process for Interim Restrictions can be found in section [520.00](#).

### [470.00 Sanctions](#)

Sanctions under the Code are intended to promote accountability, learning, and responsible decision-making, while protecting the safety, integrity, and orderly operation of the University.

In determining appropriate sanctions, the Dean of Students may consider the nature and severity of the conduct, the impact on individuals or the University community, the student's prior conduct history, and any other relevant circumstances. Sanctions are imposed on a case-by-case basis and may be educational, administrative, or restrictive in nature. The Dean of Students may consult with appropriate University Officials in determining sanctions.

#### [470.10 Available Sanctions](#)

The following sanctions may be imposed for violations of the Code. One or more sanctions may be imposed for a single violation. Sanctions may be combined, modified, deferred, or imposed progressively as appropriate. This list is intended to be comprehensive, but not all sanctions will be appropriate in every case.

1. **Expulsion** - Permanent separation of the student from the University. Expulsion may include permanent exclusion from University property, events, or activities, and

may be enforced through trespass action as necessary. Upon expulsion, the student's grades for the active semester will be recorded as W, upon request.

2. **Suspension** - Separation of the student from the University for a specified period of time, but not less than the remainder of the semester. Conditions for return may be imposed. During suspension, the student may be restricted from University property, functions, events, and activities, and may be enforced with a trespass action, as necessary. Upon suspension, the student's grades for the active semester will be recorded as W, upon request.
3. **Academic Sanctions** - Any academic sanctions which may be imposed under section [410.20](#).
4. **Educational Sanctions** - The student may be required to complete an educational assignment, including participating in or attending meetings with the [Allen Yarnell Center for Student Success](#), or assigned educational papers or projects relevant to the alleged violation.
5. **Conduct Probation/Conduct Warning** - A status that is imposed for a designated period of time, indicating that future violations may result in more severe sanctions. Conduct probation may include restrictions on participation in University activities, including travel or leadership roles.
6. **University Conduct Warning Reprimand** - A formal reprimand, which may be imposed either in verbal or written form, for violating the Code, and a warning that further misconduct may result in more severe conduct action.
7. **Restitution** - Compensation for actual loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement. Restitution may include the cost of labor to repair damaged items.
8. **Student Housing Sanctions** - Housing-related sanctions, including warnings, housing probation, housing suspension, restrictions of housing privileges, educational assignments, removal from floor, hall, or student housing system, or a combination of sanctions.
9. **Community or University Service Requirements** - Completion of a specific, supervised University or community service.
10. **Loss of Privileges** - Temporary or permanent loss of specified privileges, including access to facilities, participation in activities or events, use of University resources, etc.

11. **Administrative Holds and Restrictions** – Administrative actions that restrict a student’s access to University services or privileges, including but not limited to registration, transcripts, course changes, degree conferral, or access to facilities.
12. **Other Sanctions** - Other sanctions may be imposed instead of, or in addition to, the sanctions specified above, such as deactivation, withholding registration, limitation of access to University facilities or other property, imposition of mandatory educational or counseling requirements, or other sanctions appropriate under the circumstances.

## 500.00 Appeals

The following section outlines the appeal procedures for the processes outlined in the Code, where appropriate, including disruptive student behavior, academic misconduct, academic grievances, and other student misconduct.

Where the underlying violation is of another University policy that provides an appeal process within that policy, the following appeal procedures do not apply, e.g., the Equal Opportunity, Non-Discrimination and Harassment Policy.

### 510.00 Academic Decision Appeals

Grievances about academic decisions begin with the instructor and the academic department. The academic grievance process can be found in section [430.00](#).

A student who is not satisfied with the resolution from the academic grievance process conducted with the instructor and academic department, including the decisions about program or degree requirements or eligibility, may file an appeal under these procedures. For example, removal from a major or student teaching placement, or denied entry into a specific major or program of study.

#### 510.10 Academic Decisions Reviewed

These procedures are available only to review allegedly unfair academic decisions and not mere differences of opinion regarding the professional judgment of the instructor in evaluating a student's work or making an academic decision. The academic decision, including the assignment of a grade, will be considered unfair if the decision is made:

1. On some basis other than performance in the course and/or compliance with course assignments and requirements;

2. By more exacting or demanding standards than were applied to other students in the same section;
3. By a substantial departure from the instructor's, department's, college's, or University's announced standards as articulated in the course syllabus, catalog descriptions, and/or other written materials.

### 510.20 Academic Decision Appeal Procedures

The following procedures are used for academic decisions within the University, including but not limited to Instructor-Imposed Academic Misconduct, Instructor-Imposed Course Dismissal, and Student Academic Grievances.

#### **1. Academic Dean's Review for Students**

The student may present a formal written appeal to the instructor's Academic Dean no later than five days after receiving the Department Head's determination. The student must provide evidence supporting their position that they are not responsible for the alleged violation or academic decision, and the precise remedies requested. The student may attach copies of any relevant documents or evidence. Upon acceptance of the appeal, the Academic Dean shall send a copy to the instructor.

The instructor shall have five days to respond in writing to the Academic Dean after receipt of the appeal. The instructor shall present evidence that the respondent committed the alleged violation or the rationale for the academic decision. The Academic Dean shall send a copy of the response to the student.

The Academic Dean will receive and review all evidence provided by the student and instructor, and at the Dean's discretion may interview either or both parties. The Academic Dean shall render a written decision within five days of receipt of the instructor's response. The response should include a determination with a rationale for the decision.

Before any decision, the Academic Dean shall consult with the Office of the Dean of Students for undergraduate students or the Graduate Dean for graduate students, and may consult with the Department Head or other University officials as appropriate. The Academic Dean's decision may uphold, amend, or overturn the sanction or academic decision.

The Academic Dean shall send a copy of their decision to the student, the instructor, the Office of the Dean of Students, and the Graduate School (in the case of a graduate student). The decision of the Academic Dean is the final decision of the University.

The student has the option to pursue a further appeal of a University decision from the campus level to the Office of the Commissioner of Higher Education under the provisions of [Policy 203.5.2](#) in the Montana Board of Regents Policy and Procedures Manual.

## 520.00 Student Conduct

1. A student who is found responsible for violating the Code may appeal the decision of the Student Conduct Hearing Officer or Board and/or the sanction imposed by the Dean of Students following a student conduct hearing by emailing a letter of appeal to the Vice President for Student Success within five days of the official's decision. The letter of appeal must specifically allege and factually support one or more of the following grounds:
  - A. The student's rights as outlined in this Code were violated (i.e., there was an error in the procedure or the interpretation of the Code that substantially affected the student's ability to receive a fair hearing). A summary of this violation and its potential impact must be included in their letter of appeal.
  - B. New evidence, unavailable during the original hearing or investigation, has been discovered that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the letter of appeal.
2. The University retains the discretion to hold any sanctions in abeyance until after the appeal.
3. The Vice President of Student Success shall notify the respondent and complainant (if any and where required by law) regarding whether the appeal is accepted or rejected, and the basis of the rejection, where applicable. Upon acceptance, the Vice President of Student Success may request a copy of the record of the hearing.
4. Within ten days from receipt of the record, the Vice President for Student Success shall review the record and render a written decision. The Vice President for Student Success may affirm the decision, overturn the decision, or remand the case to the original Hearing Officer or Board.
5. The decision of the Vice President for Student Success shall be based on the record only and is the final decision of the University. A copy of the decision shall be sent to

the respondent, the complainant (if any and where required by law), and will be included in the record.

6. The student has the option to pursue a further appeal of a University decision from the campus level to the Office of the Commissioner of Higher Education under the provisions of [Policy 203.5.2](#) in the Montana Board of Regents Policy and Procedures Manual.

## 600.00 Records and Confidentiality

1. The Office of the Dean of Students shall maintain student conduct records. Relevant student conduct records and related information shall be made available to other University personnel who require such information to fulfill their official duties.
2. Students may arrange to review their student conduct records and related information by contacting the Office of the Dean of Students.
3. Except as provided elsewhere in the Code and/or as required by law, the University shall not communicate a student's conduct record to any person or agency without the prior written consent of the student.
4. Student conduct records shall be maintained accordingly:
  - A. Any student who, as a result of an Administrative Agreement or Student Conduct Hearing, is sanctioned to expulsion, suspension, or eviction will have their entire student conduct record maintained for at least five years, but may be maintained for a longer period at the University's discretion.
  - B. Any student conduct records reviewed for potential Clery Act statistics will be maintained for at least seven years, then destroyed.
  - C. All other student conduct records will be maintained for at least five years from the date of last enrollment, then destroyed.