

# **STUDENT DISCIPLINE CODE**

## **2025-26**



Auburn University at Montgomery  
Division of Student Affairs  
Office of the Dean of Students

**Revised Spring 2025**



## STUDENT DISCIPLINE CODE

### Philosophy and Purpose

The basic philosophy of the policies and procedures in this section is one of education. The focus is on growth and development of the individual student by encouraging self-discipline by publishing clear standards of behavior (rules and regulations) and by upholding the rights and privileges of others.

The Student Discipline Code is not intended to resemble the policies or procedures of the criminal justice system. The rules of criminal law are neither required nor necessary to achieve the educational goal of the university Student Discipline Code.

The university has the legal right and moral obligation to establish reasonable rules for academic and personal conduct and to deny admission to applicants or continued enrollment to students who do not meet or maintain these standards.

The university does, in addition, reserve the right to review any action taken by civil or student accountability authorities regarding AUM students or student organizations (e.g., review outcome of legal action outside of the university). Special conditions such as counseling and/or sanctions may be imposed on students or student organizations that are found in violation of these standards.

In compliance with Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and other federal, state, and local laws, Auburn University at Montgomery does not discriminate on the basis of protected status in employment processes, admission or financial aid programs, or educational programs or activities. The Senior HR Officer is the individual designated by the university to coordinate its efforts to comply with Title IX, Section 504 and other equal opportunity and affirmative action regulations and laws. Each member of the university is held accountable to this standard, which is strongly reflected in this code.

Definitions of terminology used throughout this code can be found below.

### Definitions

The definitions of the following terms used throughout this code are provided for clarity and better understanding.

**Academic Exercise:** Any assignment given by a faculty member. This includes, but is not limited to, tests, examinations, papers, projects, art works, sculptures or computer programs.

**Accountability Record:** Documents concerning student or student organization violation(s). These records are maintained in the Office of Student Affairs.

**Accused:** Any student or student organization who allegedly violated a university rule, regulation or policy, or local, state, or federal law.

**Advisor:** Any person that the accused/complainant chooses at his/her expense to bring to an AUM Committee on Discipline hearing, such as a parent, legal guardian, friend, teacher, or attorney. The advisor only advises or consults with the accused/ complainant and is not permitted to participate or to speak on behalf of the accused/complainant during any hearing.



**Appeal:** A procedure by which a complaint is reexamined or reviewed. An appeal can be considered by the Dean of Students for student affairs.

**AUM Committee on Discipline:** A group of faculty, staff and students who review alleged violations of the discipline code by means of an informational hearing and recommends to the assistant director or designee whether a violation has occurred and the appropriate sanction(s), if any.

**Chair:** The faculty member who is in charge of the AUM Student Committee on Discipline.

**Code:** The Discipline Code that governs the behavior of students and student organizations.

**Complainant:** The person who alleges a violation of the discipline code by a student or student organization.

**Complaint:** The official document accusing the student or student organization of alleged violation(s) of university policies, rules or regulations. The accused is to receive a copy of this document.

**Dean of Students:** The university official who has been delegated the authority by the chancellor to oversee the accountability process, including the consideration of appeals.

**Due Process – Substantive and Procedural**

Due process is not a single event that occurs in isolation. AUM promotes a system- wide respect for the principles of due process by ensuring that students who face official action adverse to their protected interests receive proper notice, an opportunity to present and respond to evidence, and that academic and disciplinary decisions are made by unbiased officials.

The purpose of this code is to provide for the orderly administration of the student and student organization accountability process in view of the principles of due process. It is assumed that all persons involved in the accountability process will provide accurate and truthful information. There are two types of due process, substantive and procedural.

*Substantive due process* requires that all university regulations, rules and policies governing student conduct and student accountability matters are fair and reasonable. The treatment of students accused of a violation shall be based on the general principle of fair and equal treatment, regardless of protected status.

*Procedural due process* requires that adequate notice and an opportunity to be heard be provided when required by law.

**Evidence:** The facts and information that support or refute the alleged violation(s). Evidence should be attached to the complaint that provides a detailed account of the violation. Evidence may also include secondary or indirect knowledge relating to the alleged violation.

**Hazing:** The full policy can be reviewed [online](#).

**Hearing Panel:** A committee convened at the request of the Office of Accountability and Advocacy of Student Affairs or student affairs designee. Consisting of the Assistant Director (or designee), and at least two other representatives from offices such as (but not limited to) Student Health Services, Counseling Services, Center for Disability Services, Office of Public Safety, and faculty, when necessary, to hear cases that may be related to an immediate suspension or case warranting immediate attention.



**Hold:** A notation on a student's record that bars a student from enrolling, receiving grades or other types of privileges.

**Interim Measures:** The University may enact interim measures if a student's actions are deemed to have the potential to negatively affect the AUM community. Interim measures may include but are not limited to, temporary suspension, activity restrictions (i.e. no contact directives), and/or temporary housing reassignment.

**Notification:** Notice of a pending or resultant student accountability hearing that is usually sent or given to the student by the Division of Student Affairs.

**Office of Accountability & Advocacy (OAA):** The department delegated by the Dean of Students with administering the Student Discipline Code. Managed by the Dean of Students, the Office of Accountability & Advocacy (OAA) serves as a function of the Office of Student Affairs.

**Policy:** Any written rule or regulation of the university as found in, but not limited to, the Student Handbook, Undergraduate and Graduate Catalogs, Student Organizations Handbook, University Administrative Procedures (APs), etc.

**President:** The official head of a student organization. For the purpose of this code, the president may appoint a student designee.

**Regulation:** A rule, policy or law by which conduct is ordered or regulated.

**Resolution Conference:** The process by which the accused discusses the alleged violation(s) with the Office of Accountability and Advocacy and agrees on a resolution. If no resolution is reached, a formal hearing will be conducted by the AUM Committee on Discipline.

**Sanction:** A penalty imposed upon a student or student organization for violation(s) of university policies, rules or regulations. The primary purpose of a sanction is to educate and assist the student or student organization in reshaping or redirecting behavior.

**Semester:** Any period that students are enrolled for classes, usually referred to as fall, spring or summer semester.

**Standard of Proof:** The responsibility to prove disciplinary violations lies with the University. As such, the standard of proof used in the student accountability process will be determined by a preponderance of the evidence. Judicial officers and Committee on Discipline members will assess if is *More Likely Than Not* that the accused student or student organization violated the Student Discipline Code.

**Student:** Any person who is registered to study in the university. In addition, this term includes persons who are not officially enrolled for a particular semester but who have a continuing relationship with the university, e.g., any person accepted for admission or readmission.

**Student Handbook:** The official source of university policies, rules and regulations for students and student organizations. The Policy Manual is compiled by Student Affairs and published by Auburn University at Montgomery.

**Student Organization:** All departmental, registered, or provisional student organizations on campus. A



registered organization must meet the formal requirements as established by the Office of Student Involvement and Leadership Programs.

**Termination of Interim Measures:** Interim measure will be lifted at the discretion of the Dean of Students, if the University determines that the student/ or student organization's presence/ campus activities no longer threatens the campus community, or, at the conclusion of a hearing before the Committee on Discipline.

**University:** Auburn University at Montgomery (AUM), including all departments, schools, programs, activities and affiliations.

**University Document:** Any written communication or record maintained by the university.

**University Official:** A member of the university community who is given the authority to implement and supervise university activities.

**University Property:** All land, buildings, facilities, equipment or other property owned, leased, loaned or controlled by the university.

**Violation:** A breach or infringement of a university policy, rule or regulation.

**Withdrawal:** When a student, either voluntarily or involuntarily, is no longer enrolled in the university, therefore is no longer a student.

**Witness:** A person who is called to give evidence

**Working Day:** Each day that the university is open for business.

## **General Policy**

- All students, by act of registration, agree to conform to all policies and regulations of the university.
- Students are expected to conduct themselves appropriately by obeying all city and county ordinances and state and federal laws. Enrollment at AUM does not exempt a student from penalty when in violation of public law.
- Any member of the university administration, faculty, staff, or student body may report a violation of the Student Discipline Code based on that individual's direct knowledge or information from other sources.
- Violations of the Housing and Residence Life Community Standards will be referred to the Housing and Residence Life Review Board.
- Any question of interpretation or application of the Discipline Code shall be referred to the Office of Accountability and Advocacy or his or her designee for final determination.

## **Violations of the Student Discipline Code**

The following are violations of the Student Discipline Code whenever the conduct occurs on the AUM campus or any other property owned by AUM, including those leased to others; at university-sponsored activities, including activities/events conducted at sites away from the AUM campus; or at official functions of organizations registered by the university. Action may be initiated by the university or by any member of



the university community. Sanctions may be imposed upon any student or student organization found in violation of the code. Even the most severe sanction, including suspension, denial of a degree or expulsion, can be imposed upon the first violation of any of these rules and regulations:

1. Academic dishonesty, including but not limited to, cheating and plagiarism. (See academic policy in student handbook)
2. Physical, mental or verbal abuse, including assault and/or battery, by any person who poses a clear and present threat to the health, safety or well-being of any person in the AUM community. This may be a single incident or a series of incidents.
3. Sexual harassment is defined as unwelcome, gender-based verbal or physical conduct, which is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the university's educational program. The unwelcome behavior may be based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.
4. Discrimination defined as any distinction, preference, advantage for or detriment to an individual based on their actual or perceived protected status that is so severe, persistent or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the university's educational program or activities.
5. Discriminatory harassment is defined as detrimental action based on an individual's actual or perceived protected status that is so severe, persistent or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the university's educational program or activities.
6. Retaliatory harassment: Intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a protected activity.
7. Hazing, defined as initiation rites involving physical abuse or mental anguish (see AUM [hazing policy](#)).
8. Disrupting/endangering the safety of the AUM community: e.g., tampering with elevators, tampering with fire safety equipment, falsely reporting a bomb or fire or engaging in behavior that creates a fire or safety hazard.
9. Possession, use, or threatened use of dangerous items including but not limited to firearms, weapons, fireworks or any gas liquid or other substance or instrumentality, which in the manner used, is calculated or likely to produce death or great bodily harm.
10. Participating in campus demonstrations that disrupt university operations or infringe on the rights of others, including, but not limited to, noting or inciting a riot.
11. Vandalism, malicious destruction, damage, or misuse of university or private property, including but not limited to university housing facilities.
12. Unauthorized use or misuse of university property, including but not limited to, the university computer facilities: e.g., access to facilities and/ or rooms; access to computers, software, systems, databases; making false entries; unauthorized transfer of a file; unauthorized use of another's password or ID number; defacing or destroying computer information or stored records.
13. Manufacture, distribution, sale, possession or use of illegal drugs and/or paraphernalia violates the Drug Free Schools and Communities Act.
14. Forgery, alteration or misuse of university documents, records or identification card.
15. Intentionally failing to meet financial obligations to any authorized university office, including issuing bad checks or falsely reporting vending machine losses.
16. Dishonesty by providing inaccurate, incomplete or information which is deceiving, including admission application and/or financial aid information.
17. Theft, fraud, shoplifting, embezzlement or possession of stolen property (including buying and



receiving stolen property).

- 18. Failure to follow any university housing policy and/or regulation.
- 19. Misuse or unauthorized use of library materials, including but not limited to, theft, vandalism or malicious destruction,
- 20. Littering or endangering the environment.
- 21. Lewd, indecent, obscene or disorderly conduct, including but not limited to, conduct resulting from drug or alcohol use; undue noise or behavior that results in unreasonable annoyance; any obstruction or disruption of teaching, research, or administrative functions, student accountability procedures, living and learning environment or other university activities, including public service functions or other authorized activities on university property or at university sponsored events.
- 22. Storing anything flammable/combustible inside a university building, including but not limited to, gas powered vehicles.
- 23. Gambling in violation of law.
- 24. Violation of university alcohol regulations, including solicitation of donations or use of alcohol as an enticement to events.
- 25. Failure to comply with university policies, rules or regulations as pronounced by university officials acting in the performance of their official duties.
- 26. Unauthorized release of private and confidential information from student, faculty or staff records, such as health, educational or financial information, unless permitted by law.
- 27. Tampering with an election of any officially recognized campus activity or organization.
- 28. Violation(s) of student organization rules, as stated in the group's constitution, Student Organization Handbook, and/or Student Policy Manual by any student organization or member of a student organization.
- 29. Abuse or blatant disregard of the Student accountability system, including failure to comply with the terms of any university sanction, disrupting a student accountability hearing or conference, harassment of any witness or providing false or inaccurate information at any student accountability conference or student accountability hearing.
- 30. Breaking and entering, trespassing and unauthorized entry.
- 31. Attempt to commit any violation of the Student Discipline Code or other university policy or regulation.
- 32. Accessory to any violation of the Student Discipline Code or other university policy or regulation.
- 33. Attempt to commit or the commission of any local, state or federal crime, or the violation of any ordinance or law. It is not necessary that the student be charged or convicted of a crime or violation in order to file a complaint through the university student accountability process.

## **Rights of the Student**

A student accused of violating the Discipline Code has the following rights:

- 1. The right to be informed, when first accused, of the procedure for reviewing the charge within the university community.
- 2. The right to be informed in writing of the charge made against him or her.
- 3. The right to be informed in writing of the right to a hearing and the procedure involved.
- 4. The right to receive written notice of the time and place of the hearing regarding charges, if a hearing is requested by the student.
- 5. The right to have someone present who will serve in an advisory capacity.
- 6. The right to present witnesses and evidence and to be present throughout the presentation of witnesses and evidence at the hearing, if a hearing is requested by the student; and
- 7. The right to have the sanction(s) deferred until completion of the appeal process described herein.



## **Student Organization Offenses**

A student organization may have a complaint brought against it for a violation of the Student Discipline Code. A student organization and its officers may be held collectively and/or individually responsible for violation(s) of the code. The alleged violation may take place either during an event sponsored by the organization or by an individual representing that organization.

Student organizations are responsible for compliance with the code and with university policies. Upon proof that a member who has violated the code had the knowledge and/or consent of his student organization officers or that the member acted in concert with at least four other members of the student organization, both the student organization and the individual members involved may be subject to university sanctions.

## **Hazing Policy**

Auburn University at Montgomery strictly prohibits hazing in any form. All students, student organizations, and university-affiliated groups are expected to comply with the university's hazing policy, which outlines prohibited behaviors, reporting procedures, and potential sanctions.

The full hazing policy can be reviewed [here](#).

Students are also encouraged to visit the AUM hazing prevention website to learn more about hazing awareness, prevention initiatives, and resources available for reporting and support.

## **Student Organization Rights**

The following rights will be afforded to student organizations:

1. The president or his/her designee must be given reasonable notice of the complaint in accordance with the code. The president or designee is then required to represent the student organization in any proceedings. Failure of the president or designee to appear on behalf of the student organization will not prevent the disposition of the case.
2. The student organization's president or designee shall be afforded all procedural rights of the code.
3. Any individual who accepts an invitation to join any fraternity or sorority may be subject to individual fraternity or sorority and/or Greek governing structure sanctions in addition to university sanctions for group or individual offenses.

## **Procedure for Reporting All Other Offenses**

1. Any member of the university community can lodge a complaint against any student or student organization believed to be in violation of this code. All complaints must be made to the Office of Accountability and Advocacy in writing. Any complaint should be submitted as soon as possible after the alleged violation occurs.
2. The Office of Accountability and Advocacy (OAA) will review the complaint and will either proceed with the complaint or dismiss the complaint.
  - a. If the complaint is dismissed by the OAA, the complainant may submit a written appeal through the OAA within three (3) working days of the dismissal to be heard by a panel of three selected from a pool of the AUM Committee on Discipline. The appeal must explain why the complaint should be heard through the student accountability process. The panel will notify the complainant, in writing through the Office of Accountability & Accountability, of their decision within five (5) working days of receiving the appeal.



- b. If the case is accepted and later goes to the AUM Committee on Discipline, the panel members will not serve on the hearing committee.
3. If the complaint is not dismissed, the OAA will officially notify the student or student organization of the complaint.
  - a. The complaint should include: the name of the person making the complaint; the full name, address and telephone number (if available) of the person being accused of a violation or the student organization's name; the alleged violation(s); all information supporting the alleged violation (i.e., exam papers, pictures, statement of reasons which support the complaint); date and time of the alleged violation; witnesses), (include information on how to contact witness(es), names of persons involved or those with pertinent information; and a description of the alleged violation in a logical and clear manner.

A student or student organization may be accused of more than one violation in the complaint. Any person filing a complaint will be required to appear at the resolution conference, unless excused by the Office of Accountability and Advocacy, and the student accountability hearing, if one is conducted. Should the complainant not be excused and fail to appear at the resolution conference, the case may still be considered by the AUM Committee on Discipline. Should the complainant not appear before the AUM Committee on Discipline, the case may be dismissed.

### **Procedure for Temporary Withdrawal and Immediate Suspension**

When a student is unable to effectively pursue academic work because his/her behavior is disruptive to the normal educational process of the university, he or she may voluntarily withdraw immediately or be temporarily suspended as set forth below. A student may be temporarily and immediately suspended prior to a hearing when the Office of Accountability and Advocacy for Student Affairs (or designee) has reasonable cause to believe that danger or harm will result to the student or others if the student is allowed to remain on campus pending a decision by the hearing panel following a hearing. (Note: student financial commitments will be considered on a case-by-case basis).

At the time the student is ready to resume his/her education, he or she must request in writing that his or her case be examined by the Hearing Panel. Supporting documentation and an interview may be required before the student can be readmitted. A hearing panel may be convened at the request of the Office of Accountability and Advocacy for Student Affairs (or designee) and shall consist of the associate dean of student affairs and at least two other representatives from offices such as (but not limited to): Student Health Services, Counseling Services, Center for Disability Services, Office of Public Safety, and faculty when necessary. The student may present any information to the board that he or she deems relevant. The board, after reviewing all pertinent information, will render a decision about the student's ability to continue at the university and will notify the student in writing of its decision. The student may appeal the decision to the Vice Chancellor for Student Affairs within ten (10) working days of receipt. The decision of the hearing panel becomes final and effective if a timely appeal is not filed.

In extreme cases where the action of a student poses an immediate threat to the well-being of the university community, or there is substantial evidence that the continued presence of the student on the campus shall disrupt the university, the Assistant Vice Chancellor for Student Affairs may temporarily suspend the student at the initiation of the Code of Student Discipline procedures. If the Assistant Vice Chancellor for Student Affairs determines that the student's presence no longer poses an immediate threat, the temporary suspension shall be removed pending resolution of the conduct process.

## Types of Hearings

### Resolution Conference, Committee on Discipline, Or Hearing Panel

Any student or student organization accused of violating the Student Discipline Code must participate in a resolution conference with the Office of Accountability and Advocacy, (or designee), Campus Police when necessary; and, when appropriate, the complainant. If the matter is not resolved at the conference level, a student accountability hearing will be held before the AUM Committee on Discipline (unless it is an incident involving an immediate threat). A hearing panel will most likely convene as the result of a temporary suspension. Please note: Sexual Assault complaints will be resolved through a separate hearing process. More information on Title IX grievance procedures can be found on the AUM [website](#).

#### A. Resolution Conference

The purpose of a resolution conference is to resolve alleged violations in an informal setting.

1. Once a written complaint has been lodged with the Office of Accountability and Advocacy, the accused will be notified in writing of the alleged complaint within a reasonable time. Notices of the alleged complaint will be sent to the student's official AUM email. In addition, the accused will be provided with a copy of the Student Handbook, which outlines the student accountability process.
2. A pre-conference meeting **may** be held with the accused and a Student Affairs staff member to explain the procedures and to discuss the evidence. This meeting will take place approximately three (3) working days prior to the resolution conference so that the accused has adequate time in which to prepare; however, circumstances may justify a shorter period between the pre-conference meeting and the resolution conference.
3. A resolution conference consists only of the accused, the complainant (when appropriate), and the Office of Accountability and Advocacy (or designee).
4. At the resolution conference, the complainant may make a statement, followed by the accused's statement. Questions and discussion may follow.
5. If an agreement has been reached on the violation(s), appropriate sanction(s) may be agreed upon if necessary. A written agreement including sanction(s), if any, will be prepared and the accused, the complainant and the Office of Accountability and Advocacy must sign the agreement.
  - a. If the agreement is not signed within three (3) working days, the case will be referred to the AUM Committee on Discipline.
  - b. If no agreement is reached, the case must be referred to the AUM Committee on Discipline.
6. If the accused fails to appear at the resolution conference, the case will be referred to the AUM Committee on Discipline. Should the complainant not appear at the resolution conference and has not been excused by the Office of Accountability and Advocacy, the case may be dismissed.

### AUM Committee on Discipline: Composition and Power

The AUM Committee on Discipline holds an informational hearing to review alleged violation(s). The committee shall comprise no more than three faculty/staff members and two students. It is required that five committee members be present to vote on a complaint or sanction or to hear a complaint. Two members of the faculty are appointed by the Rules Committee of the Faculty Council and confirmed by the Faculty Senate. The Dean of Students for Student Affairs may request the presence of a member of the



Threat Assessment Team, provided the member was not involved in the original case, to participate as a voting member of the Committee on Discipline. The student members are appointed by the Dean of Students for Student Affairs. To be eligible to serve, students may not be on academic probation or under any university sanction. The AUM Committee on Discipline may consult any person(s) during the student accountability process who they feel can assist in the fact finding and recommendation process. If the accused is found to be in violation of the Discipline Code, the committee will notify the Office of Accountability and Advocacy of the appropriate sanction(s).

If the recommended sanction is expulsion, the committee's recommendation must be unanimous; if other sanctions are recommended, a majority vote is necessary. If the accused does not attend the hearing and does not provide a satisfactory explanation of his/her absence at least 48 hours in advance of the hearing, or if the accused leaves the hearing prior to its conclusion, the hearing will proceed, and the committee shall make a recommendation based on the available information. Should the complainant not appear before the AUM Committee on Discipline, the Committee may hear and resolve the case based on the information available.

The chair is responsible for conducting an orderly hearing and deciding on the admissibility of information, procedural questions, etc. The chair may expel or exclude anyone from the proceeding who is disorderly or for any other appropriate reason. It is expected that all people involved in the hearing will be treated with respect and it is the chair's role to ensure that the environment is conducive to the process.

### **Committee on Discipline Procedures**

The accused will be given notice in writing of the time and place of the hearing. The notice will include the alleged violation(s). All written evidence discussed at the resolution conference will be presented to the AUM Committee on Discipline at the hearing. The AUM Committee on Discipline hearing will take place as soon as possible following the resolution conference.

Two (2) working days (may be longer if legal counsel is involved) prior to the hearing, both the accused and the complainant can submit the name of their advisor, witness(es) and additional written information (review the definition section). All information will be shared with the accused and complainant(s). To have any information released by the associate dean to the student's advisor, written approval from the accused must be obtained. It is both the accused and the complainant's responsibility to have their witness(es) present. If the panel considers a witness necessary to the hearing, the panel chair can require the witness(s) to be present for the hearing.

When two or more students or student organizations are accused in the same complaint, each will have a separate hearing before the AUM Committee on Discipline unless a joint student accountability hearing is requested in writing. The request must include the reasons for support and must be submitted to the Office of Accountability and Advocacy at least two (2) working days prior to the hearing. After review, the chair may decide to grant a joint hearing only if it is shown that it would be fair and reasonable to all involved.

Prior to the committee meeting, if the accused or the complainant feels that a member of the AUM Committee on Discipline is biased, the accused and the complainant have the right to voice an objection. The committee will review and determine the validity of the request prior to the start of the hearing. The order of the hearing is as follows:

1. The AUM Committee on Discipline will convene and review all written evidence. If the accused or complainant has written information to share with the committee, it must be submitted two (2) working days prior to the beginning of the hearing. Parties may review each other's evidence and take notes, etc., but not keep copies of any personal information, evidence, or documents submitted.
2. The committee will conclude its executive session and admit both the accused and the complainant to the room. Both the accused and the complainant(s) will be present during

the questioning.

3. The complainant may make a short statement and present information to the committee concerning the alleged violation(s),
4. The accused may make a short statement concerning the allegations.
5. The AUM Committee on Discipline may ask questions to any persons present at the hearing throughout the process. Both the accused and the complainant(s) may question each other and witness(es) by directing questions through the chair if the chair deems the questions are germane to the case. Also, questions about any written information submitted to support the allegation may be raised even if the author is not present.
6. Witness(es) for both the accused and the complainant will be called into the room to provide information supporting or refuting the alleged violations. The accused, the complainant and the witnesses may refuse to answer any question if the answer could lead to violations of this code or to violations of local, state or federal laws. The chair may call the committee into executive session at any time to discuss a procedural matter.
7. After all statements, questions and supporting or refuting information have been submitted to the committee, all non-committee members will leave, and the committee will go into executive session. At that time, the committee will decide if the accused was in violation of the code. The decision will be based on the information submitted at the hearing. If the committee determines that a violation was committed, the committee will recommend an appropriate sanction to the Office of Accountability and Advocacy. If the accused has been found in violation and has had accountability action taken and/ or sanctions imposed in the past, the chair will inform the committee of such in order that this history can be considered when recommending a sanction.
8. The chair shall prepare a written summary of the hearing, including the committee's recommendation and rationale 2 working days following the hearing date. This is to be submitted to the Office of Accountability and Advocacy. Should the accused or complainant request a copy of the written summary, it will be provided free of charge. All proceedings of the committee are officially recorded on tape except for executive sessions. No other recording devices may be used during the hearing. The accused or complainant may request a copy of the official tape of the hearing at his/her expense. The recording or file will be kept in the Office of Accountability for one year if the student is found in violation of the Student Discipline Code, two years if the sanction imposed is suspension, and indefinitely if the sanction is expulsion.
9. Within five (5) working days following the hearing, the Office of Accountability and Advocacy or designee will notify the committee's recommendation. The accused and the complainant may pick up a copy of the student accountability hearing decision from the Office of Student Accountability and Advocacy. A copy of the decision will also be mailed to the accused's local address listed with the Registrar Office. If the complainant requests a copy of the decision, consideration will be given by the Office of Accountability and Advocacy based on the case. The appeal date is established by the date that the decision is mailed.
10. Appropriate university offices will be notified of the imposed sanction after the appeal deadline has passed.

## **B. Crisis Committee**

The Crisis committee is convened at the request of the Office of Accountability and Advocacy of Student Affairs (or designee). Consisting of a representative of the Office of Accountability and Advocacy of Student



Affairs (or designee), and at least two other representatives from offices such as (but not limited to) Student Health Services, Counseling Services, Center for Disability Services, Office of Public Safety, and faculty, when necessary, to hear cases that may be related to an immediate suspension or case warranting immediate attention.

## **Appeals Process**

The accused may file a written appeal of the AUM Committee on Discipline decision to the Dean of Students for Student Affairs within seven (7) working days from the mailing date of the decision. The appeal is processed through the Office of Accountability and Advocacy. The decision granting an appeal will be based upon information presented in the written letter of appeal.

The sanctions will not take effect until after the appeal is heard, unless it is determined by university officials that the student's presence on campus poses a threat of danger to persons or property or is an ongoing threat to the academic process or the safety of the AUM community.

The filing of a letter of appeal is a formal written request and must contain the student's name, the date of the decision, and the university's action taken, the name of the student's advisor, and a clear statement as to the basis of the appeal.

An appeal may be granted if one or more of the following applies:

1. Additional information is submitted which was unknown or unavailable at the time of the student accountability hearing and would alter the facts of the case.
2. A substantial procedural error was committed.
3. A reasonable claim is made and supported that the sanction imposed was unjust.

If the appeal is granted by the Dean of Students for Student Affairs, the following actions are available:

1. Uphold the decision, including the sanctions imposed.
2. Uphold the decision but impose different sanctions.
3. Resubmit the case to the AUM Committee on Discipline for a new hearing or with specific instructions. This option may be used in cases involving a procedural error or when additional information has become available.
4. Reverse the decision.

The Dean of Students for Student Affairs will, in writing, inform the parties involved of his/her decision within ten (10) working days of receiving the appeal. The decision of the Dean of Students for student affairs is binding and final. Only if the accused can show that the Dean of Students for student affairs committed a clear and obvious error in discretionary authority in reaching the decision, a written request be submitted to the Provost, through the Office of Accountability and Advocacy, within three (3) working days of the Dean of Students for Student Affairs' decision. The request to the provost shall explain the alleged error in discretionary authority. The Provost, after consideration of all written information, will inform all parties involved of his decision within twenty (20) working days. This written response terminates the student accountability process at the university.

## **Hearings During University Holidays, Vacation, or Emergency**

The Office of Accountability and Advocacy may conduct a resolution conference during vacation periods or in emergency situations that may arise during the school year, when it is believed that the student's behavior or activity is endangering the safety of others.

Resolution of the alleged violation and sanctions, if appropriate, may be imposed after review and approval by the Dean of Students for Student Affairs. If the student chooses to appeal, the case will be heard by the AUM Committee on Discipline when classes resume. However, the sanction(s) may be imposed pending resolution of the appeal. *(This differs from other types of appeals.)*



## **Possible University Sanctions**

### **The following outcomes may be imposed upon a student or student organization found responsible for violating the Student Discipline Code.**

**Warning:** The student or student organization is given written notice that their conduct is in violation of university policies, rules or regulations. Future violations of the code may result in the imposition of additional sanctions.

**Community Service:** The student or student organization is required to complete a designated number of hours in service of the university.

**Restitution:** The student or student organization is required to replace (replacement cost) or restore damaged, stolen or misappropriated property.

**Educational Sanction:** defined as an online or in class Programs, projects or assignments designed to educate a student about the effect of his/her behavior including but not limited to an alcohol/drug education program, reflection paper, community or campus service, letter of apology.

**Probation in the Office of Student Affairs:** The student or student organization is placed on supervisory status for a specified period of time.

**Probation with the Loss of Some Privileges:** The student or student organization is placed on supervisory status for a specified period of time, along with the loss of one or more privileges such as participation in or sponsorship of university recognized activities, holding any student office or committee chair, or use of university facilities or services.

**Probation in University Housing:** The student or nonstudent resident is placed on supervisory status for a specified period of time.

**University-Wide Probation:** The student or student organization is placed on supervisory status for a specified period of time. The loss of some privileges, such as participation in or sponsorship of university recognized activities, holding any student office or committee chair, or use of university facilities or services may occur.

**No Contact:** A student may be directed to have no contact with another university member until the order is lifted in writing. The student(s) are to refrain from contacting or communicating through a third party in any way, at any time, sending anything, or any other means of communication.

**Suspension from University Housing:** The student is removed from University Housing and/or may lose University Housing visitation rights for a specified period of time. If a student wishes to regain such privileges, he or she must contact the Office of Accountability and Advocacy and receive approval. If approval is given, the student must apply for housing and/or visitation rights in accordance with University Housing procedures.

**Suspension:** The student's or student organization's status is temporarily terminated and all privileges, including access to the university and its resources, are removed for a specific period of time. For student organizations, this sanction means loss of all university privileges.

**Suspension with Review:** This sanction is the same as Suspension outlined above but, in addition, the student or



student organization must meet with the associate dean prior to regaining full student or student organizational status or readmission to the university. The determination which the student meets with is based on the specifics of the case.

**Denial of a Degree:** The university may not award the student an academic degree. For example, a student may be denied an academic degree if found guilty of academic dishonesty. This is noted permanently on the student's educational record.

**Revocation of Degree:** An academic degree previously awarded by the university may be revoked on proof that it was obtained by fraud or dishonesty or that a significant part of the work submitted in support of the degree was plagiarized. This is noted permanently on the student's educational record.

**Expulsion:** The student or student organization is removed from the university, including access to the university and its resources. The student or student organization may request in writing through the Assistant Vice Chancellor a review of the sanction of expulsion. The Chancellor may: Deny the request for review altogether, or upon proof of exceptional and/ or extenuating circumstances, may request that the AUM Committee on Discipline or AUM Hearing Panel recommend altering the student's or student organization's sanction, or may change the sanction. This is noted permanently on the student's educational record.

## **Violation of Law and Auburn University at Montgomery Students**

### **Accountability System**

If a complaint is brought against a student or student organization for an act that took place off campus that is a violation of other campus policies, rules or regulations or of federal, state, or local law, whether or not the conduct is a violation of the Discipline Code, action may be taken, and sanctions imposed. Sanctions may also be imposed for grave misconduct demonstrating flagrant disregard for the AUM community. Please refer to violation #33 of the Violations of Student Discipline Code section.

Accountability proceedings may be filed against a student if the violation(s) of a law is also a violation of the code, without having to wait for civil or criminal adjudication. Proceedings under the Discipline Code may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus. The university will cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by the criminal courts for student violators.

### **Student Discipline Code Changes and Amendments**

This code will be reviewed every two years. Recommended revisions are welcome from the AUM community. Amendments are to be supported by the Division of Student Affairs, reviewed by legal counsel, and approved by the Chancellor. Changes to this code supersede all previous university policies, rules and regulations. Proposals to amend or revise this code may be made by the Student Government Association or the Faculty Senate. These bodies shall submit separate or joint recommendations concerning proposed changes to the Chancellor, who may relay the proposed revision to the university attorney for legal review. Final authority for revision of the Student Discipline Code shall reside with the Chancellor or his or her designee, and any revision shall be effective immediately upon approval by the Chancellor or his or her designee.