1. **PREAMBLE**

The University of Alabama aspires to transmit knowledge, to develop its students, and to promote the quality of society. In seeking these goals, the University recognizes the significance of student rights. These rights include freedom of expression, autonomy, procedural protection and the integrity of people and their property. By ensuring these individual rights, the University fosters an environment conducive to student success and well-being. The Code of Student Conduct fully respects student rights.

Of course, students have obligations in addition to their rights. As members of an academic community, they must observe rules that benefit their classmates, their community, and their University. Students must practice personal integrity. By so doing, they respect the dignity, rights and property of others, including, but not limited to, students and all members of the University community. The University has a vital interest in the character of its students and, therefore regards behavior at any location (on-campus or off-campus) as a reflection of a student’s character and fitness to be a member of the student body. The Code of Student Conduct thus creates an expectation of behavior that the University deems acceptable and is not detrimental to the University. By fulfilling these expectations, students can enjoy their own rights, while also respecting their classmates’ rights and furthering the University’s goals.

However, the University community, as any other, must have a system to deal with those instances when a member fails to adhere to the expectations of the community. The Code of Student Conduct describes the actions that fail to meet expectations, the process of determining when a failure has occurred, and the punishment to be imposed for such failure.

2. **ARTICLE I: CONDUCT AUTHORITY**

The Conduct authority at the University rests with the Division of Student Affairs. The President has designated the Vice President for Student Affairs to be responsible for the administration and operation of this Code of Student Conduct (“Code” or “Student Code”). The Vice President shall appoint a Conduct Administrator who shall be responsible for the operation of this Code.
A. Jurisdiction of the University

Generally, University jurisdiction and discipline shall be limited to conduct that occurs on University premises or conduct that adversely affects or is detrimental to the University community and/or the pursuit of its objectives, which can occur anywhere. A student will be subject to the Code of Student Conduct for any action that violates this Code that either occurs on University premises, or, in the University’s sole discretion, that affects or is detrimental to the University community and/or pursuit of University objectives.

B. Violation of Law and University Discipline

(1) If a student is cited only with an off-campus violation of federal, state, or local laws, but not with any other violation of the Code, disciplinary action may be taken and sanctions imposed for misconduct that is detrimental to or demonstrates disregard for the University community and/or its pursuit of University objectives.

(2) University disciplinary proceedings may be instituted against a student cited for a violation of a law that is also a violation for this Student Code if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

(3) When a student is cited by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a Conduct Body under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of the law on campus and in the conditions imposed by courts for the rehabilitation of student violators.

C. Operation of the Conduct System

(1) The Conduct Administrator shall receive from Conduct Bodies recommendations for sanctions to be imposed upon students who have been found to have violated this Student Code. Except in cases resulting in expulsion, in which the Vice President for Student Affairs, after consultation with the President of the University, is required to make the final decision, the Conduct Administrator shall make the final decision. In all cases, the Conduct Administrator shall notify the student of the sanction that is imposed.

(2) The Conduct Administrator shall determine the composition of Conduct Bodies and Review Boards and determine which Conduct Body and Review Board shall be authorized to hear each complaint.

(3) The Conduct Administrator shall develop policies for the administration of the conduct program and procedural rules for the conduct of hearing.

(4) Decisions of responsibility for Code violations that a Conduct Body makes shall be final, pending the normal review process.

(5) A Conduct Body may be designated as a mediator of disputes within the student community for complaints that do not involve a violation of the Student Code. All parties must agree to mediation and be bound by the decision with no right to request a review.

3. ARTICLE II: DEFINITIONS

A. The term “University” means The University of Alabama, Tuscaloosa, Alabama.

B. The term “student” includes all persons taking or pursuing undergraduate, graduate, or professional studies or courses at the University, both full-time and part-time, as well as persons attending classes on campus or off-campus. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students.”
C. The term “faculty member” means any person the University hires to conduct classroom activities.

D. The term “University official” includes any person employed by or volunteering for the University, performing assigned administrative or professional responsibilities.

E. The term “member(s) of the University community” includes any person who is a student, faculty member, University official or any other person visiting University property or who is employed by or volunteering services to the University. A person’s status in a particular situation shall be determined by the Conduct Administrator.

F. The terms “University premises” and “campus” include all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).

G. The term “organization” means any number of persons who have complied with the formal requirement for University recognition/registration.

H. The term “Conduct Body” means any person or persons authorized by the Conduct Administrator to determine whether a student has violated the Student Code and to recommend imposition of sanctions.

I. The term “Conduct Administrator” means the University Official appointed by the Vice President for Student Affairs who shall be responsible for the administration and operation of the Code of Student Conduct.

J. The term “Conduct Investigator” means a University Official appointed by the Conduct Administrator to investigate alleged violations of misconduct, to attempt informal (administrative) resolution of such alleged violations, and to present charges before a Conduct Body.

K. The term “Hearing Officer” means a University official authorized on a case-by-case basis by the Conduct Administrator to hear charges, to assess information provided, and to recommend sanctions to be imposed upon students found to have violated the Student Code.

L. The term “Review Board” means any person or persons authorized by the Conduct Administrator to consider a review from a Conduct Body’s determination that a student has violated the Student Code or from the sanctions imposed by the Conduct Administrator.

M. The term “Dangerous Weapon” is defined to include:
   (1) Any device that shoots or delivers a bullet, BB, pellet, arrow, dart, flare, electrical charge, airsoft ammunition, or other projectile, whether loaded or unloaded, including devices powered by CO2.
   (2) Any explosive device, including fireworks.
   (3) Any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual, including non-culinary knives with a blade greater than four (4) inches.

N. The term “shall” is used in the imperative sense.

O. The term “may” is used in the permissive sense.

P. The term “policy” is defined as any published policies or regulations of the University as found in, but not limited to, the Student Handbook, Housing and Residential Communities Community Living Standards, and Graduate/Undergraduate Catalogs, or any regulations or policies of the University found online.

Q. The term “substantial information” means information that would lead a reasonable person to conclude that it is more likely than not that the act in question did occur.

4. ARTICLE III: PROSCRIBED CONDUCT

Any student found to have committed one or more of the following acts of misconduct is subject to the disciplinary sanctions outlined in Article V:

A. Offenses against the University Community.

   (1) Acts of dishonesty, including but not limited to the following:
      a. Furnishing false or misleading information to any University official, faculty member or office.
      b. Forgery, alteration, or misuse of any University document, record or instrument of identification.
c. Tampering with the election of any University-recognized student organization or violating the terms of the UA Student Government Association Elections Manual.

(2) Disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other University activities, including its public-service functions, whether on or off-campus, and other authorized non-University activities that occur on University premises.

(3) Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

(4) Violation of published University policies, rules or regulations, including, without limitation, the University Alcohol Policy, Harassment Policy, Child Protection Policy, Dangerous Weapons and Firearms Policy, parking and traffic regulations, etc.

B. Offenses against Persons

(1) Endangerment
   a. Physical abuse of another individual.
   b. Any action, inaction, or communication that harms or threatens the mental or physical health, safety, or well-being of another person or group.

(2) Hazing
   a. Hazing is defined as any action, inaction, or communication that harms or threatens the mental or physical health or safety of a student or individual, or any act that destroys, or removes public or private property, for the purpose of, among other things, initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization.
   b. Hazing actions include, but are not limited to the following acts involving other individuals:
      1. Unreasonable interference with a student’s academic performance.
      2. Forced actions or inactions that demean or disgrace an individual.
      3. Forced or coerced consumption of food, alcohol, drugs, or any other substance.
      4. Forced or coerced actions that violate the law or this Code.
      5. Forced or coerced wearing of inappropriate apparel.
      6. Forced or coerced exclusion from social contact.
      7. Creation of unnecessary fatigue, which includes, but is not limited to, physical activity or deprivation of sleep.
      8. Deprivation of food.
      9. Any unnecessary physical contact, including, but not limited to, beating, paddling or forced exercises.
      10. Personal servitude.
      11. Unreasonable exposure to weather or the elements.
      12. Any other activity that could be viewed as subjecting others to embarrassment, degradation or humiliation.
   c. An individual commits hazing if he or she personally takes or contributes to the actions described in this section or if he or she knows that hazing will occur or is occurring and does nothing to stop it or attempt to stop it or, alternatively, knows that hazing has occurred and fails to promptly report it to appropriate University authorities. It shall also be a violation of this Code if a student retaliates in any manner against another student or individual for reporting hazing to University officials.

(3) Sexual Misconduct
   a. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is not in a state that enables them to give consent. Consent is defined as a clear willingness to participate in the sexual act. Inability to give consent includes, but is not limited to, situations where an individual is:
1. Under the influence of alcohol, drugs or other substances including, but not limited to, prescription medication.
2. Unconscious, asleep, ill, or in a state of shock.
3. Under the age of consent as defined by the State of Alabama.
4. Mentally or physically impaired and not reasonably able to give consent.

Consent to a sexual act is not freely given if there is no clear verbal consent given, if the individual is not able to give proper consent, or if consent is obtained by force, threats, deception, or coercion. A lack of resistance does not grant consent. Previous consent does not grant consent to future sexual acts. Consent can be withdrawn if demonstrated in a clear communication through words or actions.

b. Any obscene or indecent behaviors that include, but are not limited to, exposure of one’s sexual organs, or a display of sexual behavior that could be reasonably deemed offensive to others.
c. Any lewd, hostile or intimidating comments of sexual nature used to create an offensive environment.

It is a violation of this Code to retaliate in any manner against a member of the University community that reports suspected sexual misconduct to University officials.

(4) Harassment
a. Harassment that is defined as not being of a sexual nature includes:
   1. Actions or statements that threaten harm or intimidation to others.
   2. An act that invades the privacy of another person.
   3. Bullying behaviors, defined as a repeated infliction of physical or psychological distress by way of teasing, social exclusion, threats, intimidation, stalking, violence, theft, harassing communication or destruction of property.
   4. Any action or statement via social media, computer, or other data network that may be perceived as harmful, threatening, or intimidating.

C. Offenses against Property
(1) Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property.
(2) Unauthorized possession, duplication, or use of keys to any University premises or unauthorized entry to or use of University premises.
(3) Theft or other abuse of computer time, including but not limited to:
   a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
   b. Unauthorized transfer of a file.
   c. Unauthorized use of another individual's identification and password.
   d. Use of University computing facilities, equipment, accounts, or services to interfere with the work of another student, faculty member or University Official.
   e. Use of University computing facilities, equipment, accounts, or services to send obscene or abusive messages or to view obscene material or content.
   f. Use of University computing facilities, equipment, accounts, or services to interfere with normal operation of the University computing system.
(4) Damage to or littering on public grounds of the University, including, but not limited to, driving motor vehicles on lawns or grounds of University property, without prior authorization from the appropriate University official.

D. Offenses Disrupting Order or Disregarding Health and Safety
(1) Use, possession, manufacturing, or distribution of narcotics or other controlled substances except as expressly permitted by law, or possession of drug paraphernalia.
(2) Use, possession, or distribution of alcoholic beverages, except as expressly permitted by the law and University regulations, or public intoxication.
(3) Possession of dangerous weapons on University premises in violation of University policy.
(4) Participation in a campus demonstration that disrupts the normal operations of the University and infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian and/or vehicular, on campus.

(5) Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions.

(6) Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by the University.

(7) Violation of federal, state, or local law on University-premises or at University sponsored or supervised activities.

(8) Entering false fire alarms or bomb threats, tampering with fire extinguishers, alarms, or other safety equipment.

(9) Violation of traffic and parking rules and regulations including, but not limited to:
   a. Repeated or flagrant violations of the rules as set forth in University Traffic and Parking Regulations.
   b. Tampering with, removal or theft of wheel locks, barricades, traffic cones or traffic control devices.

(10) Violation of federal, state or local law off University premises and not related to University sponsored or supervised activities that adversely affects or is detrimental to the University community and/or the pursuit of its objectives. The decision to pursue disciplinary action under this provision is that of the Vice President for Student Affairs, or a designee.

(11) The operation of any form of gambling business or any activity sponsored by an organization identified as an approved University organization unless specifically approved by the Office of Student Affairs. Any student or group of students who accepts or manages a large number of wagers or who provides the mechanisms for wagering or for playing games of chance for profit will be presumed to be operating a gambling business.

(12) Facilitating or encouraging gambling by a student athlete or seeking or encouraging a student athlete to provide information or advice regarding competitions in which he or she shall participate.

E. Abuse of the Conduct System

(1) Failure to obey the summons of a Conduct Body or University official.

(2) Falsification, distortion, or misrepresentation of information before a Conduct Body.

(3) Disruption or interference with the orderly conduct of a conduct proceeding.

(4) Institution of a conduct proceeding knowingly without cause.

(5) Attempting to discourage or influence an individual's proper participation in, or use of, the conduct system.

(6) Attempting to influence the impartiality of a member of a Conduct Body prior to, and/or during the course of, the conduct proceeding.

(7) Harassment (verbal or physical) and/or intimidation of a member of a Conduct Body prior to, during, and/or after a conduct proceeding.

(8) Failure to comply with sanction(s) imposed under the Code of Student Conduct.

(9) Influencing or attempting to influence another person to commit an abuse of the conduct system.

(10) Any other act that is intended to or has the effect of delaying or interfering with the orderly operation of the conduct process.

F. Self-Disclosure of Arrests and Convictions

A student must disclose to the Office of Student Conduct any arrests or convictions for a criminal offense—excluding minor traffic violations that do not result in an arrest or injury to others—that occurs after the student is first admitted to the University. This disclosure obligation applies to all arrests and convictions described above that occur inside or outside the State of Alabama at any time, regardless of whether the University is in session at the time. Such disclosures must be made within five (5) calendar days of the arrest or conviction. If the arrest or conviction involves a juvenile proceeding or a student has been granted youthful offender status with regard to the case, the student should seek the advice of counsel regarding the disclosure obligation in light of the relevant law of the state in which the arrest or conviction occurred. Failure to comply with this disclosure obligation without a valid legal basis for doing so under a juvenile or youthful offender exception shall be deemed a violation of the Code of Student Conduct.
G. Retaliation
It is a violation of this Code for any student to retaliate in any manner against a member of the University community who, in good faith, reports a suspected violation of this Code to University officials.

5. ARTICLE IV: ORGANIZATIONAL MISCONDUCT

Student organizations enrich the campus and community by providing a source of intellectual, personal and social development of students through their programs and activities. The University fulfills an important mission by providing procedures and policies for the registration and support of student organizations.

Inherent in the University’s recognition of student organizations is the obligation of each organization to conduct activities in accordance with University rules and policies as well as applicable laws. Student organizations are required to comply with the written rules and policies of the University.

A. Responsibility of Officers

A fundamental aspect of any organization is the right of the membership to elect officers who serve to insure, among their other duties, that the activities of the organization are conducted properly. It is the responsibility of the officers of each student organization to ensure that the organization complies with this Code and to actively oppose and/or prevent any planned or impromptu organizational activity that would violate the Code. It is also the obligation of the officers of any student organization to advise and counsel individual members of their organization whose conduct could lead to misconduct charges against the organization, as provided herein. Any organizational officer who knowingly allows his or her organization or a member of that organization to violate the Code of Student Conduct without taking steps to prevent the violation also commits a violation of the Code. Likewise, any organizational officer who knows of an unreported violation of the Code that has been committed and does not report it to appropriate University officials is in violation of the Code. The organization may also be sanctioned if an organizational officer is found to be in violation of this provision of the Code.

B. Organizational Responsibility for Misconduct

Student organizations will be held responsible for misconduct in the following circumstances:

(1) Organizational responsibility for its own acts. The organization will be held responsible:
   a. When the organization fails to comply with a duty imposed by a written University policy, including, but not limited to, improper membership education and initiation, improper organizational registration of activities for which registration and/or permission is required; failure to comply with applicable health and safety regulations; misuse of University property, facilities and equipment; violations of University regulations on the use of alcohol; and violations of any other rule or policy applicable to organizations.
   b. When one or more officers refuse or neglect to perform their duties under this code as described above in Article IV(A).

(2) Organizational responsibility for individual acts of misconduct.
   a. The organization will be held responsible for the actions of one or more of its members that violate this Code when the actions arise in the course of or derive from the activities of the organization.
   b. In situations other than those described in a. above, the organization may be held responsible for a member or members’ misconduct when, prior to such misconduct, a member or members have committed acts of misconduct the nature of which has caused the Office of Student Affairs to be concerned that the organization is not conducting activities in a manner that discourages such conduct, and the Office of
Student Affairs has notified the organization that further occurrences of such conduct by one or more members will result in disciplinary actions against the organization. Examples of such violations include, but are not limited to, offenses against persons, offenses against property, alcohol abuse and illegal drug abuse. The notice will be in sufficient detail to notify the officers of the precise nature of the offenses and the length of time the notice shall be effective.

6. ARTICLE V: CONDUCT PROCEDURES

A. Charges and Investigations

(1) Any member of the University community may file complaints against any student for misconduct. Complaints may be prepared in writing and directed to the Office of Student Conduct. Any alleged violation should be submitted as soon as possible after the event takes place, preferably within one month (28 days) of the knowledge of occurrence. While preferred, a formal, written complaint from a member of the University community is not required to initiate the conduct process.

(2) Any Conduct Investigator, who has reason to believe that a violation of this Student Code may have occurred, is authorized to begin an investigation in the same manner as if a complaint from a member of the University community had been received. The Office of Student Conduct may investigate and cite students or organizations with misconduct when that Office has reason to believe that a violation may have occurred.

(3) A Conduct Investigator or Conduct Body may issue a summons for a student or organization to appear for discussion about an alleged violation or for a hearing in a pending complaint. The summons may also include an order to produce records that may be helpful in the course of an investigation or in the prosecution of a complaint.

(4) The Conduct Investigator may conduct an investigation to determine if the alleged violations have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Conduct Investigator, subject to the approval of the Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings.

(5) The accused has the right to be assisted during the investigation by any adviser he or she may choose, at their own expense. The adviser may be an attorney. Any such adviser, however, has no right to speak or participate directly in any aspect of the charge and investigation process. The student must speak on his/her own behalf and communicate directly with the Conduct Investigator.

(6) All alleged violations shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five nor more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Conduct Administrator.

B. Hearings

Hearings shall be conducted by a Conduct Body according to the following guidelines. A Hearing Officer shall exercise all the powers attributable to the chairperson of the Conduct Body as described below. Student organizations shall have all the rights of students listed herein, which shall be exercised by the president of the organization.

(1) Hearings normally shall be conducted in private. At the request of the accused student, and subject to the discretion of the chairperson of the Conduct Body, a representative of the student press may be admitted, but shall not have the privilege of participating in the hearing.

(2) Admission of any person to the hearing shall be at the discretion of the chairperson of the Conduct Body.

(3) In hearings involving more than one accused student, the chairperson of the Conduct Body, in his or her discretion, may permit the hearings concerning each student to be conducted separately.
(4) The accused has the right to be assisted by any adviser he/she may choose, at their own expense. The adviser may be an attorney. The accused is responsible for presenting his or her own case, and, therefore, advisers have no right to speak or participate directly in any hearing before a Conduct Body.

(5) The Conduct Investigator and the accused shall have the privilege of presenting witnesses, subject to the right of cross examination by the other party and by the Conduct Body.

(6) Pertinent records, exhibits and written statements may be accepted as information for consideration by a Conduct Body at the discretion of the chairperson.

(7) All procedural questions, including those going to materials and testimony that will be presented during the hearing, are subject to the final decision of the chairperson of the Conduct Body.

(8) After the hearing, the Conduct Body shall deliberate in private and shall determine (by majority vote if the Conduct Body consists of more than one person) whether the student is responsible for violating the Code of Student Conduct as cited.

(9) The Conduct Body’s determination shall be made on the basis of whether there is substantial information that the accused student violated the Code of Student Conduct.

(10) Reasonable efforts shall be undertaken to create a single verbatim record, such as a tape recording, of all hearings before a Conduct Body. The record shall be the property of the University.

(11) Except in the case of a student cited with failing to obey the summons of a Conduct Body or University official, no student may be found responsible for having violated the Student Code solely because the student failed to appear before a Conduct Body. In all complaints, the information in support of the alleged violation shall be presented and considered.

C. Sanctions

(1) Any prior Code violations the student has previously been found to have committed may be considered in imposing sanctions. The following sanctions may be imposed upon any student found to have violated the Student Code:

a. Warning - A notice in writing to the student.

b. Probation - A written reprimand for violation for specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any University regulation(s) during the probationary period.

c. Loss of Privileges - Denial of specified privileges for a designated period of time.

d. Fines - Previously established and published fines may be imposed.

e. Restitution - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.

f. Discretionary Sanctions - Work assignments, service to the University or other related discretionary assignments (such assignments must have the prior approval of the Conduct Administrator), etc.

g. No Contact Order - The student may have no further contact or communications with a student who was their accuser or otherwise involved with the Code violation.

h. Residence Hall Suspension - Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Condition for readmission may be specified.

i. Residence Hall Expulsion - Permanent separation of the student from the residence halls.

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

k. University Expulsion - Separation of the student from the University permanently or on an indefinite basis. A student permanently expelled is prohibited from reapplying to the University in the future or from earning a degree from any of its colleges or schools. Readmission of a student expelled on an indefinite basis may not occur within five years and shall require the recommendation of the Vice President for
Student Affairs and approval of the Provost. If a disciplinary action results in the Conduct Administrator determining that expulsion is the appropriate sanction, then the Vice President for Student Affairs shall review the sanction and shall make the final decision to expel after consultation with the President of the University. Because a decision to expel a student is made after consultation with the President, a student has no right to request a review of the sanction of expulsion.

The foregoing is not an exhaustive list of every sanction that may be imposed against a student for a violation of the Code of Student Conduct.

(2) The following sanctions may be imposed upon any organization found to have violated the Code of Student Conduct:
   a. Any of the sanctions listed in paragraphs (1)a. through (1)k. above.
   b. Loss of recognition as a registered student organization. The Office of Student Affairs shall notify any national or regional governing body with which the organization is associated or which sponsors social, academic, or sports events when such suspension is imposed.

The foregoing is not an exhaustive list of every sanction that may be imposed against an organization for a violation of the Code of Student Conduct.

(3) More than one of the sanctions listed above may be imposed for any single violation.

(4) When a Conduct Body determines that a student has violated the Student Code, the Conduct Body shall recommend a sanction to be imposed to the Conduct Administrator. The Conduct Administrator shall review the information presented to the Conduct Body, shall review any prior violations of the Code by the student, and shall determine the appropriate sanction to be imposed. The Conduct Administrator is not limited to sanctions recommended by the Conduct Body. If the Conduct Administrator decides expulsion is the appropriate sanction, then his/her recommendation will be communicated to the Vice President for Student Affairs as provided in Section C(1) above. The Conduct Administrator shall advise the student in writing of the sanction(s) imposed.

D. Reviews

(1) A decision that a student or organization is responsible for a Code violation reached by the Conduct Body or a sanction imposed by the Conduct Administrator (excluding the sanction of expulsion of a student, which is determined by the Vice President for Student Affairs after consultation with the President) may be sent for review by a student to a Review Board within five (5) business days of the decision. Such reviews shall be in writing and shall be delivered to the Conduct Administrator or his or her designee.

(2) Except as required to explain the basis of new information, a review shall be limited to review of the verbatim record of the initial hearing as well as supporting documents and information relevant to the alleged violation and imposed sanction for one or more of the following purposes:
   a. To determine whether the original hearing was conducted fairly in light of the alleged violations and information presented, and in conformity with prescribed procedures giving the accused student or organization a reasonable opportunity to prepare and to present a defense to the allegations of misconduct.
   b. To determine whether the decision reached regarding the accused student or organization was based on substantial information, that is, whether the information presented was sufficient to establish that a violation of the Code of Student Conduct occurred.
   c. To determine whether the sanction(s) imposed were appropriate for the violation for the Code of Student Conduct that the student or organization was found to have committed.
   d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or acts were not known to the person being reviewed at the time of the original hearing.
Review of the sanction by the Review Board may not result in more severe sanction(s) for the accused student or organization. Instead, following the Review Board’s decision, the Vice President of Student Affairs or other designee may elect to consider the relevant materials associated with the matter as well as the Review Board’s decision, and uphold or reduce, but not increase, the sanctions imposed by the Conduct Administrator.

E. Disciplinary Records

Disciplinary sanctions, with the exception of University expulsion, shall not be made part of the student’s permanent academic record (official transcript), but shall become part of the student’s confidential disciplinary record, subject to the Family Educational Rights and Privacy Act (FERPA). Complaints involving the imposition of sanctions other than University suspension or expulsion may be expunged from the student’s confidential disciplinary record seven years from the year in which the offense occurred.

F. Interim Suspension of a Student

In certain circumstances, the Vice President for Student Affairs, or a designee, may impose a University or residence-hall suspension prior to the hearing before the Conduct Body or the acceptance of responsibility by the student.

   (1) Interim suspension may be imposed only:
       a. to ensure the safety and well-being of members of the University community or preservation of University property;
       b. to ensure the student’s own physical or emotional safety and well-being; or
       c. if the student poses a definite threat of disruption of or interference with the normal operations of the University.
   (2) During an interim suspension, the student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Vice President of Student Affairs, or a designee, may determine to be appropriate.
   (3) Upon a student’s request, a review of the interim suspension shall be held by the Vice President for Student Affairs or other designee, within three (3) working days of the interim suspension to determine if the suspension should continue until a hearing by a Conduct Body on the alleged violation of misconduct is held.

G. Interim Suspension of an Organization

   (1) The Vice President for Student Affairs or other designee may temporarily suspend the recognition of a student organization when the pending alleged violations arise from a flagrant violation of this Code, such as organized conduct which is a violation of law and/or this Code, or when the conduct represents a flagrant disregard of the rights or property of persons in the University community, or when the conduct is in flagrant disregard of the property or authority of the University.
   (2) During the interim suspension, the organization shall discontinue all activities.
   (3) Upon an organization’s request, a hearing will be held by the Vice President for Student Affairs or a designee, within three (3) working-days of the interim suspension to determine if the suspension should continue until a hearing by a Conduct Body on the alleged violation of misconduct is held.

In the event of any conflict, the Code found on the Office of Student Conduct’s website will govern: http://sc.ua.edu/code.cfm.

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