

**College of Visual Arts
Student Conduct Code and Procedures**

Section 1: Scope and Jurisdiction.

The Student Conduct Code (Code) applies to all students at the College of Visual Arts (CVA). The Code applies to student conduct that occurs on CVA premises or at college-sponsored activities.

At the discretion of the President and Chief Academic Officer, the Code shall also apply to off-campus student conduct when the alleged conduct:

- (a) Constitutes a criminal offense as defined by state or federal law, regardless of the existence or outcome of any criminal proceeding; or
- (b) Indicates that the student may present a danger or threat to the health or safety of the student or others.

Section 2: Guiding Principles.

CVA seeks to create and preserve an environment that promotes academic achievement and integrity, that protects free inquiry and creative expression, and that serves the educational mission of the college.

CVA seeks to preserve a community that is free from violence, threats, and intimidation; that is respectful of rights, opportunities, and the welfare of students, faculty, staff, and guests of the college; and that does not threaten the physical or mental health or safety of members of the college community.

CVA is dedicated to responsible management of its resources, protecting its property and resources from theft, damage, destruction, or misuse.

CVA supports and is guided by state and federal law while also setting its own standards of conduct for its college community. CVA is dedicated to the rational and orderly resolution of conflict.

Section 3: Responsibilities of Dual Membership

Students are both members of the CVA community and citizens of the state. As citizens, students are responsible to the community of which they are a part, and as students, they are responsible to the college community. By enforcing this Code, CVA neither substitutes for nor interferes with other civil or criminal legal process. When a student is charged in both jurisdictions, CVA will decide on the basis of its interests and the interests of affected students whether to proceed with its disciplinary process or to defer action. Determinations made or sanctions imposed under the Code will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the criminal law defendant.

The Code covers two aspects of student behavior: scholastic dishonesty, covered under Section 4 setting forth the Academic Honor Code and Procedures; and other misconduct, covered under Section 5 dealing with non-academic misconduct.

Section 4: Academic Honor Code

- (a) Principles

Every student at the College of Visual Arts must adhere to high standards of honorable behavior.

Academic work for all liberal arts and studio classes must be a student's own, with appropriate credit given for use of the words, images, and ideas from other sources. If a student uses fraudulent means to obtain grades or other advantages in academic work, he or she has not truly gained in knowledge, understanding, or skill. Grades, honors, and other marks of achievement lose their meaning; the reputation of the College of Visual Arts is diminished and the value of its BFA degree reduced. It is therefore essential to the integrity of the college that every member of the community, including students, faculty, staff, and administration, uphold the highest standards of academic integrity.

(b) **Definition and Examples of Academic Dishonesty**

Upholding these standards requires an understanding of what is meant by academic dishonesty. Academic dishonesty can be defined as any act whereby a student seeks to gain grades, credit, or other advantage by fraudulent means. It includes, but is not limited to, cheating, plagiarism, making multiple submissions, facilitating academic dishonesty, stealing or defacing materials or other property, using materials in an unauthorized manner, and falsifying academic records. The following list provides examples of these kinds of behavior. It is meant to provide illustrations only and is not an exhaustive list.

Cheating

- (1) Copying another student's answers on a quiz or exam.
- (2) Using notes or other source materials on a quiz or exam without the instructor's permission.
- (3) Collaborating on a take-home exam meant to be completed individually.
- (4) Using electronic devices such as phones, computers, or calculators during an exam without the instructor's permission.
- (5) Copying another student's homework assignment.
- (6) Using answers from an instructor's version of a textbook for a homework assignment meant to be completed individually.

Plagiarizing

- (1) Presenting for either a liberal arts or studio class the work of another without acknowledgement, as though it were your own.
- (2) Using the "cut and paste" method of constructing a paper from Internet or print sources without synthesizing the ideas to create your own independent thesis or identifying the sources.
- (3) Using information, ideas, or images from any source (Internet, book, article, a classmate's research paper or artwork) without proper attribution.
- (4) Using the exact words of another without using quotation marks and citing the source.
- (5) Paraphrasing the words of another without citing the source.

Making multiple submissions

Submitting, without prior permission, a paper, project, or other assignment completed in one class to fulfill a requirement for another class.

Facilitating academic dishonesty

- (1) Allowing another student to copy answers from your exam paper.
- (2) Giving or selling another student a completed assignment, project, or paper.
- (3) Informing students in a later section of a class the questions on an exam.

Stealing or defacing materials or other property

- (1) Theft or defacement of any materials or property belonging to another student or member of the staff or faculty.
- (2) Theft or defacement of any materials or property belonging to the college.

- (3) Theft or defacement of library books or other materials.
- (4) Theft of proprietary software.

Using materials in an unauthorized manner

- (1) Unauthorized entry into college property such as classrooms, studios, computer labs, faculty offices, or library.
- (2) Unauthorized use or manipulation of studio equipment or computer programs.

Falsifying academic records

- (1) Alteration of grade books or files.
- (2) Use of personal relationships to gain grades or favors.
- (3) Any attempt to obtain grades or credit through fraudulent means.

(c) Process for Dealing with Violations of the Honor Code

The College of Visual Arts will treat violations of the honor code with the utmost seriousness. If a student is accused of academic dishonesty, the student will be informed of the alleged violation and the evidence on which the allegation is based. If circumstances warrant, the instructor and relevant department chair, in consultation with the chief academic officer, may decide on a penalty such as a failing grade or 0 on the assignment or exam or a failing grade in the course. A record of the violation will be filed in the office of the chief academic officer, who will maintain a permanent record of reported student violations. Students may appeal to the relevant department chair. If dissatisfied with that decision, the student may appeal to the chief academic officer. The decision from that office will be final. In special circumstances a student may appeal to a standing hearing committee. Second and subsequent violations of the honor code will be dealt with by the chief academic officer. Students may appeal decisions to the standing committee, the decision of which is final.

(d) Penalties for Violations

Penalties for students found to have engaged in academic dishonesty may include:

- (1) A grade of F or 0 on an assignment, paper, or exam.
- (2) A grade of F for the course.
- (3) Suspension from the college.
- (4) Expulsion from the college.

Section 5: Non-academic Misconduct

(a) Definitions of Misconduct

Any student found to have committed or attempted to commit the following misconduct is subject to appropriate disciplinary action under the Code:

- (1) **Disruptive classroom conduct** means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or other students' learning process.
- (2) **Disruptive behavior** means willfully disrupting CVA events, or engaging in intentional obstruction that interferes with pedestrian or vehicular freedom of movement in or around CVA facilities.
- (3) **Falsification** means providing CVA with false, misleading, or incomplete information; forging or altering official CVA records or documents or conspiring with others to forge or alter CVA records or documents; misusing, altering, forging, or transferring to another person the CVA student identification card; or intentionally making a false report of a bomb, fire, natural disaster, or other emergency to a CVA official or an emergency service agency.

- (4) **Threatening, Harassing, or Assaultive Conduct** means engaging in conduct that endangers or threatens to endanger the health, safety, or welfare of another person.
- (5) **Disorderly Conduct** means engaging in conduct that incites or threatens to incite an assault or breach of the peace.
- (6) **Possession of Weapons.** Possession of firearms is forbidden in any CVA building or at any CVA activity. Possession of other weapons or articles or substances usable as weapons, including but not limited to incendiary devices, explosives, and dangerous chemical or biological agents, is forbidden except in those instances when authorized by proper CVA authority.
- (7) **Illegal or Unauthorized Possession or Use of Drugs or Alcohol** means possessing or using drugs or alcohol illegally, or, where applicable, without CVA authorization.
- (8) **Theft, Property Damage, and Vandalism** include theft or embezzlement of, damage to, destruction of, unauthorized possession of, or wrongful sale or gift of property.
- (9) **Unauthorized Access** means accessing CVA property, facilities, services, or information systems without proper authorization, or providing to another person the means of such unauthorized access.
- (10) **Violation of College Rules** means engaging in conduct that violates CVA rules and regulations that have been posted or publicized.
- (11) **Violation of Federal or State Laws** is also a violation of this Code, including but not limited to laws governing alcoholic beverages, drugs, gambling, sex, indecent conduct, or arson.
- (12) **Persistent Violations** means engaging in repeated conduct or action in violation of this Code.

(b) Sanctions

The college maintains a zero tolerance policy with respect to acts of violence. Sanctions that may be imposed on students found to have violated the Code include:

- (1) **Warning** means issuing an oral or written warning or reprimand.
- (2) **Probation** means imposing conditions for a defined period of time, with the probability of more severe sanctions if the student is found to have committed additional violations during the probation period.
- (3) **Confiscation** of goods taken, used, or possessed in violation of CVA regulations or confiscation of falsified identification.
- (4) **Restitution** in compensation for loss, injury, or damage.
- (5) **Restriction of Privileges** for a defined period of time.
- (6) **Suspension** means separation of the student from CVA for a defined period of time, after which the student is eligible to return to CVA.
- (7) **Expulsion** means permanent separation of the student from CVA.
- (8) **Withholding or Revoking a Degree** means withholding a diploma or degree or revoking a degree already awarded.

(c) Complaint Resolution Procedures

The student disciplinary process provides a framework for resolving complaints alleging violations of the Code. This process emphasizes the educational purpose in student discipline, including helping students understand and accept responsibility for their own behavior. While the emphasis is on responsible student self-development, the nature of the offense may require, in fairness to the community, the imposition of disciplinary sanctions.

Most disciplinary matters are resolved informally, with the agreement of the student and involved faculty or administrators. When the people involved are unable to reach agreement, however, the Code provides that students have the opportunity to receive a fair hearing and an appeal.

(d) Initiating a Complaint

Complaints concerning student conduct are initiated by filing a written statement of the particulars of the conduct giving rise to the complaint with the director for student life (director). The director notifies the Vice President and General Counsel (counsel) that a complaint has been received and the resolution process begins.

(e) Informal Resolution

The first stage is a process for informal resolution of the complaint. The student accused of violating the Code is given a copy of the written statement of the complaint and is invited to meet with the director and counsel to discuss the matter and to seek an appropriate resolution. If the director and counsel deem it advisable in the circumstances, a mediation session may be held involving both the complainant and the accused. If the accused student declines to participate in the informal resolution process, the matter moves to the formal hearing process.

(f) Formal Hearing and Appeal

A three person panel shall hear and decide non-academic misconduct complaints. In the formal hearing process, the student accused of violating the Code has the right to present a case, including witness testimony, to hear all the evidence against him or her, to question adverse witnesses, to receive a written notification of the panel's decision following the hearing, and to appeal the panel's decision to the CVA President and Chief Academic Officer.

- (1) The hearing panel is chaired by the Vice President and General Counsel, and includes the director of student life and one member of the full-time faculty as panel members. The hearing shall be conducted in an orderly quasi-judicial manner, but with relaxed rules of evidence designed to make the proceeding both just and efficient.
- (2) Evidence shall be taken on the particulars of the complaint against the accused student; this evidence may include documents, written statements, and oral testimony.
- (3) The accused student shall have the opportunity to examine the evidence, to cross-examine witnesses, and to give testimony and present evidence on his/her own behalf.
- (4) The panel shall deliberate in private after the conclusion of the hearing, and shall render a written decision with findings of fact and imposed sanctions promptly.
- (5) The accused student shall be given a copy of the written decision and sanctions along with appeal instructions.
- (6) Within fifteen (15) days after receiving the panel's decision, the accused student may appeal the decision and sanctions by presenting to the CVA President and Chief Academic Officer a written appeal statement of reasons why the panel's decision and sanctions should be modified. In the absence of the President and Chief Academic Officer, the appeal may be presented to the Vice President and General Counsel to be forwarded to the President and Chief Academic Officer. During school vacation periods, the appeal instructions may specify a longer appeal period, if necessary to preserve the student's right to appeal.
- (7) The President and Chief Academic Officer shall review the panel's findings of fact, written decision, and imposed sanctions and the accused student's written appeal statement. The President and Chief Academic Officer, in her sole discretion, may request that the accused and/or the director or counsel meet with her to discuss the matter before ruling on the appeal. The President and Chief Academic Officer shall communicate her ruling on the appeal to the accused student, to the director, and to counsel; the President and Chief Academic Officer's decision is final.
- (8) If the student does not file a timely appeal, the panel's decision and imposed sanctions become final upon the expiration of the appeal period.