Appendix S

MSUN Student Handbook

2015-2016

Sections 620, 622, and 624

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

E. Students who commit offenses that violate the laws of the city, state or United States are subject to prosecution by those authorities and may be subject to disciplinary action under this code if the offenses are also violations of this code. University disciplinary proceedings may precede, follow, or take place simultaneously with criminal investigations or proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

F. When a student has been charged by a civil authority for a violation of law, the University will neither request nor agree to special consideration for the student solely because of his or her status as a student.

G. When a complaint is filed with appropriate University officials charging a student with violating the Code of Student Conduct, the University is responsible for conducting an investigation, initiating charges and adjudicating those charges. Charges under the Code of Student Conduct that are filed by the University are brought forward by the University and not an individual complainant. If the complainant decides to withdraw the complaint, the University may proceed with the case.

H. University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their designated University email address.

620.00 Proscribed Conduct

Any student found to have committed a violation of the Code of Student Conduct is subject to disciplinary sanctions outlined in Section 660.00. The following offenses constitute violations of the Code of Student Conduct and can lead to serious disciplinary action, including suspension or expulsion from the University.

621.00 Acts of Dishonesty

Acts of dishonesty include but are not limited to:

A. Cheating, plagiarism or other breaches of academic integrity, such as fabrication, facilitating or aiding academic dishonesty; theft, unauthorized possession or use of instructional materials or tests; unauthorized access to or manipulation of laboratory equipment or experiments; alteration of grades or files; misuse of research data in reporting results; use of personal relationships to gain grades or favors, or otherwise attempting to obtain grades or credit through fraudulent means. (Refer to Academic Misconduct Procedures, 420.00 for additional definitions)

B. Knowingly furnishing false information to any University official, faculty member or office.

C. Forgery, alteration or misuse of University documents, records, instruments of identification, computer programs or accounts.

622.00 Harassment, Hazing, and Bystanding

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

1. Is threatening or carries with it the intention to do bodily harm; or

2. Disrupts or undermines a person's exercise of their responsibilities as a student, faculty or staff member including unreasonably interfering with a person's educational or work performance.

Harassment which is based upon discrimination as defined in MSUN's Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Policy (Campus Policy 1001.7) it also proscribes conduct, but that type of harassment is covered in Section 624.00 below; it is a separate offense from Harassment under this section and such conduct is addressed as provided in Section 640.00 below.

B. Hazing includes, but is not limited to, any conduct or method of initiation, admission or condition of continued membership in any student organization, which:

1. Endangers the physical or mental health or safety of any student or other person, including extended deprivation of sleep or rest; forced consumption of food, liquor, beverage, or drugs; beating or branding; involuntary confinement or imprisonment; or
2. Destroys, vandalizes or removes public or private property.

C. Bystanding includes, but is not limited to:

1. Conduct of a student who is present when a serious violation of the Code of Student Conduct occurs and who encourage, assists, or fails to take reasonable actions to prevent or stop conduct that could result in serious injury to person, including sexual misconduct; or:
2. Conduct of an organized group that encourages, assists, or fails to take reasonable actions to prevent or stop conduct that could result in serious injury to a person, including sexual misconduct.

623.00 Assault and Harm to Persons

A. Physical assault which includes, but is not limited to: physical contact of an insulting or provoking nature or physical interference with a person which prevents the person from conducting his/her customary or usual affairs, puts the person in fear for his/her physical safety, or causes the person to suffer actual physical injury.

B. Threatening and Intimidating Behaviors

1. **Threat** is defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
2. **Intimidation** is defined as implied threats or acts that cause a reasonable fear of harm in another.

C. Bullying and Cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

624.00 Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking Policy Offenses

Violation of Montana State University- Northern's Policy on Discrimination, Harassment, Sexual, Misconduct, Dating Violence, Domestic Violence, and Stalking (Discrimination Policy) is a violation of this Code of Student Conduct. The definitions of discrimination, harassment, sexual misconduct, domestic violence, and stalking are contained in the Discrimination Policy. Violations of the Discrimination Policy include retaliation against an individual for taking any of the actions in support of the Discrimination Policy as defined in Section 129.00 of the Discrimination Policy

625.00 Alcohol and Drug Offenses

A. Use, possession, manufacture, distribution or sale of narcotics or dangerous drugs, except as expressly permitted by law or University policy.

B. Use, possession or distribution of intoxicants, including alcohol, in the buildings or on the grounds of Montana State University-Northern except as expressly permitted by law or University policy.