

**2018 University of Nevada, Reno
Relationship Agreement for the Recognition
of Social Fraternities and Sororities**

I. Introduction

Fraternities and Sororities have been an influential and important component of the undergraduate student experience at the University of Nevada, Reno since the first fraternity was chartered on campus in 1913. This Agreement serves as a commitment by the University to support the Fraternity and Sorority community as it continues to enhance the quality of student life by making a significant contribution to present and future student generations. Likewise it serves as a commitment by Fraternity and Sorority chapters, as well as the University, to adhere to the conditions set forth.

This Agreement affirms the relationship between the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno (the “University”), its recognized chapters/colonies, and their respective inter/national organizations. When Fraternities and Sororities function in accordance with their stated missions and values, the entire University community receives positive benefits from their student leadership, involvement, service, and the various positive developmental benefits from individual members.

That being said, fraternities and sororities are legal corporations, existing independently and externally from the University. They are financially independent and are responsible for the operation and management of their own financial accounts. Their chapter alumni, international corporations, and national and regional organizations are also incorporated separately from the University and exist independently and externally from the University.

II. Rights of Recognition

The University only recognizes fraternities and sororities that are affiliated with an inter/national organization. No local social fraternities or sororities will be recognized.

Recognition accords fraternities and sororities all the rights, privileges and resources available under this Agreement, as follows:

1. Access to create and maintain a “Fraternity and Sorority Life” marketing strategy on campus.
2. Support from the Fraternity and Sorority Life Advisors to support and maintain the Fraternity and Sorority Life website.
3. Use of University’s Administration and programming resources; facilities for official chapter functions; and the official name and logos when approved in writing by the University.
4. Participation in an official membership recruitment program as promoted and monitored by each governing council, and participation in the educational, social and recreational programs and activities of the University which are provided for fraternities and sororities, including educational programs/training on risk management for those chapters operating residences.
5. Access to University Alumni Relations to identify and communicate with individual chapter alumni.
6. Training and support to alumni advisors on University policies, procedures, and fraternity and sorority advisement.
7. Access to leadership training, educational programs, and participation in the Fraternity and Sorority Leadership Training Retreat. Two Fraternity and Sorority Leadership Retreats will be offered each year, with one offered each semester, to address the leadership transition schedules of all fraternity and sorority chapters.

8. In the case of probationary status and suspended recognition, assistance of the Associate Vice President for Student Life Services in developing a corrective course of action for the chapter in conjunction with the inter/national organization.

III. Responsibilities of the University

The University shall commit to the following for all fraternities and sororities that are recognized by this Relationship Agreement. These responsibilities also extend to their alumni and inter/national organizations:

1. Adherence to the NSHE Non-Discrimination Policy
2. Provide for the advisement of all fraternities and sororities as the primary contact and liaison between collegiate members of fraternities and sororities, the Interfraternity Council (IFC), the Multicultural Greek Council (MGC), the Panhellenic Council (PHC) and the faculty and staff of the University. When a search occurs for the University advisor position, the University will include at a minimum one delegate from each council in the search process of the advisor position.
3. Recognize the governance of the IFC, MGC, and PHC, and provide training for officers of these organizations by providing transition meetings, retreats, and other trainings.
4. Provide assistance in marketing Fraternity and Sorority Life to prospective and incoming University students by (a) allowing University mailing/printing rates for all governing councils, with each respective councils' member chapters being provided access to these mailing/printing rates; and (b) participating in New Student Orientation in order to promote membership in fraternities and sororities.
5. After having received written authorization from students, provide updated scholastic information for officially enrolled University students for use in determining membership eligibility within a 24 hour turn-around time during recruitment and intake. When requested, provide contact information for college students with a GPA over 3.0 for recruitment purposes.
6. Communicate with the inter/national sponsoring fraternity or sorority, alumni advisory board, and/or local sponsoring corporation board regarding the status of the chapter on campus.
7. Promote open communication among the University fraternity and sorority chapters, local alumni and inter/national organizations. A Student Services Representative who works directly with Fraternity and Sorority Life shall meet with the student leaders of the IFC, MGC, and PHC on a regular basis. The Associate Vice President or designee will visit with fraternity and sorority Chapter Presidents at a minimum of two of the Fraternity and Sorority Presidents' Roundtables each year. Additionally, the council advisor(s) will attend the Fraternity and Sorority Presidents' Roundtable meetings throughout the year to maintain communication and understanding of fraternities' and sororities' activities and needs. Advance notice of these meetings will be sent to all presidents.
8. Upon a chapter's request, provide support for chapter development activities, including providing an evaluation of individual chapter progress for the chapter's members, alumni board, and national/international offices.
9. Chapter membership on a Council (IFC, MGC, PHC) will be determined between the chapter, the Council and the University, with the chapter's preference for alignment supported whenever possible and when it falls within the guidelines of the respective umbrella organization. Should a chapter lose its respective council recognition, the University has the right, but not the obligation, to remove that chapter's University recognition.
10. The University will allow, but not guarantee, fraternities and sororities access to campus resources for use on their chapter premises.
11. The University will allow any/all fraternity and sorority financial accounts to operate independently from the ASUN student organization financial accounts.

12. Provide guidance, assistance and leadership in planning and executing large programmed events, such as The Fraternity and Sorority Achievement and Leadership Awards process.
13. Support the agreements of the following national organizations: National Panhellenic Conference (NPC), North-American InterFraternity Conference (NIC), National Asian Pacific Islander American Panhellenic Association (NAPA), National Association of Latino Fraternal Organizations (NALFO), and the National Pan-Hellenic Conference (NPHC).
14. Provide scholastic/GPA report for members of respective chapters, as well as chapter GPA for each recognized chapter, and the all-campus averages. Reports will be contingent upon confirmation of chapter roster as stated by the roster update policy and having received written documentation from students allowing the release of their GPA's. Reports will be released by the first day of the spring semester for the fall semester and by two weeks following the final posting of grades for spring semester.
15. Sponsor only those activities that do not allow or encourage alcohol abuse, illegal drug use, sexual harassment, sexual assault, sexual violence, dating violence, stalking, domestic violence, hazing, or illegal activity.
16. The University will host at least one Sexual Misconduct Prevention Educational Session per a semester with at a minimum two weeks' prior notice to the session.

IV. Responsibilities of the Fraternities and Sororities

In return for recognition, fraternity and sorority chapters shall:

1. Maintain single-sex membership, based upon the provisions of Section 86.14 of the regulations of Title IX of the U.S. Educational Act Amendments of 1972
2. Not discriminate in membership selection, as well as other programs and activities, based on age, genetic information, military status, race, national origin, religion, color, disability and sexual orientation.
3. Adherence to the NSHE Non-Discrimination Policy
4. Sponsor only those activities that do not allow or encourage alcohol abuse, illegal drug use, sexual harassment, sexual assault, sexual violence, dating violence, stalking, domestic violence, or illegal activity.
5. Contribute to the advancement of scholarship through the maintenance of a scholarship program for members. The fraternities and sororities will establish and maintain minimum grade point standards for officers and membership while maintaining a group membership GPA of 2.5 or higher. Should a chapter not maintain a group GPA of a 2.5 or higher, that group will be placed on academic probation.
 - a. Academic Probation: When a chapter fails to meet the minimum standard for fraternities and sororities.
 - I. First Semester: Chapter will be required to submit an academic improvement plan and meet with a Fraternity and Sorority Life Advisor monthly to ensure implementation. If a chapter does not have a faculty advisor, it is required to identify a faculty advisor before the first day of class of the semester or one week from the release of the grade reports, whichever is the latter.
 - II. Second Consecutive Semester: Continued academic probation, loss of social privileges, alcohol-free chapter facility (if applicable) and the chapter will be required to submit an enhanced academic improvement plan.
 - III. Third Consecutive Semester: Review of Chapter status by Associate Vice President for Student Life Services and Fraternity and Sorority

Life Advisors to determine chapter standing, which could result in termination of the Agreement.

6. All new members will sign a release to provide access to the University to verify grades and enrollment and to compile reports. Releases will also be signed by any potential new member whose academic records need to be verified for recruitment purposes.
7. Each member of fraternities and sororities must be enrolled in at least 12 credits each Fall and Spring semester at the University of Nevada, Reno. The University may make exceptions for any student upon request prior to the beginning of each semester. A maximum of 3 credits taken during the University's summer session may count towards a member's Fall semester credit load, while a maximum of 3 credits taken during the University's "wintermester" session may count towards a member's Spring semester credit load.
8. Provide continuing opportunities for its members to develop social, intellectual, and leadership skills through participation in the activities of the sorority or fraternity, the individual councils and the University.
9. Provide the Associate Vice President for Student Life Services or designee with a complete, accurate roster of all collegiate and new members, including student ID numbers, by September 15th and February 15th each year or within five working days of a new member's affiliation with the undergraduate chapter.
10. Provide the Associate Vice President for Student Life Services or designee with contact information for each of its executive officers by September 1st and February 1st each year, and within five working days following a change in leadership.
11. Provide the Associate Vice President for Student Life Services or designee with a complete, accurate roster and contact information for all fraternity and sorority members living in the chapter residence each semester by the established University deadline, and update as needed. Residents living in fraternity and sorority housing during the academic year must be members of the respective fraternity or sorority and included on the roster, except in cases when the resident is a House Director or Cook. This information will only be released to relevant University officials, Inter/National Headquarters' staffs, Housing Corporations, Advisors, and, in the event of an emergency, law enforcement and/or public safety emergency personnel.
12. Each fraternity or sorority will maintain a complete advisory board consisting of at least three persons. Each fraternity and sorority will provide the Associate Vice President for Student Life Services or designee with contact information for each of its advisors by September 1st and February 1st of each year. An exception to this three-member requirement for the advisory board may be approved by the Associate Vice President for Student Life Services.
13. Each fraternity or sorority will provide the Associate Vice President for Student Life Services or designee with contact information for their house corporation president (if applicable) by September 1st and February 1st of each year.
14. Each fraternity or sorority that maintains a chapter facility must identify and hire a live-in advisor prior to the 2020 calendar year. Contact information for this individual must be provided to the Associate Vice President for Student Life Services or designee by September 1st and February 1st of each year.
15. All IFC, MGC, and PHC officers, as well as chapter presidents (or a designated alternate representative with prior written University approval), will attend mandatory leadership training seminars (specifically for officer transitions) as they are provided by the University administration with at a minimum, two weeks' prior notice to the session(s).
16. Chapter presidents will participate in monthly president roundtable meetings during the academic year. University advisors are welcomed to attend these meetings.
17. The Chapter may be subject to University sanctions for an individual member's violation of this Agreement insofar as the violation is related to a recognized "chapter activity". A

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- “chapter activity” is defined as an activity that occurs on chapter premises or a fraternity or sorority event sponsored or endorsed by the chapter.
18. Each fraternity and sorority will not host, attend, or participate in chapter activities with any student organization or club that is not recognized by the University.
 19. Comply with all standards of conduct as stated in the *University Student Code of Conduct*.
 20. Promote and adhere to all policies of the University of Nevada, Reno. In particular, fraternities and sororities shall familiarize themselves with the following policies located in the Student Code of Conduct:
 - a. Hazing
 - b. Substance Abuse Regulations
 - c. Alcohol Beverage Policy Sexual Assault
 - d. NSHE Policy Against Discrimination and Sexual Harassment: Complaint Procedure
 21. Each fraternity or sorority must submit a comprehensive report outlining incidents or conduct involving individual chapter members managed by the chapter’s internal standards board or process by the final day of classes each semester.
 22. Each chapter shall host/attend at least one University approved Sexual Misconduct Educational Prevention Session per year with a minimum seventy-five percent (75%) of their chapter in attendance.
 23. Each chapter shall submit a comprehensive recruitment and new member education or membership intake plan to the Office of Fraternity and Sorority by the first day of each semester.
 24. Each fraternity and sorority must register chapter activities hosted at off-campus locations using the required form with the Fraternity and Sorority Life Event Advisory Board at least 2 weeks prior to the scheduled event. The Fraternity and Sorority Life Event Advisory Board, comprised of undergraduate chapter members and a Fraternity and Sorority Life Advisor, will review the event request and, if applicable, meet with designated chapter leaders at least 1 week prior to the event to discuss risk management and event logistics.
 25. All fraternities and sororities must also provide a copy of a specific endorsement form that states The Board of Regents of the Nevada System of Higher Education is an additional insured entity under their general liability insurance policy.
 - a. Minimum limits required:
 - \$2,000,000 General Aggregate
 - \$1,000,000 Each Occurrence
 - b. Coverage shall be on an occurrence basis and shall be at least as broad as ISO 1996 form Commercial General Liability.
 - c. Additional Insured: The Nevada System of Higher Education on behalf of the University of Nevada, Reno shall be named as an additional insured entity for all liability arising from the agreement related to the insured’s activities and shall be added to the insurance policy as an “additional insured” via an endorsement. Blanket endorsements must be identified by reference number on the insurance certificate and a copy of the endorsement attached to the certificate. Insurance certificates and related endorsements shall be sent to UNR Risk Manager; 70 Artemisia Way, MS 0241, Reno, NV 89557. (Phone: 775-682-6107; Fax: 775-784-4363).
 26. Each fraternity and sorority must track all philanthropic and service efforts using the university’s GivePulse software (<http://unr.givepulse.com>). All impacts must be submitted and verified by the last day of classes each semester in order to be included in official information reported by the Office of Fraternity and Sorority Life and the Fraternity and Sorority Life annual awards process.

V. Responsibilities of Alumni and Inter/National Organizations

The University recognizes the important role played by sorority and fraternity alumni-as well as the inter/national organizations. Supporting the operations of a local chapter is multi-faceted and collaboration among the inter/national organization, alumni, the University and the chapter is crucial. Alumni and inter/national officers can expect open communication and cooperation from University officials. Inter/national organizations and alumni will:

1. Support the chapter's compliance with the conditions of recognition by the University.
2. Assist and support the chapter as an independent entity in the management of its housing-related finances and the maintenance of financial solvency.
3. Communicate through meetings with the fraternity and sorority advisement staff at least annually and on an "as-needed basis", to discuss the chapter's performance and progress.
4. Assist the University in the resolution of problems relating to the performance and conduct of the chapter and its members.

VI. Term of this Agreement

This agreement is effective for one calendar year from the date of the last signature of a party to the Agreement.

VII. Resolution of Failure to Uphold Agreement Related to Standards of Student Organizational Conduct

1. Upon report to the respective Governing Council (IFC, MGC, and PHC) and Fraternity and Sorority Life Advisors, and based upon a finding that the fraternity or sorority violated the standards of student organizational conduct in the *Student Code of Conduct*, action may be taken in accordance with the University of Nevada, Reno *Student Code of Conduct*. [Please see the website for the Office of Student Conduct, - Section: Student Code of Conduct, Student Organizations - <http://www.unr.edu/student-conduct>]
2. In the event the University violates the terms of this agreement, a chapter has the right to a meeting with the Associate Vice President of Student Life in order to resolve the issue.
3. Either party reserves the right to suspend or terminate this Agreement for cause. In the event a fraternity or sorority suspends this Agreement, the University shall withdraw recognition of that fraternity or sorority. In the event the University suspends or terminates this Agreement as to a fraternity or sorority, the University shall no longer recognize that fraternity or sorority.
4. Upon report to the respective Governing Council and Fraternity and Sorority Life Advisors, and based upon a finding by a student conduct hearing that the fraternity or sorority violated the standards of student organizational conduct in the *Student Code of Conduct*, the chapter's recognition (as stated in this Agreement) may be terminated.

VIII. Administrative Complaints of the Relationship Agreement

Complaints regarding alleged violations of the Relationship Agreement on the part of the University may be addressed with the Associate Vice President for Student Life, Student Services or designee.

Complaints regarding alleged violations of the Relationship Agreement on the part of a fraternity or sorority will be investigated by the University. Upon investigation of the complaint and a determination that the fraternity or sorority violated a material provision of the Agreement, a letter stating the violation and a recommended course of action for resolution of the violation or termination of the Agreement shall be provided to the chapter, alumni advisor, and inter/national organization.

IX. End of Year Review

All Chapters, governing Councils (IFC, MGC, and PHC) and the Nevada Greek Alumni Chapter may review the Relationship Agreement and conduct meetings with University representatives regarding the Agreement. Such meetings will begin no later than February 15th and end no later than August 15th for the following year's Agreement unless there are extenuating circumstances. Notification of meeting date/time should be communicated to all parties 30 days prior to meeting with the University distributing red line copies within fourteen days of a meeting. Suggested edits should be submitted, in writing (or email), to the Fraternity and Sorority Life Advisors one week prior to the meeting. The University may have Legal Counsel attend one of these meetings if legal questions arise.

X. Signature Document for Commitment & Recognition Process

University recognition of fraternities and sororities is on a year to year basis. In order to be recognized by the University, designated representatives from the chapters' leadership must review and sign the Relationship Agreement each year for the following year. The chapters' alumni advisors, and a representative from the chapter's inter/national organization will receive the Agreement within thirty days of the completion of the review as stated under Section IX (unless there are extenuating circumstances) and are asked to review the agreement and acknowledge review of the terms by November 15th. The Agreement will then be distributed by December 1st to the local chapters. The Agreement must be returned to the Associate Vice President for Student Life Services no later than the first day of the Spring Semester, unless the chapter has made special arrangements with the Associate Vice President for Student Life Services. Failure by a chapter to return a signed agreement by the required date will result in the loss of chapter recognition for the entirety of the agreement period.

The chapter President must notify the Associate Vice President for Student Life Services of any changes in officers/advisors who sign this Agreement and must have new officers/advisors sign within 10 business days of their election/selection. Recognition will be suspended if the Relationship Agreement is not returned signed in this manner. University recognition covers the period of the beginning of the Spring Semester through the end of Winter Break, unless otherwise specified.

**University of Nevada, Reno
Residence Based Alcohol Policy**

In support of national policies, sound risk management activities, and support for local and state laws on alcoholic beverages, fraternities and sororities with chapter property shall follow this Residence-Based Alcohol Policy:

1. Persons who are not of legal drinking age are prohibited from possessing and/or consuming alcoholic beverages at any time.
2. Alcoholic beverages may be possessed and consumed on chapter property by any individual active chapter member of legal drinking age, in the privacy of a resident's room of legal drinking age, and in interior common areas.
3. Non-residents of legal drinking age who are not active members of the chapter are excluded from possessing or consuming alcoholic beverages on chapter property.
4. No social events held on fraternity or sorority property may involve the serving or consumption of alcoholic beverages, with the exception of Alumni events. For these events, an Alumni representative planning the event shall notify the Fraternity and Sorority Life Advisors of the date and time of the event at least one week prior to the event taking place. For events hosted by the fraternity or sorority off of chapter property, alcohol may be served at events off chapter property (such as formal dances) with the use of a third party vendor. These events shall be managed by a partnership between the local chapter and the international/national organization in accordance with risk management policies.
5. Fraternities and sororities are responsible for taking concerted measures to ensure that those who will be drinking alcohol at an off-campus event are of legal age to do so.
6. The University will provide an alcohol policy information session to fraternity and sorority leaders to explain the Residence Based Alcohol Policy as well as the Student Code of Conduct regulations related to under-age alcohol use.
7. Chapters are also subject to the regulations of their inter/national organizations.

This Residence Based Alcohol Policy supports the standards of risk management addressed in the *University of Nevada, Reno, Alcoholic Beverage Policy for Student Groups and Organizations*, with alcoholic beverages not approved for events in which underage individuals will be present. (See the Student Code of Conduct and Guidelines & Policies, at this website: <http://www.unr.edu/student-conduct>)

Appendices

Policies and Procedures University of Nevada, Reno *Student Code of Conduct*

Chapters shall review the Student Code of Conduct on an annual basis, to familiarize yourself and chapter with the designated rules. The *Student Code of Conduct* requires a number of procedures for hosting events. The Code can be found on the Office of Student Conduct website - www.unr.edu/student-conduct

Student Code of Conduct

Introduction

The University of Nevada, Reno, is a higher education institution committed to the intellectual and personal growth of its students as scholars and citizens and the promotion of a learning environment where these goals can be achieved safely and fairly. This community is dedicated to academic excellence, as students become involved in academic pursuits, life-long learning, and personal development. Therefore, the University promotes civility, respect, and integrity among all members of the community, with every student expected to exhibit high standards of behavior.

Student learning occurs within a community of scholars united by their participation and commitment to intellectual development. Learning also involves reflecting on decisions and improving decision-making in the future. By establishing the standards of this student learning community, the Student Code of Conduct serves not only as a disciplinary system, but also as part of the educational system. Therefore, an important goal of the Student Code of Conduct, and its associated processes for the resolution of student misconduct, is to teach students to live and act responsibly in a community, with respect for the rights of other students and members of that community, and for the property, common resources, and regulations and policies associated with that community. As students participate in the campus community and its sponsored activities, they are responsible for their own actions and are subject to local, state and national laws as well as the all university regulations.

The purpose of the Student Code of Conduct is to set forth the specific authority and responsibility of the University in maintaining social discipline and to specify the educational process for determining individual student and student organization responsibility for alleged violations of University regulations. The disciplinary process follows established procedures to promote and provide an educational experience that facilitates the development of the individual student and the student organization. Also included are university procedures that exist to provide fair treatment for all students, to support the rights of every student and student organization, and to educate all students about the importance of community-based resolution of misconduct. The prohibited conduct, procedures and sanctions established in this document are applicable to the resolution of complaints against any student at the University of Nevada, Reno for allegedly engaging in specified prohibited conduct. The University administration views the student conduct process as not only a disciplinary process but also a learning experience for the student involved, with the expectation that this experience has the potential of resulting in individual student growth, change in behavior, and increased understanding of the student's responsibilities and privileges within the University community.

Information on reporting and confidentially disclosing sexual violence is found in Section III.

Cases involving individual students alleged to have violated both university regulations and civil or criminal law may be handled concurrently through university disciplinary proceedings and through the courts. During the conduct resolution process, the needs of the person(s) being confronted for alleged misconduct, the needs of the person(s) reported to be the victim of the other student's alleged misconduct, and the needs of the campus community at large are judged to be equally important.

For information on the definitions of the terms used in this "Code", see "Appendix A: "Definitions".

Section I: Student Code of Conduct (Authority)

Authority

NSHE Code 6.1.1 authorizes the University of Nevada, Reno, to establish this Code of Conduct. The President of the University of Nevada, Reno, through the Vice President for Student Services, will designate appropriate individuals or entities to administer the University student disciplinary system. The Assistant Dean, Student Conduct has been designated to represent the University in student disciplinary matters for undergraduate and graduate students in all campus degree programs with the exception of those students enrolled in the University Of Nevada School Of Medicine, which has authority for providing student conduct standards and disciplinary procedures for its students. The Assistant Dean, Student Conduct will be responsible for the coordination of the activities of the University student discipline system for the remainder of the University of Nevada, Reno, campus and will report to the Vice President for Student Services or his/her designee. The administrative faculty members in the Office of Student Conduct and of the Office of Housing, Residential Life and Food Services shall be responsible for monitoring student compliance with all discipline conditions and sanctions imposed through the disciplinary process and shall maintain all official student disciplinary records.

The scope of authority of the University extends to persons identified as students because of their status as enrolled in the institution on a part-time, full-time, or auditing basis. This scope of authority also extends to persons with a continued intent to pursue an education at the University of Nevada, Reno, which includes, but is not limited to the following: persons participating in orientation programs, persons participating in early-start programs, and incidents involving current students that occur between terms and during vacation periods. Every student shall be responsible for his or her conduct from the time of application for admission through the actual awarding of a degree, even when conduct occurs before classes begin or after classes end, such as during periods between terms. The Student Code of Conduct disciplinary process shall be followed to its conclusion even if the student withdraws from school while a disciplinary action is pending. If a graduate of the University is found to have been involved in material academic misconduct that impacts the reputation of the University, the University will invoke its authority to resolve the incident through a review of, and possible action to modify, the graduate's status and record including revocation of degree if warranted in accordance with NSHE Code 6.3.7

The authority of the University to address student conduct involves all students while they are: present on premises owned by the University, in off-campus buildings used by students through their association with a student organization recognized by the university, or at another site for an academic or extracurricular University-related experience. This authority extends to off-campus violations of the Student Code of Conduct. Under this Student Code of Conduct, when an incident occurs off-campus that is not at a college or university sponsored event, it will be the responsibility of the Dean of Students, or designee, to determine whether University authority will be asserted in that incident. The Assistant Dean, Student Conduct will review each incident referred to the Office of Student Conduct on a case-by-case basis to allow the institution to consider the unique facts of each situation involving student behavior.

Section II: Student Conduct Regulations & Policies

Official policies of the University

These regulations and policies are in effect for any student conduct taking place on campus property, at campus-sponsored events (on or off campus property), at events where the student represents the University (is engaged in field work, conference attendance, or athletic team events under the auspices of the University) and is involved in incidents that have a direct negative impact on the University as a community of scholars.

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The faculty members of the Office of Student Conduct administrate the University's student conduct program and the disciplinary process, according to University of Nevada, Reno, Student Code of Conduct ("Code").

The "Student Code of Conduct" is published annually. The Board of Regents for the Nevada System of Higher Education have given authority to each NSHE campus to establish their individual student codes of conduct, regulations and procedures.

The faculty in the Office of Student Conduct collaborate with the Residential Life faculty in responding to every reported incident involving alleged student misconduct that occurs on university property, at a university-sponsored function, or in the University neighborhood, by:

1. Reviewing the referral to determine whether the evidence from the incident supports the assertion that student misconduct occurred.
2. Determining whether informal or formal disciplinary action is advised for successful resolution of the student misconduct. (In almost all cases, informal disciplinary action is recommended and pursued.)
3. Contacting the student by letter in a timely manner to notify the student that student disciplinary action is being initiated.
4. Informing the student of the type of disciplinary action that is being pursued - whether it is: informal investigation, a conference, informal resolution, or a formal hearing.
5. Investigating the incident to determine the severity of the misconduct, the person(s) responsible for it, and the appropriate resolution, including university disciplinary sanctioning as the consequence.
6. Providing a written record of the action taken to resolve the charge(s) of misconduct for each student and for every incident, to be provided to the student involved and maintained as a record in the Office of Student Conduct.
7. Providing support, consultation, and the appropriate referral(s) for services to all persons (faculty, staff, and students) who are victims of student misconduct that is also a crime.
8. Providing support for all national, professional, and university standards of privacy of student records for all cases of student disciplinary action; including the university record of such action. This practice is in keeping with the standards established by federal law (FERPA) and guidelines for a student's right to privacy for educational records.

To seek services for referring, addressing, and resolving student misconduct, contact the faculty in the Office of Student Conduct

The University of Nevada, Reno has established regulations and policies for student conduct that support the core educational mission of the University of Nevada Reno, students and student groups and/or organizations. The following conduct violates our university community standards and subjects a student, or a student group/organization to sanctions under the Student Code of Conduct. The following conduct is prohibited:

A. University of Nevada, Reno, Conduct Rules and Regulations.

The following conduct is prohibited:

1. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism, fraudulently obtaining grades, falsifying research data or results, assisting others in these same acts, or other forms of academic dishonesty.

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- b. Furnishing false information to any University official, faculty member, or office.
 - c. Forgery, alteration, misuse, theft, or using without permission, any University document, or record.
2. Disorderly, lewd or indecent conduct, including the disruption, obstruction, or unauthorized interruption of teaching, research, convocations, recruiting interviews, social events, meetings, business and administration, disciplinary proceedings, or other University activities; including public service functions and outreach activities on or off campus, or other activities when the conduct occurs on University premises.
3. Failure of the student to present proper credentials, student identification card, driver's license, or parking registration, to university officials upon their request.
4. Physical abuse and/or conduct that threatens or endangers the health or safety of any member or guest of the university community.
5. Verbal abuse, intimidation, coercion or bullying which is sufficiently severe, persistent or pervasive so as to interfere with or limit a student's ability to participate in or benefit from the educational services, activities or opportunities offered by the university.
6. Interference by force, threat or duress with the lawful freedom of movement of persons or vehicles on university premises.
7. Resisting or obstructing university or other public officials in the performance of their duties.
8. Failure to comply with the directions of University officials acting in accordance with their duties and/or failure to identify oneself to these persons when requested to do so.
9. False reporting of any emergency situation, including but not limited to, misuse of campus emergency notification equipment. Unauthorized tampering with, and/or accessing of, safety, security, or fire protection equipment or devices. Setting off a fire alarm for reasons other than actual fire or emergency; involvement in setting or causing any unauthorized fire in or on university property.
10. The unauthorized possession, loan or distribution of keys, pass cards or University I.D. cards. Unauthorized or unlawful entry or access to university facilities, including buildings and grounds. The reproduction, manufacture or duplication of any key, pass card, University I.D. card or unlocking device for use on university facilities or locks without proper authorization.
11. Abuse, unauthorized use, or theft of University computer facilities and resources, including but not limited to: (a) unauthorized entry into or transfer of, a file to use, read, or change the contents or for any other purpose; and/or a violation of copyright laws; (b) use of another individual's identification and/or password; (c) interfering with the work of another student, faculty member or University official, or with the normal operation of the University computing system; or, (d) violating the University's Standards of Conduct for the Use of University Computers.
12. Violation of university policies and regulations governing residence in University owned or controlled property, and access to and use of all University facilities, including responsibility for the conduct of guests.
13. Making an accusation that is intentionally false or is made with reckless disregard for the truth against any member of the University community by filing a complaint or charges

under this Code or with the Title IX/Equal Employment Opportunity/Affirmative Action Office.

14. Willful incitement of individuals to commit any of the acts herein prohibited.
15. Use, possession, or distribution of alcoholic beverages without authorization (except as expressly permitted by University regulations, such as the "Alcoholic Beverage Policy"), or public intoxication. Alcoholic beverages may not, in any circumstances, be used by, possessed by, or provided to, a person less than twenty-one years of age.
16. Use, possession, manufacturing or distribution of marijuana including for medical purposes, heroin, narcotics, or other controlled substances; use or possession of any illegal and/or unauthorized drugs, prescription drugs, and drug paraphernalia including for medical purposes; being under the influence of illegal drugs; except as expressly permitted by law. The conduct prohibited by this section of the student code includes use, possession, or cultivation of marijuana and drug paraphernalia, including for medical purposes, on any NSHE or NSHE foundation owned or leased property, or at any NSHE sponsored or authorized activity.
17. Any other conduct that violates applicable stated prohibitions, policies, procedures, rules, or regulations of the University of Nevada Reno, or Board of Regents.
18. Any act or actions, committed by a student and/or student group that is contrary to federal, state, or local law shall fall within the authority and jurisdiction of the Code.
19. Contempt of student disciplinary proceedings including impairing or interrupting any proceeding or providing false information to University officials and student hearing board members during the course of the conduct resolution process. Failure to comply with the terms of any sanction imposed in accordance with the Student Code of Conduct.
20. The use of, or threat to use, force or violence against any member or guest of the University community, except when lawfully permissible.
21. Knowing possession on any premises of the University of any Firearms, explosives, dangerous chemicals or other instruments of destruction, or other dangerous weapons as defined by the laws of the State of Nevada, without the written authorization of the president or the president's authorized agent.
22. Continued occupation of buildings, structures, grounds or premises belonging to or occupied by, the University after having been ordered to leave by the president or the president's designee.
23. Forgery, alteration, falsification or destruction of University documents or furnishing false information in documents submitted to the University.
24. The use of threats or violence against a faculty member or the faculty member's family in order to secure preferential treatment for grades, loans, employment, or other service or privilege accorded by the University.
25. Any act of unlawful discrimination based on race, creed, color, gender (including pregnancy related conditions), age, sexual orientation, disability, whether actual or perceived by others, military status or military obligations, religion or national origin, gender identity, or genetic information, or any act of employment or educational retaliation against any person who has made a complaint about such discrimination.
26. Acts of unwelcome verbal or physical conduct that is sexual in nature.

27. Acts of sexual harassment. Sexual harassment, defined as unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual or gender bias nature constitute sexual harassment when:
1. Educational Environment:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status ("quid pro quo"); or
 - b. Conduct that is sufficiently severe, persistent or pervasive so as to interfere with or limit a student's ability to participate in or benefit from the services, activities or opportunities offered by the institution ("hostile environment").
 2. Workplace Environment:
 - a. Submission to or rejection of the conduct is used as a basis for academic or employment decisions or evaluations, or permission to participate in an activity ("quid pro quo"); or
 - b. Conduct that is sufficiently severe, persistent or pervasive so as to create a work environment that a reasonable person would consider intimidating, hostile or abusive, and which may or may not interfere with the employee's job performance ("hostile environment").

Sexual harassment may take many forms-subtle and indirect, or blatant and overt. Sexual harassment includes sexual violence, sexual assault, dating violence, domestic violence, stalking and coercion or similar acts in violation of state or federal law. For example:

- It may occur between individuals of the opposite sex or of the same sex.
- It may occur between students, between peers and/or co-workers, or between individuals in an unequal power relationship (such as by a supervisor with regard to a supervised employee or an instructor regarding a current student).
- It may be aimed at coercing an individual to participate in an unwanted sexual relationship or it may have the effect of causing an individual to change behavior or work performance.
- It may consist of repeated actions or may even arise from a single incident if sufficiently severe.
- It may also rise to the level of a criminal offense, such as battery or sexual violence.

28. Acts of Sexual Violence. Sexual violence is a physical act perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol **or other factors which demonstrate a lack of consent or inability to give consent**. An individual also may be unable to give consent due to an intellectual or other disability. Sexual violence includes, but is not limited to, rape, sexual assault, sexual battery, and sexual coercion.

Sexual coercion is:

1. The use of violence or threats of violence against a person or the person's family or property;

2. Depriving or hindering a person in the use of any tool, implement or clothing; or
3. Attempting to intimidate a person by threats or force,
4. When committed with the intent to compel a person to do or abstain from doing an act that the person has the right to do or abstain from doing.

In the context of sexual misconduct, coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Consent is defined as:

1. An affirmative, clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
2. The existence of a dating relationship or past sexual relations between the participants does not constitute consent to any other sexual act.
3. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression.
4. Affirmative consent must be ongoing throughout the sexual activity and may be withdrawn at any time. When consent is withdrawn or cannot be given, sexual activity must stop.
5. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary); inability to communicate due to a mental or physical condition; the lack of consciousness or being asleep; being involuntarily restrained; if any of the parties are under the age of 16; or if any individual otherwise cannot consent.
6. Consent cannot be given when it is the result of coercion, intimidation, force or threat of harm.

29. Dating Violence: Dating Violence is an act committed by a person who is or has been in a "dating relationship" with the victim:
 - a. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affection or sexual

involvement. The term does not include a causal relationship or an ordinary association between persons in a business or social context.

- b. For the purpose of this definition:
 - i. Dating violence includes, but is not limited to, mental sexual or physical abuse or the threat of such abuse.
 - ii. Dating violence does not include acts covered under the definition of domestic violence.
- c. For the purpose of complying with the requirement of this section and section 668.41, any incident meeting this definition is considered a crime for the purpose of Clery Act reporting.

30. Domestic Violence: Domestic Violence is an act that includes but is not limited to violence which occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

- 1. A battery.
- 2. An assault.
- 3. Compelling the other person by force or threat of force to perform an act from which the other person has the right to refrain or to refrain from an act which the other person has the right to perform.
- 4. A Sexual assault.
- 5. A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:
 - a. Stalking.
 - b. Arson.
 - c. Trespassing.
 - d. Larceny.
 - e. Destruction of private property.
 - f. Carrying a concealed weapon without a permit.
 - g. Injuring or killing an animal.
- 6. A false imprisonment.
- 7. Unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonably foreseeable risk of harm to the other person from the entry.

31. Stalking: Stalking is defined to be when a person who, without lawful authority, willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, harasses or fearful for the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member. Stalking includes but is not limited to:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - a. Fear for the person's safety or the safety of others; or
 - b. Suffer substantial emotional distress.
 2. For the purpose of this definition:
 - a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens or communicates to or about, a person, or interferes with a person's property.
 - b. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - c. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
32. Any acts of hazing.
- a. Hazing is defined as any method of initiation into or affiliation with the university, a student organization, a sports team, an academic association, or other group directly or indirectly engaged in that intentionally or recklessly endangers that individual physically and/or mentally regardless of whether or not the recipient is a willing participant. Hazing is most often seen as an initiation rite into a student organization or group, but may occur in other situations.
 - b. Hazing activities may include, but are not limited to:
 - i. Any physical activity, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquid, drugs or other substance or any other brutal treatment or other forced physical activity that is likely to adversely affect the physical health of the person.
 - ii. Any mentally embarrassing, harassing, or ridiculing behaviors that create psychological shocks, to include but are not limited to such activities as: Engaging in public stunts and buffoonery, morale degradation or humiliating games and activities.
 - iii. Any situation which subjects the individual to extreme stress, such as sleep deprivation, forced exclusion from social contact, required participation in public stunts, or forced conduct which produces pain, physical discomfort, or adversely affects the mental health or dignity of an individual.
 - iv. Any expectations or commands that force individuals to engage in an illegal act and/or willful destruction or removal of public or private property.

B. Violation of Law and University of Nevada, Reno, Discipline

When a student is charged by federal, state, or local authorities with a violation of the law, the University will not request or agree to special consideration for that individual because of his or her status as a student. Action by the university may go forward regardless of other possible or pending administrative, civil or criminal proceedings arising out of the same or other incidents. The person filing the complaint may choose to file charges against the student in both arenas: internally, through the university student conduct system, or externally, through the criminal justice or civil system.

The University may advise off-campus authorities of the existence of the Student Code and of the process for resolution of a potential violation of the Student Code on campus. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus. Individual students remain free to interact with governmental representatives as they deem appropriate. Decisions on the University student conduct case resolution, including sanctions imposed, shall not be subject to change because criminal charges arising out of the same allegations giving rise to the complaint of violation of University rules were dismissed, reduced or resolved in favor or against the student defendant in other judicial or administrative proceedings.

Section III: Options for Reporting & Confidentially Disclosing Sexual Violence

The University encourages students who are reporting students of sexual violence to talk to somebody about what happened in order for them to receive the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a reporting student's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a reporting student in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a University investigation into an incident against the reporting student's wishes, except in certain circumstances discussed below.
- Some employees are required to report all the details of an incident (including the identities of both the reporting student and all other students involved) to the Title IX Coordinator. A report to these employees (called "responsible employees") constitutes a report to the University - and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed choices about where to turn should they want to report an act of sexual violence. The University encourages such students to talk to someone identified in one or more of these groups.

The Options

A. Privileged and Confidential Communications

- *Professional Counselors.* Professional, licensed counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a student's permission. Following is the contact information for these individuals:

- **Counseling Services**
Pennington Student Achievement Center Room 420, Mail Stop 0080
(775) 784-4648
Hours:
 - M-Th 8 a.m. to 8 p.m.
Fri. 8 am - 5 p.m.After hours: (775) 297-8315
www.unr.edu/counseling
- **Student Health Center**
(775) 784-6598
Hours:
 - M-Th 8 a.m. to 7 p.m.
Fri. 8 a.m. to 5 p.m.Closed evenings and weekends
www.unr.edu/shc/
- **UNR Psychological Services Center**
206 Cain Hall
(775) 784-6668
- **Victims of Crime Treatment Center**
Lorraine Benuto, Ph.D.
Cain Hall Room 206
(775) 682-8684
- **Confidential Victim Advocate**
- Continuing Education Building Room 204
- campusadvocate@crisiscallcenter.com (775) 771-8724

A student who reports an act of sexual violence to a professional must understand that, if they want to maintain confidentiality, the University will be unable to conduct a full investigation into the incident and will likely be unable to pursue disciplinary action against the identified student.

A student who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While these professional counselors may maintain a reporting student's confidentiality vis-à-vis the University, they may have reporting or other obligations under state law. For example, there may be an obligation to report child abuse, an immediate threat of harm to self or others, or to report in the case of hospitalization for mental illness; for the exceptions to confidentiality, see NRS 49.213, NRS 49.245, and NRS 432B.220 in Appendix 2.

ALSO NOTE: If the University determines that the student identified as committing the offensive conduct poses a serious and immediate threat to the University community, University of Nevada, Reno Police Services may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the reporting student.

A reporting student and/or a responding student may choose to consult with a non-University pastoral counselor and is encouraged to discuss confidentiality with that individual.

B. Reporting to "Responsible Employees."

A "responsible employee" is a University employee who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a student reports an incident of sexual violence to a responsible employee, the student has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the reporting student and that the University will need to determine what happened - including the name(s) of the reporting student and responding student(s) or other alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report. A responsible employee should not share information with law enforcement without the reporting student's consent or unless the reporting student has also reported the incident to law enforcement.

The following employees (or categories of employees) are the University's responsible employees:

Title IX Coordinator

Anyone in a supervisory, managerial, administrative or executive role or positions, such as a provost, vice provost, vice president, dean, department chair, supervisor, director of a unit, resident director, resident assistant, or supervisor.

Before a reporting student reveals any information to a responsible employee, the employee will inform the student of the employee's reporting obligations. If the student wants to maintain confidentiality, the employee will direct the student to confidential resources.

If the student wants to tell the responsible employee what happened but also wants to maintain confidentiality, the employee will inform the student that the University will consider the request, but cannot guarantee that the University will honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the student's request for confidentiality.

Responsible employees will not pressure a reporting student regarding the extent of the report the student wants to make. Responsible employees will not pressure a student to request confidentiality, but will honor and support the student's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a reporting student to make a full report if the student is not ready to make such a report.

Requesting Confidentiality From the University: How the University Will Weigh the Request and Respond.

If a reporting student discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the reporting student.

If the University honors the request for confidentiality, a reporting student will be informed that the University's ability to investigate the incident and pursue disciplinary action against the identified student may be limited.

There are times when, in order to provide a safe, non-discriminatory environment for all students, the University may not be able to honor a reporting student's request for confidentiality. The University has designated the following individual to evaluate requests for confidentiality made by a reporting student: **Title IX Coordinator Denise Cordova 682-6708**

When weighing a student's request for confidentiality or a student's request that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the identified student will commit additional acts of sexual or other violence, such as:
 - whether there have been other sexual violence complaints about the same student;
 - whether the identified student has a history of arrests or other records indicating a history of violence;
 - whether the student identified as committing the offensive conduct threatened further sexual violence or other violence against the reporting student or others;
 - whether the sexual violence was committed by multiple persons;
 - whether the circumstances of the incident indicate that the behavior was planned by the identified student or others;
- whether the reported sexual violence was committed with a weapon;
- whether the reporting student is a minor;
- whether the University possesses other means to obtain relevant evidence of the reported sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the reporting student's information reveals a pattern of behavior (e.g., illicit use of drugs, alcohol, coercion, intimidation) at a given location or by a particular group;
- other factors determined by the Title IX Coordinator that indicate the identified student may repeat the behavior or that others may be at risk.

Based on one or more of these factors, the Title IX Coordinator may decide that the University will investigate and, if appropriate, pursue disciplinary action even though the reporting student requested confidentiality or requested that no investigation or disciplinary action be undertaken. If none of these factors is present, the University will likely respect the reporting student's request for confidentiality.

If the Title IX Coordinator decides that a reporting student's confidentiality cannot be maintained, the Title IX Coordinator will inform the reporting student in writing or via email prior to starting an investigation and the University will, to the extent possible, only share information with people responsible for handling the University's response.

The University will inform the responding student that retaliation against the reporting student is prohibited and will take ongoing steps to protect the reporting student from retaliation or harm and work with the reporting student to create a safety plan. Retaliation against the reporting student, whether by students or University employees, will not be tolerated. The University will also:

- assist the reporting student in accessing other available advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules

(including for the responding student pending the outcome of an investigation) or adjustments for assignments or tests; and

- inform the reporting student of the right to report a crime to campus or local law enforcement - and provide the reporting student with assistance if the reporting student wishes to report a crime.

The University will not require a reporting student or a responding student to participate in any investigation or disciplinary proceeding.

Because the University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action - such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/student surveys; and/or revisiting its policies and practices.

If the University determines that it can respect a reporting student's request for confidentiality, the University will also take immediate action as necessary to protect and assist the reporting student.

Miscellaneous

Take Back the Night and other public awareness events, Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of sexual violence for purposes of triggering the University's obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' Title IX rights at these events.

Off-Campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the University unless the reporting student requests the disclosure and signs a consent or waiver form.

Following is contact information for these off-campus resources:

Crisis Call Center:

(775) 784-8085 (Reno)

(775) 784-8085 (Sparks)

24 hour Help Hotline: 1 (800) 273-8255

NOTE: While these off-campus counselors and advocates may maintain a reporting student's confidentiality vis-à-vis the University, they may have reporting or other obligations under state law. For example, there may be an obligation to report child abuse, an immediate threat of harm to self or others, or to report in the case of hospitalization for mental illness; for the exceptions to confidentiality, see NRS 49.213, NRS 49.245, and NRS 432B.220 in Appendix 2.

Section IV: Student Disciplinary Procedures

A. Complaint of Student Misconduct

Any member of the university community may file a complaint against a student for violations of the Student Code of Conduct. The complaint shall be prepared in writing and directed to the Assistant Dean, Student Conduct or designee (hereinafter the "Assistant Dean"). Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within

thirty (30) days. In cases involving academic misconduct (cheating, plagiarism or other attempts to obtain a grade under false pretenses) please refer to the Academic Standards Policy (<https://www.unr.edu/administrative-manual/6000-6999-curricula-teaching-research/instruction-research-procedures/6502-academic-standards>).

B. Resolution of a Student Misconduct Complaint

1. Preliminary Investigation

- a. The Assistant Dean shall conduct a preliminary investigation of the complaint to determine if there has been a potential violation of the Student Code of Conduct. Upon determining that a complaint indicates a potential violation of the Student Code of Conduct, the Assistant Dean shall send the accused student a notice of investigation identifying the alleged violation ("Notice of Investigation").
- b. The Notice of Investigation shall: (1) identify the alleged violation; (2) identify potential disciplinary sanctions; (3) inform the accused student that the Assistant Dean shall conduct a full investigation, including interviewing people and gathering evidence; (4) instruct the accused student to schedule a meeting ("Preliminary Conference") with the Assistant Dean within ten (10) working days of the Notice of Investigation being sent; and (5) inform the accused student that an administrative hold may be placed on the accused student's transcript and/or ability to register until such time that the accused student participates in the Preliminary Conference.
 - i. The accused student shall be notified by email that the accused student must pick up the Notice of Investigation in the Office of Student Conduct within 72 hours from the time the email was sent. The email address listed in MyNevada will be used to inform the accused student to pick up the Notice of Investigation. If the Notice of Investigation is not picked up within 72 hours, the Notice of Investigation will be sent to the accused student's physical address listed in MyNevada.
 - ii. If the accused student is notified about the Notice of Investigation in the manner described in b(i), the accused student is deemed to have received notification of the Notice of Investigation. The accused student has ten (10) working days from the date of the email or letter, whichever was received later, to schedule the Preliminary Conference with the Assistant Dean.
- c. Working Days: For the purpose of this policy, "working days" are defined as working days, excluding university holidays, for allegations during the fall and spring semesters.
- d. Interim Directive: In appropriate circumstances the Assistant Dean may impose an interim "no contact" and/or "ban from participation" directive prior to the Preliminary Conference. The Assistant Dean may issue such a directive when the alleged misconduct poses a health and safety concern to the university community and/or a disruption to the educational environment.

2. Preliminary Conference

At the Preliminary Conference, the Assistant Dean shall discuss the allegation with the accused student and allow the accused student to tell the accused student's side of the story. The accused student has the option at the Preliminary Conference to admit to the wrongdoing and receive a sanction at that conference. If the accused student accepts the

charge and proposed sanction, there shall be no appeal and the disciplinary sanction shall be applied. If the accused student accepts the charge and the proposed sanction, it shall become part of the accused student's disciplinary record.

When the accused student is telling the accused student's side of the story, the accused student shall be allowed to provide names of witnesses, documents or evidence in support of the accused student's position. The Assistant Dean can conduct further investigation if necessary.

The accused student has the right to have an advisor present for the Preliminary Conference. The role of the advisor is described in Section 5.

3. Investigative Findings

After the investigation is concluded, the Assistant Dean shall decide either that: (a) there is not enough evidence to support the charge; or (b) there is enough evidence to support the charge. If there is not enough evidence to support the charge, the accused student shall be sent a letter indicating that the evidence does not support the charge. If the Assistant Dean decides that there is enough evidence to support the charge, the accused student shall be informed in writing of the charges ("Charging Letter"). The Charging Letter shall inform the accused student of the following:

- a. the conduct violation charged;
- b. the proposed sanction;
- c. the accused student's right to a hearing;
- d. the accused student's right to have an advisor present at the hearing; and
- e. the complaint can be resolved by:
 - i. acceptance of the charge and proposed sanction;
 - ii. informal resolution; or
 - iii. formal resolution.

The Charging Letter shall also inform the accused student that the accused student shall schedule and attend a conference (Pre-Hearing Conference) with the Assistant Dean to be held within ten (10) working days from the date of the Charging Letter. The accused student is given ten (10) working days to consider the accused student's options for resolution. If the accused student fails to schedule the Pre-Hearing Conference with the Assistant Dean within ten (10) working days, the conduct violation and proposed sanction shall be implemented and shall become part of the accused student's disciplinary record.

4. Resolution of the Charges

After receiving the Charging Letter, there are three ways the accused student can resolve the charges: acceptance of the charge, informal resolution or formal resolution by way of a hearing.

- a. Acceptance of Charge and Proposed Sanction

After receipt of the Charging Letter, the accused student can accept responsibility for the conduct violation and accept the proposed sanction. If the accused student accepts responsibility, the accused student signs a document and the matter is concluded. There shall be no appeal and the disciplinary sanction proposed by the Assistant Dean proposed in the Charging Letter shall be applied. If the accused student accepts the charge and the proposed sanction, it shall become part of the accused student's disciplinary record.

b. Informal Resolution

At any time after receipt of the Charging Letter, the accused student has the option of informally resolving the charges and imposed sanctions. If the accused student wants to informally resolve the charges, the accused student shall attend a second conference with the Assistant Dean to develop an appropriate resolution of the Complaint ("Resolution Conference"). At that Resolution Conference, the matter will either be resolved informally without a hearing, or a determination shall be made that the matter will be resolved formally with a hearing before a Student Conduct Hearing Officer ("Hearing Officer") or Student Conduct Board ("Board").

In some cases, the informal resolution may involve mediation, conflict resolution or an educational conference, which shall be decided upon during the Resolution Conference. If the accused student accepts the resolution proposed by the Assistant Dean, the accused student will sign a document indicating the accused student's agreement. There shall be no appeal and the disciplinary sanction shall be applied. The charge and the proposed sanction shall become part of the accused student's disciplinary record.

An accused student has the right to have an advisor present during the Resolution Conference. The role of the advisor is described in Section 5.

c. Formal Resolution (Hearing)

If the accused student and Assistant Dean cannot reach agreement through informal resolution regarding the alleged violation and proposed sanction, the complaint will be referred to the formal resolution process. The formal resolution process involves a hearing to determine if the accused student is responsible for the conduct violation and to determine the appropriate sanction for that conduct violation if the accused student is found responsible.

If the accused student chooses to have a hearing, the accused student must schedule and attend a Pre-Hearing Conference with the Assistant Dean within ten (10) working days of the date of the Charging Letter. The purpose of the Pre-Hearing Conference shall be to:

- i. Identify and determine the most appropriate hearing option to be employed;
- ii. Review the hearing process and procedures; and
- iii. Set a hearing date and time.
 - a) The hearing shall occur within twenty-five (25) working days but no less than ten (10) working days from when the accused student notifies the Assistant Dean that the accused student wants a hearing.
 - b) A member of the Office of Student Conduct shall be designated as the facilitator for the hearing ("Hearing Administrator"). The Hearing Administrator shall be appointed by the Assistant Dean or the Dean of Students ("Dean"). The Hearing Administrator shall notify the accused student in writing of the date, time and location of the hearing and whether the hearing is before a Hearing Officer or Board.

- c) Maximum time limits for scheduling of student conduct hearings may be extended at the discretion of the Hearing Administrator.

An accused student has the right to have an advisor present during the Pre-Hearing Conference. The role of the advisor is described in Section 5.

5. Advisors

The accused student has the right to be assisted by one (1) advisor, if desired. The advisor serves as a supporter and advisor during the conference or hearing. The accused student, and not the advisor, is responsible for presenting the accused student's own information, introducing witnesses, and answering questions throughout the conference or hearing. When an accused student selects an advisor, the advisor has no right to speak during the conference or hearing. The advisor may be an attorney. If the accused student wishes to be accompanied by an advisor or an attorney, the Assistant Dean must be notified at least five (5) working days before the conference or hearing. If the accused student chooses to have an advisor, the Assistant Dean may be accompanied by an advisor or by an attorney if the accused student chooses an attorney as the accused student's advisor. The Hearing Officer or Board may have an advisor or attorney at all hearings, regardless of whether the accused student requests an advisor or attorney.

6. Appointing a Hearing Officer or Impaneling a Board

The Assistant Dean shall determine if a case will be heard by a Hearing Officer or a Board. The determination is made based on the alleged misconduct, the level of sanction that may be considered and the needs of the accused student, alleged victim and university community as a whole.

a. Hearing Officer

The Hearing Officer hears cases involving students, student organizations or groups accused of violating the Student Code of Conduct. The Hearing Officer shall be appointed by the Dean from faculty members within the Office of Student Conduct, the Office of Residential Life, Housing and Food Services or from trained university faculty. The Hearing Officer may be advised by an advisor who shall be someone not involved in the investigation or resolution of the alleged misconduct being heard by the Hearing Officer.

b. Hearing Board

The Board hears cases involving students, student organizations or groups accused of violating the Student Code of Conduct. The Board is comprised of trained university students and faculty members. A list of eligible Board members will be provided to the Dean who will select a minimum of five (5) for each hearing. If there is a minimum of five (5) Board members, three (3) of the members shall be faculty. The Chair of the Board ("Board Chair") will be appointed and approved by the Provost's Office. The Board may be advised by an advisor who shall be someone not involved in the investigation or resolution of the alleged misconduct being heard by the Board.

c. Hearing Deadline

The Hearing Administrator shall set a hearing date within ten (10) working days after the accused student decides on the formal resolution hearing. The accused student may be granted one continuance upon a showing of good cause. The

Dean shall make the determination as to whether the continuance shall be granted.

7. Hearing Procedures

- a. Student conduct hearings shall be closed unless the accused student requests an open hearing. Requests for an open hearing will be reviewed by the Dean and will be granted if the request is consistent with the Family Educational Rights and Privacy Act (FERPA) and if the overriding individual privacy needs of other students involved in the hearing are not violated.
 - i. Disciplinary records, including hearing proceedings, are part of a student's educational record. As such the privacy protections afforded to a student under FERPA dictate the standards for a closed hearing.
- b. An accused student has the right to have an advisor present during the hearing. The role of the advisor is described in Section 5.
- c. The accused student, the Assistant Dean and any advisors shall be allowed to attend all portions of the hearing at which information is received, but may not be present during the Hearing Officer or Board's closed session to deliberate and render a decision on the charge. Admission of any other person to the hearing shall be at the discretion of the Hearing Officer or Board Chair.
- d. In student conduct hearings involving more than one accused student, the Dean, at the Dean's discretion, may permit the conduct hearings be conducted either separately or jointly.
- e. The accused student and Assistant Dean shall provide written notification to the Hearing Administrator of witnesses they intend to use at the hearing no later than five (5) working days before the hearing.
- f. Potential witnesses who are identified by the accused student and the Assistant Dean will be notified and invited to the hearing by the Hearing Administrator no later than two (2) working days prior to the hearing. The Hearing Administrator has sole discretion to allow for a delay in the hearing due to a scheduling conflict of a witness. Witnesses will provide information to, and answer questions from, the Hearing Officer or Board. Witnesses shall only be present during their testimony.
- g. The accused student and Assistant Dean may present relevant written documents, records, or other information for the hearing. These documents must be provided to the Hearing Administrator five (5) working days before the hearing.
- h. The accused student and Assistant Dean have the right to review the witness names identified by each party and the documents provided by each party two (2) working days prior to the hearing. This review will take place within the Office of Student Conduct during normal working hours under the supervision of the Hearing Administrator. All documents are considered confidential and will not be reproduced or released for review outside of the Office of Student Conduct.
 - i. Order of the Hearing:
 - i. In the hearing, the Hearing Officer or Board Chair will state the content of the report of alleged misconduct and the specific charges made.

- ii. The Assistant Dean will be asked to present information supporting the allegation of misconduct against the accused student.
- iii. The Hearing Officer or Board Chair may call identified witnesses on behalf of the Assistant Dean, including the complaining party.
- iv. The accused student, and Board members may present questions to the Hearing Officer or the Board Chair, who will then present the questions to the Assistant Dean or witnesses called on behalf of the Assistant Dean. Additionally, the Hearing Officer and Board Chair may present questions of their own to the witnesses at any time while the witnesses are testifying.
- v. The accused student will be asked to present information supporting the accused student's position against the allegation of misconduct.
- vi. The Hearing Officer or Board Chair may call identified witnesses on behalf of the accused student including the complaining party.
- vii. The Assistant Dean, Hearing Officer or Board members may present questions to the Hearing Officer or the Board Chair, who will then present the questions to the accused student and witnesses called on behalf of the accused student. Additionally, the Hearing Officer and Board Chair may present questions of their own to the witnesses at any time while the witnesses are testifying. If the accused student is concerned about, suspected of or being investigated for violations of criminal law, the accused student does not have to answer questions in order to preserve the student's Fifth Amendment right against self-incrimination. The accused student's decision to invoke the Fifth Amendment right against self-incrimination shall not be used against the accused student in determining whether the accused student is responsible for a violation of the Student Code of Conduct.
- viii. Information and testimony presented by the Assistant Dean and the accused student must be relevant to the specific charge(s). The Hearing Officer or Board Chair is allowed to strike or exclude any information or testimony that is not relevant to the specific charges.
- ix. The Hearing Officer or Board members will close the hearing to review and deliberate upon the presented information and render a decision regarding whether the accused student violated the Student Code of Conduct. The Hearing Officer or the Board's decision shall be made on the basis of a preponderance of the evidence: whether it is more likely than not that the accused student committed the alleged misconduct. If the decision is made by a Board, the decision should be made through consensus when possible, and if not possible, then by simple majority vote of the Board members.
- x. The Hearing Officer or Board Chair will re-open the hearing and present the findings to the accused student.
- xi. If the accused student is found not responsible for a violation, then the hearing is concluded.

- xii. If the accused student is found responsible for one or more violations of the Student Code of Conduct, the Hearing Officer or Board shall consider possible sanctions for the accused student after reviewing any prior violations of the Student Code of Conduct, including imposed sanctions and whether the student has completed these sanctions. Possible sanctions to impose appear below in Section D.
- xiii. The Hearing Officer or Board Chair will excuse the accused student, the Assistant Dean and their advisors (if any) and close the hearing for deliberations regarding the appropriate sanctions.
- xiv. The Hearing Officer or Board Chair will reopen the hearing and present the findings on the disciplinary sanctions to the accused student.
- xv. The Hearing Officer or Board Chair will provide in writing to the Assistant Dean the decision on responsibility for the violation and the decision on the sanction within three (3) working days of the close of the hearing. The Assistant Dean has authority to lessen the sanction decided upon by the Hearing Officer or Board, if the Assistant Dean thinks a lesser sanction will serve a better educational or remedial purpose.
- xvi. The Assistant Dean will provide the accused student with a final written decision within three (3) working days of receiving the Hearing Officer or Board Chair's decision and recommendations. In cases of sexual assault or other serious physical assault, the Assistant Dean will apprise the complaining party of the outcome of the hearing. The written decision will include the student's right to appeal the decision.
- j. The formal rules of evidence shall not apply in Student Code of Conduct proceedings.
- k. The hearing, except for deliberations, shall be taped or digitally recorded. Upon request by the accused student, a written transcript will be provided within a reasonable time, at the accused student's expense. Personally identifiable information will be removed from the transcript. The record shall be the property of the University of Nevada, Reno, and will be maintained with the accused student's confidential conduct records within the Office of Student Conduct.
- l. If an accused student, after receiving notice, does not appear at a student conduct hearing, the information in support of the complaint shall be presented, considered, and acted upon regardless of the accused student's absence. Failure of the accused student to appear is not evidence that the accused student was responsible for the charge of misconduct.
- m. If the accused student is concerned about, suspected of or being investigated for violations of criminal law, the accused student does not have to answer questions to preserve the accused student's Fifth Amendment right against self-incrimination. The accused student's decision to invoke the Fifth Amendment right against self-incrimination shall not be used against the accused student in

determining whether the accused student is responsible for a violation of the Student Code of Conduct.

- n. If during the informal resolution process or the hearing, the complaining party, the accused student or any witnesses have concerns for personal safety, well-being or fear of confrontation, the Hearing Officer or Board Chair may accommodate those concerns. Those accommodations may include receiving the relevant information and conducting conversations for the resolution of the case using methods other than requiring both parties to be present in the same room at the same time. Such options shall be determined by the Dean.

C. Appeals:

1. A decision on responsibility for a violation of the Student Code of Conduct and/or an associated sanction for the violation may be appealed by the accused student and in cases of sexual assault or other physical assault by the complaining party. The appeal shall be made within five (5) working days of the date of the written decision. Such appeals shall be in writing (Statement of Appeal) and delivered to the Dean or the Dean's designee. Grounds for an appeal are:
 - a. Deviations from procedures set forth which result in significant prejudice.
 - b. The decision reached regarding the accused student was not based on a preponderance of the evidence: whether it is more likely than not that the accused student committed the alleged misconduct.
 - c. The sanction imposed was not appropriate for the violation of the Student Code of Conduct for which the accused student was found responsible.
 - d. New information or other relevant facts not available at the time of the hearing are identified.
2. The Dean will review the appeal to determine if one or more of the grounds for an appeal have been met. If the Dean finds that one or more of the stated grounds for an appeal have been met, the Dean will then forward the appeal to the Hearing Administrator with the directive to impanel the Student Conduct Appeals Board. If the Dean finds that none of the criteria for an appeal has been met, the matter is closed and the Hearing Officer or Board's decision is final. The Dean will notify the accused student in writing within five (5) working days of the date of delivery of the Statement of Appeal whether or not one or more of the grounds for appeal has been met.
3. Student Conduct Appeals Board
 - a. The Student Conduct Appeals Board is comprised of representatives from the Student Conduct Board not involved in the original hearing.
 - b. The Student Conduct Appeals Board shall review the Statement of Appeal, the original complaint of misconduct, the recording of the hearing, the decision and sanction, along with all other information and evidence that was part of the decision-making in the hearing. If the appeal is based on Subsection 1(d) above, the Appeals Board may also consider the new information or evidence offered by the appealing party. The Appeals Board may uphold the decision, or may hear the case as a new hearing following student conduct hearing procedures described in Section B(7).
 - c. The decision of the Appeals Board is final.

D. Sanctions

The purpose of a disciplinary sanction is to educate an individual student on the impact of conduct violations on others in the university community, the importance of taking responsibility for resolving any concerns arising from the misconduct, and the needs of the university community for resolution of the misconduct. Educational activities may be assigned to the student as a condition of the student's successful resolution of the violation(s). The educational purpose of sanctioning will ordinarily be the guiding force behind imposition of sanctions within the university disciplinary process. In some instances, however, the university community's need to properly function outweighs the university's ability to educate an individual. In such a case, in the interests of the university community, suspension or expulsion from the university may result.

1. One or more of the following disciplinary sanctions may be imposed on a student found to have violated the Student Code of Conduct.
 - a. Warning. A notice, oral or written, that the student has violated the Student Code of Conduct.
 - b. Reprimand. A written reprimand for violation of specified code violations.
 - c. Restitution. Compensation for loss, damage, theft or misappropriation of property, or injuries sustained in an incident of student misconduct. This may take the form of appropriate service and/or monetary or material replacement.
 - d. Probation. Probation consists of a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional policies and rules and regulations during the probationary period.
 - e. Loss of Privileges. Denial of specified privileges for a designated period of time.
 - f. Discretionary and Educational Sanctions. Participation in specific educational programs, such as: alcohol and/or other drug educational intervention conferences; assessments; educational activities, such as: on-line instructional workshops; and work assignments or service to the university or the surrounding community; and other related discretionary assignments.
 - g. Hold on transcript and/or registration. A hold restricts release of a student's transcript or access to registration until satisfactory completion of conditions or sanctions imposed by the Assistant Dean, a Hearing Officer or a Board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.
 - h. No Contact Order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.
 - i. University Suspension. Exclusion for a definite period of time from attending classes and from participating in other activities of the university, as set forth in a written notice to the student.
 - j. Deferred University Suspension. Separation of the student from the university, deferred until the close of the current semester or some other time frame necessary for review of student progress in addressing the conduct concern. This sanction is most often utilized for cases in which the student does not pose a safety concern and is participating in a university-designated intervention.
 - k. University Expulsion. Termination of student registration and status for an indefinite period of time. Permission of the president shall be required for readmission. The official transcript of the student shall be marked

"DISCIPLINARY EXPULSION EFFECTIVE ____." The parents or legal guardians of minor students shall be notified of the action. A student who is enrolled in the student's last semester before graduation, is not currently enrolled in the university and who was not registered during the previous semester, or who graduated at the end of the previous semester may request that the notation of the disciplinary expulsion be removed from the official transcript when four years have elapsed since the expiration of the student's expulsion or termination. Such request must be submitted in writing to the president or his designee in accordance with NSHE Code, Title 2, Chapter 10.4.9(1). If the request is not granted, the student may submit a request for removal of the notation at yearly intervals thereafter.

1. Withholding of a Degree. Prior to the awarding of a degree, the university may withhold a degree from a student.
2. Other than university expulsion, or withholding of a degree, disciplinary sanctions shall not be made part of the student's official transcript, but shall become part of the student's disciplinary record. The Family Educational Rights and Privacy Act (FERPA) defines disciplinary records as education records. Disciplinary records are therefore protected from disclosure without written consent of the student or court order or as otherwise allowed by FERPA. Disciplinary records are stored within the Office of Student Conduct and maintained in compliance with FERPA and the Clery Act and NSHE's Record Retention and Disposition Schedule. Other than university expulsion or withholding of a degree, upon completion of the mandated time lines, a student's disciplinary records are destroyed.
3. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, university suspension, university expulsion, or withholding of a degree, upon application to the Assistant Dean and approval by the president. A student may request that the student's disciplinary record be expunged and any such notation be removed from the student's disciplinary record during the student's semester before graduation or any time following graduation. The burden demonstrating reasonable cause for considering the expunging of a disciplinary record lies with the student. In considering such requests, the president may consider the following:
 - a. Stated reason for request and circumstances surrounding the request;
 - b. Date and seriousness of the violation;
 - c. Student's behavior and disciplinary record since the violation, including successful completion of any imposed sanctions;
 - d. The impact, if any, on the public that failure to give such notice may cause; and
 - e. Consequences of denying the request.

The granting or denial of a request to expunge a student's disciplinary record shall rest solely within the discretion of the president, and the enumeration of the foregoing factors shall not in any way imply a duty on the president to grant such a request by means of a balancing or other test. If a request is not granted, the student at yearly intervals thereafter may request that the student's disciplinary record be expunged. The denial of a request to expunge is not appealable.

4. Students found responsible for an Academic Standards Policy violation may be subject to additional academic sanctions as stated within the Academic Standards Policy.

E. Procedures Available when Sexual Harassment is Alleged

The following additional procedures apply in proceedings alleging sexual harassment:

1. A complaining party and an accused student accused of alleged sexual harassment shall have the opportunity to select an independent advisor for assistance, support and advice. The complaining party and accused student shall be advised at the beginning of the complaint process that the complaining party or accused student may select an independent advisor and it shall become the choice of the complaining party or accused student to utilize or not utilize the independent advisor. The independent advisor may be brought into the process at any time at the request of the complaining party or the accused student. The Title IX Coordinator or the Assistant Dean shall advise the complaining party and the accused student of this right.
2. The complaining party may choose to not permit the matter to be resolved by the informal resolution process or may terminate the informal resolution process at any time prior to a written determination being signed. If sexual assault is alleged, the informal resolution process may not be used.
3. The complaining party must agree to the charge being heard by a Hearing Officer if the Assistant Dean and accused student agree. In other words, the complaining party, the accused student and the Assistant Dean must all be in agreement that a Hearing Officer will hear the matter, as opposed to a Board hearing the matter
4. The complaining party must be given the opportunity to participate in any pre-hearing procedures.
5. In a hearing involving more than one charged student, the Hearing Officer or Board may require an accused student to be absent from any testimony that is not relevant to that accused student.
6. The complaining party must receive a list of all witnesses at the same time it is received by the Assistant Dean and accused student.
7. The complaining party must be permitted an advisor during the hearing who shall have the same duties and obligations of other advisors as described in B(5).
8. The complaining party may present witnesses and other evidence at the hearing.
9. The findings and recommendation of the Title IX Coordinator pursuant to *NSHE Handbook*, Title 4, Chapter 8, Section 13 shall be considered at the hearing;
10. In a complaint alleging sexual assault, domestic violence, dating violence or stalking, the complete decision of the Board or Hearing Officer and the decision on appeal shall be given to the complaining party and the accused student simultaneously. The complete decision includes the outcome, the essential findings and the sanctions;
11. In all other complaints alleging sexual harassment, the complaining party shall be served a copy of the decision of the Board or Hearing Officer and the decision of the Dean if an appeal is filed, except for the discipline imposed upon the accused student unless the discipline directly relates to the complaining party.
12. If the complaining party is aggrieved by the decision of the Board or Hearing Officer, the complaining party has the right to appeal the decision to the Dean in the same manner as the accused student;

F. Procedures Available When Physical Assault Is Alleged

The following additional procedure applies in proceedings alleging physical assault:

1. In a complaint alleging physical assault, the complete decision of the Board or Hearing Officer and the decision on appeal shall be given to the complaining party. The complete decision includes the outcome, the essential findings and the sanctions.

G. Emergency Removal

In certain circumstances, the president, or a designee, may impose an immediate emergency removal prior to the resolution of a charge of a violation of the rules of conduct against the student. This emergency action includes the immediate removal from the university and all of its campuses, sites, locations and property of a student for an interim period whenever the president determines that this is required to:

1. Ensure the safety and well-being of members of the university community;
2. Protect university property;
3. If the accused student poses an ongoing threat or disruption of, or interference with, the normal operations of the university; or
4. Protect any student from sexual harassment or retaliation for the report of sexual harassment.

When the emergency removal is imposed, the student shall be denied access to the university, including classes and/or to all other university activities or privileges for which the student might otherwise be eligible, as the president or his/her designee may determine to be appropriate. During the time of the removal from university, the student may not come onto university property for any reason other than meeting with the appropriate university official(s) regarding resolution of the emergency removal and the student conduct violation.

Any student so removed shall be afforded an opportunity to a hearing on the emergency removal no later than ten (10) working days following the removal unless the student agrees to delay the hearing to a later time. A Hearing Officer shall hold the hearing under the hearing procedures described in Section B(7). The Hearing Officer shall make a recommendation to the president. The president's decision upon the Hearing Officer's recommendation shall be final.

The emergency removal does not replace the regular disciplinary process, which shall proceed on the normal schedule, up to and through a hearing, if required.

In circumstances where the student is removed for the student's own emotional and personal safety, a resolution on the decision regarding the student's removal from the university will be addressed within an informal meeting with the Assistant Dean, with the goal of the meeting being the development of a plan for most effectively meeting the student's personal and scholarly needs as a continuing student.

H. Student Organizations

Student organizations, either recognized through the Associated Students of the University of Nevada (ASUN), the Graduate Student Association (GSA), or university departments, are required at all times to conduct themselves in accordance with the Student Code of Conduct. A student organization believed to be involved in any of the activities identified in these rules and regulations may be reported to the Office of Student Conduct for an investigation of the activity in question.

The investigation of this student organization may lead to an investigation of an individual student(s).

1. Procedure for Student Organization

The procedures for the preliminary investigation, preliminary conference, investigative findings and resolution of the charges addressing a complaint filed with the Office of Student Conduct against a student organization is the same as the procedure for an individual student. The hearing procedures set forth in Section B(7) shall also apply to allegations made against a student organization.

2. Sanctions for student organizations. The sanctions for student organizations shall include the following:

- a. Warning. A notice, oral or written, that the student organization has violated the Student Code of Conduct.
- b. Reprimand. A written reprimand for violation of specified code violations.
- c. Restitution. Compensation for loss, damage, theft or misappropriation of property, or injuries sustained in an incident of student organization misconduct. This may take the form of appropriate service and/or monetary or material replacement.
- d. Probation. Probation consists of a designated period of time and includes the probability of more severe disciplinary sanctions if the student organization is found to violate any institutional policies and rules and regulations during the probationary period.
- e. Loss of Privileges. Denial of specified privileges for a designated period of time.
- f. Discretionary and Educational Sanctions. Participation in specific educational programs, such as: alcohol and/or other drug educational intervention conferences; assessments; educational activities, such as: on-line instructional workshops; and work assignments or service to the university or the surrounding community; and other related discretionary assignments.
- g. No Contact Order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.
- h. Denial of use of university facilities for a designated period of time.
- i. Prohibition from recruiting /or accepting new members for a designated period of time.
- j. Prohibition from participating in university events, including but not limited to orientation, intramurals, and other campus activities for a designated period of time.
- k. Loss of recognition of the organization for a designated period of time.

H. Interpretation and Revision

Any question of interpretation or application of the Student Code of Conduct shall be referred to the Assistant Dean or the Assistant Dean's designee for final interpretation.

The Student Code of Conduct shall be reviewed and updated each year under the direction of the Assistant Dean.

Appendix I: Definitions

1. The term University means the University of Nevada, Reno.
2. The term "student" included all persons taking courses at the University of Nevada, Reno, either full-time or part-time, pursuing undergraduate, graduate or professional studies. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the University of Nevada, Reno, or who have been notified of their acceptance for admission are considered "students". This Student Code of Conduct applies to all locations of the University of Nevada, Reno, including campus properties located in the cities of Reno and Sparks, and in Washoe and Douglas Counties.
3. The term "member of the University community" includes any person who is a student, faculty member, staff, or University official or any other person employed by the University. The Director of Student Conduct shall determine a person's status in a particular situation.
4. The term "University premises" includes all land, building, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks).
5. The term "organization" means any number of persons who have complied with the formal requirements for University recognition/registration.
6. The term "cheating" includes, but is not limited to: use of any unauthorized assistance in taking quizzes, tests, or examinations; and/or the use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, take-home exams or carrying out assignments.
7. The term "plagiarism" includes, but is not limited to: the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment of the use.
8. The term "complainant" means any person who submits a charge alleging that a student violated the Student Code of Conduct. For the purposes of resolution of the allegations, if the case is pursued by the Director of Student Conduct and goes to formal resolution, than the complainant participates as a witness and as the initiator of the referral of the incident.
9. The term "accused student", or "accused student organization or student group" means any student, student organization or student group accused of violating this Student Code of Conduct.

This Student Code of Conduct follows the format, design, and wording of much of the "Model Student Conduct Code", as devised, published and provided to college and university student conduct administrators in the United States by Edward N. Stoner II and John Wesley Lowery. This model code is officially titled: "Navigating Past the 'Spirit of Insubordination', The version of this Model Student Conduct Code" utilized by the University of Nevada, Reno, Student Code of Conduct appears in the Journal of College and University Law, Volume 31, No 1: 2004, as published by the National Association of College and University Attorneys and the Notre Dame Law School. This document is available for review in the Office of Student Conduct, University of Nevada, Reno, at: 784-4388.

Appendix II: Nevada Revised Statutes

Exceptions to the Psychologist Patient-Privilege

NRS 49.213 Exceptions. There is no privilege pursuant to NRS 49.209 or 49.211:

University of Nevada, Reno Relationship Agreement

1. For communications relevant to an issue in a proceeding to hospitalize the patient for mental illness, if the psychologist in the course of diagnosis or treatment has determined that the patient requires hospitalization.
2. For communications relevant to an issue of the treatment of the patient in any proceeding in which the treatment is an element of a claim or defense.
3. If disclosure is otherwise required by state or federal law.
4. For communications relevant to an issue in a proceeding to determine the validity of a will of the patient.
5. If there is an immediate threat that the patient will harm himself or herself or other persons.
6. For communications made in the course of a court-ordered examination of the condition of a patient with respect to the specific purpose of the examination unless the court orders otherwise.
7. For communications relevant to an issue in an investigation or hearing conducted by the Board of Psychological Examiners if the treatment of the patient is an element of that investigation or hearing.
8. For communications relevant to an issue in a proceeding relating to the abuse or neglect of a person with a disability or a person who is legally incompetent.

(Added to NRS by 1995, 2497)

Exceptions to the Doctor-Patient Privilege

NRS 49.245 Exceptions. There is no privilege under NRS 49.225 or 49.235:

1. For communications relevant to an issue in proceedings to hospitalize the patient for mental illness, if the doctor in the course of diagnosis or treatment has determined that the patient is in need of hospitalization.
2. As to communications made in the course of a court-ordered examination of the condition of a patient with respect to the particular purpose of the examination unless the court orders otherwise.
3. As to written medical or hospital records relevant to an issue of the condition of the patient in any proceeding in which the condition is an element of a claim or defense.
4. In a prosecution or mandamus proceeding under chapter 441A of NRS.
5. As to any information communicated to a physician in an effort unlawfully to procure a dangerous drug or controlled substance, or unlawfully to procure the administration of any such drug or substance.
6. As to any written medical or hospital records which are furnished in accordance with the provisions of NRS 629.061.
7. As to records that are required by chapter 453 of NRS to be maintained.
8. If the services of the physician are sought or obtained to enable or aid a person to commit or plan to commit fraud or any other unlawful act in violation of any provision of chapter 616A, 616B, 616C, 616D or 617 of NRS which the person knows or reasonably should know is fraudulent or otherwise unlawful.

(Added to NRS by 1971, 785; A 1977, 155, 997, 1314; 1981, 589, 1967; 1985, 2012; 1987, 1036; 1989, 300, 302, 425; 1995, 1877; 2002 Special Session, 12)

Mandatory Reporting Requirements

NRS 432B.220 Persons required to make report; when and to whom reports are required; any person may make report; report and written findings if reasonable cause to believe death of child caused by abuse or neglect; certain persons and entities required to inform reporters of duty to report.

University of Nevada, Reno Relationship Agreement

1. Any person who is described in subsection 4 and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:
 - a) Except as otherwise provided in subsection 2, report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and
 - b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.
2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of:
 - a) A person directly responsible or serving as a volunteer for or an employee of a public or private home, institution or facility where the child is receiving child care outside of the home for a portion of the day, the person shall make the report to a law enforcement agency.
 - b) An agency which provides child welfare services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission, and the investigation of the abuse or neglect of the child must be made by an agency other than the one alleged to have committed the act or omission.
3. Any person who is described in paragraph (a) of subsection 4 who delivers or provides medical services to a newborn infant and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.
4. A report must be made pursuant to subsection 1 by the following persons:
 - a) A person providing services licensed or certified in this State pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637A, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of NRS.
 - b) Any personnel of a medical facility licensed pursuant to chapter 449 of NRS who are engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of such a medical facility upon notification of suspected abuse or neglect of a child by a member of the staff of the medical facility.
 - c) A coroner.
 - d) A member of the clergy, practitioner of Christian Science or religious healer, unless the person has acquired the knowledge of the abuse or neglect from the offender during a confession.
 - e) A person working in a school who is licensed or endorsed pursuant to chapter 391 or 641B of NRS.

- f) Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child.
 - g) Any person licensed pursuant to chapter 424 of NRS to conduct a foster home.
 - h) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer.
 - i) Except as otherwise provided in NRS 432B.225, an attorney.
 - j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.
 - k) Any person who is employed by or serves as a volunteer for a youth shelter. As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS 244.427.
 - l) Any adult person who is employed by an entity that provides organized activities for children.
5. A report may be made by any other person.
 6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to an agency which provides child welfare services or a law enforcement agency. If such a report is made to a law enforcement agency, the law enforcement agency shall notify an agency which provides child welfare services and the appropriate medical examiner or coroner of the report. If such a report is made to an agency which provides child welfare services, the agency which provides child welfare services shall notify the appropriate medical examiner or coroner of the report. The medical examiner or coroner who is notified of a report pursuant to this subsection shall investigate the report and submit his or her written findings to the appropriate agency which provides child welfare services, the appropriate district attorney and a law enforcement agency. The written findings must include, if obtainable, the information required pursuant to the provisions of subsection 2 of NRS 432B.230.
 7. The agency, board, bureau, commission, department, division or political subdivision of the State responsible for the licensure, certification or endorsement of a person who is described in subsection 4 and who is required in his or her professional or occupational capacity to be licensed, certified or endorsed in this State shall, at the time of initial licensure, certification or endorsement:
 - a) Inform the person, in writing or by electronic communication, of his or her duty as a mandatory reporter pursuant to this section;
 - b) Obtain a written acknowledgment or electronic record from the person that he or she has been informed of his or her duty pursuant to this section; and
 - c) Maintain a copy of the written acknowledgment or electronic record for as long as the person is licensed, certified or endorsed in this State.
 8. The employer of a person who is described in subsection 4 and who is not required in his or her professional or occupational capacity to be licensed, certified or endorsed in this State must, upon initial employment of the person:
 - a) Inform the person, in writing or by electronic communication, of his or her duty as a mandatory reporter pursuant to this section;

- b) Obtain a written acknowledgment or electronic record from the person that he or she has been informed of his or her duty pursuant to this section; and
- c) Maintain a copy of the written acknowledgment or electronic record for as long as the person is employed by the employer.

(Added to NRS by 1985, 1371; A 1987, 2132, 2220; 1989, 439; 1993, 2229; 1999, 3526; 2001, 780, 1150; 2001 Special Session, 37; 2003, 910, 1211; 2005, 2031; 2007, 1503, 1853, 3084; 2009, 2996; 2011, 791, 1097; 2013, 957, 1086)

Academic Standards Policy for Students

Introduction:

Specific to the academic pursuits of students, the University of Nevada, Reno, believes the maintenance of academic standards is a joint responsibility of the students and faculty of the University. Freedom to teach and to learn is dependent upon individual and collective conduct to permit the pursuit and exchange of knowledge and opinion. Faculty have the responsibility to create an atmosphere in which students may display their knowledge. This atmosphere includes an orderly testing room and sufficient safeguards to inhibit dishonesty. Students have the responsibility to rely on their knowledge and resources in the evaluation process. The trust developed in the maintenance of academic standards is necessary to the fair evaluation of all students.

Academic Standards:

Class Conduct: A student may receive academic and disciplinary sanctions for disruptive behavior in the classroom.

1. *Disruptive Behavior:* For purposes of this policy, "disruptive behavior" is defined as behavior, including but not limited to the disruption, obstruction or unauthorized interruption of teaching or the learning environment (e.g. repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, failure to follow course, laboratory or safety rules), unauthorized text messaging, and the continued unauthorized use of any electronic or noise or light emitting device which disturbs others.
2. *Sanctions for Disruptive Behavior:* A student may be dropped from class at any time for misconduct, disruptive behavior in the classroom, or non-attendance, upon recommendation of the instructor and with approval of the college dean. A student may also receive disciplinary sanctions for misconduct or disruptive behavior in the classroom.

Academic Dishonesty: A student may receive academic and disciplinary sanctions for cheating, plagiarism or other attempts to obtain or earn grades under false pretenses.

Subsection A: Definitions

1. *Plagiarism:* defined as (1) the appropriation of another person's ideas, processes, results or words without giving appropriate credit; (2) the submission of ideas, processes, results or words not developed by the student specifically for the coursework at hand without the appropriate credit being given; or (3) assisting in the act of plagiarism by allowing one's work to be used as described above.
2. *Cheating:* For purposes of this policy, cheating is defined as: (1) obtaining or providing unauthorized information while executing, completing or in relation to coursework, through verbal, visual or unauthorized use of books, notes, text and other materials; (2) turning in the same work in more than one class (or when repeating a class), unless permission is received in advance from the instructor; (3) taking an examination for another student, or arranging for another person to take an exam in one's place; (4) altering or changing test answers after

submittal for grading; (5) altering or changing grades after grades have been awarded; (6) altering or changing other academic records once these are official; and/or (7) facilitating or permitting any of the above-listed items.

For purposes of this definition of cheating, the term "unauthorized" is defined as not obtaining direct or explicit approval of the course instructor. For purposes of this definition of cheating, the term "coursework" is defined as an examination, laboratory experience or report, papers, homework or quizzes or any other class assignment or class activity.

4. *Working Days*: For the purpose of this policy, "working days" are defined as working days, excluding University holidays for allegations during the fall and spring semesters. In the event allegations of academic dishonesty occur in wintermester or summer courses or in a program requiring year-round enrollment, working days are defined as calendar days, excluding University holidays and weekends.
5. *Department Chair*: For the purposes of this policy, "department chair" is defined as chair or director of the department or program that is offering the course.

Subsection B: Sanctions for Violation of Academic Standards

1. An undergraduate or graduate student found responsible for violating this policy may not withdraw from the course in question to avoid the sanction and may not utilize the "grade replacement or grade appeals policies" for that course.
2. Sanctions for violations of University academic standards for academic dishonesty may include academic and/or disciplinary sanctions. Academic sanctions for both undergraduate and graduate students may include: filing a final grade of "F"; reducing the student's final course grade one or two full grade points; awarding a failing mark on the coursework in question; or requiring the student to retake or resubmit the coursework.
3. Sanctions for violations of University academic standards for class misconduct may include disciplinary sanctions. Academic sanctions may include temporary removal from the classroom by the faculty member or being dropped from the class. Dropping a student from a class must be approved by the Dean.
4. An undergraduate or graduate student may also be subject to discipline for academic dishonesty pursuant to the provisions of the University's Student Code of Conduct. Disciplinary sanctions for both undergraduate and graduate students may include the following: warning, reprimand, restitution, probation, suspension, expulsion, or revocation of degree.

Subsection C: Academic Dishonesty Procedures for Undergraduate Students

1. **Charging Letter.**
 - a. If an undergraduate student is suspected of academic dishonesty, the instructor of record for the course ("faculty member") must notify the student of the academic dishonesty charge by written letter, no later than ten (10) working days after knowledge of the alleged action. This notification letter is hereafter referred to as the "Charging Letter." The faculty member should use the Template Charging Letter provided here. The charging letter must inform the student of all of the following:
 - i. The specific charge(s), the documents in support of the charge(s) and the proposed sanction(s);
 - ii. The Academic Standards Policy to be followed and where it is located;
 - iii. That the student has the right to appeal the charge of academic dishonesty and if the student decides to appeal, he or she must notify the Department Chair in writing within ten (10) working days from the date of the Charging Letter;
 - iv. That if the student decides not to appeal the charge, but believes the academic sanction is not in alignment with the sanctions for academic dishonesty described

in the course syllabus, he or she must notify the Department Chair in writing within ten (10) working days from the date of the Charging Letter; and

- v. That if the student appeals the academic dishonesty charge or sanction, the student should stay in the class pending the outcome of the appeal.
 - b. The Charging Letter must be either hand delivered or sent by certified mail and emailed to the student's address of record in MyNevada. If the Charging Letter is delivered in the prescribed manner, then the Charging Letter is deemed received. A copy of the Charging Letter also must be sent to the Office of Student Conduct ("OSC"). The student has ten (10) working days from the date of the Charging Letter to appeal to the chair of the department that offered the course.
2. Student's Response to Charging Letter
- a. Students who wish to dispute the charge should schedule a meeting with the charging faculty member to discuss the charge within 5 working days from the date of the Charging Letter. The student or the faculty member may also request to have the department chair or his or her designee present at the meeting.

After the meeting, the faculty member may maintain the charge(s) and sanctions as submitted in the Charging Letter, or may withdraw the charge and/or change the academic sanction.

- b. If the charge and/or sanction is not withdrawn and the student decides to pursue an appeal of the charge presented in the Charging Letter, the student must appeal in writing to the Department Chair within ten (10) working days of the date of the Charging Letter. The student's appeal must be received by the Department Chair on the tenth day. Within the next five (5) working days, the Department Chair must inform the faculty member, then refer the matter to the OSC for a hearing by the Undergraduate Academic Integrity Board ("AIB"). The student should be allowed at least ten (10) working days to prepare for a hearing, but this period may be waived by the student in writing.
 - c. Decision Not to Appeal the Charge: If the student does not appeal, the charge of academic dishonesty stands and the faculty member may impose the academic sanction specified in the Charging Letter.
 - i. Request for Academic Sanction Review: The student may request the academic sanction be reviewed by the Department Chair if the sanction is not in alignment with the sanctions for academic dishonesty described in the course syllabus. The student must make the request in writing to the Department Chair within ten (10) working days from the date of the Charging Letter. The student's request must be received by the Department Chair by the tenth day. The Department Chair has five (5) working days to make the decision of whether the academic sanction will stand and if not, impose an academic sanction consistent with the course syllabus and/or the University policy and inform the student in writing. The Department Chair's decision is final. The student does not have access to the grade appeal process for a grade received as a sanction for academic dishonesty.
 - ii. Acceptance of Academic Sanction: If the student accepts the academic sanctions or does not appeal within the applicable time period, there can be no further appeal and the academic sanction shall be applied.
 - d. Disciplinary Sanction: In addition to an academic sanction, the OSC may impose a disciplinary sanction. Students who wish to appeal a disciplinary sanction may do so through the OSC, in accordance with the procedures stated in Section IV of the Student Code, Student Disciplinary Procedures.
3. Undergraduate Academic Integrity Board
- a. AIB Members: The AIB shall consist of the following trained members with due consideration being given to possible conflict of interest:
 - i. Two undergraduate students appointed from the Student Conduct Hearing Board;

- ii. Two academic faculty members selected by the executive board of the Faculty Senate; and
- iii. A third academic faculty member who will serve as chair of the board selected by the Executive Vice President & Provost (the "Provost").

To ensure the impartiality of the AIB, members must be appointed from departments other than those in which the case originated and in which the accused student is majoring.

- b. **Hearing Deadline** - The AIB shall be empaneled by the OSC. The OSC shall set a hearing date within fifteen (15) working days after the matter has been referred to the OSC. The student and the faculty member are each allowed one (1) continuance. Thereafter, the student or faculty member may be granted one (1) additional continuance upon a showing of good cause by the requesting party. The Provost or the Provost's designee shall make the determination as to whether the additional continuance will be granted.
4. **AIB Hearing Procedure**

The hearing procedure is as follows:

- a. The accused student will be contacted by the OSC to appear before the AIB for a hearing on the academic dishonesty charge. The hearing shall be closed.
- b. The accused student has the right to be assisted by one (1) advisor, if desired. The advisor serves as a supporter and advisor during the conduct hearing. The accused student, and not the advisor, is responsible for presenting his or her own information, introducing witnesses, and answering questions throughout the hearing. When a student selects an advisor, the advisor has no right to speak during the hearing. The advisor may be an attorney. If the student wishes to be accompanied by an advisor or an attorney, the Assistant Dean, Student Conduct must be notified at least five (5) working days before the hearing. If the accused student chooses to have an advisor, the faculty member may be accompanied by an advisor or by an attorney if the student chooses an attorney as his or her advisor.
- c. The student, the faculty member and any advisors shall be allowed to attend all portions of the hearing at which information is received, but may not be present during the AIB's closed sessions to deliberate and render a decision on the charge.
- d. The AIB may have an advisor or attorney at all hearings, regardless of whether the student requests an advisor or attorney.
- e. The accused student and faculty member must provide written notification of witnesses to the Assistant Dean, Student Conduct no later than five (5) working days before the hearing (hereafter referred to as "documents"). The accused student and faculty member may present relevant written documents, records, or other information for the hearing. These documents must be provided to the OSC five (5) working days before the hearing.
- f. The accused student and the faculty member have the right to review the witness names identified by each party and the documents provided by each party to the OSC two working days prior to the hearing. This review will take place within the OSC during normal working hours under the supervision of the Assistant Dean, Student Conduct or designee. All documents are considered confidential and will not be reproduced or released for review by the student or faculty member outside of the OSC.
- g. If the student, after receiving the notice, does not appear at the hearing, the information in support of the Charging Letter shall be presented, considered and acted upon regardless

of the student's absence. If the faculty member does not appear at the hearing, the charge(s) of academic dishonesty will be dismissed and the student's academic record expunged.

- h. During the hearing, the chair of the AIB will state the content of the report of alleged academic dishonesty and the specific charges made in the Charging Letter. Charges may not be added for determination at the hearing if they were not stated in the Charging Letter.
- i. The faculty member will appear before the board to present information that supports the charge.
- j. The student will appear before the AIB to present information that supports his or her dispute of the charge.
- k. The chair of the board may call other witnesses who were disclosed by the parties to the OSC within the applicable time period.
- l. Information and testimony presented by the faculty member and the student must be relevant to the specific charge(s) of academic dishonesty. The AIB is allowed to strike or exclude any information or testimony that is not relevant to the specific charge(s) of academic dishonesty.
- m. The AIB will then meet in closed session to deliberate and render a final decision on the charge. The AIB's sole responsibility during the deliberations on the charge is to determine whether the student is responsible as charged for academic dishonesty. The AIB's decision shall be made on the basis of the preponderance of the evidence: whether it is more likely than not that the student committed the academic dishonesty. This decision is made through consensus when possible, and if not possible, then by simple majority vote of the AIB members.
- n. The hearing proceedings and the evidence and testimony presented at the hearing are confidential.
- o. The chair of the AIB has five (5) working days to inform the OSC of the AIB's decision, in writing. The OSC must inform all concerned parties (the student, faculty member, Department Chair) of the AIB's decision within five (5) working days.
- p. If the student is found to be responsible as charged:
 - i. The faculty member may impose the proposed academic sanction. If the sanction is not in alignment with the sanctions for academic honesty described in the course syllabus, the student may request the academic sanction be reviewed by the Department Chair. The student has ten (10) working days from the receipt of the notification to request this review in writing. The Department Chair has five (5) working days to make the decision and if not, impose an academic sanction consistent with the course syllabus and/or University policy and inform the student in writing. The Department Chair's decision is final.
 - ii. After determining that the student is responsible as charged, the AIB shall then consult with the OSC about any past record of academic misconduct for purposes of determining whether to recommend disciplinary sanctions. The OSC implements disciplinary sanctions.
- q. If the AIB finds the student not responsible, no sanctions are imposed, and the academic dishonesty charge is expunged from the student's record.

- i. The faculty member must change the grade assigned so that the charged academic dishonesty does not factor into the coursework or course grade in any manner.
- ii. The faculty member has no right to appeal the decision of the AIB.

Subsection D: Academic Dishonesty Procedures for Graduate Students

1. Charging Letter

- a. If a graduate student is suspected of academic dishonesty, the instructor of record for that course must notify the student by written letter of the academic dishonesty charge within the following time frames:
 - i. For theses, dissertations, or professional papers, no later than twenty (20) working days after knowledge of the alleged action.
 - ii. For all other coursework, no later than fifteen (15) working days after knowledge of the alleged action or submission/presentation of the assignment.
- b. This notification letter is hereafter referred to as the "Charging Letter." The faculty member should use the Template Charging Letter provided here. The charging letter must inform the student of all of the following:
 - i. The specific charge(s), the documents in support of the charge(s) and the proposed sanction(s);
 - ii. The Academic Standards Policy to be followed and where it is located;
 - iii. That the student has the right to appeal the charge of academic dishonesty and if the student decides to appeal the charge, he or she must notify the Department Chair in writing within ten (10) working days from the date of the Charging Letter;
 - iv. That if the student decides not to appeal the charge, but believes the academic sanction is not in alignment with the sanctions for academic dishonesty described in the course syllabus or Graduate Student Handbook, he or she must notify the Department Chair in writing within ten (10) working days from the date of the Charging Letter; and
 - v. That if the student appeals the academic dishonesty charge or sanction, the student should stay in the class pending the outcome of the appeal.
- c. The Charging Letter must be either hand delivered or sent by certified mail and emailed to the student's address of record in MyNevada. If the Charging Letter is delivered in the prescribed manner, then the Charging Letter is deemed received. A copy of the Charging Letter also must be sent to the OSC, the director of the student's graduate program, the Department Chair, and the Graduate School.

2. Student's Response to Charging Letter.

- a. Decision Not to Request Department Review: If the student does not request a Department Review (by the Department Chair or Program Director) of the charge of academic dishonesty within the applicable time period, the faculty member may impose the academic sanction.
 - i. The student may request the academic sanction be reviewed by the Department Chair if the sanction is not in alignment with the sanctions for the academic dishonesty described in the course syllabus or Graduate Student Handbook. The student has ten (10) working days from the receipt of the notification to request this review in writing. The Department Chair has five (5) working days to make the decision and inform the student in writing. The Department Chair's decision is final.
- b. Request for Department Review: Within ten (10) working days of receipt of the Charging Letter, the student may file a request for Department Review of the charge of academic dishonesty with the Department Chair.

- i. If the student is found not responsible for academic dishonesty in the Department Review, any academic sanctions previously imposed are removed, the OSC and Graduate School are notified of the outcome, and the matter is ended.
 - ii. If the student is found responsible for an academic dishonesty in the Department Review, the OSC may impose disciplinary sanctions.
 - iii. As stated above, if the student does not appeal the outcome of the Department Review, the academic sanctions shall be implemented.
 - iv. The student may appeal the Department Review and the academic sanction to the Dean of the Graduate School within ten (10) working days of the receipt of notification regarding the outcome of the Department Review. The appeal must be in writing.
 - c. Disciplinary Sanction: In addition to an academic sanction, the OSC may impose a disciplinary sanction. Students who wish to appeal a disciplinary sanction may do so through the OSC, in accordance with the procedures stated in Section IV of the Student Code, Student Disciplinary Procedures.
3. Dean's Review
 - a. If the student appeals the Department Chair's decision from the Department Review, the appeal goes to the Dean of the Graduate School. The Dean of the Graduate School may take any of the following actions:
 - i. Resolve the conflict through mediation;
 - ii. Dismiss the charge;
 - iii. Uphold the faculty member's or Department Chair's decision in its entirety;
 - iv. Impose a lesser sanction; or
 - v. Impose a greater sanction.

If the Dean of the Graduate School finds the student responsible for academic dishonesty, the Dean must inform the OSC. The OSC may impose disciplinary sanctions.

- b. The Dean must notify the student in writing of the Dean's decision, within ten (10) working days of receipt of the appeal. The Dean's notification to the student must be either hand delivered or sent via certified mail and emailed to the student's address of record in MyNevada. If the notification is delivered in the proscribed manner, then the notification is deemed received.
4. Appeal of the Dean's Decision.
 - a. A student may appeal the Dean's decision to the Provost. This appeal must be made in writing within ten (10) working days after the student received the written decision from the Dean. This appeal shall be referred by the Provost to the OSC for a hearing in front of the Graduate Academic Integrity Board ("Graduate AIB").
 - b. If the student accepts the Dean's decision or does not appeal within the applicable time period, there can be no further appeal and the academic sanction shall be applied.
5. The Graduate AIB
 - a. The Graduate AIB shall consist of the following members with due consideration being given to possible conflict of interest:
 - i. Two graduate students appointed by the Graduate Student Association;
 - ii. Two faculty members selected by the executive board of the Faculty Senate; and
 - iii. A third faculty member who will serve as the chair of the board, selected by the Provost.

University of Nevada, Reno Relationship Agreement

To ensure impartiality of the Graduate AIB, members must be appointed from departments other than those in which the case originated and in which the accused student is majoring.

- b. **Hearing Deadline:** The Graduate AIB shall be empaneled by the OSC. The OSC shall set a hearing date within fifteen (15) working days after the appeal is referred to the OSC.
6. **Graduate AIB Hearings Procedure**
 - a. The hearing procedures for graduate students are the same as for undergraduate students, as stated above.
 - b. The Graduate AIB must forward its findings and recommendations to the OSC within five (5) working days of the hearing's conclusion. The OSC forwards the Graduate AIB's recommendations and any record of the student's previous academic misconduct to the Provost within two (2) working days of receiving notification from the Graduate AIB. The Provost will review the case including any records of previous academic misconduct provided by the OSC and inform the student and all other concerned parties of the final action taken within ten (10) calendar days of the hearing's conclusion. The Provost's decision is final.

City and State Alcohol Codes and Policies:

Listed below are relevant codes and policies related to alcohol, including Nevada Revised Statutes, Student Judicial Code Prohibited Conduct for Students and the University Policy for Sale and Service of Alcoholic Beverages at Events.

Nevada Revised Statutes

NRS 202.020 Purchase, consumption or possession of alcoholic beverage by minor; penalties; exceptions.

1. Except as otherwise provided in this section, a person under 21 years of age who purchases any alcoholic beverage or any such person who consumes any alcoholic beverage in any saloon, resort or premises where spirituous, malt or fermented liquors or wines are sold is guilty of a misdemeanor.
2. Except as otherwise provided in this section, a person under 21 years of age who, for any reason, possesses any alcoholic beverage in public is guilty of a misdemeanor.
3. A person under 21 years of age is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2 if the person requests emergency medical assistance for another person whom he or she reasonably believes is under 21 years of age if the person making the request:
 - (a) Reasonably believes that the person who consumed the alcohol is in need of such assistance because of the alcohol consumption;
 - (b) Is the first person to request emergency medical assistance for the person;
 - (c) Remains with the person until informed that his or her presence is no longer necessary by the emergency medical personnel who respond to the request for assistance for the person; and
 - (d) Cooperates with any provider of emergency medical assistance, any other health care provider who assists the person who may be in need of emergency medical assistance because of alcohol consumption and any law enforcement officer.

4. A person under 21 years of age for whom another person requests emergency medical assistance pursuant to subsection 3 is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2.

5. A person under 21 years of age is not subject to the criminal penalty set forth in subsection 1 for consuming an alcoholic beverage or subsection 2 if the person:

(a) Requests emergency medical assistance because he or she reasonably believes that he or she is in need of medical assistance because of alcohol consumption; and

(b) Cooperates with any provider of emergency medical assistance, any other health care provider who provides assistance to him or her and any law enforcement officer.

6. This section does not preclude a local governmental entity from enacting by ordinance an additional or broader restriction, except that any such ordinance must not conflict with the provisions of subsection 3, 4 or 5 or create criminal liability for a person to whom an exemption set forth in subsection 3, 4 or 5 applies.

7. For the purposes of this section, possession “in public” includes possession:

(a) On any street or highway;

(b) In any place open to the public; and

(c) In any private business establishment which is in effect open to the public.

8. The term does not include:

(a) Possession for an established religious purpose;

(b) Possession in the presence of the person’s parent, spouse or legal guardian who is 21 years of age or older;

(c) Possession in accordance with a prescription issued by a person statutorily authorized to issue prescriptions;

(d) Possession in private clubs or private establishments; or

(e) The selling, handling, serving or transporting of alcoholic beverages by a person in the course of his or her lawful employment by a licensed manufacturer, wholesaler or retailer of alcoholic beverages.

[1:272:1947; 1943 NCL § 10594.02] — (NRS A 1967, 482; 1987, 482; 2015, 1450)

NRS 202.040 False representation by minor to obtain intoxicating liquor.

Every minor who shall falsely represent himself or herself to be 21 years of age in order to obtain any intoxicating liquor shall be guilty of a misdemeanor.

[Part 1911 C&P § 241; A 1925, 212; NCL § 10188]

NRS 202.055 Sale or furnishing of alcoholic beverage to minor; aiding minor to purchase or procure alcoholic beverage; policy to prevent minor from obtaining alcoholic beverage through use of Internet.

1. Every person who knowingly:

(a) Sells, gives or otherwise furnishes an alcoholic beverage to any person under 21 years of age;

(b) Leaves or deposits any alcoholic beverage in any place with the intent that it will be procured by any person under 21 years of age; or

(c) Furnishes, gives, or causes to be given any money or thing of value to any person under 21 years of age with the knowledge that the money or thing of value is to be used by the person under 21 years of age to purchase or procure any alcoholic beverage,

2. Paragraph (a) of subsection 1 does not apply to a parent, guardian or physician of the person under 21 years of age.

3. Every person who sells, gives or otherwise furnishes alcoholic beverages through the use of the Internet shall adopt a policy to prevent a person under 21 years of age from obtaining an alcoholic beverage from the person through the use of the Internet. The policy must include, without limitation, a method for ensuring that the person who delivers the alcoholic beverages obtains the signature of a person who is over the age of 21 years when delivering the beverages and that the packaging or wrapping of the alcoholic beverages when they are shipped is clearly marked with words that describe the alcoholic beverages. A person who fails to adopt a policy pursuant to this subsection is guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

(Added to NRS by 1967, 482; A 1969, 22; 1987, 482; 2001, 2788)

University of Nevada, Reno Hazing and Initiation Policy

The University of Nevada, Reno requires all members of recognized student organizations, including fraternities and sororities, to comply with state law, University and system policies, and international/national fraternal policies regarding the prohibition of hazing.

Nevada Revised Statutes (NRS 200.605)

NRS 200.605 Penalties; definition.

1. A person who engages in hazing is guilty of:
 - (a) A misdemeanor, if no substantial bodily harm results.
 - (b) A gross misdemeanor, if substantial bodily harm results.
2. Consent of a victim of hazing is not a valid defense to a prosecution conducted pursuant to this section.
3. For the purposes of this section, an activity shall be deemed to be “forced” if initiation into or affiliation with a student organization, academic association or athletic team is directly or indirectly conditioned upon participation in the activity.
4. As used in this section, “hazing” means an activity in which a person intentionally or recklessly endangers the physical health of another person for the purpose of initiation into or affiliation with a student organization, academic association or athletic team at a high school, college or university in this state. The term:
 - (a) Includes, without limitation, any physical brutality or brutal treatment, including, without limitation, whipping, beating, branding, forced calisthenics, exposure to the elements or forced consumption of food, liquor, drugs or other substances.
 - (b) Does not include any athletic, curricular, extracurricular or quasi-military practice, conditioning or competition that is sponsored or approved by the high school, college or university.

(Added to NRS by 1999, 1065)

NSHE and University of Nevada, Reno Hazing Policy

Hazing has no place within a community of scholars. The Board of Regents of the Nevada System of Higher Education (NSHE) affirms its opposition to any form of hazing, as does the University of Nevada, Reno, community.

NSHE institutions advocate civility in society and an adherence to the fundamental principles of honesty, integrity, respect, fairness, development of the individual character, and sensitivity to the dignity of all persons. These principles should be fostered and nurtured in a broad spectrum of activities that yield social, intellectual and physical benefits. Therefore hazing of any nature is unacceptable at any public institution of higher education in the State of Nevada.

1. No member or alumnus of the NSHE community acting as an individual or part of a group shall conduct or condone hazing activities.
 - a. Hazing is defined as any method of initiation into or affiliation with the University, a student organization, a sports team, an academic association, or other group directly or indirectly engaged in that intentionally or recklessly endangers that individual physically and/or mentally regardless of whether or not the recipient is a willing participant. Hazing is most often seen as an initiation rite into a student organization or group, but may occur in other situations.
 - b. Hazing activities may include, but are not limited to:
 - i. Any physical activity, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquid, drugs or other substance or any other brutal treatment or other forced physical activity that is likely to adversely affect the physical health of the person.
 - ii. Any mentally embarrassing, harassing, or ridiculing behaviors that create psychological shocks, to include but are not limited to such activities as: Engaging in public stunts and buffoonery, morale degradation or humiliating games and activities.
 - iii. Any situation which subjects the individual to extreme stress, such as sleep deprivation, forced exclusion from social contact, required participation in public stunts, or forced conduct which produces pain, physical discomfort, or adversely affects the mental health or dignity of an individual.
 - iv. Any expectations or commands that force individuals to engage in an illegal act and/or willful destruction or removal of public or private property.
2. Each institution within NSHE shall develop clear procedures for dealing with hazing, requirements for reporting hazing, clear reporting lines for infractions, investigation procedures, and potential discipline. Each institution shall apply a reasonable person standard, and the discipline shall be proportionate to the infraction. All disciplinary actions or sanctions shall be congruent with Chapter 6 of the code and appropriate bylaws. Both individuals and organizations committing an offense under this anti-hazing policy may be found in violation and be subject to appropriate disciplinary sanctions.
3. An allegation of hazing, reporting of a suspicion that hazing may have occurred, or a request for an investigation of hazing may be initiated by anyone. Campus policies shall designate the appropriate place and method of reporting. Each campus is encouraged to develop an educational program about the serious danger and risk involved in any hazing activity and the subsequent harm that can occur to both the individual subjected to hazing and those engaged in hazing.
4. Each campus shall develop procedures and policies to report cases of hazing that fall under Nevada Revised Statutes.

University of Nevada, Reno Relationship Agreement

To report an allegation of hazing, please contact the Office of Student Conduct, Clark Administration Building, Lake Level, 784-4388. All investigations of hazing and procedures for adjudication shall follow the University's [Student Code of Conduct](#).